

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, JUNE 12, 2018

SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 29

**SENATE**

TUESDAY, June 12, 2018

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

**PRAYER**

The Chaplain, Reverend ROB FIELDS, Executive Director of The Leaders of Faith Foundation, Bethlehem, offered the following prayer:

I would like to offer this prayer that was given by the late Dr. Dick Halverson, who was the U.S. Senate Chaplain, and may this be our prayer this morning.

O God, You are my God, earnestly I seek You, my soul thirsts for You, my body longs for You in a dry and weary land where there is no water, Psalm 63:1. As the deer pants for streams of water so my soul pants for You, O God, Psalm 42:1. Help us to comprehend, gracious God, that we have hunger and thirst for You that nothing else can satisfy, that when we forsake You, however we may forbid ourselves with substitute, our souls starve. Help us to comprehend the fact that authentic commandness depends upon a close relationship with You that we are most complete as persons when we worship You, serve You, and love You.

Forgive us for the subtle idolatry which exchanges the true God for the seductive gods of power, prestige, position, prosperity, or pleasure. Teach us that we find ourselves and know ourselves by coming to You, acknowledging You, and submitting to You. We ask this in the name of the perfect man, Jesus, whose perfection was in his unbroken relationship with You. Amen.

The PRESIDENT. The Chair thanks Reverend Fields, who is the guest today of Senator Aument.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGE**

**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 653**.

**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 12, 2018

Senators KILLION, BREWSTER, BROWNE, FOLMER, MARTIN, MENSCH, REGAN and WHITE presented to the Chair **SB 1194**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in educational tax credits, further providing for definitions.

Which was committed to the Committee on EDUCATION, June 12, 2018.

Senators HUGHES, BLAKE, FONTANA, COSTA, TARTAGLIONE, SCHWANK, BREWSTER, VULAKOVICH, MENSCH, BROWNE and YUDICHAK presented to the Chair **SB 1195**, entitled:

An Act providing for small business fee exemption.

Which was committed to the Committee on STATE GOVERNMENT, June 12, 2018.

Senators REGAN, EICHELBERGER, MARTIN, DiSANTO, WHITE, RAFFERTY, RESCHENTHALER, FOLMER, BARTOLOTTA and KILLION presented to the Chair **SB 1204**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in educational tax credits, further providing for limitations.

Which was committed to the Committee on EDUCATION, June 12, 2018.

Senators DINNIMAN, TOMLINSON, RAFFERTY, MARTIN, WHITE, FOLMER and MENSCH presented to the Chair **SB 1206**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in the State System of Higher Education, further providing for definitions, for establishment of the State System of Higher Education and its institutions, providing for treatment of funds other than State-appropriated funds, further providing for purposes and general powers, for project contracts, for the chancellor, for powers and duties of the Board of Governors, for powers and duties of councils of trustees, for power and duties of institution presidents, for annual audit and for annual report.

Which was committed to the Committee on EDUCATION, June 12, 2018.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 689 (Pr. No. 847)**

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for definitions and for State Board of Certified Real Estate Appraisers.

**SB 832 (Pr. No. 1101)**

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for definitions and for duties of board; repealing provisions relating to qualifications; further providing for certification; providing for employees of political subdivisions; and further providing for disciplinary and correction measures and for unlawful practice.

**SB 1074 (Pr. No. 1538)**

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for genetic counselor.

**SB 1169 (Pr. No. 1749)**

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for genetic counselor.

**HB 1898 (Pr. No. 3673) (Amended)**

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions; providing for vehicle recalls; and further providing for unlawful acts by manufacturers or distributors, for application for license and for licensing cost.

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following bills:

**SB 917 (Pr. No. 1861) (Amended)**

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for Commonwealth recycling and waste reduction.

**SB 1189 (Pr. No. 1812)**

An Act designating certain activity by the Delaware River Basin Commission as the exercise of the power of eminent domain that entitles the owners of the property in question to appropriate and just compensation.

**HB 927 (Pr. No. 1080)**

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

**RESOLUTIONS REPORTED FROM COMMITTEE**

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following resolutions:

**SR 326 (Pr. No. 1679)**

A Resolution urging the Congress of the United States to adopt the National Park Service's recommendations to extend the Lewis and Clark National Historic Trail to include additional sites along the Lewis and Clark Expedition's Eastern Legacy.

**SR 373 (Pr. No. 1862) (Amended)**

A Concurrent Resolution establishing a special bipartisan, bicameral legislative commission to recommend safety, oversight and inter-agency coordination improvements for the transport of oil, natural gas and other hazardous liquids through pipelines in this Commonwealth and develop and promote legislation in furtherance of its recommendations.

**SR 375 (Pr. No. 1813)**

A Resolution urging the President and Congress of the United States to enact legislation that advances the development of an Appalachian storage hub for petrochemical feedstock.

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

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of March 27, 2018, is now in print.

The Clerk proceeded to read the Journal of the Session of March 27, 2018.

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

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

The yeas and nays were required by Senator 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 majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. The Journal is approved.

**GUEST OF SENATOR RYAN AUMENT  
PRESENTED TO THE SENATE**

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

Senator AUMENT. Mr. President, it is my pleasure to introduce our guest Chaplain today, Reverend Rob Fields, executive director and founder of The Leaders of Faith Foundation. A graduate of Dallas Theological Seminary, Reverend Fields spent time teaching at Wilmington Christian School in Delaware before moving on to found The Leaders of Faith Foundation. Over the past 14 years of the foundation, Reverend Fields has served numerous public leaders, both locally and internationally, through the National Prayer Breakfast and various U.S. congressional groups in Washington, D.C. Reverend Fields also works with many State legislators, including the Pennsylvania House group. Reverend Fields is glad to be here to visit, as he has many friends in the Pennsylvania Capitol and in the Senate. So please join me in welcoming him here today.

Thank you, Mr. President.

The PRESIDENT. Would the Senate give our customary warm welcome to Reverend Fields, who said a great prayer today. Thank you very much.

(Applause.)

**GUESTS OF SENATOR ELDER A. VOGEL  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, the Grange is a fraternal family organization dedicated to the betterment of the American way of life through community service, education, legislation, and fellowship. The Grange includes members of all ages and specifically has programs for juniors, ages 5 to 14; youth, ages 14 to 23; and young adults, ages 23 to 35. The Grange represents approximately 7,200 Pennsylvanians across the Commonwealth.

Today being "Grange Day on the Hill," we welcome the Grange's 2018 Youth Leadership Royalty to the Capitol. There are six extraordinary young people I would like to introduce. Autumn Tworkoski, junior princess, is a constituent of Senator Argall from Bernville, Pennsylvania. Autumn attends Hamburg Area High School. Tanner Davis, junior prince, is a constituent of Senator Schwank and is from Leesport, Pennsylvania. Tanner attends Schuylkill Valley High School. Grace Wadsworth, youth ambassador, is a constituent of Senator Dinniman from Lincoln University, Pennsylvania. Grace attends Indiana University of Pennsylvania. Jacob Mengel, youth ambassador, is a constituent of Senator Argall and is from Kutztown, Pennsylvania. Jacob attends Elizabethtown College. Denae Zvarick, outstanding young patron, is a constituent of Senator Mensch and is from Green Lane, Pennsylvania. Andrew Kieffer, outstanding young patron, is a constituent of Senator Argall and is from Bethel, Pennsylvania.

Thank you to all the Grange royalty for being with us today. We congratulate you on your extraordinary accomplishments. Let us give these young people our usual warm welcome.

The PRESIDENT. Would the guests of Senator Vogel - Autumn, Tanner, Grace, Jacob, Denae, and Andrew - please rise so that we may welcome you to the Pennsylvania Senate.

(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 Allison Ritting, who is an intern in my Red Hill office. Allison is from Red Hill, Montgomery County. She is currently entering her junior year at Ithaca College, where she is an occupational therapy major and a sociology minor. At Ithaca, she is a member of the Student Occupational Therapy Association, varsity rowing team, and club cross country team. Allison also works as an intern at the Upper Perkiomen Valley Chamber of Commerce in Montgomery County. When she is not working, she enjoys swimming, hiking, running, and generally being outdoors. Joining Allison is her mother, Lori Ritting.

Please join me in welcoming Allison Ritting and her mother, Lori.

The PRESIDENT. Would the guests of Senator Mensch, Allison and her mother, Lori, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

**GUEST OF SENATOR JOHN M. DiSANTO  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I stand to recognize a fine young lady, Evie Gentile, who is shadowing me today. Evie graduated from Hershey High School and will be entering Georgetown University in the fall to major in government. She is on our track. In high school, she was active in Youth in Government, president of student council, and the Young Democrats. She played the cello in the orchestra and studied at the Hershey School of Dance. Evie was also the recipient of a Good Citizenship Award that I sponsor at area high schools. Please join me in welcoming Evie. Thank you.

The PRESIDENT. Would the guest of Senator DiSanto, Evie Gentile, please rise so that we may welcome you to the Pennsylvania Senate. Good luck in all your endeavors

(Applause.)

**GUESTS OF SENATOR JOHN P. BLAKE  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, it is a deep honor for me to welcome some very special guests here to the Pennsylvania State Senate. First, I want to let everyone know that the 2017-18 PIAA State Class AAAAA Boys' Basketball Champions are in the house today. Abington Heights High School Boys' Basketball Team head coach is Ken Bianchi; assistant coaches are Jeff McLane, Chris Bianchi, Luke Peterson and Jamie Egan; and the athletic director is Randy Hanyon. Of course, congratulations to the superintendent of Abington Heights, Mike Mahon, and the principal of the high school, Andrew Snyder.

The team, Mr. President, amassed a record of 27-3 over the course of the year and they beat Mars Area High School for the championship by a score of 67-55. It is the first State Championship for Abington Heights, but I expect not the last. The team includes George Tinsley, Corey Perkins, Garrett Plantz, Drew Nealon, Andrew Keris, Tucker Schimelfenig, Jackson Danzig, Jack Nealon, Trey Koehler, James Lefchak, Harold Johnson, Aidan Demkowich, Alex Derry, and Mike Malone. Mr. President, I would appreciate a warm welcome to the Class AAAAA boys' champions for the Commonwealth of Pennsylvania, Abington Heights High School.

The PRESIDENT. Would the guests of Senator Blake, the State Champion Abington Heights Boys' AAAAA Basketball Team, please rise so that we may welcome you, coaches and team.

(Applause.)

The PRESIDENT. The Chair again recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, a few more guests, I appreciate your indulgence. I have a young lady shadowing me here in the Capitol today by the name of Ericka Pica. She is a junior at Holy Cross High School in Dunmore from the county of Lackawanna. She is interested in making changes to the world in education and gun safety, and she is grateful for the opportunity to visit the Capitol. I would appreciate a warm welcome for Ericka as she shadows me here in the Capitol today.

The PRESIDENT. Would the guest of Senator Blake, Ericka, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

#### **GUEST OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE**

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

Senator BOSCOLA. Mr. President, this has turned out to be a really great day. Not only do we have an opioid video contest winner here, we have the Villanova basketball team coming in later, we have Reverend Fields from Bethlehem here today as our Chaplain, and most importantly, a very special guest Page. I am proud to introduce Carly Campbell, who is here as a guest Page in the Senate today. Carly is going to begin seventh grade at Our Lady of Perpetual Help in Bethlehem. She excels academically, earning high honors this year with a GPA of 97, and that is out of 100, Mr. President. She is very active at her school, she is a member of the volleyball team, the basketball team, and the glee club. Outside of school she participates in club volleyball teams and she enjoys spending quality time with her family and friends. She is also joined today by her mother, Terri, as well as her brother, Casey, who is also a guest Page, but over in the House today.

I have enjoyed my time with Carly during our visit. She is beautiful and a great person to be around. I know you are going to have a great future ahead of you, Carly. Thank you for being here, and I ask the Senate to give her our usual warm welcome.

The PRESIDENT. Would the guest of Senator Boscola, Carly Campbell, please rise so that we may welcome you. What a great introduction.

(Applause.)

#### **GUESTS OF SENATOR JOHN P. BLAKE PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, I have one last honor to welcome here to the Capitol, Kyle Burke, who won the State Championship 1,600-meter in track and field. He is also a senior at Abington Heights High School. He is here with his assistant coach, Mike Hofmann. He won the 1,600-meter State Championship at Shippensburg, and his plans are to go to Lehigh University and keep running.

Mr. President, please welcome Kyle Burke to the Senate.

The PRESIDENT. Would the guests of Senator Blake, Kyle Burke, track champion, please rise, as well as coach Mike Hofmann, we want to welcome you to the Pennsylvania Senate.

(Applause.)

#### **GUESTS OF SENATOR DONALD C. WHITE PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, it is always a distinct pleasure to recognize the outstanding achievements of the young people of our Commonwealth and especially our Senate districts. I do not get a lot of visitors down here, and when I do, they are usually of topnotch quality. Today, I have the great honor to present two students from Armstrong Junior/Senior High School who recently won the 2017-18 Benevolent and Protective Order of the Elks Drug Awareness Video Contest. The theme for this year's competition was "What Heroes Do."

Hayley Woodside, from Kittanning, was president of her school's photography and TV clubs. She is a member of the National Honor Society, the drama club, and served as secretary of the class cabinet. Joe Louis Crissman, also from Kittanning, has been a member of the high school football team. In addition to congratulating these two young people for their winning video, I am proud to say that I can commend them for their choice of college, because both of them will be attending our local Indiana University of Pennsylvania to study communications/media.

Mr. President, I ask my colleagues to join me in welcoming these students to the Senate. Thank you very much.

The PRESIDENT. Would the guests of Senator White, the video artists, Hayley and Joe, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

#### **GUEST OF SENATOR WAYNE LANGERHOLC PRESENTED TO THE SENATE**

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

Senator LANGERHOLC. Mr. President, it is my pleasure to introduce one of my constituents to the Senate floor today. Dan Thompson is the owner of Von's United Beverage. He and his wife, Connie, purchased the business in 1992. Their tremendous business acumen enabled them to significantly expand the business in 2003 into a state-of-the-art warehouse and office facility in Richland Township. They sell retail and to licenses in

Somerset, Cambria, Clearfield, and Centre Counties, and employ 35 full-time employees.

It is my pleasure to introduce and ask for our traditional warm Senate welcome for Mr. Dan Thompson.

The PRESIDENT. Would the guest of Senator Langerholc, Dan Thompson, please rise so that we may welcome you to the Pennsylvania Senate. Keep creating jobs, sir.

(Applause.)

### SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators MARTIN and CORMAN, by unanimous consent, offered **Senate Resolution No. 387**, entitled:

A Resolution congratulating The Pennsylvania State University wrestling team on its seventh National Collegiate Athletic Association Division I Wrestling Championship in the past eight years.

On the question,  
Will the Senate adopt the resolution?

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

Senator MARTIN. Mr. President, I offer this resolution to honor and congratulate the Pennsylvania State University Wrestling Team on its seventh NCAA Division I National Wrestling Team Championship in the past 8 years, and eighth championship overall. This is the third consecutive national title for the team under the leadership of head coach Cael Sanderson, who has coached 20 national champions since the start of his tenure, and who is arguably the most accomplished collegiate wrestler in history.

A number of Penn State wrestlers have also earned prestigious awards, including four-time All-American Zain Retherford, who won his third consecutive NCAA wrestling title, 94th straight win, the 2018 Big Ten Wrestler of the Year award, and was also the recipient of the 2018 Hodge Award for the second year in a row as the top collegiate wrestler in the country. Wrestlers Jason Nolf, Vincenzo Joseph, and Bo Nickal all earned their second consecutive NCAA titles in their respective weight classes and their third All-American distinctions. Retherford, alongside Nolf, Nickal, and wrestler Mark Hall, also earned the Most Dominant Wrestler Award for their weight classes. Mr. Hall, a sophomore, successfully placed second overall in his division and was named an All-American for the second year in a row. The team has also exemplified strong academic excellence, with nearly half of its roster being named in the 2018 Winter Academic All Big Ten Conference Team for having individual grade point averages over a 3.0.

Mr. President, I ask my colleagues to join me in celebrating and congratulating these young men on their outstanding efforts both on the mat and in the classroom as they continue to make history.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I thank the gentleman from Lancaster for bringing this resolution forward. I also want to make an apology. Due to schedule changes, Coach Sanderson is here in the building today, but we were not able to get him on the

Senate floor at this particular moment because of our schedule. We had to move up the time of Session. It has been a very, very exciting time for wrestling fans in Pennsylvania, which has a rich wrestling history and is a tremendous recruiting ground, which I think that is why Coach Sanderson came to Penn State from Iowa State. It has been an exciting time watching their success, and there is nothing like a packed Bryce Jordan Center of 16,000 fans for a home wrestling meet, which every year they break the indoor record. There is a lot of excitement statewide, and we are very proud of Coach Sanderson and his program.

I also want to mention that in town with him is Coach Patrick Chambers, head coach of the Penn State basketball team. I know, Mr. President, your beloved Villanova Wildcats won this new tournament called the NCAA Tournament recently, and we are proud of them for that, but the oldest and most prestigious tournament in college basketball is, of course, the National Invitation Tournament, which Penn State won this year in an exciting fashion at Madison Square Garden. So, it is nice to have such basketball success as well.

We are glad the coaches and athletes are in town. I also congratulate Athletic Director Sandy Barbour, who under her leadership has really moved Penn State athletics to some of its most successful times in history, and it has been very exciting, as someone who lives so close, to watch it all. So, again, I apologize that we could not have Session when they could be here, they are in the building and we will have a chance to see them later, but great success on both the wrestling mat and the basketball court this year, and we are very proud of them.

Thank you, Mr. President.

The PRESIDENT. Of course, we are all proud of the wonderful example that Penn State sets in athletics and so many other things. Let us give a shout-out and an applause to our Penn State wrestling champions. They are not here, but we will let them hear our applause in the hallways.

(Applause.)

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

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

### GUESTS OF SENATOR RYAN AUMENT ON BEHALF OF SENATOR MICHELE BROOKS PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, I am pleased to speak on behalf of Senator Brooks and introduce constituents of hers from the 50th Senatorial District. We are pleased today to be recognizing winners of the Senate's heroin and opioid video contest, who reside in our respective districts. These winners are joining us today on the Senate floor. Whether it is a small rural community or a large city, the opioid crisis is touching everyone. The theme of their video shows true wisdom and insight into how we can be proactive in combating addiction before it ever takes hold. They have a strong anti-drug, pro-self-esteem, good-decisionmaking message, and the talent to express that message to persuade, inform, and inspire. After you watch their video, I hope you will join me in congratulating this group of students for their prob-

lem-solving approach to this tragic crisis. Their message of you do not have to follow the crowd and take charge of your own life is one that resonates across all areas and all age groups.

The students are joined today by their adviser, Angela Mumford, and Angela's daughter, Allison. These talented middle-schoolers, who joined together to help make a difference and create this video, are Madelyn Dragosavac, Finley Rauscher, Brock Cunningham, Hailee Rodgers, and Bradyn Field. Madelyn Dragosavac is accompanied by Meghan, Philip and Selaina Dragosavac, and Leona and John Kutz. Finley Rauscher is joined by Clint, Leah, and Aidan Rauscher, Tammy Smith, and Finley's aunt, Ryan Kennelley. Beth, Brad, and Stacie Zangle are also joining us today with Finley. Our third student winner is Brock Cunningham, who is joined by Susan Cunningham, Karen Patterson, and Dorothy Zahn. Hailee Rodgers is joined by Kevin and Missy Rodgers. Student winner number five is Bradyn Field. Bradyn's family includes Jason, Trisha, and Zach Field. How impressive to have such a large support network for these students from their families and schools.

Also impressive is the work of Melissa Hershey and Dawn Orvis, who coordinated this contest in a massive feat of coordination and promotion. I would like to take a minute to extend a heartfelt thank you to Melissa and Dawn for their exceptional work on this contest. So without further delay, I invite you to watch the students' award-winning video.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I guess we will have just a little further delay. I will make my comments brief. In my time here in the Senate, this is a first. This is rather historic that we have a video set up here on the Senate floor of the Chamber, other than for a Member's retirement when we used to do some videos for that, I have never seen us have video screens out to witness something that was done like this. I think it speaks to the importance of the issue of the opioid crisis, which is by far the biggest public health crisis that we have not only in Pennsylvania, but in this country. So I want to echo the comments by the gentleman from Lancaster County about the importance of this contest. I got a chance to witness some of my local videos of students who did it in my district, which were outstanding. These videos must be really great if they defeated and won the contest over folks in the Penns Valley School District, but I am very proud of the students for taking on this challenge.

This is the first time we have done this. As something new, it is not easy to jump in. I think the message that you will see here will resonate very well with all of us that this is an issue that needs a lot of public awareness. Even though it is a contest many people might think is important, but I tell you it is very important that everyone who is out speaking on this, talking about this, and making awareness about this, is doing their part, and hopefully more, to bring some sort of resolution to this crisis. I congratulate the students for their great work and look forward to seeing the video.

Thank you, Mr. President.

The PRESIDENT. And with that, let us play the video.

(Whereupon, the winning video of the Senate's Heroin and Opioid Video Contest was played.)

The PRESIDENT. Awesome. Great job, kids. Outstanding work, guys. You are saving lives, and we are really proud of you.

(Applause.)

### 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 now my pleasure to introduce my guests from the 36th Senatorial District. Nolan Deck is the first-place winner of the statewide "Talk to Your Senator" video competition, which, as we have heard, invited Pennsylvania students to submit a video highlighting ways to combat heroin and opioid abuse, help those who suffer from addiction, and develop laws to address this crisis. This was made possible with the generous support and funding of the drug and alcohol services providers of Pennsylvania, and we thank them for their support.

A rising senior at Hempfield High School, Nolan is heavily involved in both school and community-based extracurricular activities, including playing on the varsity tennis team, participating in the National Honor Society, tutoring, volunteering, and working a part-time job. Nolan also attends LCBC church in Manheim, and in his spare time, he even raises backyard chickens, a great Lancaster County activity. I am so pleased that Nolan was able to join us here in the Capitol today, and even more thrilled that an entry from Lancaster County, the 36th Senatorial District, was selected as the winner of the video competition.

Please join me in welcoming Nolan, who is joined by his brother, Damon, to the Senate and congratulating him on this well-deserved competition win.

Thank you, Mr. President.

The PRESIDENT. Let us welcome Nolan and Damon to the Pennsylvania Senate as the guests of Senator Aument. Thank you, guys. Great job.

(Applause.)

(Whereupon, the winning video of the Talk to Your Senator video competition was played.)

The PRESIDENT. Great work, guys. Very good.

(Applause.)

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Permission has been granted for the Committee on Local Government to meet off the floor today in the Rules room to consider Senate Bill No. 1168 and Senate Bill No. 1176.

### RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for purposes of off-the-floor meetings, first, the Committee on Local Government, followed by the Committee on Health and Human Services, followed by the Committee on Judiciary, all to be held in the Rules room in the rear of the Chamber, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, I ask Democrats to join the committee meetings and then meet for a Democratic caucus in the rear of the Chamber.

The PRESIDENT. For purposes of meetings of the Committee on Local Government, the Committee on Health and Human Services, and the Committee on Judiciary, to be followed by 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.

### LEGISLATIVE LEAVES

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

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

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

Senator WILLIAMS. Mr. President, I request a legislative leave for Senator Haywood.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator White.

Senator Williams requests a legislative leave for Senator Haywood.

Without objection, the leaves will be granted.

### RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held immediately in the Rules room in the rear of the Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room in the rear of the Chamber, without objection, the Senate stands in recess.

### AFTER RECESS

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

### CALENDAR

### THIRD CONSIDERATION CALENDAR

### BILL AMENDED

**SB 22 (Pr. No. 1780)** -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing integrated and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for the Legislative Reapportionment Commission for the purpose of reapportioning and redistricting the Commonwealth of Pennsylvania.

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

### FOLMER AMENDMENT A7538

Senator FOLMER offered the following amendment No. A7538:

Amend Bill, page 15, line 30, by inserting after "HAS":  
been registered as a lobbyist,

Amend Bill, page 16, line 2, by inserting after "COMMON-WEALTH":  
, or any position of public service in aid or support of such a person,

Amend Bill, page 17, by inserting between lines 2 and 3:

(4) Each individual recommended for appointment shall have been continuously registered in this Commonwealth with the same political party, or continuously unaffiliated with a political party, in the three years immediately preceding the date of appointment to the commission.

(5) In making appointments to the commission, the General Assembly shall consider such factors as deemed appropriate so that the commission reasonably reflects the geographic, gender and racial diversity of this Commonwealth.

Amend Bill, page 18, line 15, by inserting after "(1) ":

Senatorial districts shall be drawn with the fewest number of divisions to counties, municipalities and wards within the maximum population deviation permissible.

Amend Bill, page 18, line 16, by inserting after "ONE.":

The commission shall provide a written explanation for each division.

Amend Bill, page 18, line 17, by inserting after "(2) ":

Representative districts shall be drawn with the fewest number of divisions to counties, municipalities and wards within the maximum population deviation permissible.

Amend Bill, page 18, line 18, by inserting after "TWO.":

The commission shall provide a written explanation for each division.

Amend Bill, page 18, line 19, by striking out "DISTRICTS" and inserting:

Congressional districts

Amend Bill, page 18, lines 19 and 20, by striking out "AS CLOSE TO THE APPLICABLE IDEAL DISTRICT POPULATION AS POSSIBLE" and inserting:

within the maximum population deviation permissible

Amend Bill, page 18, line 24, by inserting after "DISTRICTS.":

The commission shall provide a written explanation for each division.

Amend Bill, page 20, line 1, by inserting after "THEREOF.":

Upon receipt of an appeal, the Supreme Court shall immediately direct the appointment of a special master. The special master shall hold a hearing and take testimony on the final plan, and return the record and a transcript of the testimony together with a report and recommendations as prescribed by general rules of procedure.

Amend Bill, page 20, line 10, by inserting after "TO":

the Congress of the United States and

Amend Bill, page 20, line 22, by inserting a bracket before the comma after "DETERMINE"

Amend Bill, page 20, line 26, by inserting a bracket after "PAID"

Amend Bill, page 21, by inserting between lines 14 and 15:

(4) If the General Assembly fails to approve the maps under paragraph (3) by December 31 of each year ending in one, the commission shall submit the same sets of maps for each category to the Supreme Court, which shall approve one map submitted in each category. Upon receipt of the maps submitted under this paragraph, the Supreme Court shall immediately direct the appointment of a special master. The special master shall hold a hearing and take testimony on the maps submitted by the General Assembly and return the record and a transcript of the testimony together with a report and recommendations as prescribed by general rules of procedure.

Amend Bill, page 21, line 15, by striking out "(4)" and inserting:

(5)

Amend Bill, page 21, line 19, by inserting after "ASSEMBLY":  
or Supreme Court

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

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

Senator FOLMER. Mr. President, this amendment clarifies a number of issues, including not having lobbyists or legislative staff appointed to the independent commission, insuring commission members have been properly registered to vote prior to their appointment, allows for diversity in the selection of commission members, and further restricts the number of splits of counties, municipalities, and wards.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise to personally support the Folmer amendment, the omnibus amendment that was just referenced. Mr. President, I appreciate the opportunity. As the Members know, last week we discussed in the Committee on Appropriations some changes in amendments that would be appropriate to be added to the bill to address some of the concerns that have been raised by a number of the organizations and entities that support this process and support what needs to be done. To that end, a number of those amendments have been offered. The gentleman spoke briefly about the diversity language, which I think was very, very important. Unfortunately, I do not think it necessarily goes far enough, so later today we will offer an amendment to maybe create greater clarity and to insure much more directly that the commission would reflect the nature of the folks who live and reside in this Commonwealth.

Additionally, there are a couple other amendments that have been adopted as part of the omnibus amendment. I thank the maker of the amendment for being able to include some of those matters. There will be a series of amendments that we will be offering to hopefully build upon the beginning of the work that was done in the second Folmer amendment, and my hope is that we will have affirmative votes along those lines. But some of the prohibitions that were added were very, very important to this legislation. For example, lobbyists and other State elected officials, and making certain that the commission members are paid properly through this process. There are a number of other areas that I think are important that need to be part of this conversation as we go forward. There will be a number of amendments offered today. My hope is that this amendment will be one of a small number of amendments that make their way into Senate Bill No. 22 and that we can get to a place that we do not add other amendments to Senate Bill No. 22, but that will be a discussion that we will be having momentarily.

For that reason, Mr. President, I rise and thank the gentleman for including a number of the things that we collectively have talked about as being an addition to the amendment, and I personally will be voting "yes" and ask the Members to do the same. Thank you.

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

Senator BOSCOLA. Mr. President, I rise to urge support for the amendment to Senate Bill No. 22. This omnibus amendment

strengthens the bill, and it came out of the Committee on State Government with unanimous support. Much of what is being re-inserted in Senate Bill No. 22 as part of the amendment was originally in Senate Bill No. 22. How we came about this, when we were in the meeting of the Committee on State Government, it was my understanding that we would move Senate Bill No. 22 and do a limited form of a constitutional amendment, so that if it would get to the voters they would see a limited constitutional amendment, something that they could understand and read and not glaze over if it got too big. Then we said we would do enabling legislation to deal with the details. Once that happened, some of the groups out there, a lot of activist groups, I should say, that were really pushing Senate Bill No. 22, moved to get some of those concerns in Senate Bill No. 22 and wanted it in the constitutional amendment form; therefore, here we are today. So I believe that many of the issues that would have been handled through the enabling legislation are handled through this constitutional amendment and the Folmer amendment.

Several critical elements, because there are a lot in there, but the ones that I really favor--and thank you, Senator Folmer, for working with me on this--were the explicit prohibition of lobbyists and staff from serving on the commission, the requirement that commissioners be continuously registered with the same party or unaffiliated without changing affiliation for more than 3 years, and the role of the Supreme Court as a failsafe if the qualified majority of the commission fail to successfully implement the map. Look, while I would have preferred to have an unamended version of Senate Bill No. 22 in its purity, I think the goal was always to create a far more transparent process with public input and dilute the influence from those who benefit from drawing the lines. This version, with these amendments, does provide the voters in Pennsylvania with a much better process. It strengthens democracy here in our Commonwealth. Mr. President, make no mistake, this amendment strengthens Senate Bill No. 22, and this version of Senate Bill No. 22 will serve the people of Pennsylvania better, far, far better than our current system does. Do not let anyone fool you otherwise.

In many other States that have independent commissions, most have legislative leaders designate the members of the commission within a vote. California is the only exception. The model in California has an independent redistricting commission with no legislative input, but that is the only State that does. So, Senate Bill No. 22 will minimize the role of the legislature through requiring votes on the members of the commission. So while the legislature may pick some of the people who draw the maps by a two-thirds vote, the legislature--and this is critical--will no longer control the pen. Leaders no longer control the pen and the voters get to weigh in, and guess what? There are six public hearings. When did the public ever get to weigh in on any redistricting reform process? Never. In fact, it was always done in the back room with no input, and sometimes not from the Majority. So this is a remarkable concession, Mr. President, and it is unprecedented.

Most in the advocate community would tell you that Pennsylvania will be a leader with reform. In fact, other States are watching what we are doing and they have indicated that this model that we have, this amendment in Senate Bill No. 22, might serve as a role model for other States who want to kind of marry the California proposal with maybe the Ohio proposal and some others out there that are already in law. So in most cases where



independent commissions were instituted, it was done by voter referendum. Here it is done by a willing legislature divesting itself. Think about this, a legislative body divesting itself from the power of the pen. It is truly a remarkable, historical moment for this Chamber. So by empowering the people of Pennsylvania with real input, the critically important process of drawing our legislative maps is going to change.

Mr. President, the fact of the matter is the clock is ticking, and if we fail, we are stuck with the current system for at least another decade--another decade--and the status quo simply wins again, unfortunately, and Pennsylvania voters will lose. So these amendments improve Senate Bill No. 22, and vastly improves the manner in which the State would draw its legislative lines. I thank Senator Folmer, the chairman of the Committee on State Government, Senator Williams, and the two Leaders for encouraging a vote on this and for putting it up for a vote. You did not have to do it but you did, and I am impressed with your leadership abilities. Thank you.

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

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

YEA-48

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

NAY-1

Hughes

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 third consideration, as amended?

AUMENT AMENDMENT A7472

Senator AUMENT offered the following amendment No. A7472:

Amend Bill, page 1, lines 5 and 6, by striking out all of line 5 and "OF PENNSYLVANIA, FURTHER PROVIDING" in line 6 and inserting:

Proposing integrated and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, organizing the Judiciary into representative districts and further providing for residency requirements and

Amend Bill, page 1, by inserting between lines 8 and 9:  
This resolution may be referred to as the "Fair Districts Law."  
Amend Bill, page 15, by inserting between lines 12 and 13:

Section 1. The following integrated amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 2 of Article V be amended to read:

§ 2. Supreme Court.

The Supreme Court (a) shall be the highest court of the Commonwealth and in this court shall be reposed the supreme judicial power of the Commonwealth;

(b) shall consist of seven justices, to be elected from seven judicial districts, one of whom shall be the Chief Justice; and

(c) shall have such jurisdiction as shall be provided by law.

(2) That section 3 of Article V be amended to read:

§ 3. Superior Court.

The Superior Court shall be a statewide court, and shall consist of the number of judges, which shall be not less than seven judges, to be elected from judicial districts, and have such jurisdiction as shall be provided by this Constitution or by the General Assembly. One of its judges shall be the president judge.

(3) That section 4 of Article V be amended to read:

§ 4. Commonwealth Court.

The Commonwealth Court shall be a statewide court, and shall consist of the number of judges, to be elected from judicial districts, and have such jurisdiction as shall be provided by law. One of its judges shall be the president judge.

(4) That section 11 of Article V be amended to read:

§ 11. Judicial districts; boundaries.

[The number and boundaries of judicial districts shall be changed by the General Assembly only with the advice and consent of the Supreme Court.]

(a) The number of judges and justices of the Supreme Court, the Superior Court and the Commonwealth Court elected from each judicial district shall provide every resident of the Commonwealth with approximately equal representation on a court, and each judicial district shall be established consistent with the requirements for reapportionment and redistricting of congressional districts.

(b) The General Assembly shall, by law, establish:

(1) A transition to an appellate court judiciary elected from judicial districts.

(2) The effect of set judicial districts upon eligibility to seek retention election, including that, after the time this amendment becomes effective, when the term of a judge or justice expires, the judge or justice shall, notwithstanding any other provision of this Constitution, stand for election and, thereafter, stand for retention election.

(3) The order in which judicial districts shall elect justices of the Supreme Court and judges of the Superior Court and the Commonwealth Court.

(c) Except as provided under subsection (b) and section 7(b), the number and boundaries of all other judicial districts shall be established by the General Assembly by law, with the advice and consent of the Supreme Court.

(5) That section 12 of Article V be amended to read:

§ 12. Qualifications of justices, judges and justices of the peace.

(a) Justices, judges and justices of the peace shall be citizens of the Commonwealth. Justices and judges, except the judges of the traffic court in the City of Philadelphia, shall be members of the bar of the Supreme Court. Justices [and judges of statewide courts, for a period of one year preceding their election or appointment and during their continuance in office, shall reside within the Commonwealth. Other] judges and justices of the peace, for a period of one year preceding their election or appointment and during their continuance in office, shall reside within their respective districts, except as provided in this article for temporary assignments.

(b) Justices of the peace shall be members of the bar of the Supreme Court or shall complete a course of training and instruction in the duties of their respective offices and pass an examination prior to assuming office. Such courses and examinations shall be as provided by law.

Amend Bill, page 15, line 13, by striking out "1" and inserting:  
2

Amend Bill, page 15, line 13, by inserting after "FOLLOWING":  
distinct

Amend Bill, page 15, line 16, by striking out "INDEPENDENT LEGISLATIVE AND CONGRESSIONAL" and inserting:

[Legislative] Independent

Amend Bill, page 15, line 20, by inserting a bracket before "LEG-

ISLATIVE"

Amend Bill, page 15, line 20, by inserting a bracket after "LEGISLATIVE"

Amend Bill, page 15, line 20, by striking out "AND CONGRESSIONAL"

Amend Bill, page 15, line 22, by inserting a bracket before "COMMONWEALTH."

Amend Bill, page 15, line 22, by inserting after "COMMONWEALTH":

] Commonwealth's congressional, senatorial, representative and any other districts authorized under this Constitution

Amend Bill, page 20, line 10, by inserting a bracket before "TO"

Amend Bill, page 20, line 10, by inserting a bracket after "ASSEMBLY"

Amend Bill, page 21, lines 4 through 6, by striking out "FOR" in line 4, all of line 5 and "SEPARATE CATEGORIES" in line 6 and inserting:

as provided under subsection (a) of this section

Amend Bill, page 21, lines 23 and 24, by striking out "AND REDISTRICTING"

Amend Bill, page 21, line 24, by inserting a bracket before "OF"

Amend Bill, page 21, line 24, by inserting after "ASSEMBLY":

] and redistricting

Amend Bill, page 22, lines 2 through 24, by striking out all of said lines and inserting:

Section 3. (a) Upon the first passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments.

(b) Upon the second passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall:

(1) Submit the proposed constitutional amendments under section 1 of this resolution to the qualified electors of this Commonwealth as a single ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendments are passed by the General Assembly.

(2) Submit the proposed constitutional amendment under section 2 of this resolution to the qualified electors of this Commonwealth at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendments are passed by the General Assembly.

On the question,

Will the Senate agree to the amendment?

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

Senator AUMENT. Mr. President, the amendment before us amends Senate Bill No. 22 by proposing integrated and distinct amendments to the Constitution of Pennsylvania to authorize the creation of judicial districts and provide for how they are to be created. Further, the amendment that I am proposing requires Pennsylvania's appellate courts to be divided into judicial districts, providing every resident of this Commonwealth with approximately equal representation on each court. The Supreme Court would have 7 judicial districts, the Superior Court would have 15 judicial districts, and the Commonwealth Court would

have 9 judicial districts. Judges and justices would be elected from the district that they reside in, and each would have a 1-year residency requirement before being elected from a district.

If the voters were to approve this amendment, the General Assembly would then establish by law a transition to an appellate court judiciary elected from judicial districts, the order in which judicial districts will elect judges and justices of the three appellate courts. During the initial transition, each judge or justice would serve the remainder of their existing term, but when that term expires, they would be required to seek election in a judicial district instead of being retained. After the initial transition, judges and justices would use the same retention system as is currently utilized. This proposal does not impact the minor judiciary. It is important to note that this amendment is a stand-alone proposal that does not necessitate or require passage of the independent commission constitutional amendment. However, it is written so that it can easily work in conjunction with the independent commission constitutional amendment, should that ultimately be approved by the voters.

This journey for me began in 2011 when I served as a Member of the Pennsylvania House of Representatives and I opposed and voted against that year's congressional redistricting law. I believed then, as I believe now, that the reapportionment process is in need of reform. I have always been open to and supportive of efforts to reform our State government so that it best represents and serves the people of Pennsylvania. Today, I am even more convinced that we must do all that we can to insure the people of this Commonwealth have full confidence in our system of government. Though I disagreed with the process by which the Pennsylvania Supreme Court stepped in and created a new congressional map back in January, they were right to highlight the important issue of fairness. In a very real sense, confidence in our system of government is closely associated with the principle of one person, one vote. I do not believe this principle should only apply to the legislative branch of State government.

As I review the current complement of Pennsylvania's appellate courts, it is clear that if this important principle of one person, one vote were applied to those elected to those courts, that it is severely disproportionate and it is unfair. More than half of the members of Pennsylvania's Superior Court and Commonwealth Court are from only 2 of Pennsylvania's 67 counties, which represent only 21 percent of the State's population. Five of the seven Supreme Court justices, over two-thirds of the justices, are from Allegheny or Philadelphia Counties, leaving 79 percent of our State's population underrepresented on Pennsylvania's highest court. Taken altogether, only 15 of Pennsylvania's 67 counties are home to an appellate court judge. I would submit that we must do more, far more, to insure diversity and fairness. All Pennsylvanians - suburban, rural, urban Pennsylvanians - should be represented on our Commonwealth's appellate courts.

This effort really is about fairness. A number of other States have considered this very issue. This is certainly not a radical suggestion. In order to promote diversity, fairness, and regional balance in judicial service, 11 other States, including a number of others similar in size to Pennsylvania - Illinois, Arkansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Ohio, Texas, Washington, and Wisconsin - select justices and judges for some or all of their appellate courts through the use of regional judicial district elections. The Federal system recognizes this important principle as well.

While it is true that judges are to be independent and only consider the law and Constitution when deciding cases, geographic diversity matters greatly. This is why Pennsylvania modern courts and every other proposal to institute other methods of judicial selection, including merit selection, all recognize that geographic or regional diversity is beneficial to our courts. If we believe fairness really matters, and I believe that it does, then giving every Pennsylvanian a genuine voice on our appellate courts should be supported by everyone who argues that proportional representation in Congress and in the General Assembly is important.

I know that there is a lot of cynicism with regard to this issue. I invite us here today to reject that cynicism. I believe this amendment enhances the important work of Senate Bill No. 22, and frankly, I believe this amendment better positions this bill for passage not only here in the Senate, but in the House as well. If you agree with me that fairness should not, and ought not, only apply to one branch of State government, I ask for your support of this amendment, and ultimately Senate Bill No. 22 as amended.

Thank you, Mr. President.

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

Senator LEACH. Mr. President, I rise in opposition to this amendment. I want to say that I have waited to vote for a bill that fixed the gerrymandering problem since I first got here. I had my first press conference on gerrymandering in 2003, the year I first took my oath of office. I have introduced legislation on this issue. When I was offered the opportunity to do a TED Talk, I chose gerrymandering as my topic. When the United States Supreme Court heard the gerrymandering case just a couple of months ago in *Gill v. Whitford*, I arrived at the court at 2:00 in the morning to hear the oral argument. It is one of the main motivating issues that caused me to run for this office and caused me to continue to be excited about serving and fixing this problem. Why do I say that? Because I believe gerrymandering is an existential threat to what the Founders have envisioned in terms of what a democracy should look like.

The idea of fixing elections and the idea of making sure that we know who the winners are going to be before the voters ever voted, that is something that I have always found repugnant, and so, I was very excited when, finally, after gerrymandering sort of caught on with the public and we started moving legislation, I was very excited for the opportunity to vote for that bill. There have been some zigs and zags on other amendments and we are trying to work things out, but I was always hopeful and optimistic about reform, but, Mr. President, this amendment is a deal breaker. This amendment is nothing short of an attempt, and before I say this, I want everyone to understand the irony of this. They are using a bill to fix gerrymandering to gerrymander the Supreme Court and to gerrymander the courts of Pennsylvania.

If you look at how this bill is constructed, it creates individual districts. Now keep in mind, under the districts we have now, which are all statewide at the appellate court level, we have had Democratic judges elected, we have had Republican judges elected, we have had Republican control of the courts, and we have had Democratic control of the courts. That is the way the system is supposed to work. But like the congressional and State legislative redistricting with gerrymandering, this is going to

result in one-party control of the appellate courts forever. I mean, look at how it is constructed.

For the Supreme Court, there will be seven districts, and those districts, the way they are drawn, will be decided in the enabling legislation. However, there is one thing they were very careful to say in the actual constitutional proposition, which is that it is the legislature only which will draw these. I am not usually mentioning Democrats and Republicans when I am having these debates, but on this issue, it is very relevant. A legislature controlled by Republicans in the House and the Senate, without the participation of a Governor, who happens to be a Democrat, will draw these districts. They will draw the districts, or they could draw the districts the same way that the other districts were drawn. That is how we got into this mess in the first place, allowing one political party to draw districts in a way that they find advantageous by a majority vote in order to perpetuate their power. That is the inherent evil of gerrymandering and that is why I say there is profound irony in using a bill that reformers--and I will say the reformers, the people who have been pushing this have been some of the best advocates I have ever seen. Carol Kuniholm and Fair Districts PA, League of Women Voters, Committee of Seventy, and so many others, and Senator Boscola and Senator Folmer and others worked really hard to create a nonpartisan way of selecting our elected officials that we can be proud of, that we can go to the country and to our own citizens and say our elections matter again. But because of, whether it is anger at the Supreme Court or just anger at who controls the Supreme Court, we are going to go back and gerrymander the Supreme Court. We are going to let the Majority party draw lines and we all know what that looks like, Mr. President. In the Supreme Court there will be a district for Philly, a district for Pittsburgh, and five other districts which will be Republican districts. That is easy to do. The Governor has no participation in that, only the legislature, okay? This is nothing but gerrymandering of the courts.

Now, I would say there was some talk about how we have to be a genuine voice to people. There is nothing about gerrymandered districts that gives a genuine voice. You know what gives a genuine voice to people? When you have an electoral district, in this case the State of Pennsylvania, where either party can win. That means if someone is not doing their job, if someone is acting in a way that the people do not consider to be appropriate, they are not representing their views, the people can vote them out. But in a gerrymandered district they cannot. So we are going to have five Republican districts and two Democratic districts until the end of time, no matter how good or bad a job the individual judges do.

This is nothing but a naked power grab, and it is heartbreaking that we are on the precipice of actually making some progress on this issue and we put this poison pill in this to kill this effort, because I cannot imagine a Democrat, I could be wrong, I cannot imagine Democrats voting for this and I cannot imagine that anyone does not see this as the transparent thing that it is.

Now keep in mind, someone said this is a little confusing, this is a separate thing, but keep in mind, this is not severable. If this goes into the bill, if this is amended into Senate Bill No. 22, it is part of Senate Bill No. 22, okay? And there will be votes, this will go through the process as part of Senate Bill No. 22. So, Mr. President, I ask anyone who sincerely cares about good govern-

ment, about doing right by the citizens, this is not about our team or your team winning. If all we ever do here is vote so our team wins, the people of Pennsylvania will never be served, they will never have a fair system. We have a system that is demonstrated to be fair. There are seven Supreme Court seats. Someone said a number of the people represent Philadelphia and Allegheny Counties, they have more people, that would make some sense. There are 67 counties, 60 of them are not going to have a Supreme Court justice no matter what system we have. So that is not really giving voice, but what it is doing is giving people a justice who has lines drawn to be there so that party's justice is there forever. That is the evil we are trying to stamp out here, and it is ironic and it is sad and it is heartbreaking that we are hijacking a reform bill to do more of what the people are so angry about in the first place.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, we are talking about fair districts, and let us make sure that as a part of this process we have some fair debate and some accurate debate as well. Some comments that were just made by the previous speaker, if you look at the amendment, are not correct and we need to make sure that the press and other folks who may be watching this, we need to make sure that they get the full story and an accurate story.

The language that is being offered by Senator Aument says that the judges in those districts "shall be established consistent with the requirements for reapportionment and redistricting of the congressional districts." So if you like the portion of this bill that deals with congressional districts and think that part is fair, then this amendment says that these judicial districts should be established in the same way, that they should be consistent with the requirements for reapportionment and redistricting of the congressional districts. Further, on page 3, when it talks about the independent reapportionment and redistricting commission, the language is amended to say that this independent reapportionment and redistricting commission shall be constituted for the purpose of reapportioning and redistricting the "Commonwealth's congressional, senatorial, representative and any other districts authorized under this Constitution." That language is specifically put in there so that if this constitutional amendment was adopted, then this judicial district part would also have to be decided by that independent reapportionment and redistricting commission.

So, unlike what was just previously said, it is not willy-nilly, it is not done by the legislature. If, in fact, this part that we almost all agreed, except for one negative vote, passes, then that commission, if it, again, is adopted by the voters through a constitutional amendment, will apply to the judicial districts as well. And that is the fairness part of it, Mr. President. That is the fairness part of it. Let me just say again, congressional, senatorial, representative, and any other districts, which in this case would be judicial. If the first part is good, then this part has to be good as well because it is consistent.

Mr. President, I have been in the legislature for 26 years. It is hard to believe, 11 years in the House and 15 years in the Senate. The process by which we elect judges has been talked about for quite some time. I have met with folks who have been part of the modern court process and their efforts in order to change the way that we elect judges. You know, the pushback on that proposal, and frankly it has come from a couple of newspapers, including

my hometown newspaper, has been the part where we are taking away the voting process by the voters. That is what the newspapers in my district have been concerned about in regard to the merit selection. Not the fact that we needed to come up with some better way than the current process, but that we are taking away that vote from the voter. That is where I think this amendment is an incredible way to bridge that gap and solve that process. We are, in fact, allowing voters from all parts that otherwise do not know. The only way that they are able to, quote, unquote, meet the candidates for these appellate court positions are through an advertisement on TV. But, much like they have the ability to meet a Senator or a House Member or a congressional member, because they will be focused on that district, that is what would happen under this judicial process.

This is reform, it is something that is already done in a number of States, including some very large ones, and it works. So for those reasons, I would ask all of us, Democrat and Republican on both sides of the aisle, to support this amendment.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I rise in opposition to this proposed amendment, and I am going to explain why. For me, this is no time or place for this type of amendment. Determining how best to elect our judges is certainly worthy of further thought and deliberation. Unlike redistricting, though, there is no ticking clock for implementation of this judicial amendment. Everyone is aware that if Senate Bill No. 22 is not passed within a month, soon the potential for amending the Constitution for the next redistricting will have expired and politicians will be picking their voters, and that will remain in place for another decade. Mr. President, we can take up the election of statewide judicial offices in the fall, have some hearings next Session, because there is no time--there is no clock ticking on this one. In fact, it would be better if the Aument amendment would be a freestanding bill and we leave Senate Bill No. 22 alone.

There is wide-ranging disagreement on the best manner to elect our statewide judges. In the House, for instance, a constitutional amendment is moving to require merit selection for those positions. An amendment failed in the House to break down the merit selection process into pods. So, while some believe that we should have regional elections, some regional pods, a pod system, and finally others believe in maybe merit selection, and then there are others who believe our current system is the best. So without consensus and thorough vetting, it seems premature to attach this divisive topic to Senate Bill No. 22. I also remind Members that a freestanding bill on this judicial amendment was introduced on May 18, 2018, so less than a month ago. Unlike Senate Bill No. 22, there have been no hearings on this issue, we have not engaged experts or discussed the bill in a thorough process as we have with the redistricting bill that we have before us. There have been no working groups, no engagement with citizens, or no analysis as to why this judicial proposal is better than what we have now. Senate Bill No. 22 has been the subject of hearings, numerous hearings, across this entire Commonwealth. Municipalities, county commissioners, and advocacy groups have weighed in on Senate Bill No. 22.

This judicial amendment appears, at best, to attempt to add a controversial topic that has had limited study to a very popular one supported by the people in an effort to get it on the ballot; or,

at worst--and I hope this is not the case--it has been said to be a poison pill for Senate Bill No. 22. I really, truly hope that is not the case, although, Mr. President, I would not be surprised. Nothing in this Chamber does.

Mr. President, this is the wrong place and time for this amendment. In my time in this Chamber--and I am going to plead to you guys. How many times have I attached an amendment to one of your bills and you wanted it clean and you came over to me and said, could you please withdraw that amendment? All of the time, out of courtesy to my Members, I withdrew it because I understood what you needed, and you wanted a clean bill. So now I am asking for that type of respect. I am probably not going to get it, but I am going to try. Anyway, I hope my colleagues will vote down this amendment and let us talk about how we elect statewide judges. That should be a topic of conversation, but not attached to Senate Bill No. 22 that has had numerous hearings, been vetted so many times, and we know what we are voting on.

Please, colleagues, do not hijack this bill. Thank you.

The PRESIDENT. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I rise in support of this important amendment that will insure every region in the State will have a voice in the judicial branch. Right now, only one of the three counties which I represent has a Pennsylvania appellate court judge. As Senator of the 46th Senatorial District, I represent all of Greene County, most of Washington County, and parts of Beaver County, yet Beaver County is the only one of these areas that has any appellate court judges. As was stated, if we look at the State as a whole, only 15 of Pennsylvania's 67 counties are home to an appellate court judge. Meaning most of Pennsylvania is disenfranchised when it comes to judicial elections.

This entire debate over redistricting is based on promoting fairness. So let us continue that promise through the judicial process. How can we call a system fair when the majority of the State's residents reside in counties that have zero representation on the State's appellate courts? How is that considered a representative democracy when most regions are not actually represented? Dividing Pennsylvania's appellate courts into judicial districts and making sure justices would be elected from the district in which they reside provides every resident of the Commonwealth with more equal representation on the court. This will be a huge benefit to western Pennsylvania to insure that residents receive the judicial representation that they deserve and ultimately give these voters an opportunity to elect the best qualified candidates for the bench.

As a cosponsor of Senate Bill No. 22, I believe this amendment will further strengthen the goal of the legislation. This vote will take the idea of fairness in judicial selection to the people of Pennsylvania and let them have their say at the ballot box.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, I ask, if appropriate, for a brief interrogation of two of the Members, one is the Majority chairman of the Committee on State Government.

Senator FOLMER. Mr. President, no.

The PRESIDENT. The gentleman indicates he will not stand for interrogation, Senator.

Senator WILLIAMS. Mr. President, then I will direct my questions to whom with regard to the process by which the bill came through the committee?

The PRESIDENT. Sir, I previously served as a Senator and that is a good question.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, if the gentleman would like to talk to someone about the content of the amendment, the maker of the amendment could stand for interrogation.

The PRESIDENT. How does that sound, Senator Williams, that you may, if the gentleman agrees, Senator Aument, you could propose interrogating him on the issue?

Senator WILLIAMS. Mr. President, well, if that is all I get, that is all I get. So, I would be happy to talk to that gentleman.

The PRESIDENT. Senator Aument, would you agree to be interrogated by Senator Williams?

Senator AUMENT. Yes, Mr. President.

The PRESIDENT. He agrees.

Senator Williams, you may proceed.

Senator WILLIAMS. Mr. President, so I listened to the opening comments, of which there were some valid points raised. The question I have is, the gentleman introduced this as an amendment; was there any particular reason why, other than this time, that this bill was not introduced? And why now as opposed to the urgency which, sort of, was attached to your comments?

The PRESIDENT. Senator Williams has asked a question. Do you understand the question, Senator Aument?

Senator AUMENT. Mr. President, I do. I will try to answer the question as best I can.

This language was introduced as a standalone bill. I have been working on this for a number of months. The standalone bill, I cannot recall exactly the date that it was introduced, I think it was mentioned during the floor debate, but well in advance of the Committee on State Government considering Senate Bill No. 22. I had offered this legislation as a standalone bill, and at that time, I was very transparent when I introduced that bill that I thought this concept should be considered as part of a conversation on judicial reform, whether that be a merit-selection process or an independent commission that would be considered under Senate Bill No. 22. I believe this concept should be, and I would be an advocate for encouraging that to be included under either proposal.

Senator WILLIAMS. Mr. President, I appreciate the manner in which the gentleman introduced the legislation. The question is, and was, not that he has to answer anymore, why now as opposed to another time? I think there are sufficient observations made in that area.

The second part is, to the gentleman, given the nature of this concept being what it is and the bill was introduced independently, today we are asked to go upon his opinion solely. Why was there not a desire for a public hearing process for such a significant change to the Constitution? Why was it not brought before the public as an independent bill in a more timely way?

Senator AUMENT. Mr. President, I appreciate the question. I think this language that I am offering as an amendment will be thoroughly vetted. Let us keep in mind that this will, should it be adopted this Session in the House and the Senate, it will be considered again next Session as part of our process in the House and the Senate, and then it will ultimately go to the voters, and

the voters will have the opportunity to consider this proposal. It is they who ultimately make this choice. I am not afraid of the decision that the voters may make. In fact, I think the people should and they will decide this at the polls through the constitutional amendment process that we have. From my perspective, the law belongs to the people and not just the politicians and those who practice the law.

Senator WILLIAMS. Mr. President, so am I to understand that to mean that in its next examination the gentleman would be in agreement that we would have hearings with regard to this particular area?

Senator AUMENT. Mr. President, I am certainly not opposed to those conversations taking place, if that is the will of the General Assembly; however, recognizing that the process is that the same exact language must pass both Chambers in two consecutive Sessions, and then again, these proposals will be vetted appropriately by the people of this Commonwealth. That is a process that has been a long constitutional process for this Commonwealth, and I support it.

Senator WILLIAMS. Mr. President, I thank the gentleman for standing for a period of interrogation. I will conclude with my comments.

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

Senator WILLIAMS. Mr. President, again, I am not quite clear about the timing. I am not sure that was answered. I am clear that the commentary that the public will vote upon it is obvious, but the process by which many of us in this Chamber follow is that when we make major decisions, there are hearings. They may not be well-conducted, they may not be well-attended, but they are asked and required. So, the truth is as any word-whipping contest occurs, you know, one that goes on between a husband and wife, between a child and parent, between anybody else in our eardrums, we are clear that: the public will not understand the dynamics, which is occurring here today in great detail. So with all due respect, putting it to the will of the people is a nice commentary, but the details behind it and what goes on behind it is not, and the partisan politics associated with it will be quite obvious.

That said, I did listen carefully to comments made - one man, one vote - and it does not ring hollow to a person of color. African American culture and tradition fought to be a citizen in this country and then fought and died to have the franchise to vote. So, I do agree with that fundamental part of the Constitution which demands that we are equally represented. But it draws hollow when we stand in a Chamber in the Commonwealth of Pennsylvania when I remember a guy by the name of Tom Ridge. Tom Ridge is a Republican who, frankly, I greatly enjoy and miss. Tom Ridge was a guy who crossed the aisle and knew how to move the Commonwealth forward collectively. Tom Ridge was a guy who had a vision who came from, as he described, a small part of Pennsylvania. A small part of Pennsylvania brought all of us together. Tom Ridge got votes in Philadelphia, Erie, Allegheny County, Clearfield County, Butler County, got votes across Pennsylvania because he understood the heart and soul of Pennsylvanians. I do not think that the gamesmanship of appealing to dividing the Commonwealth is what the Commonwealth is about, because if we want to do that, if we really truly want to talk about regionalization and diversity, then let us have at it.

Forty percent of the Commonwealth's revenue comes from southeastern Pennsylvania. Do you think we get those tax dollars back in equal representation? Of course we do not. Nor do we demand it. There is a place in a poor portion of Pennsylvania that someone needs daycare subsidized, someone needs a public school repaired, someone needs a domestic shelter, someone needs something that we do not need in Philadelphia. Forty percent of my tax dollars go beyond my boundaries. So this conversation about, I should get because I have not gotten, well, then they should not get in the fight of voting, the most basic franchise all Americans fight for. I do not agree with this argument that because we do not have representation on the court that we are denied access to the right to vote. That is hogwash. I can go through all, and there are a number of those Supreme Court justices who did not come from Philadelphia, who did not come from Allegheny County, who came from the hinterlands of Pennsylvania, and, rightly so, stood on the highest court of Pennsylvania because they fought for it and we voted for them. Even people in Philadelphia voted for them. Even people in Delaware County voted for them. Even people in southeastern Pennsylvania voted for them. If we want to have at the issue of diversity, believe me, we can look at the contracting relationship in the State of the Commonwealth and see how truly diverse they are.

This is hypocritical. By the way, to suggest that many States have used this, it is not a wild, radical idea. No, it is not a radical idea, but it is not widely used. Fourteen States certainly does not represent a significant portion of the United States of America. The test in a public hearing would be how effectively it is used. There is nothing that suggests today that this has been working effectively for other than those who want to cut out their political party and get their guy or gal to the top level of the Supreme Court. This is a political maneuver, not a substantive conversation on good reform. I, a Democrat, signed onto a bill supporting merit selection because I am tired of politics. I signed on a number of issues which as a Democrat are unconventional. I do not allow my party to hold me captive to satisfy a languishing, politically galvanizing position. I truly do believe in the heart of Pennsylvania. Regardless of where we come from, whether we come from the city of champions, Philadelphia, or the hotbed of Penn State where my parents graduated from and I love still today, I pat all of us on the back. It does not require me to understand how to bale hay to understand that we need it in Philadelphia County to make grain. We need each other. This does not make us a stronger Commonwealth. This divides us as a Commonwealth. A justice in Philadelphia should be the same as in Clearfield County. The Supreme Court, one Supreme Court should reign over that.

It is disappointing and disheartening that some of my friends on the other side of the aisle who I consider a part of this, and understand, I do not suggest that I truly know anyone's motives anymore than I know a Democratic motive. I am not suggesting that Republicans have the control on inside activity. Democrats have participated as well. But we have hopefully arrived at a new time. When we pursued this bill it was because some of us who are accustomed to the inside baseball game were introduced to what the public now wants. That is truly to open up the doors and create their own chaos, if that is what we are going to have. Create their own conversation, if that is what we are going to have. That is not what this does. This creates more inside baseball, more deals, more backdoor conversations, and frankly, a lesser,

not more open, government. This will be a stain upon the Commonwealth if it is to go forward. To suggest that the public understands what this means is to suggest that my 14-year-old child would understand what it means to drive a car, even though she has the ability to get behind the wheel to drive it. That is unfair. It is unfair what we are doing today. We are taking advantage of our numbers and positions.

I thank the chairman of the Committee on State Government, Senator Folmer, for working so well and effectively with many of us on this side of the aisle. I thank my colleague, Senator Boscola, for her years of commitment and intention. I thank those Members on the other side of the aisle who voted for the bill. I just find it unfortunate that we have arrived at this dark, dark moment. And for those reasons, Mr. President, I am in full opposition to this particular amendment.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, I certainly respect the comments of our colleagues and their points of view, and while I respect them and believe that their points of view have some valid merit, I am standing today in support of Senator Aument's amendment, for a number of reasons. The State Supreme Court ruling overturning congressional districts and the map brought into sharp focus the flaws in our current redistricting process. Senator Boscola and Senator Folmer have worked hard knowing those flaws, and I commend them. Unintentionally, the court ruling raised a major concern. Although receiving much less critical commentary, the political dynamics leading to that decision spotlighted the serious conflicts inherent in our judicial election process. That, too, erodes public trust in a branch of State government. Thus, I believe there is more of a connection between this base bill and the Aument amendment than what might first seem to be the case.

While some believe very strongly that the ultimate fix for the problems with judicial elections is moving to some form of merit selection of appellate court judges, despite support from a bipartisan group of former Pennsylvania governors, including governors Dick Thornburgh, Ed Rendell, Tom Ridge, Mark Schweiker, and Tom Corbett, along with Pennsylvanians for Modern Courts and others, this issue has never advanced. You can look at the headlines across newspapers during court elections, one from the LancasterOnline quoted, too many voters enter the voting booth with little or no idea who the candidates are. Pick a name. Pick one that might be familiar. Pick one that you might like. Pick one at the top of the ballot. Pick one who is from your part of the State. So when you look and put into focus a plan to create judicial districts, it at least mitigates the problems with judicial elections in several important ways. The smaller territory in which judicial hopefuls would be running would increase voter identification, reduce the cost of running, and spread the opportunity to serve on our statewide courts more widely across the pool of legal talent with prospective candidates and voters no longer hampered by traditional metropolitan dominance of judicial races.

Bills proposing judicial districts first surfaced here in the General Assembly in the 1980s. So the argument that this is a legislative novelty never scrutinized is not necessarily accurate. Keep in mind the last time we had a constitutional convention in Pennsylvania was in 1968. That was the last time that we addressed

the issue of the judicial branch, and in that particular case, all we did was extend the terms to 10 years of service. I certainly understand the worries of redistricting reform advocates that introduction of another element adds a layer of difficulty. However, once we recognize and acknowledge how infrequently the State Constitution is amended in substantial ways, our last constitutional convention 50 years ago, it is easy to appreciate why advocates of change do not want to let this opportunity go by without debate and a vote on a proposition altering judicial selection and judicial elections. The crucial elements of fairness to voters and improved policy are part of Senator Aument's amendment as much as they are intrinsic in redistricting reform.

So, I am in support of this amendment, and ultimately the voters of Pennsylvania will decide whether we have change and what that change will be to the General Assembly, congressional districts, and our courts.

Thank you, Mr. President.

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

Senator HUGHES. Well, Mr. President, here we are, bamboozled, system run amok, led astray, taken down one path, Mr. President, and led to another. The gerrymandering that we were allegedly supposed to be addressing through Senate Bill No. 22 has now morphed itself into attempting to fix a gerrymandering problem to creating gerrymandering in the election of judges. You cannot gerrymander judges when they are elected statewide. You cannot do it. You cannot gerrymander judges when they are elected statewide. There is one constituency, there is one community, which is Pennsylvania, and you cannot gerrymander judges when they are elected statewide. You may be unhappy with the people who are elected statewide, but they were elected fairly, freely, and equally all across the Commonwealth of Pennsylvania. Fairly, freely, and, most importantly, equally all across the Commonwealth, one constituency, the State of Pennsylvania, one community, everyone in Pennsylvania electing statewide judges to serve and make decisions for everyone in the Commonwealth of Pennsylvania.

So, you are essentially, by adopting this amendment, creating a gerrymandered system by creating regions in the Commonwealth of Pennsylvania for statewide officeholders. Hijacked. The process here, Mr. President, has been hijacked. What do I mean by that? Well, there has been no public conversation, no hearings, and no constituency, and in no community across the Commonwealth of Pennsylvania, or, in fact, in this building because this matter rose as an amendment in the last 48 hours, was drafted, put into place, no opportunity for public conversation, no opportunity for public dialogue, and no opportunity to ask questions. Whose idea was it that these regions were developed? I am not sure, but somebody figured out that they wanted to develop these regions, and so there is no engagement by the legislature, by both sides of the aisle, in this process. This amendment appears out of nowhere. Hijacked.

What is clear, Mr. President, and it was said by two different speakers, two different Members of this body of this Senate on two different occasions, all within the last 35 minutes, that this idea came up and reared its head again in retaliation or as revenge for the Supreme Court decision that was made in the drawing of congressional districts in Pennsylvania. We did not raise it. We did not put it out there. Two different speakers both raised that issue.

Now, if you did not like the Supreme Court decisions that were made, and the Majority did not like it, it, in fact, went to Federal court and, in fact, went to the U.S. Supreme Court, and in both occasions, the Federal court and the U.S. Supreme Court said no, it is the Supreme Court of Pennsylvania's role and responsibility to make the final decision. We are okay with it. The United States Supreme Court, which is in majority control of the Republican Party, by the way, by a bankrupt process that they went through, but that is not what we are discussing right here, the United States Supreme Court ruled that the decisions made by the Pennsylvania Supreme Court essentially were okay. They did not throw them out, they did not send it back, they said it was okay. So when folks are not happy with their process, now we have something that has come out of the thin air in the last 48 hours, no public hearings, no public conversation, hijacking an original issue, which was the issue of gerrymandering for legislative and congressional districts, hijacking the original issue to try to address, or in some cases, to respond to, or in some cases, to retaliate for revenge of how our Supreme Court and our statewide courts are decided upon.

Mr. President, this is a hijacking of a process that has been around for months, trying to deal with gerrymandered districts. The community folks have organized themselves all across Pennsylvania. Neighborhood folks, community people, elected officials, just regular ole folks all across Pennsylvania have engaged themselves in the conversation about how we can do a better job of drawing districts that they believe, and with some serious confirmation, were highly partisanly drawn, wanting a better process that is fair and appropriate, and the kind of conversation that leads to, in many cases, the best decisions to be made. However, this concept, which just came up in the last 48 hours, at least in the 48 hours for full consideration, this concept has had, and I repeat, no public hearings, no public conversation, no dialogue back and forth, no attempt to amend in committee, no attempt to address in any other format that is available.

You cannot gerrymander a whole State. You cannot do it, because everybody is participating, one person, one vote, equally. So since folks are not happy with the decisions made by the entire State in their election of the Supreme Court justices and the appellate court judges, now we have a situation where retaliation takes effect, revenge takes effect, and we are going to throw out that process and create a brand new process that has never been publicly discussed in any significant format, in any significant way. That is what is happening here, Mr. President. That is what is happening here. Yes, you can say that it will get to the people and there will be a chance for a referendum or anything like that, but when we are dealing with changing the oldest Constitution in the United States of America, when we are dealing with changes of great significance, of how we choose our elected officials, how we choose those individuals who are our arbiters on various points of law, the courts, when we get to that point, we do not wait until then, we have significant public conversation leading up to that moment. It did not happen here.

Somebody once said revenge is best served cold. Well, this is a cold day that this revenge is trying to be brought forward. I hope we can figure out a way to see through this. I hope the public can figure out a way to see through this. A great American said, you have been hoodwinked, bamboozled, led astray, run amok. Folks know who I am talking about, and that is what is happening here. They have faked with this move on here, we are

going to have this grand, glorious conversation about redistricting reform, but then the real move is to stick this piece in here because they are not happy with the Supreme Court's decisions around what happened in the decision for congressional redistricting. Anybody can see that. Hopefully, we are clear enough and clear-eyed to see that when we take the final vote on this matter, Mr. President. Thank you very much.

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

Senator McILHINNEY. Mr. President, the dissatisfaction with how we select our statewide courts has been around for decades, the entire time I have been here. To say that there has been no discussion, to say that it is coming in at the last minute, is just not true. As the former chairman of the Committee on State Government, I did hold hearings on this issue about merit selection, about whether or not we should divide our districts as Senator Aument's amendment does now, and at the time, there was a lot of discomfort with taking away an individual's right to vote to elect their judges, and we did not trust the gerrymandering process at the time. This was not happening at the time. We were not making these changes that we see here today. This is the perfect opportunity to address what has been around for decades, a dissatisfaction with how we elect and select our statewide judges, because we are fixing the gerrymandering issue. You cannot say that the new bill that sets up this independent commission is not going to gerrymander the legislative districts because we can trust them, but those same people are going to gerrymander the court districts. That is talking out of both sides of your mouth. Either they are trustworthy and we have an independent commission that can draw viable districts for the legislature and the courts, or they cannot do either.

This is the time to enact the legislation that fixes a problem that has been around long before the gerrymandering issue came up recently. And to the point, if you are going to say that we want to stall and have a hearing on this part of the bill, there were no hearings on Senate Bill No. 22. Nobody held a hearing on Senate Bill No. 22. We have talked about it. We had issues, but the Committee on State Government did not hold a hearing on Senate Bill No. 22 to discuss all of its merits. We were locked in a jam. We could not get anything done. So if we are going to do it, let us delay the entire issue here.

The reason why this is not a hijacking, we are separating it into two issues. If you like Senate Bill No. 22 and the gerrymandering reforms, the public will get a vote for that. If you also would like to see the State courts changed, the way that we have these districts set up, the public will have a separate vote for that as well. They are two separate votes. We are not hijacking the bill because it could be very possible that the public accepts just the redistricting reform commission and not the changes to the Supreme Court and the courts across Pennsylvania. Let us not sit here and say that we are hijacking or pushing anything back, we are actually pushing two issues forward today that have been on the table for decades and had discussions in this General Assembly as long as I have been here.

I support the Aument amendment, and I think we should all make sure and put in perspective that it is the people of Pennsylvania who will make this final decision when they decide to change their Constitution.

Thank you, Mr. President.



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

Senator LEACH. Mr. President, just parenthetically before I begin the remarks I plan to make, Senator Williams educated me that there were two, in fact, hearings on Senate Bill No. 22 before the Committee on State Government. One on March 27, and the other one shortly thereafter in April. Just for the record.

Also for the record, when I previously spoke, I believe Senator Gordner got up afterward and corrected what he thought were some mistakes in what I said. So I would like to clarify who is correct, and I am wondering toward that end, if the maker of the amendment would stand for brief interrogation.

The PRESIDENT. Senator Leach has requested, once again, that Senator Aument stand for interrogation. He appears to agree to do so.

Senator Leach, proceed.

Senator LEACH. Mr. President, I direct the maker of the amendment's attention to page 2 of his amendment, lines 14 and 15. It says, as I read it, that the requirements, in terms of what the districts must look like, is that they are the same as the requirements for the commission on the congressional, not the State legislative, but the congressional districts. I would like to know from the gentleman what those requirements are, specifically?

The PRESIDENT. The gentleman has proposed a question. Senator Aument appears to have the text, and the ball is in your court, Senator, whenever you are ready.

Senator AUMENT. Mr. President, I think the conversation between my colleagues, Senator Gordner and Senator Leach, is an important component of this debate. If this amendment were to be included and the voters were to approve both the independent commission language with Senate Bill No. 22, the underlying bill, as well as the amendment that I have offered today, then the judicial districts - the Supreme Court, the Superior Court, as well as the Commonwealth Court - would be established by the independent commission, per the comments that Senator Gordner made earlier. However, if Senate Bill No. 22, the underlying provisions were not approved by the voters, which I think is doubtful, then the judicial districts would be created and would be designated per the current process provided for in law as it relates to the congressional districts.

Senator LEACH. Mr. President, so what are those? What are the requirements that either the commission, or if the commission failed to agree, the legislature, would have to adhere to in terms of drawing these lines?

Senator AUMENT. Mr. President, with all due respect, I do not believe that question relates to my amendment. I think the question the gentleman is posing has to do with the underlying bill and the process as it relates to Senate Bill No. 22.

Senator LEACH. Mr. President, no, his amendment specifically incorporates the requirements of Senate Bill No. 22, so he just said, if you pass both of these amendments, you will have to adhere to the standards of the congressional redistricting. What are those standards? That is directly relevant to his amendment.

Senator AUMENT. Mr. President, those are the requirements that exist in current law.

Senator LEACH. Mr. President, and what are those?

Senator AUMENT. Mr. President, again, I do not believe that is relevant to the amendment that I have proposed.

Senator LEACH. Mr. President, I do not understand why the gentleman will not tell the people of Pennsylvania what--he just

bragged, and Senator Gordner corrected me, and said, oh no, we have to adhere to these standards under the congressional reapportionment. What are those standards? I think that is a perfectly reasonable question, perfectly germane, and I do not understand why we do not want the people of Pennsylvania to know that?

Senator AUMENT. Well, Mr. President, it is certainly not an issue that we do not want the people of Pennsylvania to know that. In fact, we are outlining a process here by which the people of Pennsylvania are ultimately going to make this decision, both with regard to Senate Bill No. 22 as well as the process for establishing the judicial districts. But, the process that would be utilized, as I understand it as it relates to the congressional districts, would be the guidance that was issued by the Supreme Court of Pennsylvania in their order that they issued in January or February of 2018 with regard to contiguous and compact districts and the criteria that they outlined in their order.

Senator LEACH. Okay, Mr. President, I will try again. That is not what the amendment says, and it is not what the gentleman said when he was talking about passing Senate Bill No. 22 and this concurrently, but I will not belabor that other than to say I am going to state what I think his amendment says and I will give the gentleman a chance to correct me if I am wrong, and then I will move on to my second question.

I ask, I guess in the form of a question, if the gentleman would agree that the only requirement under his amendment is one person, one vote, equal population of districts? County splits do not matter, compact and contiguous is not required; in fact, compact and contiguous was in his original bill on this issue and he removed that from his amendment. So the only thing that the commission or the legislature would have to comply with is one person, one vote. That is my understanding. If the gentleman thinks my understanding is incorrect, maybe he can tell me specifically in what way it is incorrect.

Senator AUMENT. Mr. President, ultimately that is going to be settled by the people of Pennsylvania. Either the people of this Commonwealth, as I suspect, if given the opportunity, will approve the underlying provisions of Senate Bill No. 22, and the independent commission would then be tasked with making that very decision.

Senator LEACH. Mr. President, I will return to that on comments, but my additional question is, again, I direct the gentleman's attention to the same page, page 2, lines 29 and 30, and that indicates to me that, it says, "the number and boundaries of all other judicial districts shall be established by the General Assembly by law." Now, the Constitution says there have to be seven Supreme Court justices, so we cannot add new Supreme Court justices, but it is my understanding that if Senate Bill No. 22 and the Aument amendment are both passed and approved by the people and become part of the Constitution, this General Assembly can at any time add judges to the Superior Court and Commonwealth Court. Is that correct?

Senator AUMENT. Mr. President, that is correct.

Senator LEACH. Mr. President, and I assume further that, since, when you add new judges and we have a one-person-one-vote requirement, that means that we would have to redraw the boundaries of all of those districts, is that correct?

Senator AUMENT. Mr. President, that is correct.

Senator LEACH. Mr. President, and that, as I understand it, can be done at any time, not by the commission, not by two-thirds of the legislature, but by a simple majority of the leg-

islature. In other words, a simple majority of the legislature, if I am correct, can at any time add a new judge and redraw all of the lines of that court. Is that correct?

Senator AUMENT. Mr. President, that is correct.

Senator LEACH. Mr. President, that concludes my interrogation. I ask for the opportunity to make a few comments.

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

Senator LEACH. Mr. President, I believe, now that we have actually looked at the language, that I was correct in my initial assertions, and let me just amplify these two points very quickly. On the first thing, there are no requirements in terms of what these districts have to look like other than they have to have the same number of people. That is the exact requirement that led us to the obscenely gerrymandered congressional map that was struck down by our Supreme Court, a decision which was upheld by the Federal courts and by the U.S. Supreme Court as unconstitutional. Exact same process, exact same requirements, which is why I said this is leading us to what got us in trouble in the first place.

The other point I was making is that whatever lines are drawn, at any time—because keep in mind, once the commission does its work, it disbands. Okay? It is not like a 1980s rock band that keeps getting back together, it is gone. Okay? And so a year later, 2 years later, a simple majority, not two-thirds of the body, can add a judge, add two judges, and change every line, any way they want, complying with nothing other than one person, one vote, which means that they could gerrymander to their heart's content. That is the point I was making, and I believe that is what the maker of the amendment just confirmed.

Now, I am not going to belabor all of my previous arguments. You have heard them. I conclude with one thing. One of Daylin's rules of politics—I am writing a book—is that on political matters, on issues as to who has advantages or disadvantages in elections or who wins or loses elections, there is a real easy way to tell if an amendment or a bill is reform or if it is a partisan power grab. There is a real easy way to tell, and that is, is it a bipartisan effort or is it one party forcing their will on the other? Is it a party-line vote where the Majority forces their will—there is almost no political reform that is good that I can think of where one party on a party-line vote forces their will on the Minority party. That is why I was so excited about Senate Bill No. 22, because Senate Bill No. 22 met the test of real reform. It was a bipartisan bill. It was a bill with cosponsors on both sides of the aisle. It was a bill that passed unanimously in the original committee which it was on, and in a bipartisan way on the Committee on Appropriations. It is a bill that today was amended by Republican Senator Folmer, and I voted for it, the Folmer amendment. I think almost every Democrat on this side of the aisle voted for it, and almost every Republican on that side of the aisle voted for it. That is how you know it is a legitimate reform. That is not what this is. This is one party trying to gain a permanent advantage in judicial elections in Pennsylvania by gerrymandering, and we can tell that when they call the vote and we see how bipartisan this is, because if it is not bipartisan, it is not reform, it is a power grab, and we should reject that.

Thank you, Mr. President.

The PRESIDENT. To put a nice little summary on it, the Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I will put a summary on it. I do not know if it is going to be very nice. But I can tell you this, certainly last week when we were in the meeting of the Committee on Appropriations, I was encouraged by the fact that we would be coming to the floor this week and as we moved out Senate Bill No. 22, that we would have an opportunity to have a discussion on amendments. At the end of the day, the amendments were going to be centered around enhancing and making better the aspects of Senate Bill No. 22, which we did today through the second Folmer amendment. And certainly I was encouraged and looking forward to coming to this Chamber this week to be able to vote on this measure, amended, I think, as the amendment made it better. I was looking forward to that. Certainly, you can imagine my disappointment, and I hope some of you were disappointed as well when you came into this Chamber on Monday, and at that point in time learned that another constitutional amendment was going to be offered, an amendment that was only introduced 25 days ago and has not been introduced in this Chamber in 4 years. In fact, it has not been introduced in the General Assembly in more than 4 years, yet that amendment was going to rise up and be the amendment that we are going to consider and talk about, the issue of how we do our courts in Pennsylvania, our appellate courts.

Mr. President, two words came to my mind right away when I learned of this particular amendment. Two words, and I want everyone to understand: hijack and retaliation. That is what this conversation is about. Every one of you in this room knows that the reason we are doing this amendment today and forcing it into Senate Bill No. 22 is because we want to retaliate against the courts. We do not; folks on the other side of the aisle want to retaliate against our courts. Weeks ago it was that we were going to take resources from the courts, take money from their surpluses or take different resources from the courts to retaliate. Retaliation toward our courts has been in the mindset of folks in this Chamber and in this General Assembly for many, many months now since the Supreme Court's decision. Do not kid yourself. Even impeachment, there were conversations about impeaching some of the members of the Supreme Court because they exercised their power and authority to do what they believe could be done, and, again, as my colleague Senator Hughes said, was affirmed by our U.S. Supreme Court. Your court, not my court, your court said it was okay what the Supreme Court did. Then we come and talk about impeachment and focus on only four of the members who voted for it.

Mr. President, you know the phrase, absolute power corrupts absolutely. That is what is going on here. It started back in 2011 and 2012 when we had the dispute about the gerrymandered maps that we took to the Supreme Court and were successful. Your court, your Republican Supreme Court said that we were correct. Then we follow up with voter ID and, again, the courts said it was wrong. And then just recently our Supreme Court said that the gerrymandered maps of 2011 of our congressional districts, that every one of the Democratic Members on this side of the aisle voted against and said it was wrong, the courts agreed. Anybody see a pattern here? Because today we are continuing that pattern. We are going to try to take over what we do not like about the processes here in Pennsylvania, we are going to use our power, our absolute power, and we are going to attempt to corrupt absolutely. That is what is going on, and it is wrong. Quite frankly, I am disappointed to have to be here today and be con-

cerned about what is going on in this Chamber. I am asking all of you to join us, to think about the people who have been advocating for so long for Senate Bill No. 22. For years this conversation has been going on. I cannot tell you about the hundreds of people I met in my district offices and the Harrisburg office and the thousands of letters and cards that I have received, and I know all of you have received, saying please work to pass a fair reapportionment and redistricting process, and that is what we have here before us in Senate Bill No. 22.

If you vote for this Aument amendment, you are complicit. You are each complicit in working to make sure to undermine the opportunity for the people across this Commonwealth who want us to do what is right, who want us to make certain that we have fair redistricting in this Commonwealth. I sat in those reapportionment committee meetings. They were not fair. As I mentioned, we went to court and we have been working very hard in convincing folks that there are changes that need to be made, and we got to the point in time and place today where we have the opportunity to make the final bill better with the comprehensive omnibus amendment, and we are going to go beyond that and we are going to add another amendment that is going to be a poison pill, as was mentioned, a poison pill designed specifically to undermine this process, and more importantly, as I mentioned earlier, to exact retribution and to retaliate against our courts.

Mr. President, that is wrong. A number of my colleagues are new to this Chamber. This is not the way we should be conducting our business. This is not the way we should do things. We are sent here by the people of Pennsylvania to advocate for the bills and measures that garner support in our communities. I have not heard anyone come to me or into my office and say we need to have appellate courts done by district. It has not resonated with anybody else here because it has not been introduced in over 4 years, but 25 days ago, all of a sudden this bill appears and today it is going to include a comprehensive amendment to restructure and reform how we do our redistricting in Pennsylvania. If you cannot see that, I am not sure what you are looking at. If you have your blinders on because you want to make certain that we end up exacting retribution against our courts, that is wrong, that is not why you were sent here.

Over the course of the last 4 or 5 years, many of you are new Members, you should know that is not why we were sent here. Stand up and recognize that this Aument amendment, for whatever merit may be, whatever reasons you believe it should be, should not be incorporated into Senate Bill No. 22. It is wrong for the amendment itself to be subject to this discussion like this. It is wrong for the people who have been supporting Senate Bill No. 22 for so many years and the tens of thousands of constituents who we have across this Commonwealth who believe that we have to do something. This is about putting faith back into the government so that people across this Commonwealth have faith in our government and have faith in us and faith in what we do. Today, if we adopt this amendment, Mr. President, I will tell you, we will not have restored that faith. Already they are questioning the motives of making the changes from a pure Senate Bill No. 22 commission to one now that has a legislative input. Folks are questioning our motivation along those lines. You add something like this which is purely designed to extract retribution and to hijack this process, we are not doing anything to enhance the public's perception of who we are, what we do, and the trust and the faith that they have in us.

Please, I appeal to all of you, do not be complicit. Do not be complicit in undermining the faith of the people we have in this Commonwealth and do not be complicit in taking steps that will destroy, would diminish significantly any opportunity we have to pass Senate Bill No. 22. Stand up, have the courage to reject this amendment and allow this amendment to be discussed at some later point in time. As was mentioned earlier, I think by Senator Boscola, there is no sense of urgency with this particular amendment. The earliest, the earliest that we might see any change in the Supreme Court or appellate courts is like 12 or 15 years from now, Mr. President. It is not now. There is a sense of urgency with respect to Senate Bill No. 22. We need to conclude this process in the House and the Senate by sometime in early July, maybe by mid-July at the latest. At the end of the day, we have an opportunity to move and do something positive to restore faith and trust into our activities and what we do in this General Assembly. Let us not waste that opportunity by adding an amendment that deserves an opportunity to be discussed by itself, separate from this discussion today, so it does not hijack and disrupt what we are trying to do here. I plead with my colleagues to reject the Aument amendment for today, keep it out of Senate Bill No. 22, allow Senate Bill No. 22 as amended in its current version to move forward over to the House to allow them to adopt it so that the people of Pennsylvania can take care of step one and move into the next step next year, without having to deal with the issue of district courts in Pennsylvania.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I think it was Shakespeare who said, you doth protest too much, methinks. What is eliciting all of this passion from your side of the aisle? You are saying it is guaranteed Democratic justice in Philadelphia, guaranteed justice in Pittsburgh, and five Republicans in between. You have such lack of faith in the Democratic Party that they cannot win races in the northeast where there are strongholds like Scranton and Wilkes-Barre? You have no confidence that you can win a seat in the Lehigh Valley? Is there no confidence where you have major registration edges in the southwest that you cannot win a seat? No confidence in the city of Erie that you cannot win a seat in the northwest? Guaranteed Republican seats, that is what I heard. Guaranteed 5 to 2. That is what it is going to be forever. Well, that is ridiculous. Courts in any elections go back and forth, as they have. We have won statewide races and they have won statewide races. We won the last statewide race for Supreme Court. We won a couple of the most recent appellate court races. They won some. This will go back and forth forever, and that is the way it should be.

Every election, every person who is in this Chamber was elected because they were a quality candidate. They were a quality candidate who ran in seats and won their race. There were many in seats where their registration was not the majority of the party of the people in that district, but they were a quality candidate on both sides of the aisle. Everyone won a race because they were a quality candidate. If we have judicial elections, regional judicial elections, we will have quality candidates and the better candidates will win. Some of them will be Republican and some of them will be Democrat, but they will be local elections. There will be elections where we get the chance to get to know people. So, do not be so fearful you cannot win elections statewide, that

this is going to be guaranteed. We are setting up an independent commission. Of course we are going to do it now. We are setting up an independent commission that is going to draw congressional and State legislative seats as well as congressional seats, if this amendment passes. So by nature they are independent and they are fair, and my guess is they will go back and forth, as history has proven to be in the past. I have more confidence in your party than you do. I know you can win seats statewide. Trust in yourselves. You can do it.

We heard the comment that the test is if it is bipartisan, then the vote will be bipartisan. I do not know if the vote will be bipartisan or not, but what will be bipartisan is if it does get to the voters, that the 12 million people of Pennsylvania, those who are registered, will make that decision. The majority of those people of Pennsylvania who will be voting will be Democrats. They will be the final arbiters of whether this is bipartisan or not, whether this is the correct thing, and whether we want elections at the regional level.

To me it makes sense. Of all the ways to elect justices and judges on the appellate courts, the statewide one is probably the worst because it is very difficult, you have to raise money, you cannot say a whole lot of things, you have to go around the State, and no one gets a chance to know them. We all know that is accurate. Now, the Federal court system, although it is an appointment by the President and confirmed by the Senate, what are they? Regional appointments. We have an eastern district, we have a middle district, and we have a western district. We have an equal number of Members from each district to represent those areas. Regional at the Federal level. Now, it is appointed, and there was some good discussion whether it should be appointed. My personal opinion is we should not take that decision away from the voters, that all public officials, whether they be judges, district magistrates, State legislators, governor, are ultimately accountable to the people, just like our countywide judges are accountable to the people. They run for election and stand for retention. So I think it is important that we are able to hold our elected officials accountable, and it is much easier to hold officials accountable if they are more local and we get a chance to know who they are. We get a chance to vote on their merit, not on who is able to raise the most money and put the best campaign together.

If you give me a moment, I want to read a quote of a speech that was made some years ago on this very issue. This is the exact same proposal that was done before. (*Reading:*)

Not only will my proposal ensure that all areas of the State have a voice in judicial decisions, it will guarantee that the best qualified candidates are elected. Here is why:

By electing judges in smaller regional elections, voters would have a chance to learn more about the candidates they are choosing.

Judicial districts would provide a greater diversity on the bench.

Because judicial candidates running statewide elections are not well-known, the outcome of races is often shaped by political insiders and those who can raise the most money. My plan would help to bring voters back into the process, and prevent money and influence from being the two most important criteria for being elected.

Highly qualified candidates who are not willing to devote the time and money to run a statewide campaign may be more likely to run for office in a smaller regional district.

In short, my proposal would provide a fairer voice in the judicial elections and bring better people to the bench. It would help to restore public trust and confidence in our courts and our judges, and give every part of Pennsylvania a chance to be represented.

I urge all of you who support judicial reform to support this measure, which will give voters a chance to elect the best-qualified candidate for a judicial post.

J. Doyle Corman, Jr., 1995, my father, who championed this issue almost 30 years ago. I guess 25 years, sorry. I was a journalism major, not a math major, sorry.

This is not a new issue. His points are well-taken. This is about getting the best qualified candidates to run for these offices, not ones who have big law firms behind them who can run statewide. This allows the people of Pennsylvania to be able to know their judicial representatives better, make qualified decisions, and hold them accountable. That is for a better court system.

The way we are setting this up, Senate Bill No. 22 will stand alone on the ballot. I am for it. It is important we get it to the voters, but this will stand as well. If the voters reject this, we will still have the independent commission for legislative districts. Let me remind you that this issue has not exactly been warmly received on the other side of the building. I believe, and it is my own opinion, this amendment gets more warmly received, if that is proper English, on the other side of the building to ultimately get it to the voters, which is what we all want.

So, I get that you protest, I get that you are upset. Let us not challenge each other's characterizations. We believe this is for a better court system. Maybe you believe statewide is better. I respect that decision and belief. Let us not cloud this as some sort of revenge or some sort of discussion. That is ridiculous. Courts make decisions; I agree with some of them and I do not agree with others. This is the Constitution of Pennsylvania that will live for generations. I know every Member on this side of the aisle wants to put something in place that is better for Pennsylvania. We are giving up power here today. I, as the Majority Leader, if I am still Majority Leader in 2022, would be sitting on that reapportionment commission under current law. I am giving that up. I do not want that power. I want an independent commission to take over this process, and that is why as Leader I helped the chairman of the Committee on State Government to get this bill to the Senate floor today. I am not going to cloud that move with a takeover or some other move.

You know, these court justices, we won the last court race. Republicans won the last court race. We are very happy with that justice, and we will win the next one, or maybe we will not. It will go back and forth. This is not about today, this is not about yesterday, this is about tomorrow. What is the best way to have these courts be represented in the future for when my children are adults and living under a lot of the laws that they will be reviewing? So, let us not protest too much and characterize other people's motivations. This is about what we believe on this side of the aisle and the best time to do judicial reform because we are setting up an independent commission for the legislative and congressional, and it only makes sense to do the judicial at the same point in time.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, I again listened--I guess I am naive like that, I actually listen to what Members say. I was struck by the fact that the gentleman who represents the Majority took to the rostrum and spent 90 percent of his time talking about

the amendment and not the bill. Ninety percent of his comments were not about the substance of Senate Bill No. 22, which was about how we draw fair districts, it was to defend the amendment. He defended it in, frankly, the way that those of us who are seeking transparency do not want to be described. That means them-versus-us. Believe in yourself that you can win an election. Frankly, those words to most of us, and to many people on that side of the aisle who supported merit selection, abhor it. We are supposed to be depoliticizing the judicial process. Now we have--and I am glad he did--revealed the motives and the substance behind today's activity to be what they are, political. Whether you do not like the word "hijacked," "stolen," whatever, I do not care what adjective you use, the bottom line is 90 percent of that energy was directed toward defending an item that has been generational in nature and is now defended by a partisan argument because you cannot defend it any other way.

It is nice to suggest that people should be closer to the judiciary, but the fact is the judiciary, the third branch of government, was set up to be removed from those of us who could touch them politically, not engaged, be it a big law firm in Philadelphia or Allegheny County, or be it a small law firm in Lackawanna County, or Clearfield County, or a political boss in Butler County. The highest court in Pennsylvania and the courts were set up for a specific reason: Commonwealth Court, Superior Court, appeals court; then the highest court. The reason why the highest courts in the Federal government are for a lifetime is because we do not want anybody compromised by the politics of their time, and, in fact, we have had justices on the Supreme Court on the Federal level who changed their view over time because they reflected society, and, frankly, those who appointed them were annoyed by it because they could not touch them politically. So this notion that we want to be able to get closer to a Supreme Court justice so they can have a glass of wine on a Friday happy hour, go to Ruby Tuesday, hang out with all of us and be more common, is ludicrous for those of us who are protecting the law. It is sanctimonious to suggest that you want to have hail-fellow-well-met as a Supreme Court justice, man or woman. You want to have a smart lawyer who believes in the integrity of the law and regardless of party affiliation does what is right. That means they have to be removed from the body of politics, not more connected with it.

So, to suggest that go win an election, believe in yourself, go boys go, this is not a game. This is about putting people in the highest court in our Commonwealth with respect and dignity and not be compromised by the politics of today. So with all due respect, if somebody came from Harvard and they happen to come from a Republican district, and they distinguished themselves as being a great lawyer, I would be the first to vote for them, and I have. I have supported people irrespective of party affiliation. So do not defend this. My father, too, God rest his soul, was a lawyer, and a proud trial lawyer. He graduated from the University of Pennsylvania coming from poverty. No one needs to tell me the difference between a judge and a politician. That is why there are three branches of government, not one. This is political, this is partisan, and this is divisive. I am glad the gentleman admitted that it is about politics. I am glad the gentleman admitted it is about campaigns, and I am glad the gentleman admitted that it is about winning. I am glad the gentleman admitted truly the substance of what this debate today is about, Senate Bill No. 22, it has nothing to do with the original intent. The

energy is spent on a political manipulation of a moment and advantage, and to drive it through the door, and they have the right to do that.

Understand, my energy is not anger. I am not mad at anyone. I have been in this business long enough to know if it is my turn, it is my turn, but if not, it is not. But I do not respect hypocrisy. So do not be hypocritical about it, be more appropriate like the Majority Leader. Tell us what it is. The truth is, as he said, it is about winning elections. It is about go get 'em, boys. It is about in your region, you had better raise a lot of money because you have to elect a judge or two. It is about friendship and relationships. But as far as the law is concerned, that is a far second.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, the gentleman, not the previous speaker, but the Majority Leader talked about winning elections and being afraid of winning elections. We are not. In 2017, Democrats won four of the seven appellate court races. In 2015, we won three. We can continue to go on with that conversation with respect to our appellate courts. When you look at the composition of our appellate courts as it relates to statewide, it may be five to two Democratic right now in the Supreme Court, but if you look at the Commonwealth Court, I believe it is way lopsided in the other direction, and the Superior Court is relatively close to being competitive in terms of the number of seats held by folks. So the process works, in my view.

What is being missed today, I believe, is that this conversation about how we elect our judges or how we appoint our judges in this process is being intertwined with Senate Bill No. 22. It has no place in this discussion today, and that is what I am asking all of you to consider. The merits of judicial district elections is a conversation that is worthy of the dialogue and debate that is taking place today, but let us have that conversation next week. That is when it is more appropriate. I vehemently disagree with the Majority Leader when he said that by incorporating this amendment into the bill makes the bill easier to pass in the House of Representatives. My hope is that we get a fair shake on Senate Bill No. 22 in the House of Representatives and that the Speaker does not assign it to the Committee on State Government in the House, because we all know what is going to happen in that regard. It is going to sit there and nothing is going to happen and it will die, and we will leave here not having the opportunity to do it. In my view, anything that complicates or changes or makes it more complex for the Members of the House is going to make it more difficult for them to want to pass this measure. At the end of the day, the conversation about this amendment is worthy of discussion and dialogue on how we go forward. It is not one that has to take place today. It is not one that has to take place over the course of the next several months.

What has to happen, and what we strove to do, if that is even a word, we have work to do, but with the Folmer amendment a couple of weeks ago, with the Folmer amendment today, and hopefully some amendments we may be able to offer after this one, will make Senate Bill No. 22 a better bill, more palatable to everybody in this General Assembly, so we can get it through this process. That was our goal. This amendment disrupts that goal. Our goal was to get fair districts between now and get a process in place where we can have fair districts in this Commonwealth by sometime at the latest mid-July, to allow the ad-

vertising to take place to allow us to come back here in January and February to have the second leg of this discussion and maybe get on the ballot by May or November of next year. That is our goal and that is the goal of tens of thousands of people across Pennsylvania who sent us here, who came to our offices, who called our offices, who signed those postcards, and said to us please support a fair redistricting process. It is not exactly what they wanted, but they compromised. What we are voting on today at some point or tomorrow on the Senate Bill No. 22 piece of this will be a compromise that we reached by working together and finding common ground. What we are doing by adding this amendment is disrupting that and changing that. Do not be complicit. Again, Mr. President, do not be complicit in this process that will allow us to diminish the opportunity to do what the grassroots people across Pennsylvania have said to us to please get done. They want fairness in terms of the redistricting. We are on the verge of giving them that. If we do things along the lines of this amendment, it changes that, and there is ample time and ample opportunity to continue this dialogue.

Many of the points that Senator Corman referenced that his father talked about on this Senate floor, in fact, we thought they were going to be the comments made by some of our predecessors. At the end of the day, we know that this is a valid discussion that needs to take place, but it should not be incorporated into this discussion today on Senate Bill No. 22. Redistricting reform is about legislative and congressional seats, not about, at this point in time, how we reform and redistrict our judicial seats across our appellate courts in Pennsylvania.

Again, I ask for a negative vote on this amendment.  
Thank you, Mr. President.

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

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

YEA-31

Alloway	DiSanto	Martin	Stefano
Argall	Eichelberger	McGarrigle	Tomlinson
Aument	Gordner	McIlhinney	Vogel
Baker	Greenleaf	Mensch	Vulakovich
Bartolotta	Hutchinson	Regan	Ward
Brooks	Killion	Resenthaler	White
Browne	Langerholc	Scarnati	Yaw
Corman	Laughlin	Scavello	

NAY-18

Blake	Farnese	Leach	Tartaglione
Boscola	Folmer	Rafferty	Williams
Brewster	Fontana	Sabatina	Yudichak
Costa	Haywood	Schwank	
Dinniman	Hughes	Street	

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

HUGHES AMENDMENT A7546 OFFERED

Senator HUGHES offered the following amendment No. A7546:

Amend Bill, page 15, line 22, by inserting a bracket before "THE"  
Amend Bill, page 15, line 22, by inserting after "THE":  
Except as otherwise provided in this section, the  
Amend Bill, page 15, line 30, by inserting after "HAS":  
been registered as a lobbyist, has been a political party officer or employee.

Amend Bill, page 16, line 1, by striking out "OR STATE" and inserting:  
State or local

Amend Bill, page 16, line 2, by inserting after "COMMON-WEALTH":  
or been an employee or held any position of public service in aid

or support of such person

Amend Bill, page 16, by inserting between lines 4 and 5:  
(1.1) That no member of the commission may serve as a political party officer or employee or be a candidate for or hold elective or appointive public office at the Federal, State or local level or elective judicial office in this Commonwealth for five years immediately following the date of termination of the individual's service on the commission.

Amend Bill, page 16, line 24, by striking out "TWO-THIRDS" and inserting:  
majority

Amend Bill, page 16, line 24, by inserting after "EACH":  
party of each

Amend Bill, page 16, line 27, by inserting after "INDIVIDUALS":  
registered with their political party

Amend Bill, page 16, line 28, by striking out "TWO-THIRDS" and inserting:  
majority

Amend Bill, page 16, line 28, by inserting after "VOTE":  
of each party

Amend Bill, page 16, line 30, by inserting after "INDIVIDUALS":  
registered with their political party

Amend Bill, page 17, line 1, by striking out "TWO-THIRDS" and inserting:  
majority

Amend Bill, page 17, line 1, by inserting after "VOTE":  
of each party

Amend Bill, page 17, by inserting between lines 2 and 3:  
(4) Each individual recommended for appointment shall have been continuously registered in this Commonwealth with the same political party, or continuously unaffiliated with a political party, in the three years immediately preceding the date of appointment to the commission.

(5) In making appointments to the commission, the General Assembly shall consider such factors as deemed appropriate so that the commission reasonably reflects the geographic, gender and racial diversity of this Commonwealth.

Amend Bill, page 17, by inserting between lines 9 and 10:  
If the General Assembly fails to approve and certify any commission member by July 1 in each year of the Federal decennial census, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives and the Governor, as appropriate, shall submit three names from the list of qualified applicants in accordance with paragraphs (1), (2), and (3) to the Supreme Court. A majority of the entire membership of the Supreme Court within 30 days thereafter shall appoint individuals to the commission from the names submitted and certify the appointments to such elections officer.

Amend Bill, page 17, line 25, by striking out "TWO-THIRDS" and inserting:  
majority

Amend Bill, page 17, line 25, by inserting after "OF":  
each party of

Amend Bill, page 17, line 26, by inserting after "COMMISSION":  
from the members recommended by the Governor

Amend Bill, page 18, lines 6 through 10, by striking out "TWO"

VOTES OF" in line 6, all of lines 7 through 9 and "POLITICAL PARTIES BASED UPON REGISTRATION." in line 10 and inserting:

one member recommended by the Majority Leader of the Senate, one member recommended by the Minority Leader of the Senate, one member recommended by the Majority Leader of the House of Representatives, one member recommended by the Minority Leader of the House of Representatives and two members recommended by the Governor.

Amend Bill, page 18, line 12, by inserting after "COMMONWEALTH":

prior to the adoption of a preliminary reapportionment and redistricting plan

Amend Bill, page 18, line 15, by inserting after "(1) ":  
Senatorial districts shall be drawn with the fewest number of divisions to counties, municipalities and wards within the maximum population deviation permissible.

Amend Bill, page 18, line 16, by inserting after "ONE.":  
The commission shall provide a written explanation for each division.

Amend Bill, page 18, line 17, by inserting after "(2) ":  
Representative districts shall be drawn with the fewest number of divisions to counties, municipalities and wards within the maximum population deviation permissible.

Amend Bill, page 18, line 18, by inserting after "TWO.":  
The commission shall provide a written explanation for each division.

Amend Bill, page 18, line 19, by striking out "DISTRICTS" and inserting:

Congressional districts  
Amend Bill, page 18, lines 19 and 20, by striking out "AS CLOSE TO THE APPLICABLE IDEAL DISTRICT POPULATION AS POSSIBLE" and inserting:

within the maximum population deviation permissible  
Amend Bill, page 18, line 24, by inserting after "DISTRICTS.":  
The commission shall provide a written explanation for each division.

Amend Bill, page 19, lines 4 and 5, by striking out "HELD FOR THE PURPOSE OF DELIBERATING OFFICIAL BUSINESS OR TAKING OFFICIAL ACTION"

Amend Bill, page 19, line 13, by inserting after "COMMISSION":  
shall conduct two public hearings for purposes of receiving public input on the preliminary plan and

Amend Bill, page 19, lines 14 and 15, by striking out "AND COMPLETING THE SIX PUBLIC HEARINGS ON THE PLAN"

Amend Bill, page 19, lines 25 through 28, by striking out "AT LEAST TWO VOTES OF MEMBERS REGISTERED FROM EACH OF" in line 25 and all of lines 26 through 28 and inserting:

one member recommended by the Majority Leader of the Senate, one member recommended by the Minority Leader of the Senate, one member recommended by the Majority Leader of the House of Representatives, one member recommended by the Minority Leader of the House of Representatives and two members recommended by the Governor.

Amend Bill, page 20, line 1, by inserting after "THEREOF.":  
Upon receipt of an appeal, a majority vote of the entire membership of the Supreme Court shall immediately direct the appointment of a special master. The special master shall hold a hearing and take testimony on the final plan, and return the record and a transcript of the testimony together with a report and recommendations as prescribed by general rules of procedure.

Amend Bill, page 20, line 1, by inserting after "IF":  
the special master determines that

Amend Bill, page 20, line 10, by inserting after "TO":  
the Congress of the United States and

Amend Bill, page 20, line 22, by inserting a bracket before the comma after "DETERMINE"

Amend Bill, page 20, line 26, by inserting a bracket after "PAID"  
Amend Bill, page 21, line 9, by striking out "ALL MAPS" and inserting:

Each map  
Amend Bill, page 21, line 10, by inserting after "PARAGRAPH":  
shall be approved by a majority vote of the commission, comprised of one member recommended by the Majority Leader of the Senate, one member recommended by the Minority Leader of the Sen-

ate, one member recommended by the Majority Leader of the House of Representatives, one member recommended by the Minority Leader of the House of Representatives and two members recommended by the Governor and

Amend Bill, page 21, line 13, by inserting after "SHALL ":  
conduct at least one public hearing on the maps submitted by the commission and shall

Amend Bill, page 21, line 14, by striking out "TWO-THIRDS VOTE" and inserting:

majority vote of each party  
Amend Bill, page 21, by inserting between lines 14 and 15:

(4) If the General Assembly fails to approve the maps under paragraph (3) by December 31 of each year ending in one, the commission shall submit the same sets of maps for each category to the Supreme Court, which shall approve one map submitted in each category. Upon receipt of the maps submitted under this paragraph, a majority vote of the entire membership of the Supreme Court shall immediately direct the appointment of a special master. The special master shall hold a hearing and take testimony on the maps submitted by the General Assembly and return the record and a transcript of the testimony together with a report and recommendations as prescribed by the court.

Amend Bill, page 21, line 15, by striking out "(4)" and inserting:  
(5)

Amend Bill, page 21, line 15, by striking out "COMMISSION" and inserting:

General Assembly  
Amend Bill, page 21, by inserting between lines 16 and 17:

(6) Any aggrieved person may file an appeal from a final plan adopted by the General Assembly directly to the Supreme Court within 30 days after the filing thereof. If the appellant establishes that the final plan is contrary to law, the Supreme Court may issue an order remanding the plan to the commission and directing the commission to reapportion and redistrict the Commonwealth in a manner not inconsistent with such order or may immediately proceed upon its own motion to reapportion the Commonwealth.

(7) If the General Assembly fails to approve a map under paragraph (3) by December 31 of each year ending in one, the commission shall submit the same sets of maps for each category to the Supreme Court, which shall, by a majority vote of the entire membership of the Supreme Court within 30 days thereafter approve one map in each category. Upon receipt of the maps submitted under this paragraph, the Supreme Court, by a majority vote of the entire membership of the court, shall appoint a special master. The special master shall hold a hearing and take testimony on the maps submitted by the commission and return the record and transcript of the testimony to the Supreme Court as prescribed by the Supreme Court.

Amend Bill, page 21, line 19, by inserting after "ASSEMBLY":  
or Supreme Court

Amend Bill, page 21, line 20, by inserting after "ACT":  
that is finally decided by the Supreme Court on appeal, or when the last day for filing an appeal has passed with no appeal taken, or any reapportionment and redistricting plan approved by the Supreme Court upon the failure of the General Assembly to act

On the question,

Will the Senate agree to the amendment?

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

Senator HUGHES. Mr. President, I offer this amendment to address some balance with respect to the process that we are utilizing for redistricting in our commission and everything that lies therein. I will walk through some of the points, Mr. President. It requires public hearings on proposed maps, it insures that the appointment of commissioners is fair, provides a plan in the event the General Assembly does not or cannot appoint commissioners, and protects the Supreme Court's ability to review and rule on any and all plans. Mr. President, this amendment insures no political or politically affiliated people can serve on the commission. Some of the points, Mr. President, it prohibits local

officials and political party officers, lobbyists from serving on the reapportionment commission, it prohibits commissioners from holding an elected or appointed office for a period of 5 years following legislative and congressional redistricting, requires nominees to the commission to be approved by a majority vote of each of the four legislative Caucuses. Important point, Mr. President, it requires nominees to the commission to be approved by a majority vote of each of the four legislative Caucuses. Mr. President, if the General Assembly is unable to approve all 11 commissioners by July 1, the Pennsylvania Supreme Court will appoint commissioners from lists provided by the various nominating authorities. Mr. President, it requires plans approved by the commission to receive at least one vote from a commissioner appointed by each nominating authority. Again, Mr. President, we are trying to give full engagement and full participation across the board in the context of this amendment.

Mr. President, it requires General Assembly-approved plans to receive a majority vote from each of the four legislative Caucuses. Mr. President, this amendment clarifies that the Supreme Court has the authority to hear appeals on General Assembly-approved plans. I will say that again, Mr. President. It clarifies that the Supreme Court has the authority to hear appeals on General Assembly-approved plans. Mr. President, if both the commission and the General Assembly are unable to approve a final plan, it gives the Supreme Court the authority to draw a final plan with the assistance of a special master. The special master would be appointed by the entire membership of the Supreme Court.

Clarifying point, most important, I believe, Mr. President, is that last one that I just read. If both the commission and the General Assembly are unable to approve a plan, it gives the Pennsylvania Supreme Court the authority to draw a final plan with the assistance of a special master. The special master would be appointed by the entire membership of the Supreme Court.

Mr. President, this is a fair proposal to insure all appointees are appointed in a fair and balanced way. This amendment reinforces that the Pennsylvania Supreme Court is the final reviewer that a plan is constitutional. Important point, Mr. President, because we do not want to have unconstitutional districts. Mr. President, this amendment is insuring that the public trusts the commission, and is vital to insure fair and balanced maps are adopted. We are trying to bring some more balance, some equity, some inclusion, some participation by all four Caucuses, all the related appointees, all the commissions that come therein and, Mr. President, allows, as I said before, that if the commission and the General Assembly are unable to approve a final plan, it gives the Pennsylvania Supreme Court the authority to draw a final plan with the assistance of a special master. This special master would be appointed by the entire membership of the Pennsylvania Supreme Court.

So what we are trying to do with this amendment, Mr. President, as I said, is trying to create a better sense of fairness, inclusion, and participation by all folks involved in the process, trying to get past some of the loopholes that currently exist that do not seem to get final address, and it tries to make sure, as I said in my first comment, something that is not being addressed by the previous issue that we just discussed, it requires public hearings on proposed maps. This amendment, we believe, Mr. President, will insure a significant level of confidence by the public that the process that we are adopting is fair, it is balanced, it is inclusive,

and it addresses all constituencies across the Commonwealth of Pennsylvania in a way that makes sure that everyone is fully engaged by this new process that is being pursued through this amendment and through Senate Bill No. 22.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, briefly, with all due respect to my colleague and friend from Philadelphia, his amendment is essentially a rewrite of the amendment that we just passed from the gentleman from Lebanon County, which was supported nearly unanimously here in the Chamber. I know he was a "no" vote. So I respectfully ask for a "no" vote on this amendment.

Senator HUGHES. Mr. President, if I may.

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

Senator HUGHES. Mr. President, I only say this amendment is a new-and-improved version of the previous amendment that was discussed, which is why I am offering it, and which is why I did not vote for the old amendment. This is the new-and-improved version. With that, I will conclude my comments.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Corman requests a legislative leave for Senator Martin. 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 HUGHES and were as follows, viz:

YEA-16

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

NAY-33

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

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?



## SCHWANK AMENDMENT A7397 OFFERED

Senator SCHWANK offered the following amendment No. A7397:

Amend Bill, page 16, line 21, by striking out "RECOMMEND" and inserting:

appoint

Amend Bill, page 16, line 24, by striking out "FOR" and inserting:

subject to

Amend Bill, page 16, line 25, by striking out the period after "CHAMBER" and inserting:

of the General Assembly, including a majority of the members of both of the two major political parties.

Amend Bill, page 16, line 27, by striking out "RECOMMEND" and inserting:

appoint

Amend Bill, page 16, line 28, by striking out "FOR" and inserting:

subject to

Amend Bill, page 16, line 28, by inserting after "SENATE":

including a majority of the members of both of the two major political parties

Amend Bill, page 16, line 30, by striking out "RECOMMEND" and inserting:

appoint

Amend Bill, page 17, line 1, by striking out "FOR" and inserting:

subject to

Amend Bill, page 17, line 2, by striking out the period after "REPRESENTATIVES" and inserting:

including a majority of the members of both of the two major political parties.

On the question,

Will the Senate agree to the amendment?

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

Senator SCHWANK. Mr. President, I have been an advocate for the establishment of a more fair redistricting process since I came to the Senate, and hope that at some point I am going to be able to continue to do that. So I looked very carefully at Senate Bill No. 22, particularly the amended Senate Bill No. 22 with the Folmer amendments in it, and I found some issues there. I have great respect for the Members who brought this forward, but what I found was the biggest flaw was this issue of the two-thirds majority. So, as Senate Bill No. 22 is currently drafted, it requires the selection of the four legislative nominees to the commission from each Chamber to be equally divided between the Caucus Leaders, subject to approval by two-thirds of the entire body. This is a change from the original version, which I endorsed, supported, and sponsored. Unfortunately, while the current two-thirds majority requirement is often used for a deliberative body to work cooperatively, I think in this situation it is only going to encourage more partisanship.

In practical terms, what this will mean, Mr. President, is that in the Senate, the Majority party's two-thirds Member advantage practically guarantees that its Leader's two nominees will be approved without any regard to the Minority Caucus, while the Minority Leader's two nominees must win support from at least half of the Majority Caucus. That is a tall order. In the House, where neither party has a two-thirds majority, the Majority still has the advantage of needing to persuade far fewer Members of the other Caucus to approve its Leader's nominees. The Majority Leader would need about 14 Minority votes. It could be a challenge, but it is not impossible. The Minority Leader, on the other

hand, would need to win support from somewhere around 53 Members of the Majority, as in the Senate, close to half of the Majority Caucus, for his nominees.

This unfairness necessarily forces the Minority to consider nominees or to temper their nominees to the policies or desires of the other party in the hopes that they will get voted in. And in the alternative, risks having individual Members picked off by the Majority while the Majority Caucus faces either no disadvantage or certainly a far lesser one. I think this is blatantly unfair and is obviously contrary to the purposes of this reform bill and the manner in which it was represented to the public advocates of the bill and to the public generally. The same thing happens on the Governor's three nominees. They are subject to winning two-thirds approval by the Majority in both chambers. I will not take the time to go through this by the numbers, but I think it is pretty easy to see how difficult that could be as well.

As we sit here today, we know that there is a tremendous risk of partisanship dominating the process for congressional redistricting. That is why this is so important to me personally, but particularly to my constituents in Berks County. In the last two processes in 2001 and 2011, my home county, Berks, which has historically always been wholly within a single district, was split among several congressional districts, four at one point. You know what we were told? Be thankful. If you have four, you have four more people to take care of you. It did not work out that way. We really were far better off when we had one congressional person to represent us, but this is what gerrymandering got us.

It also should be clear that this proposal is a step back for State legislative redistricting, which for 50 years has been designed specifically to restrict the ability of legislative partisanship to steal the process. I want everybody to understand that this changes what really had been a more fair process on the legislative redistricting. And that is because it was done through the equal participation in the Legislative Reapportionment Commission of the Caucus Leaders. There was no built-in advantage for any of them. By opening up the State legislative reapportionment to partisan advantage, Senate Bill No. 22, as it is now before us, is really a step backward. The good news is that it is simple to fix this. What I am offering in this amendment, keep the two-thirds majority approval requirement, but we can also insure that each Caucus approves its nominees and we do that by requiring Minority and Majority Caucuses to support their own nominees by requiring that at least half of each Caucus support the nominees. This reasonably insures that their selections are not subject to the control or manipulations of the Majority.

It sounds complicated, but it is important. The parties are not always likely to remain in the same relative positions that we have today with the Republicans in the Majority and the Democrats in the Minority. It is important that we understand what we are considering today is not just a simple statutory change. It is a change to our Constitution, our fundamental law, and changes we make to it should not be designed to meet a temporary or an existing situation. We have an obligation to make a change that the people of Pennsylvania can use in the future, that they can rely upon in the future. I believe that is what my amendment offers, and I hope that Members will accept this opportunity to build reform rather than retreat accidentally into partisanship.

So, Mr. President, in contrast to the amendment offered by my colleague and friend, Senator Hughes, which included many

features, it also included this. I am only talking about this two-thirds majority issue, and I would appreciate its positive consideration. Thank you.

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

Senator CORMAN. Mr. President, I request a negative vote.

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

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

YEA-16

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

NAY-33

Alloway	Eichelberger	McGarrigle	Tomlinson
Argall	Folmer	McIlhinney	Vogel
Aument	Gordner	Mensch	Vulakovich
Baker	Greenleaf	Rafferty	Ward
Bartolotta	Hutchinson	Regan	White
Brooks	Killion	Reschenthaler	Yaw
Browne	Langerholc	Scarnati	
Corman	Laughlin	Scavello	
DiSanto	Martin	Stefano	

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

COSTA AMENDMENT A7543 OFFERED

Senator COSTA offered the following amendment No. A7543:

Amend Bill, page 15, line 30, by striking out all of said line and inserting:

commission, provided that:

(i) No person who has held elective or

Amend Bill, page 16, by inserting between lines 4 and 5:

(ii) No person who has been nominated as a candidate for elective office by a political party or political body or served as a paid staff member or officer of a political party, political body, political committee or political action committee in the five years immediately preceding the date of appointment to the commission shall be eligible for appointment.

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

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

Senator COSTA. Mr. President, very briefly, this relates to an additional number of individuals who would be prohibited from serving on the redistricting/reapportionment commission going forward. Mr. President, the concern is that we want to have a

committee that is pure of individuals who have not had any political experience, or have held public office, or who have been candidates for public office in the previous 5 years, but it goes beyond that, Mr. President. It also is an amendment that says that individuals who were part of a political party as a paid staff member, or an officer of a political party, or political action committee, or some other political committee within 5 years preceding the date of the appointment would not be permitted to serve. Mr. President, what I am driving at here is trying to make certain that individuals who serve as--for example, previous Democratic chairperson for the State party of Pennsylvania, the previous Republican chairperson of the Republican Party, individuals who are PAC chairpersons, or treasurers of campaign committees or political committees in Pennsylvania--Mr. President, I think they run the risk of being perceived as not being totally fair and honest through this process. That is the reason why we think it would be appropriate to exclude any type of appearance of undue influence or impropriety asking those members not to participate and excluding them from the pool of individuals who would be Democrats, Republicans, and independents. I think it is a measure that is going to protect the integrity of the process and the integrity of the commission, and I ask for an affirmative vote.

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

Senator CORMAN. Mr. President, I request a negative vote.

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

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

YEA-16

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

NAY-33

Alloway	Eichelberger	McGarrigle	Tomlinson
Argall	Folmer	McIlhinney	Vogel
Aument	Gordner	Mensch	Vulakovich
Baker	Greenleaf	Rafferty	Ward
Bartolotta	Hutchinson	Regan	White
Brooks	Killion	Reschenthaler	Yaw
Browne	Langerholc	Scarnati	
Corman	Laughlin	Scavello	
DiSanto	Martin	Stefano	

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

COSTA AMENDMENT A7291 OFFERED

Senator COSTA offered the following amendment No. A7291:

Amend Bill, page 16, line 25, by inserting after "CHAMBER.":  
No more than one of these individuals may be registered with the same political party or political body.

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

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

Senator COSTA. Mr. President, the amendment I offer today is one of the amendments that we forwarded to Senator Folmer and others over the course of the past week. This deals with the independents who are part of the comprised commission as we go forward. The goal, in this instance, is to insure that we do not have three individuals or more than two individuals from the same independent or other type of party. It would require that we have individuals representing various parties within our Commonwealth serving on this particular commission and not allowing it to be one party with respect to our independents, as are outlined. So, I ask for an affirmative vote for that reason.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I request a negative vote.

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

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

YEA-16

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

NAY-33

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

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

COSTA AMENDMENT A7490 OFFERED

Senator COSTA offered the following amendment No. A7490:

Amend Bill, page 16, line 11, by inserting after "GEOGRAPHIC.":  
ethnic.

Amend Bill, page 16, line 12, by inserting after "COMMON-WEALTH":

based on the most recent United States Census Bureau estimates

Amend Bill, page 17, by inserting between lines 2 and 3:  
(4) The commission must reflect the geographic, racial, ethnic and gender diversity of this Commonwealth based on the most recent United States Census Bureau estimates.

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

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

Senator COSTA. Mr. President, I know that the initial Folmer amendment did include language dealing with the issue of diversity. We pressed for additional language. While some language in Senate Bill No. 22 deals with the issue of diversity, we do not think it goes far enough. I believe, and this amendment reflects, that the commission must reflect the geographic, racial, ethnic, and gender diversity of the Commonwealth based upon the most recent United States Census Bureau estimates. Again, I recognize that the Folmer amendment did include language, but we believe it needs to go further to greater insure that we have a commission that truly reflects and that we take steps to say it must reflect the people of Pennsylvania. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, as the previous speaker mentioned, I believe the Senator from Lebanon County's amendment did address this issue and we believe it is adequately addressed. I ask for a negative vote.

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

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

YEA-16

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

NAY-33

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

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

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

BILLS OVER IN ORDER

HB 61, HB 99, HB 126, HB 149, HB 152, HB 159, HB 236, HB 280 and HB 285 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 299 (Pr. No. 1849) -- 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.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 655 (Pr. No. 1850) -- 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 Effec-

tive Opioid Prescribing Advisory Council and further providing for promulgation of regulations.

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: 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 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 735, HB 824, SB 859, SB 860, SB 884, SB 891, HB 983, HB 1034, SB 1047 and SB 1063 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL AMENDED

SB 1087 (Pr. No. 1544) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question, Will the Senate agree to the bill on third consideration? Senator BAKER offered the following amendment No. A7489:

Amend Bill, page 2, lines 14 through 19, by striking out all of said lines and inserting:

noncriminal investigation and review of the child-welfare system. The review should:

(i) focus on the strengths and challenges of the child-welfare system;

Amend Bill, page 2, line 21, by striking out "referred to, are under the care of" and inserting: placed in foster care

Amend Bill, page 3, line 10, by striking out "Four" and inserting:  
Six

Amend Bill, page 3, by inserting between lines 16 and 17:  
(iv) Two attorneys who have experience representing parents in dependency hearings.

Amend Bill, page 3, lines 27 through 30; page 4, line 1; by striking out all of said lines on said pages and inserting:  
(3) Five members appointed by the Governor as follows:  
(i) One foster parent.  
(ii) One member of a private sector organization providing foster or residential care.  
(iii) One member of a child-welfare or advocacy group.  
(iv) One representative of a county children and youth agency.  
(v) One representative with a background in child welfare from a school of social work at an institution of higher learning.

Amend Bill, page 4, line 8, by striking out "The physical presence of a" and inserting:

A

Amend Bill, page 4, line 30, by inserting after "Courts":  
and the Juvenile Court Judges' Commission

Amend Bill, page 5, line 5, by striking out "abusive"

Amend Bill, page 5, line 6, by striking out "who died from the" and inserting:  
later died from

Amend Bill, page 5, lines 17 through 19, by striking out "of foster homes, potential " in line 17 and all of lines 18 and 19 and inserting:  
and licensing of county and private children and youth agencies, foster care agencies and adoption agencies.

Amend Bill, page 6, by inserting between lines 14 and 15:  
(2) To keep all individually identifiable information confidential.

Amend Bill, page 6, line 15, by striking out "(2)" and inserting:  
(3)

Amend Bill, page 6, line 20, by striking out the period after "system" and inserting:  
, including expanding current successful practices.

Amend Bill, page 6, line 25, by striking out "(3)" and inserting:  
(4)

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Senator CORMAN.

BILLS OVER IN ORDER

**SB 1098, SB 1126 and SB 1132** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1156 (Pr. No. 1851)** -- 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 Penn-

sylvania 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.

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

**SB 1171** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1641 (Pr. No. 2734)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator MENSCH. Mr. President, I feel obligated to stand up and talk about this bill for a moment. This legislation is known

as Employment First, and it will help thousands of hardworking, capable people with disabilities find employment that suits their skills and where they can thrive. Pennsylvania has had an internal Employment First policy for over 20 years, but we have never had the checks and balances that are necessary. This proposal sets standards for accountability to make sure that State government is keeping its commitment to seek out and hire qualified people with disabilities. We want to be sure the State is working with business, industry, and the nonprofit sector to encourage them as much as possible to hire people with disabilities in meaningful jobs. Additionally, it is the kind of thing that can be done without putting a dent in the State budget. Every year, approximately 17,000 Pennsylvania high-schoolers with disabilities graduate into the workforce. People with disabilities in our State are willing and able to work. This legislation is a commitment to provide them with the opportunities they are asking for and that they deserve.

House Bill No. 1641, along with my companion legislation, Senate Bill No. 21, has garnered strong bipartisan support in both the House and the Senate. Its result will be a number of positive changes for the disabled in business communities, including the following: It will result in a dynamic change in employment support for people with disabilities; the legislation supports a shift in priorities with existing funding; it places a priority on putting competitive employment opportunities for people with disabilities at the forefront of Pennsylvania policy; it calls on the Governor to develop a 3-year plan and sets a 7-percent goal of the State workforce to be made up of talented individuals with disabilities; it urges agencies that provide services and support to people with disabilities to coordinate efforts to insure State programs, policies, procedures, and funding supports competitive employment in integrated settings for people with disabilities who are of working age; and last, it will create an Employment First oversight commission to report progress to the public, Governor, and the legislature.

Mr. President, individuals with disabilities deserve a real opportunity to be a part of the Pennsylvania workforce and become contributing members of society in their communities. I thank my fellow Senators for their past support of this important legislation and ask for their continued support today.

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

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.

BILLS OVER IN ORDER

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

BILL AMENDED

**HB 2067 (Pr. No. 3000)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of Pennsylvania Route 73 in Philadelphia County as the Police Officer Isabel Nazario Memorial Highway.

On the question,

Will the Senate agree to the bill on third consideration?

Senator RAFFERTY offered the following amendment No. A7487:

Amend Bill, page 1, lines 1 and 2, by striking out all of said lines and inserting:

Designating a portion of Pennsylvania Route 73 in Philadelphia County as the Police Officer Isabel Nazario Memorial Highway; designating a portion of Pennsylvania Route 29 in Montgomery County as Leonard Joseph Taglieber Memorial Highway; designating a portion of Pennsylvania Route 41 (Gap Newport Pike) between Pennsylvania Route 926 (Street Road) and U.S. Route 1 located in London Grove Township and Londonderry Township, Chester County, as the Trooper Kenton Iwaniec Memorial Highway; designating a portion of State Route 2019, known as Garrett Road, in Delaware County as the Deputy Chief Michael P. Morgan Memorial Highway; designating a portion of State Route 115 in Monroe County as the Submarine Veterans Memorial Highway; and designating a bridge of that portion of State Route 954 over the North Branch of Plum Creek, South Mahoning Township, Indiana County, as the PFC William T. Bresnock Memorial Bridge.

Amend Bill, page 2, by inserting between lines 10 and 11: Section 2. Leonard Joseph Taglieber Memorial Highway.

(a) Findings.--The General Assembly finds and declares as follows:

(1) Lance Corporal Leonard Joseph Taglieber was born April 11, 1946, and lived in East Greenville, Montgomery County.

(2) Lance Corporal Taglieber enlisted in the United States Marine Corps on November 15, 1965.

(3) In Vietnam, Lance Corporal Taglieber served with Supply Company, 3d Service Battalion, FLSG-Alpha, Force Logistical Command, III MAF.

(4) On June 23, 1967, Lance Corporal Taglieber, while unloading ammunition at a dump site in Quang Tri Province, Vietnam, was severely injured as a result of an explosion and subsequent fire at the facility.

(5) On July 5, 1967, two weeks following the explosion, Lance Corporal Taglieber succumbed to his injuries at a military hospital in Japan.

(b) Designation.--The section of Pennsylvania Route 29 in Montgomery County from Pennsylvania Route 663 to Tollgate Road is designated the Leonard Joseph Taglieber Memorial Highway.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to traffic in both directions on the highway.

Section 3. Trooper Kenton Iwaniec Memorial Highway.

(a) Findings.--The General Assembly finds and declares as follows:

(1) Trooper Kenton Iwaniec was born on December 18, 1983, in Greensburg, Westmoreland County, son of Ken and Deb Iwaniec.

(2) Trooper Iwaniec graduated from Saint Vincent College on May 11, 2007, and enlisted in the Pennsylvania State Police on June 11, 2007.

(3) On March 27, 2008, Trooper Iwaniec finished his shift at the Avondale Barracks in Chester County and began his drive home.

(4) At approximately 10:15 p.m., just two miles away from the Avondale Barracks, a vehicle driven by an impaired driver crossed the centerline of Pennsylvania Route 41 and hit Trooper Iwaniec's vehicle head-on.

(5) Trooper Iwaniec was flown to Christiana Hospital in Delaware where he passed away two hours later from injuries sustained in the collision.

(6) The family of Trooper Iwaniec continues to raise awareness about the seriousness of impaired driving through the formation of the Trooper Kenton Iwaniec Memorial Foundation.

(7) The Trooper Kenton Iwaniec Memorial Foundation encourages communities to have a positive influence in the reduction of impaired driving.

(8) The mission of the Trooper Kenton Iwaniec Memorial Foundation is to honor the memory of all victims of motorists driving under the influence (DUI) and raise funds through events to purchase preliminary breath-testing devices for the Pennsylvania State Police and other law enforcement agencies throughout this Commonwealth.

(b) Designation.-- A portion of Pennsylvania Route 41 (Gap Newport Pike) between Pennsylvania Route 926 (Street Road) and U.S. Route 1 located in London Grove Township and Londonderry Township, Chester County, is designated the Trooper Kenton Iwaniec Memorial Highway.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to traffic in both directions on the highway.

Section 4. Deputy Chief Michael P. Morgan Memorial Highway.

(a) Findings.--The General Assembly finds and declares as follows:

(1) Deputy Chief Michael P. Morgan, a member of the Garrettford-Drexel Hill Volunteer Fire Company, passed away in the line of duty at the age of 48 on June 26, 2016.

(2) Deputy Chief Morgan joined the Clifton Heights Fire Company as a junior member and served with the Garrettford-Drexel Hill Volunteer Fire Company for 31 years.

(3) During his tenure, Deputy Chief Morgan served on the board of directors and as lieutenant, captain and assistant chief prior to becoming deputy chief of Company No. 20.

(b) Designation.--The section of State Route 2019, known as Garrett Road, in Delaware County from Burmont Road to N. Landsdowne Avenue is designated the Deputy Chief Michael P. Morgan Memorial Highway.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to traffic in both directions on the highway.

Section 5. Submarine Veterans Memorial Highway.

(a) Designation.--The section of State Route 115 from Long Pond Road in Tunkhannock Township, Monroe County, to State Road/Jonas Road in Chestnuthill Township, Monroe County, is designated the Submarine Veterans Memorial Highway.

(b) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to traffic in both directions on the highway.

Section 6. PFC William T. Bresnock Memorial Bridge.

(a) Findings.--The General Assembly finds and declares as follows:

(1) PFC William T. Bresnock was a native of South Mahoning Township, Indiana County.

(2) PFC Bresnock was killed in action on December 23, 1944, during the Battle of the Bulge while serving in Luxembourg with the United States Army, L Company, 109th Infantry Regiment, 28th Infantry Division.

(b) Designation.--The bridge located on State Route 954 over the North Branch of Plum Creek, South Mahoning Township, Indiana County, is designated the PFC William T. Bresnock Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the bridge to traffic in

both directions on the bridge.

Amend Bill, page 2, line 11, by striking out "2" and inserting:

7

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

## SECOND CONSIDERATION CALENDAR

### BILLS OVER IN ORDER

**SB 2, HB 17, HB 26, HB 83, SB 249, HB 479, HB 480, HB 481, HB 544, SB 576, SB 668 and SB 835** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

### BILL LAID ON THE TABLE

**HB 864 (Pr. No. 3433)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in preliminary provisions, further providing for legislative intent and for definitions; in games of chance, further providing for prize limits and for major league sports drawing, providing for airport 50/50 drawing and further providing for licensing of eligible organizations; in club licensees, further providing for club licensee and for distribution of proceeds; and, in enforcement, further providing for enforcement.

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

### HB 864 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 864, Printer's No. 3433, 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 OVER IN ORDER

**SB 930, SB 931, SB 963, SB 1021, SB 1032, SB 1036, SB 1043, SB 1080, SB 1134, HB 1216, HB 1460, HB 1646, HB 1782 and HB 1964** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

## UNFINISHED BUSINESS

### BILLS REPORTED FROM COMMITTEES

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

**SB 667 (Pr. No. 1794)** (Rereported) (*Concurrence*)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for creation and existence.

**SB 851 (Pr. No. 1795) (Rereported) (Concurrence)**

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in short title and definitions, further providing for definitions; and, in sale of property, further providing for repurchase by owner and providing for limitation on trusteeship and for ownership interests and responsibilities of delinquent property owner.

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

**SB 820 (Pr. No. 1864) (Amended)**

An Act providing for civil immunity for persons that operate agritourism activities under certain circumstances.

**HB 44 (Pr. No. 400)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for commencement of proceedings.

**HB 128 (Pr. No. 94)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of dealing in infant children.

**HB 594 (Pr. No. 626)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, prohibiting Accelerated Rehabilitative Disposition for child sexual offenses.

**HB 1539 (Pr. No. 3353)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in standby guardianship, further providing for definitions and for scope and providing for temporary guardianship; in child protective services, further providing for release of information in confidential reports; and making editorial changes.

**HB 1885 (Pr. No. 3167)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in personal representative and bond, further providing for requiring or changing amount of bond.

**HB 1886 (Pr. No. 2641)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in incapacitated persons, further providing for provisions concerning powers, duties and liabilities.

Senator BAKER, from the Committee on Health and Human Services, reported the following bills:

**HB 1659 (Pr. No. 3461)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in general powers and duties, providing for work requirements for the Supplemental Nutrition Assistance Program.

**HB 1677 (Pr. No. 3675) (Amended)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for meeting special needs and work supports and incentives and for employment incentive payments; in departmental powers and duties as to supervision, further providing for definitions; and, in departmental powers and duties as to licensing, further providing for definitions.

**HB 2138 (Pr. No. 3328)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for work requirements.

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

**SB 1168 (Pr. No. 1748)**

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in elections of officers, further providing for decrease in number of members of council.

**SB 1176 (Pr. No. 1756)**

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in home rule and optional plan government, further providing for submission of question for election of government study commission and for limitation on enactment of ordinance or filing of petition.

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

**SB 1181 (Pr. No. 1863) (Amended)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for early intervention depression screening.

**SB 1198 (Pr. No. 1835)**

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.

**HB 2124 (Pr. No. 3674) (Amended)**

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, providing for information regarding education loans.

**SENATE RESOLUTIONS ADOPTED**

Senators YAW, BROWNE, AUMENT, DINNIMAN, RAF-FERTY, STREET, BAKER, McGARRIGLE, FOLMER, MENSCH and LANGERHOLC, by unanimous consent, offered **Senate Resolution No. 388**, entitled:

A Resolution recognizing the Loyalsock Creek, flowing from the Endless Mountain region of Pennsylvania in Sullivan and Bradford Counties through Lycoming County to the West Branch of the Susquehanna River, as the "2018 River of the Year."



On the question,  
Will the Senate adopt the resolution?

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

Senator YAW. Mr. President, it is my pleasure this afternoon to offer the following resolution recognizing the Loyalsock Creek as the "2018 River of the Year." In January, the Department of Conservation and Natural Resources and the Pennsylvania Organization for Watersheds and Rivers announced that the Loyalsock has bested other nominees across the State to win the statewide contest. This honor annually highlights our State's wealth of rivers and streams and recognizes the many dedicated individuals who fight to protect them.

For those of you who do not know, the Loyalsock Creek is located in the Endless Mountains region of Pennsylvania flowing through Bradford, Sullivan, and Lycoming Counties to the West Branch of the Susquehanna River. Home to legions of paddlers, anglers, and other outdoor enthusiasts in northcentral Pennsylvania, the Loyalsock Creek provides a cold water habitat for trout and aquatic life, as well as a natural environment for the Eastern Hellbender, the largest native amphibian that can grow up to 2 feet in length. In short, the Loyalsock is 64 miles of some of the most pristine and scenic areas of our State. I congratulate and thank the applicants for the Loyalsock's honor, the Middle Susquehanna Riverkeeper, which will receive a \$10,000 leadership grant to help fund year-long River of the Year activities. Also, the Riverkeepers League partner, the Loyalsock Creek Watershed Association, for their unending commitment and unlimited loyalty to this precious waterway.

Mr. President, having the Loyalsock designated as the 2018 River of the Year will no doubt increase the public's awareness of the Loyalsock's value and the many initiatives along its incredible waterway. I ask my colleagues to join me in recognizing the Loyalsock Creek as the 2018 River of the Year.

Thank you, Mr. President.

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

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

Senators VULAKOVICH, COSTA, ARGALL, AUMENT, BAKER, BREWSTER, BROWNE, DINNIMAN, FOLMER, FONTANA, HUGHES, MENSCH, RAFFERTY, SABATINA, STREET, YUDICHAK and BLAKE, by unanimous consent, offered **Senate Resolution No. 389**, entitled:

A Resolution designating November 23, 2018, as "State Partnership Program with Lithuania 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 highlighting the Pennsylvania National Guard's State Partnership Program with the country of Lithuania. The Pennsylvania National Guard and Lithuanian Armed Forces State Partnership began on April 27, 1993. What began as simple senior leader visits and low-level exchanges grew quickly to coop-

erative participation in large-scale exercises and co-deployments to Afghanistan. Since the inception of the program, the Pennsylvania National Guard and Lithuanian Armed Forces have conducted over 600 security cooperation engagements, completed 18 deployments to Afghanistan, supported police officer mentorship liaison teams and provincial reconstruction teams, conducted an annual platoon and company exchange since 2011, and participated together in numerous exercises such as Saber Strike, Dynamic Front, Allied Spirit, Combined Resolve, Saber Junction, and numerous Lithuanian national exercises.

Lithuania is a key ally not just in Pennsylvania but also to the greater United States, providing a constant and enduring voice to further security, economic prosperity, and responsible use of natural resources in Europe while countering undue Russian influence. This resolution designates November 23, 2018, as "State Partnership Program with Lithuania Day." This is the date when Lithuania, as an independent country, established its armed forces.

Now that being said, on Thursday, June 14, the Pennsylvania Department of Military and Veterans Affairs will be holding a formal ceremony with Lithuanian leadership at Fort Indiantown Gap looking back at the last 25 years and looking ahead. As the chairman of the Senate Committee on Veterans Affairs and Emergency Preparedness, Senator Costa and I are offering this resolution today in advance of Thursday's ceremony and ask our colleagues for an affirmative vote.

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 FONTANA. 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 689, SB 820, SB 832, SB 917, SB 1074, SB 1168, SB 1169, SB 1176, SB 1181, SB 1189, SB 1198, HB 44, HB 128, HB 594, HB 927, HB 1539, HB 1659, HB 1677, HB 1885, HB 1886, HB 1898, HB 2124 and HB 2138.**

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

### ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 13, 2018

9:30 A.M.

BANKING AND INSURANCE (to consider Senate Bills No. 190 and 1205; and House Bill No. 1800)

Room 461  
Main Capitol

9:30 A.M.	JUDICIARY (to consider House Bill No. 2050)	Room 8E-A East Wing
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.	TRANSPORTATION (public hearing on highly automated work zone vehicles and platooning)	Room 8E-A East Wing
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.
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 780, 819 and 934; and House Bills No. 56, 994, 1659, 1677, 1738, 1979 and 2138)	Rules Cmte. Conf. Rm.
Off the Floor	EDUCATION (to consider Senate Bill No. 1095; and Senate Resolution No. 293)	Rules Cmte. Conf. Rm.
Off the Floor	FINANCE (to consider House Bill No. 939)	Rules Cmte. Conf. Rm.
Off the Floor	STATE GOVERNMENT (to consider House Bills No. 110 and 153)	Rules Cmte. Conf. Rm.

### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 776**, with the information the House has passed the same without amendments.

#### BILLS SIGNED

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

**SB 776** and **HB 653**.

#### 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 Wednesday, June 13, 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 4:53 p.m., Eastern Daylight Saving Time.