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SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 33

SENATE

WEDNESDAY, June 20, 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 CANON MARIA TJELTVEIT, of the Episcopal Church of the Mediator, Allentown, offered the following prayer:

Before I pray, I would just like to say I have guests here from Eritrea, Afghanistan, and the Democratic Republic of the Congo with me, and I hope that you will welcome them.

Now let us pray.

Gracious and loving God, on this World Refugee Day, we give You thanks for our homes, our communities, Commonwealth, and country. We remember before You all who have had to flee their homes because of war, violence, or natural disaster. Guide these Senators that they may work together to make Pennsylvania a place of welcome, where people of diverse backgrounds and experiences may have homes of safety and dignity, communities of equity and opportunity, and a Commonwealth with liberty and justice for all. In a time of partisanship in our country, may these leaders have the courage to reach out across the aisle and across their differences to work toward Your vision of true peace, shalom, salaam, amani, sola, and pas, for You are our refuge and strength. In Your holy name we pray, Amen.

The PRESIDENT. The Chair thanks Reverend Tjeltveit, who is the guest today of Senator Browne.

PLEDGE OF ALLEGIANCE

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

BILLS REPORTED FROM COMMITTEE

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

SB 1096 (Pr. No. 1897) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in rules of the road in general, providing for platooning; and providing for highly automated vehicles.

HB 1958 (Pr. No. 3774) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in rules of the road in general, providing for platooning; and providing for highly automated vehicles.

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 McIlhinney, and legislative leaves for Senator Killion and Senator Langerholc.

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 23, 2018, is now in print.

The Clerk proceeded to read the Journal of the Session of April 23, 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 requested 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	Reschenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
Costa	Langerholc	Schwank	
Dinniman	Laughlin	Stefano	

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUEST OF SENATOR JAKE CORMAN
PRESENTED TO THE SENATE**

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

Senator CORMAN. Mr. President, I introduce my intern for this year. His name is Matt Horan. He is from Tremont, Pennsylvania, Schuylkill County. He is a rising sophomore at Penn State University Main Campus majoring in electrical engineering. His father, Tom Horan, used to work for me and now works for Senator Browne. Despite that, Matt is a very good guy and a hard worker. He seemed to overcome his father, but it must be his mother, Louise, who is a good influence on him. He also serves as student manager of the Penn State football team and participated in the largest charitable effort in any college in the world, and that is THON, which is, of course, the dance marathon that raises millions and millions of dollars for a great cause here at Hershey Medical Center.

So, Mr. President, I introduce Matt Horan to the Senate. I would appreciate if we could give him our usual warm welcome.

The PRESIDENT. Would the guest of Senator Corman, Matt Horan, please rise so that we may give you a warm welcome to the Pennsylvania Senate.

(Applause.)

**GUEST OF SENATOR CAMERA BARTOLOTTA
PRESENTED TO THE SENATE**

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

Senator BARTOLOTTA. Mr. President, I have a very special guest joining us from the 46th Senatorial District, Laura Ann Vittone, who is seated in the gallery. Laura, who is the daughter of Washington County District Attorney Gene Vittone, is job shadowing me today. She will be starting Bentworth High School in the fall. Laura maintains an A average in all of her courses and has been inducted into the gifted program. She participates in the band, color guard, and is a member of the basketball and swim teams. Laura loves animals and volunteers with Pet Search, a non-profit animal rescue and placement organization. She also fosters rescued animals for placement with their forever homes. Laura has expressed an interest in medicine for her career path after high school. I know she will accomplish great things both academically and professionally.

Mr. President, please join me in extending a warm Senate welcome to Laura Ann Vittone.

The PRESIDENT. Would the guest of Senator Bartolotta, Laura Ann Vittone, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

**GUESTS OF SENATOR SCOTT F. MARTIN
PRESENTED TO THE SENATE**

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

Senator MARTIN. Mr. President, it is my pleasure to introduce the Manheim Township High School Boys' Lacrosse Team to the Senate and congratulate them on winning the PIAA Class

AAA Title with a victory over the very talented LaSalle. This was the first-ever appearance for the Blue Streaks boys' lacrosse team in a PIAA title game, and their victory was the crowning achievement of their 26-1 season. After falling behind early in the match, the Blue Streaks were able to ultimately pull out a hard-fought 6-4 win due to impressive scores from seniors Grayson Sallade and Zack Diamond. Of course, one major reason as to why winning this game remained within reach was due to the strong defensive efforts led by one of the Commonwealth's best goalkeepers, senior Caton Johnson. In addition to the outstanding efforts of the seniors, Manheim Township proved that they were a program to be reckoned with due to notable efforts from underclassmen like sophomore Eddie Newman, who put up two scores, and junior Bryce Hutchinson, with a score of his own. Two of the Blue Streaks' points also came after crucial assists from junior Sean Curcio, and 9 of the 14 faceoffs were won by junior Nick Gutierrez.

Mr. President, the hard work and conviction of these young men have set an awesome example for their peers. I ask my colleagues to join me in welcoming and congratulating these young men on their outstanding efforts and wish them good luck in their future endeavors and continued education.

The PRESIDENT. Would the guests of Senator Martin, the championship Manheim High School lacrosse team, please rise so that we may welcome and congratulate you. It is very difficult for me to do that because I am a LaSalle High School graduate and, of course, a fan of the team. But great job, guys. It is great to have you.

(Applause.)

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

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

Senator AUMENT. Mr. President, it is my pleasure to introduce my summer intern, Katie Muir, a recent graduate of the Milton Hershey School in Hershey, Pennsylvania. Katie is no stranger to internships, having previously completed a summer program at the State Department of Education. In school, Katie was heavily involved in student life and extracurricular activities including acting as student body president, serving as the president of Milton Hershey's chapter of National Spanish Honor Society, participating in mock trial, tutoring, and more. In her free time, Katie enjoys hanging out with friends and sharpening her Spanish skills. In the fall, Katie will attend the University of Pennsylvania in Philadelphia, where she plans to double major in international relations and economics, after which she hopes to pursue a career advocating for human rights in underdeveloped nations and eventually to create her own nonprofit focusing on education reform and policy.

We are thrilled to have Katie in our office this summer. She is an incredibly bright young lady, and her passion for public service is evident. Please join me in welcoming Katie to the Pennsylvania Senate.

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

(Applause.)

GUESTS OF SENATOR VINCENT J. HUGHES PRESENTED TO THE SENATE

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

Senator HUGHES. Mr. President, it does me great honor to introduce all three of these guests that we have joining us today. Mr. President, as you are aware, Pennsylvania is home--one of the unique qualities and aspects of the Commonwealth of Pennsylvania is that we are home to the two oldest historically black colleges and universities in the nation, Cheyney University and Lincoln University. We are blessed today, Mr. President, as she was making her rounds across the State Capitol, she decided to stop in here to the Senate of the Commonwealth of Pennsylvania to see how we do our business. We are joined by the new president of Lincoln University, Dr. Brenda Allen. Dr. Allen serves as the 14th president of Lincoln University, one of the nation's oldest historically black colleges and universities in the United States. Prior to coming to Lincoln University, she served as provost and vice president of academic affairs at Winston-Salem State University, where she revised the curriculum and oversaw the creation of the school's first two doctoral programs and expanded undergraduate research funding, among many other accomplishments, assisting students and faculty at the university.

Mr. President, we are pleased to have her leadership and expertise at Lincoln and expect even more wonderful things to come out from that university under her great leadership and direction. Mr. President, please have this body give Dr. Allen our usual warm welcome.

The PRESIDENT. Would the guest of Senator Hughes, from the very important and beautiful Lincoln University, President Dr. Brenda Allen, please rise so that we may welcome you. Great to have you with us, doctor.

(Applause.)

The PRESIDENT. Doctor, if you are a guest of Senator Hughes, stop in anytime.

Senator HUGHES. Mr. President, I am only jealous with Senator Dinniman about one thing, and that is the fact that Lincoln University is in his senatorial district, because it has produced some of our greatest leaders, one of whom shares special favor in my mind, in my heart, and that is the university that the great Thurgood Marshall graduated from, and as an attorney, I know you appreciate his extensive contribution.

We have two other young people who are with us here, Mr. President. First, Ashley Parham is shadowing me for the day. Ashley lives in the Mars area, and just graduated from Mars Area High School. She will be attending Case Western Reserve University in Cleveland, and she has already sent notice, Mr. President, to the folks in Cleveland that they are to release LeBron James and allow him to sign with the Philadelphia 76ers. That is her first mission. She will be studying accounting. She has been in GirlGov for a year, and was on the education committee where she focused on immigration reform. Along with GirlGov she was a fashion ambassador for Nordstrom, a senator in her student council, secretary in Future Business Leaders of America, was in her school plays, and had a part-time job working at a tutorial center. She one day hopes to become a CEO.

Please, Mr. President, give Ashley Parham our usual warm welcome.

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

(Applause.)

Senator HUGHES. Mr. President, finally, this summer my intern, Michael Henning, from Penn State, is from right up around the corner in Linglestown. Michael will be a senior at Penn State main campus in the fall pursuing a degree in English with aspirations to go to law school. The past two summers he was an intern for the Department of Treasury. We are happy to have him with us this summer, Mr. President, working very hard in our office.

Mr. President, please give Michael our usual warm welcome.

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

(Applause.)

GUEST OF SENATOR GUY RESCHENTHALER PRESENTED TO THE SENATE

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

Senator RESCHENTHALER. Mr. President, it is my pleasure to introduce a guest to the Senate of Pennsylvania, Natalia Cruz. Natalia is a constituent of mine from Mount Lebanon, and she is here today to shadow Senator Scavello with the GirlGov program to learn more about the legislative process. During the GirlGov program, she has been a member of the health and environment committee. Natalia will be a senior at Linsly School. She is hoping to attend college next year and plans to study political science and international studies with a minor in psychology. Mr. President, I can tell you after talking with her that she is passionate about international studies and politics. I wish Natalia the best of luck in all her future endeavors.

Mr. President and colleagues, please join me in giving my honored guest a warm welcome.

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

(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 rise today to welcome the most special guest I have ever welcomed to the Senate, because my wife, Mrs. Louise Blake, is in the gallery today. I also welcome some friends from the 22nd Senatorial District, Michele Murazzi and her two children, Ava and Angelo, and her husband, John. John is probably a second, or perhaps third, generation entrepreneur and owner of Murazzi's Specialty Meats in north-east Pennsylvania. They not only supply retail outlets but also the great restaurants in the 22nd Senatorial District. Ava Murazzi, who is here today, is very interested in State government and had a chance to get a glimpse of our work here in the Senate and hopes some day that she can be serving here.

So with that, Mr. President, I would be very grateful for a warm welcome for my guests, and especially my wife.

The PRESIDENT. Would the guests of Senator Blake, the delegation led by the very lovely Louise Blake, and all the guests that you have brought with you, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR PATRICK M. BROWNE PRESENTED TO THE SENATE

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

Senator BROWNE. Mr. President, I take this opportunity to recognize our Chaplain for today, Reverend Canon Maria Tjeltveit. She has been here and provided this service to us before. As I mentioned, she is the pastor of the Episcopal Church of the Mediator in Allentown. She does tremendous work serving and providing services to local refugees. She has been joined today by several refugees from Eritrea, Democratic Republic of the Congo, and Afghanistan, who are in the gallery. She and her congregation do tremendous work for some very important people in the Lehigh Valley.

I take a moment to recognize and welcome her to the Pennsylvania Senate.

The PRESIDENT. Would the guest of Senator Browne, Reverend Canon Maria Tjeltveit, please rise so that we may welcome you and thank you for all you do and your prayers. What you do with refugees is amazing. Truly God's work.

(Applause.)

SENATE CONCURRENT RESOLUTION No. 399, ADOPTED

Senator SCARNATI, without objection, called up **Senate Concurrent Resolution No. 399**, entitled:

A Concurrent Resolution honoring the life and service of Carl L. Mease.

On the question,

Will the Senate adopt the resolution?

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

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Permission has been granted for the Committee on State Government to add to its meeting agenda today a public hearing to consider the nominations of Joel Frank and Rudy Battle to the State Athletic Commission.

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 couple off-the-floor committee meetings to be held in the Rules room in the rear of the Chamber, beginning with the Committee on Aging and Youth, followed by

the Committee on Health and Human Services, and then 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, after the committee meetings, Senate Democrats will meet for a caucus in our caucus room in the rear of the Chamber.

The PRESIDENT. For purposes of off-the-floor committee meetings beginning with the Committee on Aging and Youth, followed by the Committee on Health and Human Services, 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 CANCELLED

The PRESIDENT. Senator McIlhinney, Senator Killion, and Senator Langerholc have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVE

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

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Regan.

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

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 several off-the-floor committee meetings. First, the Committee on Rules and Executive Nominations, second, the Committee on State Government, followed by the Committee on Health and Human Services, all of them to be held in the Rules room in the rear of the Chamber immediately.

The PRESIDENT. For purposes of meetings of the Committee on Rules and Executive Nominations, then the Committee on State Government, followed by the Committee on Health and Human Services, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

LEGISLATIVE LEAVE

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

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

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

June 20, 2018

HB 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2121, 2242, 2243, 2244, 2245 and 2246 -- Committee on Appropriations.

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Appropriations to be held in the Rules room in the rear of the Chamber immediately.

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

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

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

BILL OVER IN ORDER

HB 44 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILLS AMENDED

HB 56 (Pr. No. 189) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, repealing provisions relating to counseling and providing for adoption-related counseling services.

On the question, Will the Senate agree to the bill on third consideration? Senator GORDNER, on behalf of Senator CORMAN, offered the following amendment No. A7868:

Amend Bill, page 3, lines 24 and 25, by striking out "presumptive father."

Amend Bill, page 3, line 25, by inserting a comma after "father" where it occurs the second time

Amend Bill, page 5, line 6, by striking out "appropriations" and inserting: allocations

Amend Bill, page 5, lines 16 through 18, by striking out "special needs child who" in line 16 and all of lines 17 and 18 and inserting: child in the legal custody of the county children and youth agency.

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 GORDNER.

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

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in petition for adoption, further providing for consents necessary to adoption.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GORDNER, on behalf of Senator CORMAN, offered the following amendment No. A7867:

Amend Bill, page 1, lines 2 and 3, by striking out "in petition for adoption, further" in line 2 and all of line 3 and inserting:

in adoption, further providing for report of intention to adopt, for consents necessary to adoption and for notice of hearing.

Amend Bill, page 1, lines 6 through 11, by striking out all of said lines and inserting:

Section 1. Sections 2531(b)(6), 2711(c) and (d) and 2721 of Title 23 of the Pennsylvania Consolidated Statutes are amended to read: § 2531. Report of intention to adopt.

(b) Contents.--The report shall set forth:

(6) The name, address and signature of the person or persons making the report. Immediately above the signature of the person or persons intending to adopt the child shall appear the following statement:

I acknowledge that I have been advised or know and understand that the birth father or putative father may revoke the consent to the adoption of this child within [30 days] 14 days after the later of the birth of the child or the date he has executed the consent to an adoption and that the birth mother may revoke the consent to an adoption of this child within [30 days] 14 days after the date she has executed the consent.

§ 2711. Consents necessary to adoption.

(c) Validity of consent.--No consent shall be valid if it was executed prior to or within 72 hours after the birth of the child[. A], except that the birth father or a putative father may execute a consent or denial of paternity at any time after receiving notice of the expected or actual birth of the child. Any consent given outside this Commonwealth shall be valid for purposes of this section if it was given in accordance with the laws of the jurisdiction where it was executed. A consent to an adoption may only be revoked as set forth in this subsection. The revocation of a consent shall be in writing and shall be served upon the agency or adult to whom the child was relinquished. The following apply:

(1) Except as otherwise provided in paragraph (3):

(i) For a consent to an adoption executed by a birth father or a putative father, the consent is irrevocable more than [30 days] 14 days after the birth of the child or the execution of the consent, whichever occurs later.

(ii) For a consent to an adoption executed by a birth mother, the consent is irrevocable more than [30 days] 14 days after the execution of the consent.

(2) An individual may not waive the revocation period under paragraph (1).

(3) Notwithstanding paragraph (1), the following apply:

(i) An individual who executed a consent to an adoption may challenge the validity of the consent only by filing a petition alleging fraud or duress [within the earlier of the following time frames:

(A) Sixty days after the birth of the child or the execution of the consent, whichever occurs later.

(B) Thirty days after the entry of the adoption decree.] within 30 days after the birth of the child or the execution of the consent, whichever occurs later, and prior to the termination of parental rights.

(ii) A consent to an adoption may be invalidated only if the alleged fraud or duress under subparagraph (i) is proven by:

(A) a preponderance of the evidence in the case of consent by a person 21 years of age or younger; or

(B) clear and convincing evidence in all other cases.

(4) Once the individual's parental rights are terminated and the individual has executed a consent to an adoption, the individual has no further standing to contest the adoption or to revoke the individual's consent.

(d) Contents of consent.--

(1) The consent of a parent of an adoptee under 18 years of

age shall set forth the name, age and marital status of the parent, the relationship of the consenter to the child, the name of the other parent or parents of the child and the following:

I hereby voluntarily and unconditionally consent to the adoption of the above named child.

I understand that by signing this consent I indicate my intent to permanently give up all rights to this child.

I understand such child will be placed for adoption.

I understand I may revoke this consent to permanently give up all rights to this child by placing the revocation in writing and serving it upon the agency or adult to whom the child was relinquished.

If I am the birth father or putative father of the child, I understand that this consent to an adoption is irrevocable unless I revoke it within [30 days] 14 days after either the birth of the child or my execution of the consent, whichever occurs later, by delivering a written revocation to (insert the name and address of the agency coordinating the adoption) or (insert the name and address of an attorney who represents the individual relinquishing parental rights or prospective adoptive parent of the child) or (insert the court of the county in which the voluntary relinquishment form was or will be filed).

If I am the birth mother of the child, I understand that this consent to an adoption is irrevocable unless I revoke it within [30 days] 14 days after executing it by delivering a written revocation to (insert the name and address of the agency coordinating the adoption) or (insert the name and address of an attorney who represents the individual relinquishing parental rights or prospective adoptive parent of the child) or (insert the court of the county in which the voluntary relinquishment form was or will be filed).

I have read and understand the above and I am signing it as a free and voluntary act.

Amend Bill, page 1, by inserting after line 17:

§ 2721. Notice of hearing.

The court shall fix a time and place for hearing. Notice of the hearing shall be given to all persons whose consents are required and to such other persons as the court shall direct. Notice to the parent or parents of the adoptee[, if required, may be given by the intermediary or someone acting on his behalf.] is not required if the parents have consented to the adoption and parental rights have been terminated. Notice shall be by personal service or by registered mail to the last known address of the person to be notified or in such other manner as the court shall direct.

Amend Bill, page 2, line 1, by striking out "in 60 days." and inserting:

as follows:

(1) The amendment of 23 Pa.C.S. § 2711(d)(2) shall take effect in 60 days.

(2) The amendment of 23 Pa.C.S. §§ 2531(b)(6), 2711(c) and (d)(1) and 2721 shall take effect in one year.

(3) This section shall take effect immediately.

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 GORDNER.

BILLS OVER IN ORDER

HB 126, HB 149 and HB 159 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

HB 236 (Pr. No. 202) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judgments and other liens, further providing for personal earnings exempt from process; and, in sentencing, further providing for payment of court costs, restitution and fines.

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

HB 236 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 236, Printer's No. 202, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT. The bill will be placed on the Calendar.

BILL LAID ON THE TABLE

HB 280 (Pr. No. 2220) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, further providing for bail to be governed by general rules.

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

HB 280 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 280, Printer's No. 2220, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT. The bill will be placed on the Calendar.

BILL LAID ON THE TABLE

HB 285 (Pr. No. 2221) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

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

HB 285 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 285, Printer's No. 2221, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT. The bill will be placed on the Calendar.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 357 (Pr. No. 351) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of aggravated assault by person in custody.

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

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

BILL OVER IN ORDER

SB 521 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 594 (Pr. No. 626) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

SB 595, HB 644, SB 735, SB 859, SB 860, HB 864, SB 884, SB 891, HB 983 and HB 994 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1001 (Pr. No. 1892) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the declaration of a public health emergency, for duties of the Department of Health, for temporary regulations and for immunity from liability.

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	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

HB 1034, SB 1047, SB 1074, SB 1098, HB 1124, SB 1126
and **SB 1169** -- Without objection, the bills were passed over in
their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1171 (Pr. No. 1893) -- The Senate proceeded to consider-
ation of the bill, entitled:

An Act amending Titles 3 (Agriculture) and 27 (Environmental
Resources) of the Pennsylvania Consolidated Statutes, in nutrient man-
agement and odor management, further providing for the Nutrient Man-
agement Advisory Board; and, in Agricultural Advisory Board, further
providing for establishment of board.

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	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.

BILL AMENDED

HB 1232 (Pr. No. 3432) -- The Senate proceeded to consider-
ation of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylva-
nia Consolidated Statutes, in child protective services, further providing
for establishment of Statewide toll-free telephone number, for disposi-
tion and expunction of unfounded reports and general protective ser-
vices reports, for employees having contact with children and adoptive
and foster parents, for volunteers having contact with children and for
mandatory reporting of children under one year of age.

On the question,

Will the Senate agree to the bill on third consideration?

Senator COSTA, on behalf of Senator HUGHES, offered the
following amendment No. A7836:

- Amend Bill, page 4, line 10, by striking out "120 DAYS AFTER"
- Amend Bill, page 4, line 29, by striking out "120 DAYS AFTER"
- Amend Bill, page 7, line 16, by inserting a bracket before "MAN-
DATORY"
- Amend Bill, page 7, line 16, by striking out the bracket before
"REPORTING"
- Amend Bill, page 7, line 16, by striking out "NOTIFICATION" and
inserting:
Notification to department and development of plan of safe care
- Amend Bill, page 7, line 18, by inserting a bracket before "WHEN"
- Amend Bill, page 7, line 18, by striking out the bracket before
"REPORT"
- Amend Bill, page 7, line 18, by striking out "] NOTIFICATION
IS"
- Amend Bill, page 7, line 18, by inserting after "MADE.--A":
] Notification to department.--For the purpose of assessing a child
and the child's family for a plan of safe care, a
- Amend Bill, page 7, line 22, by inserting a bracket before "WHO"
- Amend Bill, page 7, line 23, by inserting after "BEING":
] and the health care provider has determined, based on standards
of professional practice, the child was born
- Amend Bill, page 8, by inserting between lines 4 and 5:
(a.1) Notification not to constitute child abuse report.--The notifi-
cation by a health care provider to the department and any transmittal
to the county agency by the department shall not constitute a child
abuse report.
- Amend Bill, page 8, line 24, by striking out "PLAN" and inserting:
Development of interagency protocols and plan
- Amend Bill, page 8, lines 26 through 30; page 9, lines 1 through
29; by striking out "FOR" in line 26, all of lines 27 through 30 on page
8 and all of lines 1 through 29 on page 9 and inserting:
that include, but are not limited to:
(1) Definitions and evidence-based screening tools, based on
standards of professional practice, to be utilized by health care provid-

ers to identify a child born affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder.

(2) Notification to the department that a child born affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder has been born and identified. Ongoing involvement of the county agency after taking into consideration the individual needs of the child and the child's parents and immediate caregivers may not be required.

(3) Collection of data to meet Federal and State reporting requirements.

(4) Identification, informed by an assessment of the needs of the child and the child's parents and immediate caregivers, of the most appropriate lead agency responsible for developing, implementing and monitoring a plan of safe care, informed by a multidisciplinary team meeting that is held prior to the child's discharge from the health care facility, which may include:

- (i) public health agencies;
- (ii) maternal and child health agencies;
- (iii) home visitation programs;
- (iv) substance use disorder prevention and treatment provid-

ers;

- (v) mental health providers;
- (vi) public and private children and youth agencies;
- (vii) early intervention and developmental services;
- (viii) courts;
- (ix) local education agencies;
- (x) managed care organizations and private insurers; and
- (xi) hospitals and medical providers.

(5) Engagement of the child's parents and immediate caregivers in order to identify the need for access to treatment for any substance use disorder or other physical or behavioral health condition that may impact the safety, early childhood development and well-being of the child.

Section 3. A report under 23 Pa.C.S. § 6337(d), which is due to be expunged from the Statewide database during the 365-day period following the enactment of this act, shall continue to be maintained in the Statewide database and shall be subject to the expunction provisions of 23 Pa.C.S. § 6337(d) on and after the effective date of the amendment of 23 Pa.C.S. § 6337(d).

Amend Bill, page 9, line 30, by striking out "3" and inserting:

4

Amend Bill, page 10, line 1, by inserting after "6332(C)":
and (d)

Amend Bill, page 10, by inserting between lines 4 and 5:

(3) The amendment of 23 Pa.C.S. § 6386 shall take effect after October 1, 2018.

Amend Bill, page 10, line 5, 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 GORDNER.

BILLS OVER IN ORDER

HB 1239, HB 1346, HB 1419, HB 1539 and HB 1550 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL AMENDED

HB 1644 (Pr. No. 2199) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for collaborative law process.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GREENLEAF offered the following amendment No. A7877:

Amend Bill, page 1, line 2, by inserting after "Statutes,":
in civil actions and proceedings, extensively revising statutory arbitration and

Amend Bill, page 1, line 3, by inserting after "process":
; and making editorial changes

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting:

Section 1. The General Assembly finds and declares that the Unified Judicial System will benefit from:

- (1) extensive revision of statutory arbitration; and
- (2) establishment of a collaborative law process.

Section 1.1. Chapter 73 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER A.1

REVISED STATUTORY ARBITRATION

Sec.

7321.1. Short title of subchapter.

7321.2. Definitions.

7321.3. Notice.

7321.4. When subchapter applies.

7321.5. Effect of agreement to arbitrate; nonwaivable provisions.

7321.6. Application for judicial relief.

7321.7. Validity of agreement to arbitrate.

7321.8. Motion to compel or stay arbitration.

7321.9. Provisional remedies.

7321.10. Initiation of arbitration.

7321.11. Consolidation of separate arbitration proceedings.

7321.12. Appointment of arbitrator; service as a neutral arbitrator.

7321.13. Disclosure by arbitrator.

7321.14. Action by majority.

7321.15. Immunity of arbitrator; competency to testify; attorney fees and costs.

7321.16. Arbitration process.

7321.17. Representation by attorney.

7321.18. Witnesses; subpoenas; depositions; discovery.

7321.19. Judicial enforcement of preaward ruling by arbitrator.

7321.20. Award.

7321.21. Change of award by arbitrator.

7321.22. Remedies; fees and expenses of arbitration proceeding.

7321.23. Confirmation of award.

7321.24. Vacating award.

7321.25. Modification or correction of award.

7321.26. Judgment on award; attorney fees and litigation expenses.

7321.27. Jurisdiction.

7321.28. Venue.

7321.29. Appeals.

7321.30. Uniformity of application and construction.

7321.31. Relationship to Electronic Signatures in Global and National Commerce Act.

§ 7321.1. Short title of subchapter.

This subchapter shall be known and may be cited as the Revised Statutory Arbitration Act.

§ 7321.2. Definitions.

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

"Arbitration organization." Any association, agency, board, commission or other entity that is neutral and initiates, sponsors or administers an arbitration proceeding or is involved in the appointment of an arbitrator.

"Arbitrator." An individual appointed to render an award, alone or with others, in a controversy that is subject to an agreement to arbitrate.

"Consumer." An individual who incurs an obligation in an agreement with a merchant for personal, family or household purposes.

"Consumer transaction." A transaction between a consumer domiciled in this Commonwealth and a merchant, including all personal injury claims arising out of such a transaction.

"Court." A court of competent jurisdiction in this Commonwealth.

"Knowledge." Actual knowledge.

"Merchant." A person in the ordinary course of business that offers or sells goods or services to consumers or holds itself out as having knowledge or skill peculiar to such transactions, including a manufacturer, supplier or distributor of goods, or a supplier of personal or professional services.

"Person." Any individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture; a government; a governmental subdivision, agency or instrumentality; a public corporation; or any other legal or commercial entity.

"Record." Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

§ 7321.3. Notice.

(a) Giving notice.--Except as otherwise provided in this subchapter, a person gives notice to another person by taking action that is reasonably necessary to inform the other person in ordinary course whether or not the other person acquires knowledge of the notice.

(b) Having notice.--A person has notice if the person has knowledge of the notice or has received notice.

(c) Receiving notice.--A person receives notice when it comes to the person's attention or the notice is delivered at:

(1) the person's place of residence or business; or

(2) another location held out by the person as a place of delivery of such communications.

§ 7321.4. When subchapter applies.

(a) Subsequent agreements.--This subchapter governs an agreement to arbitrate made on or after the effective date of this subchapter.

(b) Prior agreements.--For an agreement to arbitrate made before the effective date of this subchapter, except as set forth in subsection (c):

(1) If all the parties to the agreement or to the arbitration proceeding agree in a record that this subchapter governs the agreement, this subchapter governs the agreement.

(2) If paragraph (1) does not apply, Subchapter A (relating to statutory arbitration) governs the agreement.

(c) Collective bargaining agreements.--This subchapter shall apply to collective bargaining agreements to arbitrate controversies between employers and employees or their respective representatives only to the extent that the arbitration under this subchapter is consistent with any other statute regulating labor and management relations.

§ 7321.5. Effect of agreement to arbitrate; nonwaivable provisions.

(a) Waiver or variance.--Except as otherwise provided in subsections (b) and (c), a party to an agreement to arbitrate or to an arbitration proceeding may waive, or the parties may vary the effect of, the requirements of this subchapter to the extent permitted by law.

(b) Prior to controversy.--Before a controversy arises that is subject to an agreement to arbitrate, a party to the agreement may not do any of the following:

(1) Waive or agree to vary the effect of the requirements of any of the following:

(i) Section 7321.6(a) (relating to application for judicial relief).

(ii) Section 7321.7(a) (relating to validity of agreement to arbitrate).

(iii) Section 7321.9 (relating to provisional remedies).

(iv) Section 7321.18(a) or (b) (relating to witnesses; subpoenas; depositions; discovery).

(v) Section 7321.27 (relating to jurisdiction).

(vi) Section 7321.29 (relating to appeals).

(2) Agree to unreasonably restrict the right under section 7321.10 (relating to initiation of arbitration) to notice of the initiation of an arbitration proceeding.

(3) Agree to unreasonably restrict the right under section 7321.13 (relating to disclosure by arbitrator) to disclosure of any facts by a neutral arbitrator.

(4) Waive the right under section 7321.17 (relating to representation by attorney) of a party to an agreement to arbitrate to be represented by an attorney at any proceeding or hearing under this subchapter, but an employer and a labor organization may waive the right to representation by an attorney in a labor arbitration.

(c) Absolute prohibition.--A party to an agreement to arbitrate or an arbitration proceeding may not waive, or the parties may not vary the effect of, the requirements of any of the following:

(1) This section.

(2) Section 7321.4(a) (relating to when subchapter applies).

(3) Section 7321.8 (relating to motion to compel or stay arbitration).

(4) Section 7321.15 (relating to immunity of arbitrator; competency to testify; attorney fees and costs).

(5) Section 7321.19 (relating to judicial enforcement of preaward ruling by arbitrator).

(6) Section 7321.21(d) or (e) (relating to change of award by arbitrator).

(7) Section 7321.23 (relating to confirmation of award).

(8) Section 7321.24 (relating to vacating award).

(9) Section 7321.25 (relating to modification or correction of award).

(10) Section 7321.26(a) or (b) (relating to judgment on award; attorney fees and litigation expenses).

(11) Section 7321.30 (relating to uniformity of application and construction).

(12) Section 7321.31 (relating to relationship to Electronic Signatures in Global and National Commerce Act).

§ 7321.6. Application for judicial relief.

(a) Procedure.--Except as otherwise provided in section 7321.29 (relating to appeals), an application for judicial relief under this subchapter must be made by motion to the court and heard in the manner provided by law or rule of court for making and hearing motions.

(b) Service.--Unless a civil action involving the agreement to arbitrate is pending, notice of an initial motion to the court under this subchapter must be served in the manner provided by law for the service of a summons in a civil action. Otherwise, notice of the motion must be given in the manner provided by law or rule of court for serving motions in pending cases.

§ 7321.7. Validity of agreement to arbitrate.

(a) General rule.--An agreement contained in a record to submit to arbitration any existing or subsequent controversy arising between the parties to the agreement is valid, enforceable and irrevocable except upon a ground that exists at law or in equity for the revocation of a contract.

(b) Court decision.--The court shall decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate.

(c) Arbitrator decision.--An arbitrator shall decide whether a condition precedent to arbitrability has been fulfilled and whether a contract containing a valid agreement to arbitrate is enforceable.

(d) Challenge to arbitration.--If a party to a judicial proceeding challenges the existence of, or claims that a controversy is not subject to, an agreement to arbitrate, the arbitration proceeding may continue pending final resolution of the issue by the court, unless the court otherwise orders.

(e) Grounds for validity and enforceability.--

(1) Subject to paragraph (2), in determining the validity and enforceability of an agreement to arbitrate, a court may consider any grounds that exist at law or in equity for the revocation of a contract, regardless of whether arising out of Federal or State law or as a matter of public policy, that are applicable to other contracts, including fraud, duress, coercion, unconscionability or the imposition by a contract of adhesion of any requirement that unreasonably favors the party that imposed the provision.

(2) Paragraph (1) shall not apply in any manner prohibited by 9 U.S.C. (relating to arbitration) or other Federal law.

§ 7321.8. Motion to compel or stay arbitration.

(a) Refusal to arbitrate under agreement.--On motion of a person showing an agreement to arbitrate and alleging another person's refusal to arbitrate under the agreement:

(1) if the refusing party does not appear or does not oppose the motion, the court shall order the parties to arbitrate; and

(2) if the refusing party opposes the motion, the court shall proceed summarily to decide the issue and order the parties to arbitrate unless it finds that there is no enforceable agreement to arbitrate.

(b) Agreement challenged.--On motion of a person alleging that an arbitration proceeding has been initiated or threatened but that there is no agreement to arbitrate, the court shall proceed summarily to decide the issue. If the court finds that there is an enforceable agreement to arbitrate, the court shall order the parties to arbitrate.

(c) Enforceable agreement required.--If the court finds that there

is no enforceable agreement, the court may not, under subsection (a) or (b), order the parties to arbitrate.

(d) Court refusal.--The court may not refuse to order arbitration because the claim subject to arbitration lacks merit or grounds for the claim have not been established.

(e) Appropriate court.--If a proceeding involving a claim referable to arbitration under an alleged agreement to arbitrate is pending in court, a motion under this section must be made in that court. Otherwise, a motion under this section may be made in any court as provided in section 7321.28 (relating to venue).

(f) Stay of judicial proceedings.--An action or proceeding allegedly involving an issue subject to arbitration shall be stayed if a court order to proceed with arbitration has been made or a motion for such an order has been made under this section. If the issue allegedly subject to arbitration is severable, the stay of the court action or proceeding may be made with respect to the severable issue only. If a motion for an order to proceed with arbitration is made in the action or proceeding and is granted, the court order to proceed with arbitration shall include a stay of the action or proceeding.

§ 7321.9. Provisional remedies.

(a) Court.--Before an arbitrator is appointed and is authorized and able to act, the court, upon motion of a party to an arbitration proceeding and for good cause shown, may enter an order for provisional remedies to protect the effectiveness of the arbitration proceeding to the same extent and under the same conditions as if the controversy were the subject of a civil action.

(b) Arbitrator.--After an arbitrator is appointed and is authorized and able to act:

(1) the arbitrator may issue orders for provisional remedies, including interim awards, as the arbitrator finds necessary to protect the effectiveness of the arbitration proceeding and to promote the fair and expeditious resolution of the controversy, to the same extent and under the same conditions as if the controversy were the subject of a civil action; and

(2) a party to an arbitration proceeding may move the court for a provisional remedy only if the matter is urgent and the arbitrator is not able to act timely or the arbitrator cannot provide an adequate remedy.

(c) Effect.--A party does not waive a right of arbitration by making a motion under subsection (a) or (b).

§ 7321.10. Initiation of arbitration.

(a) Notice.--A person initiates an arbitration proceeding by giving notice in a record to the other parties to the agreement to arbitrate in the agreed manner between the parties or, in the absence of agreement, by certified or registered mail, return receipt requested and obtained, or by service as authorized for the commencement of a civil action. The notice must describe the nature of the controversy and the remedy sought.

(b) Lack of notice.--Unless a person objects for lack of insufficiency of notice under section 7321.16 (relating to arbitration process) not later than at the beginning of the arbitration hearing, the person by appearing at the hearing waives any objection to lack of or insufficiency of notice.

§ 7321.11. Consolidation of separate arbitration proceedings.

(a) Conditions.--Except as otherwise provided in subsection (c), upon motion of a party to an agreement to arbitrate or to an arbitration proceeding, the court may order consolidation of separate arbitration proceedings as to all or some of the claims if:

(1) there are separate agreements to arbitrate or separate arbitration proceedings between the same persons, or one of them is a party to a separate agreement to arbitrate or a separate arbitration proceeding with a third person;

(2) the claims subject to the agreements to arbitrate arise in substantial part from the same transaction or series of related transactions;

(3) the existence of a common issue of law or fact creates the possibility of conflicting decisions in the separate arbitration proceedings; and

(4) prejudice resulting from a failure to consolidate is not outweighed by the risk of undue delay or prejudice to the rights of or hardship to parties opposing consolidation.

(b) Partial consolidation.--The court may order consolidation of separate arbitration proceedings as to some claims and allow other claims to be resolved in separate arbitration proceedings.

(c) Agreement governs.--The court may not order consolidation of the claims of a party to an agreement to arbitrate if the agreement pro-

hibits consolidation.

§ 7321.12. Appointment of arbitrator; service as a neutral arbitrator.

(a) Appointment.--If the parties to an agreement to arbitrate agree on a method for appointing an arbitrator, that method must be followed unless the method fails. If the parties have not agreed on a method, the agreed method fails or an arbitrator appointed fails or is unable to act and a successor has not been appointed, the court, on motion of a party to the arbitration proceeding, shall appoint the arbitrator. An arbitrator appointed by the court has all the powers of an arbitrator designated in the agreement to arbitrate or appointed under the agreed method.

(b) Neutral service.--An individual may not serve as an arbitrator required by an agreement to be neutral under the standards under which a judge would be required to disqualify himself or herself from participation in a proceeding under 207 Pa. Code Ch. 33 Canon 2 Rule 2.11 (relating to disqualification).

§ 7321.13. Disclosure by arbitrator.

(a) Preappointment.--Before accepting appointment, an individual who is requested to serve as an arbitrator, after making a reasonable inquiry, shall disclose to all parties to the agreement to arbitrate and the arbitration proceeding and to any other arbitrators any known facts that a reasonable person would consider likely to affect the impartiality of the arbitrator in the arbitration proceeding, including:

(1) a financial or personal interest in the outcome of the arbitration proceeding; and

(2) an existing or past relationship with any of the parties to the agreement to arbitrate or the arbitration proceeding, their counsel or representatives, a witness or another arbitrator.

(b) Continuing.--An arbitrator has a continuing obligation to disclose to all parties to the agreement to arbitrate and the arbitration proceeding and to other arbitrators facts that the arbitrator learns after accepting appointment that a reasonable person would consider likely to affect the impartiality of the arbitrator.

(c) Objection.--If an arbitrator discloses a fact required by subsection (a) or (b) to be disclosed and a party timely objects to the appointment or continued service of the arbitrator based upon the fact disclosed, the objection may be a ground under section 7321.24(a)(2) (relating to vacating award) for vacating an award made by the arbitrator.

(d) Nondisclosure.--If the arbitrator does not disclose a fact as required by subsection (a) or (b), upon timely objection by a party, the court under section 7321.24(a)(2) may vacate an award.

(e) Presumption of neutrality.--An arbitrator appointed as a neutral arbitrator who does not disclose a known, direct and material interest in the outcome of the arbitration proceeding or a known, existing and substantial relationship with a party is presumed to act with evident partiality under section 7321.24(a)(2).

(f) Procedure to challenge arbitrator.--If the parties to an arbitration proceeding agree to the procedures of an arbitration organization or other procedures for challenges to arbitrators before an award is made, substantial compliance with those procedures is a condition precedent to a motion to vacate an award on that ground under section 7321.24(a)(2).

§ 7321.14. Action by majority.

If there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators but all of them shall conduct the hearing under section 7321.16(c) (relating to arbitration process).

§ 7321.15. Immunity of arbitrator; competency to testify; attorney fees and costs.

(a) Immunity.--An arbitrator or an arbitration organization acting in that capacity is immune from civil liability to the same extent as a judge of a court of this Commonwealth acting in a judicial capacity.

(b) Other immunity.--The immunity afforded by this section supplements any immunity under other law.

(c) Failure to disclose.--The failure of an arbitrator to make a disclosure required by section 7321.13 (relating to disclosure by arbitrator) does not cause a loss of immunity under this section.

(d) Competency to testify.--In a judicial, administrative or similar proceeding, an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records as to any statement, conduct, decision or ruling occurring during the arbitration proceeding, to the same extent as a judge of a court of this Commonwealth acting in a judicial capacity. This subsection does not apply:

(1) to the extent necessary to determine the claim of an arbitrator, arbitration organization or representative of the arbitration organization against a party to the arbitration proceeding; or

(2) to a hearing on a motion to vacate an award under section 7321.24(a)(1) or (2) (relating to vacating award) if the movant establishes prima facie that a ground for vacating the award exists.

(e) Attorney fees and costs.--If a person commences a civil action against an arbitrator, arbitration organization or representative of an arbitration organization arising from the services of the arbitrator, organization or representative, or if a person seeks to compel an arbitrator or a representative of an arbitration organization to testify or produce records in violation of subsection (d) and the court upon deciding whether the arbitrator, arbitration organization or representative of an arbitration organization is immune from civil liability or whether the arbitrator or representative of the organization is competent to testify, the court may award to the prevailing party, including the arbitrator, organization or representative, reasonable attorney fees and other reasonable expenses of litigation.

§ 7321.16. Arbitration process.

(a) Discretion of arbitrator.--An arbitrator may conduct an arbitration in a manner appropriate for a fair and expeditious disposition of the proceeding. The authority conferred upon the arbitrator includes the power to hold conferences with the parties to the arbitration proceeding before the hearing and, among other matters, determine the admissibility, relevance, materiality and weight of any evidence.

(b) Summary disposition.--An arbitrator may decide a request for summary disposition of a claim or particular issue:

(1) if all interested parties agree; or

(2) upon request of one party to the arbitration proceeding if that party gives notice to all other parties to the proceeding and if the other parties have a reasonable opportunity to respond.

(c) Notice and hearing.--If an arbitrator orders a hearing, the arbitrator shall set a time and place and give notice of the hearing not less than five days before the hearing begins. Unless a party to the arbitration proceeding makes an objection to lack or insufficiency of notice not later than the beginning of the hearing, the party's appearance at the hearing waives the objection. Upon request of a party to the arbitration proceeding and for good cause shown, or upon the arbitrator's own initiative, the arbitrator may adjourn the hearing as necessary but may not postpone the hearing to a time later than that fixed by the agreement to arbitrate for making the award unless the parties to the arbitration proceeding consent to a later date. The arbitrator may hear and decide the controversy upon the evidence produced although a party who was notified of the arbitration proceeding did not appear. The court, on request, may direct the arbitrator to conduct the hearing promptly and render a timely decision.

(d) Procedure.--At a hearing under subsection (c), a party to the arbitration proceeding has a right to be heard, to present evidence material to the controversy and to cross-examine witnesses appearing at the hearing.

(e) Replacement.--If an arbitrator ceases or is unable to act during the arbitration proceeding, a replacement arbitrator must be appointed in accordance with section 7321.12 (relating to appointment of arbitrator; service as a neutral arbitrator) to continue the proceeding and to resolve the controversy.

(f) Location for arbitration hearing for consumer transactions.--A hearing conducted under an arbitration agreement applicable to a consumer transaction shall be held at a location reasonably convenient to the consumer.

§ 7321.17. Representation by attorney.

A party to an arbitration proceeding may be represented by an attorney.

§ 7321.18. Witnesses; subpoenas; depositions; discovery.

(a) Subpoenas.--An arbitrator may issue a subpoena for the attendance of a witness and for the production of records and other evidence at a hearing and may administer oaths. A subpoena must be served in the manner for service of subpoenas in a civil action and, upon motion to the court by a party to the arbitration proceeding or the arbitrator, may be enforced in the manner for enforcement of subpoenas in a civil action.

(b) Depositions.--In order to make the proceedings fair, expeditious and cost effective, upon request of a party to or a witness in an arbitration proceeding, an arbitrator may permit a deposition of a witness to be taken for use as evidence at the hearing, including a witness

who cannot be subpoenaed for or is unable to attend a hearing. The arbitrator shall determine the conditions under which the deposition is taken.

(c) Discovery.--An arbitrator may permit discovery as the arbitrator decides is appropriate in the circumstances, taking into account the needs of the parties to the arbitration proceeding and other affected persons and the desirability of making the proceeding fair, expeditious and cost effective.

(d) Compliance with discovery.--If an arbitrator permits discovery under subsection (c), the arbitrator may order a party to the arbitration proceeding to comply with the arbitrator's discovery-related orders, issue subpoenas for the attendance of a witness and for the production of records and other evidence at a discovery proceeding and take action against a noncomplying party to the extent a court could if the controversy were the subject of a civil action in this Commonwealth.

(e) Protective orders.--An arbitrator may issue a protective order to prevent the disclosure of privileged information, confidential information, trade secrets and other information protected from disclosure to the extent a court could if the controversy were the subject of a civil action in this Commonwealth.

(f) Compulsory laws.--All laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition or a discovery proceeding as a witness apply to an arbitration proceeding as if the controversy were the subject of a civil action in this Commonwealth.

(g) Enforcement.--The court may enforce a subpoena or discovery-related order for the attendance of a witness within this Commonwealth and for the production of records and other evidence issued by an arbitrator in connection with an arbitration proceeding in another state upon conditions determined by the court so as to make the arbitration proceeding fair, expeditious and cost effective. A subpoena or discovery-related order issued by an arbitrator in another state must be served in the manner provided by law for service of subpoenas in a civil action in this Commonwealth and, upon motion to the court by a party to the arbitration proceeding or the arbitrator, may be enforced in the manner provided by law for enforcement of subpoenas in a civil action in this Commonwealth.

§ 7321.19. Judicial enforcement of preaward ruling by arbitrator.

If an arbitrator makes a preaward ruling in favor of a party to the arbitration proceeding, the party may request the arbitrator to incorporate the ruling into an award under section 7321.20 (relating to award). A prevailing party may make a motion to the court for an expedited order to confirm the award under section 7321.23 (relating to confirmation of award), in which case the court shall summarily decide the motion. The court shall issue an order to confirm the award unless the court vacates, modifies or corrects the award under section 7321.24 (relating to vacating award) or 7321.25 (relating to modification or correction of award).

§ 7321.20. Award.

(a) Record.--An arbitrator shall make a record of an award. The record must be signed or otherwise authenticated by an arbitrator who concurs with the award. The arbitrator or the arbitration organization shall give notice of the award, including a copy of the award, to each party to the arbitration proceeding.

(b) Time.--An award must be made within the time specified by the agreement to arbitrate or, if not specified in the agreement, within the time ordered by the court. The court may extend or the parties to the arbitration proceeding may agree in a record to extend the time. The court or the parties may do so within or after the time specified or ordered. A party waives an objection that an award was not timely made unless the party gives notice of the objection to the arbitrator before receiving notice of the award.

§ 7321.21. Change of award by arbitrator.

(a) Motion.--On motion to an arbitrator by a party to an arbitration proceeding, the arbitrator may modify or correct an award:

(1) upon a ground stated in section 7321.25(a)(1) or (3) (relating to modification or correction of award);

(2) because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or

(3) to clarify the award.

(b) Time for motion.--A motion under subsection (a) must be made and notice given to all parties within 20 days after the movant receives notice of the award.

(c) Time for objection to motion.--A party to the arbitration proceeding must give notice of an objection to the motion within 10 days after receipt of the notice.

(d) Pending motion to court.--If a motion to the court is pending under section 7321.23 (relating to confirmation of award), 7321.24 (relating to vacating award) or 7321.25, the court may submit the claim to the arbitrator to consider whether to modify or correct the award:

(1) upon a ground stated in section 7321.25(a)(1) or (3);

(2) because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or

(3) to clarify the award.

(e) Other provisions applicable.--An award modified or corrected under this section is subject to sections 7321.20(a) (relating to award), 7321.23, 7321.24 and 7321.25.

§ 7321.22. Remedies; fees and expenses of arbitration proceeding.

(a) Punitive damages.--An arbitrator may award punitive damages or other exemplary relief if such an award is authorized by law in a civil action involving the same claim and the evidence produced at the hearing justifies the award under the legal standards otherwise applicable to the claim.

(b) Attorney fees and costs.--An arbitrator may award reasonable attorney fees and other reasonable expenses of arbitration if the award is authorized by law in a civil action involving the same claim, by the agreement of the parties to the arbitration proceeding or by the terms of an agreement subject to arbitration.

(c) Additional remedies.--As to all remedies other than those authorized by subsections (a) and (b), an arbitrator may order remedies as the arbitrator considers just and appropriate under the circumstances of the arbitration proceeding. The fact that a remedy could not or would not be granted by the court is not a ground for refusing to confirm an award under section 7321.23 (relating to confirmation of award) or for vacating an award under section 7321.24 (relating to vacating award).

(d) Arbitrator costs and fees.--An arbitrator's expenses and fees, together with other expenses, must be paid as provided in the award.

(e) Justification for punitive damages.--If an arbitrator awards punitive damages or other exemplary relief under subsection (a), the arbitrator shall specify in the award the basis in fact justifying and the basis in law authorizing the award and state separately the amount of the punitive damages or other exemplary relief.

§ 7321.23. Confirmation of award.

After a party to an arbitration proceeding receives notice of an award, the party must make a motion to the court for an order confirming the award. The court shall then issue a confirming order unless the award is modified or corrected under section 7321.21 (relating to change of award by arbitrator) or 7321.25 (relating to modification or correction of award) or is vacated under section 7321.24 (relating to vacating award).

§ 7321.24. Vacating award.

(a) Grounds.--Upon motion to the court by a party to an arbitration proceeding, the court shall vacate an award made in the arbitration proceeding if:

(1) the award was procured by corruption, fraud or other undue means;

(2) there was:

(i) evident partiality by an arbitrator appointed as a neutral arbitrator;

(ii) corruption by an arbitrator; or

(iii) misconduct by an arbitrator prejudicing the rights of a party to the arbitration proceeding;

(3) an arbitrator refused to postpone the hearing upon showing of sufficient cause for postponement, refused to consider evidence material to the controversy or otherwise conducted the hearing contrary to section 7321.16 (relating to arbitration process), so as to prejudice the rights of a party to the arbitration proceeding;

(4) an arbitrator exceeded the arbitrator's powers;

(5) there was no agreement to arbitrate, unless the person participated in the arbitration proceeding without raising the objection under section 7321.16(c) not later than the beginning of the arbitration hearing; or

(6) the arbitration was conducted without proper notice of the initiation of an arbitration as required in section 7321.10 (relating to initiation of arbitration) so as to prejudice substantially the rights of a party to the arbitration proceeding.

(b) Time.--A motion under this section must be filed within 30 days after the movant receives notice of the award under section 7321.20 (relating to award) or within 30 days after the movant receives notice of a modified or corrected award under section 7321.21 (relating to change of award by arbitrator), unless the movant alleges that the award was procured by corruption, fraud or other undue means, in which case the motion must be made within 30 days after the ground is known or by the exercise of reasonable care would have been known by the movant.

(c) Rehearing.--If the court vacates an award on a ground other than that set forth in subsection (a)(5), it may order a rehearing. If the award is vacated on a ground stated in subsection (a)(1) or (2), the rehearing shall be before a new arbitrator. If the award is vacated on a ground stated in subsection (a)(3), (4) or (6), the rehearing may be before the arbitrator who made the award or the arbitrator's successor. The arbitrator shall render the decision in the rehearing within the same time as that provided in section 7321.20(b) for an award.

(d) Confirmation.--If the court denies a motion to vacate an award, the court shall confirm the award unless a motion to modify or correct the award is pending.

§ 7321.25. Modification or correction of award.

(a) Grounds.--Upon motion made within 90 days after the movant receives notice of the award under section 7321.20 (relating to award) or within 90 days after the movant receives notice of a modified or corrected award under section 7321.21 (relating to change of award by arbitrator), the court shall modify or correct the award if:

(1) there was an evident mathematical miscalculation or an evident mistake in the description of a person, thing or property referred to in the award;

(2) the arbitrator has made an award on a claim not submitted to the arbitrator and the award may be corrected without affecting the merits of the decision upon the claims submitted; or

(3) the award is imperfect in a matter of form not affecting the merits of the decision on the claims submitted.

(b) Court action.--If a motion made under subsection (a) is granted, the court shall modify or correct and confirm the award as modified or corrected. Otherwise, unless a motion to vacate is pending, the court shall confirm the award.

(c) Joinder.--A motion to modify or correct an award under this section may be joined with a motion to vacate the award under section 7321.24 (relating to vacating award).

§ 7321.26. Judgment on award; attorney fees and litigation expenses.

(a) Judgment.--Upon granting an order confirming, vacating without directing a rehearing, modifying or correcting an award, the court shall enter a judgment in conformity with the order. The judgment may be recorded, docketed and enforced as any other judgment in a civil action.

(b) Court costs.--A court may allow reasonable costs of the motion and subsequent judicial proceedings.

(c) Attorney fees and costs.--On application of a prevailing party to a contested judicial proceeding under section 7321.23 (relating to confirmation of award), 7321.24 (relating to vacating award) or 7321.25 (relating to modification or correction of award), the court may add reasonable attorney fees and other reasonable expenses of litigation incurred in a judicial proceeding after the award is made to a judgment confirming, vacating without directing a rehearing, modifying or correcting an award if attorney fees and other expenses are authorized by law to be added to an award in a civil action involving the same claim as the arbitration award.

§ 7321.27. Jurisdiction.

(a) Enforcement.--A court having jurisdiction over the controversy and the parties may enforce an agreement to arbitrate.

(b) Exclusivity.--An agreement to arbitrate providing for arbitration in this Commonwealth confers exclusive jurisdiction on the court to enter judgment on an award under this subchapter.

§ 7321.28. Venue.

A motion under section 7321.6 (relating to application for judicial relief) must be made in the court of the county in which the agreement to arbitrate or section 7321.16(f) (relating to arbitration process) specifies the arbitration hearing is to be held or, if the hearing has been held, in the court of the county in which the hearing was held. Otherwise, the motion may be made in the court of the county in this Commonwealth as provided by the Pennsylvania Rules of Civil Procedure. All subsequent motions must be made in the court hearing the initial motion

unless the court otherwise directs.

§ 7321.29. Appeals.

(a) Appealable orders.--An appeal may be taken from:

- (1) an order denying a motion to compel arbitration;
- (2) an order granting a motion to stay arbitration;
- (3) an order confirming or denying confirmation of an award;
- (4) an order modifying or correcting an award;
- (5) an order vacating an award without directing a rehearing;

or

(6) a final judgment entered under this subchapter.

(b) Procedure.--An appeal under this section must be taken as from an order or a judgment in a civil action and must be taken within 30 days of the order or judgment.

§ 7321.30. Uniformity of application and construction.

(a) General rule.--In applying and construing this subchapter, consideration shall be given to the need to promote uniformity of the law with respect to the subject matter among states that enact it.

(b) Right to trial by jury.--Except as provided by an agreement to arbitrate, nothing in this subchapter is intended to require a party to waive the right to trial by jury to the extent provided by the Constitution of the United States and the Constitution of Pennsylvania.

(c) Severability.--If any provision of this subchapter or the application thereof to any person or circumstance is held invalid, the remainder of this subchapter and the application of such provisions to other persons or circumstances shall not be affected.

§ 7321.31. Relationship to Electronic Signatures in Global and National Commerce Act.

The provisions of this subchapter governing the legal effect, validity and enforceability of electronic records or electronic signatures and of contracts performed with the use of such records or signatures conform to the requirements of section 102 of the Electronic Signatures in Global and National Commerce Act (Public Law 106-229, 15 U.S.C. § 7002).

Section 2. Sections 7341 and 7342 of Title 42 are amended to read: § 7341. Common law arbitration.

The award of an arbitrator in a nonjudicial arbitration which is not subject to Subchapter A (relating to statutory arbitration), A.1 (relating to revised statutory arbitration) or a similar statute regulating nonjudicial arbitration proceedings is binding and may not be vacated or modified unless it is clearly shown that a party was denied a hearing or that fraud, misconduct, corruption or other irregularity caused the rendition of an unjust, inequitable or unconscionable award.

§ 7342. Procedure.

(a) General rule.--The following provisions of Subchapter [A] A.1 (relating to revised statutory arbitration) shall be applicable to arbitration conducted pursuant to this subchapter:

[Section 7303 (relating to validity of agreement to arbitrate).

Section 7304 (relating to court proceedings to compel or stay arbitration).

Section 7305 (relating to appointment of arbitrators by court).

Section 7309 (relating to witnesses, subpoenas, oaths and depositions).

Section 7317 (relating to form and service of applications to court).

Section 7318 (relating to court and jurisdiction).

Section 7319 (relating to venue of court proceedings).

Section 7320 (relating to appeals from court orders), except subsection (a)(4).]

Section 7321.6 (relating to application for judicial relief).

Section 7321.7(a) (relating to validity of agreement to arbitrate).

Section 7321.8 (relating to motion to compel or stay arbitration).

Section 7321.12(a) (relating to appointment of arbitrator; service as a neutral arbitrator).

Section 7321.18 (relating to witnesses; subpoenas; depositions; discovery).

Section 7321.27 (relating to jurisdiction).

Section 7321.28 (relating to venue).

Section 7321.29 (relating to appeals), except section 7321.29(a)(4).

(b) Confirmation and judgment.--On application of a party made more than 30 days after an award is made by an arbitrator under section 7341 (relating to common law arbitration), the court shall enter an order

confirming the award and shall enter a judgment or decree in conformity with the order. [Section 7302(d)(2) (relating to special application) shall not be applicable to proceedings under this subchapter.]

Section 3. Title 42 is amended by adding a chapter to read:

Amend Bill, page 11, line 5, by striking out all of said line and inserting:

Section 4. The following provisions shall not be construed to affect an action or proceeding commenced or right accrued before the effective date of this section:

(1) The addition of 42 Pa.C.S. Ch. 73 Subch. A.1.

(2) The amendment of 42 Pa.C.S. § 7341.

(3) The amendment of 42 Pa.C.S. § 7342.

Section 5. This act shall take effect as follows:

(1) This section shall take effect immediately.

(2) The addition of 42 Pa.C.S. Ch. 74 shall take effect in 60 days.

(3) The remainder of this act shall take effect July 1, 2019.

On the question,

Will the Senate agree to the amendment?

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

Senator GREENLEAF. Mr. President, I rise briefly to point out that the House and the Senate have been working on alternative dispute resolution matters for civil litigation to make our courts more available, make it easier to go there, and make it easier for parties to resolve their differences without going to court. It goes on and on, and both the House and the Senate have been doing that, and this is one of those steps. This legislation would amend the Uniform Arbitration Act into this bill, of which the House sponsor is very supportive, as well as other Members of the House. It will help individuals who want to resolve civil litigation in a more efficient and easier manner where they do not have to go into a courtroom. This amendment, this proposal of the Uniform Arbitration Act would go a long way in doing that. I ask for an affirmative vote on the amendment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

HB 1659, HB 1738, HB 1885 and HB 1886 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL AMENDED

HB 1898 (Pr. No. 3673) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GORDNER, on behalf of Senator TOMLINSON, offered the following amendment No. A7875:

Amend Bill, page 5, line 12, by striking out all of said line and inserting:

(f) Disclosure.--

(1) A new or used vehicle dealer shall disclose

Amend Bill, page 5, by inserting between lines 23 and 24:

(2) Nothing in this subsection shall be construed to limit any civil actions or remedies available in statute or common law.

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 GORDNER.

BILLS OVER IN ORDER

HB 1917, HB 2067 and HB 2138 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILL LAID ON THE TABLE

SB 2 (Pr. No. 1776) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for education savings account; and conferring powers and imposing duties on the Department of Education and the State Treasury.

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

SB 2 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 2, Printer's No. 1776, 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

HB 26, HB 83, SB 249, SB 255, HB 544, SB 575, SB 576, SB 714, SB 820, SB 917, HB 927, SB 930, SB 931, SB 933, HB 939, SB 963 and HB 980 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1019 (Pr. No. 1876) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, establishing and providing for the powers and duties of the Governor's Office of Homeland Security; in 911 emergency communication services, further providing for telecommunications management and for fund, providing for Legislative Budget and Finance Committee review and further providing for termination of

chapter; in general provisions, further providing for definitions and for purposes of part; in Commonwealth services, further providing for general authority of Governor, for temporary housing, for debris and wreckage removal, for community disaster loans, for individual and family assistance and for grants for hazard mitigation, providing for use and appropriation of unused Commonwealth funds, establishing the Disaster Emergency Fund, further providing for laws suspended during emergency assignments, providing for penalty for false application and further providing for organization, for powers and duties of Pennsylvania Emergency Management Agency, for utilization of existing services and facilities and for radiological emergency response preparedness, planning and recovery program and providing for online training for firefighters; in volunteer firefighters, further providing for funds; in local organizations and services, further providing for general authority of political subdivisions, for local coordinator of emergency management, for powers and duties of political subdivisions, for coordination, assistance and mutual aid, for appropriations by political subdivisions, for law applicable to local organizations, for agreements among political subdivisions, for payments involving one political subdivision and for payments involving two or more political subdivisions and providing for regional all-hazards preparedness and emergency management; in Emergency Management Assistance Compact, further providing for budgetary considerations and providing for protections; in miscellaneous provisions, further providing for duties concerning disaster prevention, for acceptance of services, gifts, grants and loans, for interstate arrangements and for immunity from civil liability, providing for other benefits unaffected, further providing for special powers of local agencies, for compensation for accidental injury and for penalties and providing for authority of Federal law enforcement officers, for confidentiality and for adverse interests; in grants to fire companies and emergency medical services companies, further providing for award of grants; in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, further providing for program authorization; and making a related repeal.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 1043, SB 1079, SB 1134, SB 1199, SB 1209, HB 1216, HB 1460 and HB 1646 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1851 (Pr. No. 2991) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in examinations, further providing for purpose and providing for scheduling conference, for budget estimate and revisions, for billing invoices and for annual examination and analysis report.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

HB 2050 and **HB 2124** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SENATE RESOLUTION No. 375, ADOPTED

Senator GORDNER, without objection, called up from page 14 of the Calendar, **Senate Resolution No. 375**, entitled:

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.

On the question,
Will the Senate adopt the resolution?

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

Senator BARTOLOTTA. Mr. President, right now Pennsylvania is the 10th-largest chemical-producing State in the nation. However, we are positioned to become a world-class leader in the petrochemical industry thanks to our abundant supply of natural gas liquids, if we act now. A vital asset to our petrochemical industries continued growth is better access to the necessary natural gas liquids. An ethane storage and distribution hub in Pennsylvania would make all the difference. This would help our State capitalize on its existing infrastructure and natural resources, giving us an opportunity to create thousands of quality jobs and drive business growth throughout the Commonwealth. That is why I introduced this resolution which urges Congress to take advantage of our unique position in the industry and enact legislation to develop an ethane storage hub and distribution hub in the Appalachian region.

My resolution encourages important Federal measures, which are known as the Appalachian Ethane Storage Hub Study Act of 2017, Capitalizing the American Storage Potential Act, and the Appalachian Energy and Manufacturing Revitalization Act. It is projected that the Appalachian region contains enough natural gas and liquid feedstock to attract \$35 billion in new chemical and plastics industry investment. Chemical and plastics industry investments of this scale could create 100,000 new jobs, \$28 billion in new economic output, more than \$6 billion in annual payroll, and nearly \$3 billion a year in new Federal, State, and local tax revenue. In order to fully capitalize on the opportunities that are in front of us, we need to take strategic steps to insure the responsible and sustainable development of our energy resources. Shell's petrochemical facility in Beaver County is already underway, and we should be doing everything in our power to encourage more ethane companies to come here, stay here, and create family-sustaining jobs.

Mr. President, I ask my colleagues for their support of this important resolution.

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

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

YEA-49

Alloway	DiSanto	Leach	Street
Argall	Eichelberger	Martin	Tartaglione
Aument	Farnese	McGarrigle	Tomlinson
Baker	Folmer	McIlhinney	Vogel
Bartolotta	Fontana	Mensch	Vulakovich
Blake	Gordner	Rafferty	Ward
Boscola	Greenleaf	Regan	White
Brewster	Haywood	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 resolution is adopted.

**COMMUNICATIONS FROM THE GOVERNOR
REPORTED FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator ALLOWAY, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

**MEMBER OF THE BOARD OF DIRECTORS OF THE
PENNSYLVANIA ECONOMIC DEVELOPMENT
FINANCING AUTHORITY**

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Masino, 3704 South Hereford Lane, Philadelphia 19144, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years, and until his successor is appointed and qualified, vice Robert Kane, Indiana, resigned.

TOM WOLF
Governor

**MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS**

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Francis McCusker (Public Member), 4018 Westaway Drive, Lafayette Hill 19444, Montgomery County, Seventh Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donald Murphy, Camp Hill, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rodney Kaplan, Jr., 321 North New Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Shaina Hilsey Garnet Valley, graduated.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Perry Umlauf, 1015 English Drive, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Denise Wilcox, Doylestown, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE PLANNING BOARD

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Tabas, 1204 North Spring Mill Road, Villanova 19085, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Planning Board, to serve for a term of four years, and until his successor is appointed and qualified, vice Jose Urdaneta, Lancaster, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

April 27, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anjilla Cooley Codner, 104 Mary Court, Richlandtown 18955, Bucks County, Twenty-fourth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice David Wolfgang, Pennsylvania Furnace, whose term expired.

TOM WOLF
Governor

NOMINATIONS LAID ON THE TABLE

Senator ALLOWAY. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ALLOWAY,
That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

Senator ALLOWAY. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF DIRECTORS OF THE
PENNSYLVANIA ECONOMIC DEVELOPMENT
FINANCING AUTHORITY

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Masino, 3704 South Hereford Lane, Philadelphia 19144, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years, and until his successor is appointed and qualified, vice Robert Kane, Indiana, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Francis McCusker (Public Member), 4018 Westaway Drive, Lafayette Hill 19444, Montgomery County, Seventh Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donald Murphy, Camp Hill, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rodney Kaplan, Jr., 321 North New Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Shaina Hilsey, Garnet Valley, graduated.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Perry Umlauf, 1015 English Drive, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Denise Wilcox, Doylestown, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE PLANNING BOARD

May 30, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Tabas, 1204 North Spring Mill Road, Villanova 19085, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Planning Board, to serve for a term of four years, and until his successor is appointed and qualified, vice Jose Urdaneta, Lancaster, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

April 27, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anjilla Cooley Codner, 104 Mary Court, Richlandtown 18955, Bucks County, Twenty-fourth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice David Wolfgang, Pennsylvania Furnace, whose term expired.

TOM WOLF
Governor

On the question,
Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator ALLOWAY 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	Langerholz	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 Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ALLOWAY. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

June 20, 2018

HB 2453 -- Committee on Banking and Insurance.

HB 2468 -- Committee on Local Government.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Permission has been granted for the Committee on Local Government to meet today off the floor in the Rules room to consider House Bill No. 2468.

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Local Government to be held in the Rules room in the rear of the Chamber immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Local Government to be held in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

Senator BROOKS, from the Committee on Aging and Youth, reported the following bill:

HB 2133 (Pr. No. 3107)

An Act establishing the Kinship Caregiver Navigator Program in the Department of Human Services; and providing for kinship caregiver navigator website and for kinship caregiver navigators.

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

HB 153 (Pr. No. 3689) (Rereported)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

HB 2078 (Pr. No. 3746)

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

HB 2079 (Pr. No. 3142)

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

HB 2080 (Pr. No. 3143)

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

HB 2081 (Pr. No. 3144)

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

HB 2082 (Pr. No. 3325)

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

HB 2083 (Pr. No. 3146)

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide for expenses of the State Employees' Retirement Board for the fiscal

year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

HB 2084 (Pr. No. 3147)

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2018, to June 30, 2019.

HB 2085 (Pr. No. 3148)

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2018, to June 30, 2019.

HB 2086 (Pr. No. 3745)

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

HB 2121 (Pr. No. 3747)

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2018, to June 30, 2019, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2018, to June 30, 2019; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2018, to June 30, 2019, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2018; to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; and providing for augmentation from additional funding source.

HB 2242 (Pr. No. 3748)

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States,

to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

HB 2243 (Pr. No. 3749)

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

HB 2244 (Pr. No. 3750)

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

HB 2245 (Pr. No. 3751)

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

HB 2246 (Pr. No. 3752)

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

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

HB 353 (Pr. No. 3779) (Amended)

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 and for professional prescription, administration, and dispensing.

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

HB 2468 (Pr. No. 3676)

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in limitations on use of eminent domain, further providing for definitions and providing for eminent domain of land subject to conservation easement.

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

SB 892 (Pr. No. 1533) (Rereported) (Concurrence)

An Act amending the act of December 16, 1986 (P.L.1646, No.188), known as the Chiropractic Practice Act, in licensure and regulation, further providing for license required.

SB 978 (Pr. No. 1860) (Rereported) (Concurrence)

An Act providing for the disposal of hospice or home health care patient medication.

Senator FOLMER, from the Committee on State Government, reported the following bill:

HB 2477 (Pr. No. 3778) (Amended)

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in academic clinical research centers, further providing for chapter heading, providing for legislative findings and declaration of policy, further providing for definitions, providing for academic clinical research centers, further providing for clinical registrants and for research study and providing for temporary regulations.

SENATE RESOLUTIONS ADOPTED

Senators BROOKS, HAYWOOD, GREENLEAF, FONTANA, BLAKE, EICHELBERGER, SABATINA, BARTOLOTTA, MARTIN, BROWNE, HUGHES, AUMENT, BREWSTER, DINNIMAN, RESCHENTHALER, VOGEL, RAFFERTY, VULAKOVICH, FARNESE, STREET, FOLMER, COSTA, KILLION, HUTCHINSON, YUDICHAK, BAKER, MENSCH and SCAVELLO, by unanimous consent, offered **Senate Resolution No. 400**, entitled:

A Resolution designating June 15, 2018, as "Elder Abuse Awareness Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BROOKS. Mr. President, I submit comments for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Mercer, Senator BROOKS:)

Mr. President, this resolution designates June 15, 2018, as "Elder Abuse Awareness Day" in Pennsylvania. This resolution aims to spotlight and eradicate a growing evil in today's world.

Most of us were taught as children to respect our elders. Tragically, elder abuse defies that simple lesson in kindness, and reveals the nightmare that is hurting a small, but vulnerable, segment of the Greatest Generation. Ironically, the values that the Greatest Generation prizes most are often the values that make them a prime target, values like loyalty to family, respect for authority, pride, and privacy.

This resolution exposes a reality that often occurs in the shadows. Tragically, elder abuse has been discovered in nursing homes, private homes, senior centers, banks, and virtually anywhere seniors spend their time and money. It can take many forms - physical, emotional, sexual, or financial. An adult child may be draining his parent's bank account for drug money, or a grandchild may have reneged on a promise to care for an ailing relative refusing to feed her, give her medications, or take her to the doctor.

Abuse can be active or passive; it can be hitting and neglect; it can be neglect and harsh words. Almost always it is hidden in plain sight. Approximately 28,633 reports of suspected elder abuse were made to the Department of Aging in 2016-17. While that number may seem

high, the truth is it is probably very low. Many cases of elder abuse go unreported. The signs may be subtle, or even invisible, and can be easily missed by professionals.

The Department of Aging, county Area Agencies on Aging, and we here in the Senate are dedicated to protecting seniors by educating the public on protective services and providing the assistance that is needed. Pennsylvania has an Elder Abuse Hotline that operates 24 hours a day, 365 days a year to receive reports of allegations of abuse. The call can be made anonymously. The number is 1-800-490-8505.

Mr. President, please join me in elevating the public's awareness of elder abuse and urging everyone to look for signs of abuse, and report suspected signs immediately. In this way, our seniors will be better able to enjoy their golden years more fully, and experience the independence, safety, and dignity they so richly deserve after a lifetime of living and giving.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators BROWNE, BARTOLOTTA, FONTANA, SABATINA, RAFFERTY, DINNIMAN, KILLION, BLAKE, SCAVELLO, SCHWANK, HUGHES, BAKER, VULAKOVICH, BREWSTER, FOLMER, WHITE, AUMENT, MENSCH and COSTA, by unanimous consent, offered **Senate Resolution No. 401**, entitled:

A Resolution designating the week of September 9 through 15, 2018, as "Idiopathic Pulmonary Fibrosis Research and Awareness Week" in Pennsylvania to increase awareness and understanding of idiopathic pulmonary fibrosis.

On the question,

Will the Senate adopt the resolution?

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

Senator BROWNE. Mr. President, I am asking the Senate to consider this resolution designating the week of September 9 through 15 as "Idiopathic Pulmonary Fibrosis Research and Awareness Week" in Pennsylvania. Idiopathic Pulmonary Fibrosis, Mr. President, is a debilitating and generally fatal disease marked by progressive scarring of the lungs causing an irreversible loss of lung tissue's ability to transport oxygen. IPF progresses quickly, often causing disability or death within 3 to 5 years. While IPF is five times more common than Cystic Fibrosis or ALS, the disease is often misdiagnosed or often underdiagnosed. IPF remains virtually unknown and receives only minimal research funding. More than 132,000 people in the United States have IPF, with 7,000 cases in Pennsylvania. There are 50,000 new cases diagnosed every year, and unfortunately, approximately 40,000 individuals die each year from IPF.

Mr. President, I would like to briefly share with you the story of Ron Wescoe. Ron Wescoe was diagnosed with IPF in November 2003, and succumbed to this rare, incurable lung disease 11 months later on October 29, 2004. It was devastating for the Wescoe family to see a strong man struggle so much. It was a very common story: a chronic cough, fatigue, easily losing his breath. He went to his general practitioner for over 3 years. He was misdiagnosed with chronic bronchitis. He was given inhaler after inhaler to try to treat the symptoms and nothing worked. In November 2003, he was finally referred to a pulmonologist and

was properly diagnosed with IPF. The Wescoe family knew nothing about this disease. Ironically, Mike Wescoe, a respiratory therapist and John's son, educated the family about IPF. However, most families do not have this opportunity to learn and find the support for their loved one. In addition, there was limited support and education for patients and their families to navigate this serious lung disease. As a result, the Wescoe Foundation for Pulmonary Fibrosis was created to provide support, education, advocacy, and resources for patients and their families living with IPF in order to sustain the highest possible quality of life for their loved ones.

In collaboration with pulmonologists, hospitals, healthcare professionals as well as other nonprofit organizations, the Wescoe Foundation creates and facilitates Pulmonary Fibrosis support groups and education programs as well as IPF community awareness events. The foundation's programs have grown to fulfill the profound need of support for patients struggling to breathe every day, and the Wescoe Foundation has reached thousands and thousands of people.

Mr. President, I ask for the affirmative consideration of the Senate on this resolution to designate the week of September 9 through 15, 2018, to raise awareness as well as highlight the much-needed research to one day find a cure for this devastating rare lung disease called Idiopathic Pulmonary Fibrosis.

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 AUMENT, DINNIMAN, MARTIN, BARTOLOTTA, BAKER, BREWSTER, SABATINA, GREENLEAF, BROWNE, SCHWANK, FOLMER, RAFFERTY, RESCHENTHALER, WHITE, HUGHES and COSTA, by unanimous consent, offered **Senate Resolution No. 402**, entitled:

A Resolution recognizing June 27, 2018, as "Post-Traumatic Stress Injury Awareness Day" and the month of June 2018 as "Post-Traumatic Stress Injury Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator AUMENT. Mr. President, I am pleased to offer this resolution which designates June 27, 2018, as "Post-Traumatic Stress Injury Awareness Day" in Pennsylvania and the entire month of June 2018 as "Post-Traumatic Stress Injury Awareness Month" in Pennsylvania. The brave men and women of the United States Armed Forces who proudly serve this country and risk their lives to protect our freedoms deserve the investment of every possible resource to insure their lasting physical, mental, and emotional well-being. The challenges of serving in combat for many of our veterans do not stop when they return home. A new challenge begins for many of our servicemen and women, one they must fight every day and can cause them to struggle, often in silence.

For those who are not familiar with it, post-traumatic stress injury, or PTSI, occurs after a person has experienced a trauma and can result from not only the stress of combat, but also rape, sexual assault, battery, torture, confinement, child abuse, car accidents, train wrecks, plane crashes, bombings, or natural disaster. Post-traumatic stress is a very common injury to the brain that is treatable and repairable. Post-traumatic stress has historically been viewed as a mental illness caused by a pre-existing flaw in the individual's brain or character, and the term post-traumatic stress disorder carries a stigma that perpetuates this misconception. Additionally, referring to post-traumatic stress injury as a disorder perpetuates the stigma of and a bias against mental illness that discourages those suffering from post-traumatic stress from seeking proper and timely medical treatment. Making the condition less stigmatizing and promoting more understanding can favorably influence those affected and encourage them to seek help without fear of retribution or shame.

We know that proper and timely treatment can decrease suicide rates, and additional education and awareness can help to encourage most people suffering with PTSI to seek help. Please join us to raise awareness for post-traumatic stress injury by designating June 27, 2018, as Post-Traumatic Stress Injury Awareness Day in Pennsylvania and the month of June 2018 as Post-Traumatic Stress Injury Awareness Month in Pennsylvania.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators AUMENT, BAKER, MARTIN, ARGALL, BARTOLOTTA, BROOKS, BREWSTER, SABATINA, EICHELBERGER, SCARNATI, GREENLEAF, BROWNE, VULAKOVICH, GORDNER, SCHWANK, FOLMER, KILLION, RAFFERTY, RESCHENTHALER, WHITE, BLAKE, WARD, REGAN, HUGHES and COSTA, by unanimous consent, offered **Senate Resolution No. 403**, entitled:

A Resolution designating the month of June 2018 as "Dairy Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator AUMENT. Mr. President, I am pleased to offer this resolution designating the month of June 2018 as "Dairy Month" in Pennsylvania. Dairy farming is a major part of Pennsylvania's agriculture and overall economy, generating \$14.7 billion of economic activity annually. In fact, Pennsylvania ranks fifth nationally in milk production, and the State's 525,000 cows produce more than 10.8 billion pounds of milk annually, supporting more than 52,000 jobs across this Commonwealth. Unfortunately, this industry is currently facing numerous economic challenges. In 2016, Pennsylvania lost 120 dairy farms, and overall 1,200 dairy farms have been lost since 2012. It is clear that now more than ever our dairy farmers and their families need help.

As such, please join me in supporting this resolution to recognize our hardworking dairy farmers across this Commonwealth and to support them by promoting the consumption of Pennsylvania dairy products.

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 McGARRIGLE, FARNESE, BROOKS, DINNIMAN, MARTIN, SABATINA, ARGALL, AUMENT, BARTOLOTTA, KILLION, BROWNE, SCHWANK, GREENLEAF, EICHELBERGER, BREWSTER, MENSCH, BLAKE, RAFFERTY, SCAVELLO, HUGHES, BAKER, VULAKOVICH, WARD and COSTA, by unanimous consent, offered **Senate Resolution No. 404**, entitled:

A Resolution recognizing August 19, 2018, as "Aviation Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator McGARRIGLE. Mr. President, I rise to introduce this Senate resolution making August 19 "Aviation Day" in Pennsylvania. Pennsylvania's aviation industry ranks 11th in the country in the number of public-use aviation facilities with 128 airports, heliports, and seaplane bases, providing an annual economic impact of \$23.6 billion to the State. Mr. President, this industry supports more than 300,000 jobs, making it one of the largest employment sectors in the State. President Roosevelt declared the first National Aviation Day in 1939, which celebrates the history and development of aviation. Please support this resolution that provides an annual opportunity to pay tribute to the individuals who have contributed to this industry.

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 McGARRIGLE. 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 1096, HB 353, HB 1958, HB 2078, HB 2079, HB 2080, HB 2081, HB 2082, HB 2083, HB 2084, HB 2085, HB 2086, HB 2121, HB 2133, HB 2242, HB 2243, HB 2244, HB 2245, HB 2246, HB 2468 and HB 2477.

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

THURSDAY, JUNE 21, 2018

Off the Floor	AGING AND YOUTH (to consider Senate Bill No. 899; and House Bill No. 296)	Rules Cmte. Conf. Rm.
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 668 and 1095; and House Bills No. 863, 1677, 1782, 1851, 2133 and 2477)	Rules Cmte. Conf. Rm.
Off the Floor	HEALTH AND HUMAN SERVICES (to consider House Bill No. 1613)	Rules Cmte. Conf. Rm.
Off the Floor	LABOR AND INDUSTRY (to consider House Bills No. 298 and 1469)	Rules Cmte. Conf. Rm.
Off the Floor	LOCAL GOVERNMENT (to consider Senate Bill No. 1099)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1011; and certain Executive Nominations)	Rules Cmte. Conf. Rm.
Off the Floor	BANKING AND INSURANCE (to consider House Bill No. 2453)	Rules Cmte. Conf. Rm.

FRIDAY, JUNE 22, 2018

10:30 A.M.	FINANCE (public hearing on the nomination of Paul Gitnik to the State Board of Finance and Revenue)	Room 8E-A East Wing
Off the Floor	APPROPRIATIONS (to consider House Bills No. 1305, 1677 and 1929)	Rules Cmte. Conf. Rm.
Off the Floor	LOCAL GOVERNMENT (to consider Senate Bill No. 1099)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 172, 431, 530, 564, 764, 1002, 1101 and 1142; House Bills No. 1448, 1659 and 2138; and certain Executive Nominations)	Rules Cmte. Conf. Rm.

PETITIONS AND REMONSTRANCES

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

Senator HAYWOOD. Mr. President, earlier this week I introduced a resolution urging the Senate to ask the United States Congress to immediately consider adopting articles of impeachment against President Trump. Our nation requires this action, which is extremely serious and why I present this resolution to our Senate.

Section 4, Article II of the Constitution says, "The President...shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." I am crystal clear that this action can only be taken by the U.S. House of Representatives at first, and trial thereafter by the United States Senate. However, we as citizens of this na-

tion and as leaders of the Commonwealth of Pennsylvania, have a duty to defend our nation. There has been substantial evidence that President Trump has attempted to corrupt, impede, and obstruct justice. That evidence includes a private meeting he had on February 14 of 2017, where he asked FBI Director Comey to abandon an investigation of his then National Security Advisor Michael Flynn. It includes on May 19, 2017, the President asked then FBI Director Comey to back off and lift the cloud from the Russia investigation and thereafter fired the director for not so doing.

The President has abused his office and been derelict in his duty. He has accepted payments from foreign governments to his private businesses and hotels in a clear compromise of the nation and us, and in violation of the Constitution. The President is grossly unfit and derelict in his duty by repeatedly making false and misleading statements to the American people, intended to deceive the American people. This includes well over 2,000 false and misleading statements that have been reported by the *New York Times* and other media outlets who are attempting to maintain some level of accountability. Most recently, the President has embarked on a cruel and immoral policy of separating migrant children from their parents. This is not only a violation of everything that is fundamental to our nation, but also of international human rights. For these and many other reasons that are detailed in the resolution, I ask my colleagues to join me in this resolution asking Congress to impeach the President. I encourage all of those who are listening or who may see this to go and sign an online petition at my Web site, senatorhaywood.com.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, if I can make a few comments in regard to the comments made by the previous speaker. The Senate, back in 2016, took up actions in regard to Attorney General Kathleen Kane. We established a committee, we went through the process, and we ultimately took a vote on this very Senate floor. Some Members were more involved in the process than others, but at the end of the day, that vote was taken and while a majority of the Senators voted in favor of that process, the two-thirds vote was not reached. There were some Members of the Senate at the time who said that while the Attorney General was charged with some offenses, because they were not convicted or they were not otherwise involved in certain issues, that they needed to vote "no," and that is what they did, in fact, was vote "no" on the floor of the Senate.

So I ask, as certain Members call for certain actions at the Federal level, that they go back 2 years to the actions and the debate and the statements that each of those individual Senators made on this floor in regard to that issue.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I will be brief. I rise to make a couple of comments with respect to Senate Bill No. 1001 that passed earlier today. Let me begin by saying thank you to my colleagues for their support in supporting this measure as it moved through the Senate, both committees, the Committee on Veterans Affairs and Emergency Preparedness and the Committee on Appropriations, and ultimately here on this Senate floor.

Mr. President, what this legislation does is essentially empowers our Governor with the opportunity, on the recommendation of the Secretary of Health, to declare a health emergency declaration here in the Commonwealth of Pennsylvania. It will be a tool that the Governor would be able to use to address some very specific things. The Governor recently addressed the issue of the opioid crisis by doing what I will call a more blanket general declaration. In light of that, what we saw was there was a need for an emergency health declaration of disaster as well, and that is what this is intended to do. It is more narrowed and focused in the sense of the broad-based declaration that we have dealt with.

Essentially, in addition to some of the conditions that I have talked about, the opioid situation and response to other types of situations, whether they be crisis in the sense that we have an epidemic or we have something going on in the Commonwealth that warrants a health emergency declaration, this would allow it. It also would allow it where there is a situation where there is a bioterrorist threat, a chemical attack, or the appearance of a widespread disease, also there are biological toxins that would be addressed as well. This legislation would allow for the Governor, as I mentioned, to make that declaration and invoke certain provisions of procurement and the like, and maintaining the data and information as we go forward.

So, I appreciate the support of the Members. I draw particular attention to Senator Vulakovich, co-chair of our committee, for advancing this measure through the committee. Senator Browne and Senator Hughes, of course, and Senator Vulakovich and Senator Baker for the support that they provided in providing some insight and some suggestions about how we can make the legislation better and really rest the authority in the Governor as opposed to what was originally drafted, in the Secretary of Health. I think they were thoughtful changes that needed to be made and I appreciate their efforts along those lines, and I thank my colleagues for their support on Senate Bill No. 1001. Now we hope that as it makes its way over to the House, that the House will take it up. I do not know whether or not they will get to it this week or the next 2 weeks, but at least it is something that we will be encouraging them to look toward passing in the fall, and we know that we have the Governor's support and will get his signature as well.

Thank you, Mr. President.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 499**, with the information the House has passed the same without amendments.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1011**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILLS SIGNED

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

SB 499, HB 1918 and HB 1979.

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 Thursday, June 21, 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 3:36 p.m., Eastern Daylight Saving Time.