

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

THURSDAY, JUNE 21, 2018

SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 34

SENATE

THURSDAY, June 21, 2018

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

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

PRAYER

The following prayer was offered by Hon. MEGAN MARTIN, Secretary of the Senate:

Let us pray.

Heavenly Father, thank You for Your word, which reminds us of the importance of asking You for godly wisdom when we feel that we are lacking in understanding or discernment, for You have promised to give generously to all who ask in faith. May Your words be a lamp that lights our way. May Your love be a compass that gives us direction. May Your truth be a signpost bringing clarity. May Your peace be a measure that guides our decisions. Even when the path seems dim, Your truth lights all that we know. Lord, we seek wisdom today and all days, wisdom from above that is pure, peaceful, gentle, reasonable, full of mercy and good fruits, without partiality and without hypocrisy. All this we ask in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

STATE POLICE COMMISSIONER

June 21, 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, Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as State Police Commissioner, to serve

until January 15, 2019, and until his successor is appointed and qualified, vice the Honorable Tyree Blocker, Harrisburg, resigned.

TOM WOLF
Governor

HOUSE MESSAGE

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 824**.

BILLS SIGNED

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

HB 594 and HB 824.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator Bartolotta and Senator McIlhinney.

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

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

The PRESIDENT. Senator Corman requests legislative leaves for Senator Bartolotta and Senator McIlhinney.

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 24, 2018, is now in print.

The Clerk proceeded to read the Journal of the Session of April 24, 2018.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUESTS OF SENATOR RANDY VULAKOVICH PRESENTED TO THE SENATE

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

Senator VULAKOVICH. Mr. President, this is really an honor because this is the first sports team that I have ever recognized on the floor of the Senate since I have been here. It is my honor to welcome the Vincentian Academy Royals Baseball Team to the hall of the Senate. The Senate of Pennsylvania is always pleased to recognize those exceptional young athletes who, through ambition and perseverance, strive for achievements in their competitive endeavors. The Vincentian Academy baseball team is being honored upon winning the 2018 PIAA State Class A Baseball Championship. To their great credit, the Royals defeated Southern Fulton High School by a score of 5-3 to win the school's second State baseball title in 3 years. The team further distinguished itself during the 2018 season by winning first place in the WPIAL, PIAA District VII and PIAA Class A Baseball Championships.

Under the expert guidance of head coach Bradley Bestic and assistant coaches Alex Valadja, Charles Rhoads, and Ross Cortese, the team was comprised of Sean McGrail, Kyler Fedko, Nate Stover, Dan Morgano, Josh Musher, David Kelly, James Lutz, Jared Katz, Jake Stotsky, Aidan Thomson, Eric Ford, Stephen Turzai, Sam Basso, Mark Yakim, Nathan Christian, and Matt Soller. The team members are to be commended for their continuing commitment to excellence, and they have brought great credit to themselves, their school, their communities, and this Commonwealth. The Senate of the Commonwealth of Pennsylvania heartily congratulates the members and coaches of the Vincentian Academy baseball team upon their championship victories and offers best wishes for every future success.

Mr. President, I ask that the Senate now recognize these fine young men and their coaches with our usual warm welcome.

The PRESIDENT. Would the guests of Senator Vulakovich, the championship baseball team and coaches from Vincentian Academy, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

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

Senator BROOKS. Mr. President, before they leave the gallery, I wanted to give a special shout-out to Stephen Turzai. As all of you know, I spent 8 years in the House, and Stephen is Speaker Turzai's son. Although your dad could not always be at your games because this is a challenging time of year, I know that he continually followed those games and always talked about you and had such great pride in all of your accomplishments. His thoughts were with you.

Thank you, Mr. President.

The PRESIDENT. Congratulations, Stephen, and congratulations to the whole team once again.

GUEST OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE

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

Senator RAFFERTY. Mr. President, I have the privilege today to introduce to the Senate a young man who is interning in the office for the summer, Jacob Thomas Hafer. Jake is a resident of Douglassville, Berks County. His parents are Kathleen and Thomas Hafer, and his siblings are Tyler and Taylor. He is a senior at LaSalle University. I think that brings some familiarity with you, Mr. President.

The PRESIDENT. Same instructors, Senator Rafferty.

Senator RAFFERTY. Mr. President, Jake is a history major and political science minor. His hobbies include Student Government Association, history club, and Sigma Phi Lambda fraternity. He does have a keen interest in government. He has been very helpful in our office. He has done some quality research work for us and is a terrific young man.

One thing I want to note about Jacob, he is very heavily involved in the Gift of Life Donor Program and Donate Life Awareness Program. Jacob himself at 7 months old was a heart transplant recipient. He is doing exceptionally well and he has been involved in these programs where he has teamed up with a former associate of ours, Bruce Edwards from the Pennsylvania State Troopers Association, who is heavily involved in the program as well. Mr. President, when I had the chance to talk to Jacob about the Donate Life and the organ recipient program, it harkened back to conversations I had with Senator Greenleaf and Senator White, my friends and colleagues. I am one of those who never gave much thought about the organ donation program. When I renewed my license, that was it. They opened my eyes, and working on pieces of legislation with both Senator Greenleaf and Senator White, I am now an organ donor. I think it is very important for all of us in the Commonwealth of Pennsylvania, when you have the opportunity to meet Jacob and hear his story and realize he is with us today because at 7 months old, somebody's heart went to Jacob. He is with us today, a senior in college, and doing exceptionally well.

He wants to possibly attend law school or gain a master's degree in history. His goal is to give back to his community. His family has taught him that. His life expectancy and experiences have taught him that, and he wants to give back to his community in some form and is doing it today in a very worthwhile cause, once again alerting and making aware of the Gift of Life

Donor Program and the Donate Life Awareness Program here in the Commonwealth of Pennsylvania.

Mr. President, I ask my colleagues here in the Senate to give a traditional warm welcome to an outstanding young man and to welcome Jacob Thomas Hafer.

The PRESIDENT. Would the guest of Senator Rafferty, Jacob Hafer, who is in the gallery, please rise so that we may welcome you to the Pennsylvania Senate. Give him our warm welcome and regards.

(Applause.)

The PRESIDENT. And we love LaSalle University. A very excellent school.

GUEST OF SENATOR JOHN R. GORDNER PRESENTED TO THE SENATE

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

Senator GORDNER. Mr. President, it is my privilege this morning to also introduce an intern in my office, Tanner Reed, who is seated behind me. Tanner is a student at Shippensburg University. He will be a senior this coming year. He has a double major in both public administration and in economics. This spring, as a matter of fact, he was inducted both into the economics honor society as well as the political science honor society. He is from Milton. We are enjoying having him in our office, and he is getting to see June in Harrisburg and all of the activity that goes along with it. So I ask that you give our usual warm welcome to my intern, Tanner Reed.

The PRESIDENT. Would the guest of Senator Gordner on the floor, Tanner Reed, please rise so that we may welcome you to the Pennsylvania Senate. It is a good time to be here.

(Applause.)

GUEST OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, it is my privilege to introduce one of our interns here this summer, a very bright young man named Daniel Napsha. Daniel lives in Selinsgrove, and I am not sure whose district that is, but whoever it is, you have an excellent constituent in your district. He is studying political science at Kenyon College in Ohio. Kenyon College is one of the remaining bastions of a liberal arts education, which is crucial if we are going to really be thoughtful and keep our democratic and civic responsibilities in this nation. Ultimately, he wants to pursue a career in public service. He is doing research for us and is doing a fine job. I ask that we give a warm welcome to Daniel Napsha.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Dinniman, Daniel Napsha, please rise so that we may welcome you to the Pennsylvania Senate. He is in the gallery, and let us give him a warm welcome.

(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Bartolotta has returned, and her legislative leave is cancelled.

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

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

Senator BOSCOLA. Mr. President, I am always very honored to have great interns working in my Bethlehem district office. This summer is no different. Today, I have two interns working in my Bethlehem office who are in the gallery. As with past summers, my interns not only work on regular district office activities such as assisting constituents with issues before State government or providing them with updates on the progress of legislation in the Senate, but they also have issue-related research projects. These projects not only aid them in learning about a specific issue and how to conduct issue research, but can assist me in development of new legislation, a lot of proposals that I can introduce in this body in the future.

So, first, I recognize Nora Burke, who will be entering her junior year at Penn State majoring in health policy and administration with a minor in human development and family sciences. Now, at Penn State, Nora is a committee member of the organization of Women In Politics, which encourages interest, access, and counsel from a nonpartisan standpoint for women in the political field. She is also very active in THON as a committee member for the dance marathon operation committee, and as a Four Diamonds chair on the executive board for the Trilogy special interest organization. After college, she hopes to work in the insurance field developing and writing more efficient policy laws.

Second, I am very pleased to introduce Gabrielle Molitoris to the Senate. Gabrielle will be entering her junior year this fall at Wilkes University. A dean's list recipient during her sophomore year, Gabrielle is double majoring in criminology and sociology, and then double majoring again in Spanish and women and gender studies. Following her graduation in 2020, Gabrielle plans to continue her education and achieve certification in digital and investigative forensics.

I am very proud of these interns, I am so impressed with their resumes. They are very impressive young women and I hope that one day they will run for elective office and win, and maybe add to the complement in the Senate as well. I ask the Senate to give them its usual warm welcome.

The PRESIDENT. Would the guests of Senator Boscola, Nora and Gabrielle, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

CALENDAR

SECOND CONSIDERATION CALENDAR

BILLS OUT OF ORDER

Without objection, the following bills on today's Calendar were called out of order by Senator CORMAN, as Special Orders of Business.

BILLS ON SECOND CONSIDERATION
AND REREFERRED

HB 2133 (Pr. No. 3107) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

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

HB 2477 (Pr. No. 3778) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

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

SB 31 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 31, Printer's No. 12, 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.

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of a series of off-the-floor 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 Banking and Insurance, the Committee on Health and Human Services, the Committee on Labor and Industry, and concluding with the Committee on Local Government, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, after the meetings, Senate Democrats will meet in our caucus room in the rear of the Chamber.

The PRESIDENT. For purposes of off-the-floor meetings of the Committee on Aging and Youth, the Committee on Banking

and Insurance, the Committee on Health and Human Services, the Committee on Labor and Industry, and the Committee on Local Government, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator Greenleaf and Senator Killion.

The PRESIDENT. Senator Corman requests legislative leaves for Senator Greenleaf and Senator Killion. Without objection, the leaves will be granted.

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of a couple of off-the-floor committee meetings starting with the Committee on Rules and Executive Nominations followed by the Committee on Appropriations, both to be held in the Rules room in the rear of the Chamber.

The PRESIDENT. For purposes of meetings of the Committee on Rules and Executive Nominations, to be followed by 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.

SENATE AT EASE

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

Senator WILLIAMS. Mr. President, I ask that the Senate be at ease and that Senate Democrats come to the Leader's podium.

The PRESIDENT. The Senate will be at ease at the request of Senator Williams, who has asked Senate Democrats to join him at the Leader's rostrum.

(The Senate was at ease.)

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Williams requests a legislative leave for Senator Costa. Without objection, the leave will be granted.

PERMISSION TO ADDRESS

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

Senator WILLIAMS. Mr. President, Senator Corman and I want to make a comment with regard to sad news we just received from the Governor. I, along with all of us, received news that we did not want to hear but ultimately has to occur, the passing of a life. In this case, it is the mother of our chief executive, Governor Wolf, who passed away moments ago and he let us know that. So, we send our heartfelt condolences as Democrats and Republicans, but most importantly as Pennsylvanians.

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

Senator CORMAN. Mr. President, I second the thought by the Democratic Whip. Obviously, a sad day for the Governor and his family and for all of Pennsylvania. On behalf of the Senate Republican Caucus, we send the Governor and his family our best wishes.

The PRESIDENT. I join both gentlemen in our prayers and best wishes. Thoughts and concerns from Mrs. Stack and I go to Governor Wolf and his family on the loss of his mom.

CONSIDERATION OF CALENDAR RESUMED

**BILLS ON CONCURRENCE
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 892 (Pr. No. 1533) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 892?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 892.

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

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

YEA-49

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 978 (Pr. No. 1860) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 978?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 978.

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

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

YEA-49

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 44, HB 56, HB 61, HB 126 and HB 149 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 153 (Pr. No. 3689) -- The Senate proceeded to consideration of the bill, entitled:

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

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-42

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

NAY-7

Brooks	Hughes	Leach	Tartaglione
Farnese	Hutchinson	Street	

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.

LEGISLATIVE LEAVE

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

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

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

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

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 521 (Pr. No. 1040) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

BILLS OVER IN ORDER

SB 595 and HB 644 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL AMENDED

SB 735 (Pr. No. 898) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for the title of the act; and, in sale of property, providing for optional county demolition and rehabilitation fund.

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

BROWNE AMENDMENT A7100

Senator BROWNE offered the following amendment No. A7100:

Amend Bill, page 3, line 14, by striking out "or other law"
Amend Bill, page 3, line 15, by striking out "taxing district or other government entity"
Amend Bill, page 3, line 16, by inserting after "property":
pursuant to this act
Amend Bill, page 3, lines 27 and 28, by striking out "taxing district or any other government entity conducting" and inserting:
of
Amend Bill, page 3, line 28, by inserting after "property":
pursuant to this act

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

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

MARTIN AMENDMENT A8465

Senator MARTIN offered the following amendment No. A8465:

Amend Bill, page 3, lines 11 and 12, by striking out "assessed price of a property being sold for delinquent taxes" and inserting:
purchase price paid for property being sold for delinquent taxes
Amend Bill, page 3, line 17, by striking out "final assessed price" and inserting:
purchase price paid for property being sold for delinquent taxes

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

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

BILLS OVER IN ORDER

SB 859 and **SB 860** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL AMENDED

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

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

On the question,
Will the Senate agree to the bill on third consideration?
Senator ALLOWAY offered the following amendment No. A8875:

Amend Bill, page 1, line 10, by inserting after "chance,":
repealing provisions relating to prohibition regarding pools,
Amend Bill, page 1, line 11, by inserting after "limits;":
, for distributor licenses
Amend Bill, page 1, line 12, by inserting after "for":
registration of manufacturers and for
Amend Bill, page 1, line 14, by striking out "and,"
Amend Bill, page 1, line 15, by striking out the period after "enforcement" and inserting:
, repealing provisions relating to advertising and further providing for criminal penalties; and, in tavern gaming, further providing for definitions, for licenses, for application, for approval, for change in ownership, for prize limits, for tavern raffle, for distribution of net revenue, for tavern games tax and for reports, providing for e-tab manufacturer requirements and further providing for enforcement and for prohibitions.

Amend Bill, page 2, lines 24 through 28, by striking out all of said lines and inserting:

Section 2. The definitions of "affiliated nonprofit organization," "eligible organization," "games of chance," "major league sports drawing," "major league sports team," "pool" and "tavern games" in section 103 of the act are amended and the section is amended by adding definitions to read:

Amend Bill, page 4, by inserting between lines 5 and 6:
"E-tab." A pull-tab that is played on an electronic pull-tab device.
"Electronic pull-tab device." A hand held, portable electronic device used to play pull-tab games that requires a coded entry to activate play but does not allow the use of coins, currency or tokens to activate play and requires a player to activate or open an e-tab ticket on each individual line, row or column or each ticket.

Amend Bill, page 4, by inserting between lines 14 and 15:
"Games of chance."

(1) Any of the following:

(i) Punchboards, daily drawings, weekly drawings, 50/50 drawings, raffles, tavern games, pools, race night games and pull-tabs, as defined in this act, provided that no such game shall be played by or with the assistance of any mechanical or electrical devices or media other than a dispensing machine or passive selection device and further provided that the particular chance taken by any person in any such

game shall not be made contingent upon any other occurrence or the winning of any other contest, but shall be determined solely at the discretion of the purchaser.

(ii) E-tabs.

(2) This definition shall not be construed to authorize any other form of gambling currently prohibited under any provision of 18 Pa.C.S. (relating to crimes and offenses) or authorized under 4 Pa.C.S. (relating to amusements).

(3) Nothing in this act shall be construed to authorize games commonly known as "slot machines" or "video poker" or other games regulated by the Pennsylvania Gaming Control Board.

Amend Bill, page 5, lines 17 and 18, by striking out all of said lines and inserting:

"Pool." An activity in which a person pays an entry fee for each chance to win cash or merchandise based on the outcome of an event or series of events wherein the participants in the event or series of events are natural persons or animals[, and to which all of the following apply:

(1) The maximum number of individuals that may participate in a pool is 100 people.

(2) The maximum entry fee for each individual entry in a pool is \$20.

(3) Other than the entry fee, no other money or thing of value is paid or given for participation in a pool.

(4) There is at least one guaranteed winner from among the participants.

(5) All entry fees collected for entry into the pool are paid as prizes to one or more participants in the pool.

(6) No entry fees or portions thereof are retained by the person or eligible organization operating the pool.]

"Tavern games." Pull-tabs, tavern daily drawings, 50/50 drawings, e-tabs, pools and tavern raffles.

Section 3. Section 301.1 of the act is repealed:
[Section 301.1. Prohibition regarding pools.

The operation of a pool must comply with the Professional and Amateur Sports Protection Act (Public Law 102-559, 28 U.S.C. § 3701 et seq.) or other Federal law in the operation of or participation in the pool.]

Section 4. Sections 302, 304(g)(1) and 304.1 of the act are amended to read:

Amend Bill, page 6, line 18, by inserting a bracket before "(4)"
Amend Bill, page 6, line 21, by striking out the bracket before "(b)"
Amend Bill, page 6, line 21, by striking out the bracket after "or"
Amend Bill, page 6, line 21, by inserting a bracket after "(c)."
Amend Bill, page 6, line 23, by inserting a bracket before the comma after "may"

Amend Bill, page 6, line 24, by inserting a bracket after "(d)(4),"
Amend Bill, page 7, by inserting between lines 29 and 30:

Section 304. Distributor licenses.

(g) Ineligibility.--The department shall not issue or renew a distributor license for the sale of games of chance to a person, including any corporation, firm or partnership which has as an officer, director or other person in a supervisory or management position, or employee eligible to make sales on behalf of the distributor, who:

(1) has been convicted of a [felony] misdeemeanor in a state or Federal court within the past five years; or

Amend Bill, page 8, line 2, by inserting after "GAME":
or team event

Amend Bill, page 8, line 11, by inserting after "GAME":
or team event

Amend Bill, page 8, line 19, by inserting after "GAME":
team event

Amend Bill, page 8, line 21, by inserting after "GAME":
team event

Amend Bill, page 8, by inserting between lines 25 and 26:

(b.3) Outside sales.--Notwithstanding subsection (b.2), athletic event drawing tickets may be sold prior to a home game or car race in an off-ally designated parking area adjacent to the arena, stadium, grandstand or bleachers or similar facility where the home game or car race is being conducted and which is not separated by a highway or street, unless the highway or street is adjacent to the arena, stadium,

grandstand, bleachers or similar facility.

Amend Bill, page 10, by inserting between lines 14 and 15:

(i) Definition.--As used in this section, the term "team event" means a practice, scrimmage, exhibition, or event at the home stadium or training camp facility of an athletic team under paragraph (1), (2), (3) or (4) of the definition of "athletic team" in section 103.

Amend Bill, page 10, line 15, by striking out "4" and inserting:

5

Amend Bill, page 12, by inserting between lines 6 and 7:

Section 6. Section 305 of the act is amended by adding subsections to read:

Section 305. Registration of manufacturers.

(c) E-tab manufacturer reporting requirements.--

(1) Notwithstanding the provisions of section 501(a), the manufacturer of e-tabs shall submit an annual report to the department for the preceding 12-month period in a form and manner as prescribed by the department.

(2) The report shall be filed under oath or affirmation of the manufacturer and shall include the following information:

(i) The proceeds received by each club licensee from each e-tab game conducted, itemized by week.

(ii) The amount of prizes paid from all e-tab games, itemized by week.

(iii) Any other costs incurred related to the conduct of e-tab games.

(3) The report shall be distributed and published in the manner as provided under section 501(b) and (c).

(f) Records.--A manufacturer of e-tabs shall maintain records as required by the department for the enforcement of this act. Such records necessary to conduct random audits shall be made available to the Bureau of Liquor Control Enforcement, the department and any other entity authorized to enforce or conduct audits under this act.

Amend Bill, page 12, line 7, by striking out "5" and inserting:

7

Amend Bill, page 13, line 13, by inserting a bracket before "three"

Amend Bill, page 13, line 13, by inserting after "three":

] four

Amend Bill, page 13, by inserting between lines 21 and 22:

Section 8. Section 704 of the act is repealed:

[Section 704. Advertising.

It shall be unlawful for any eligible organization or person to advertise the prizes or their dollar value to be awarded in games of chance, provided that prizes may be identified on raffle tickets. Notwithstanding the prohibition of advertising contained within this section, an eligible organization may advertise prizes and values thereof in periodic publications which are limited in their circulation to members of the eligible organization.]

Section 9. Section 707(c) of the act is amended to read:

Section 707. Criminal penalties.

(c) Distributors and manufacturers.--Any person who distributes games of chance without a license or in violation of any provision of this act or applicable regulations, and any manufacturer of games of chance who delivers games of chance for sale or distribution in this Commonwealth who fails to register and obtain a permit therefor is guilty of a [misdemeanor of the first degree] felony of the third degree, provided that no license or permit shall be required for the manufacture or distribution of raffle tickets.

Section 10. Section 902 of the act is amended by adding a definition to read:

Section 902. Definitions.

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

"Eating place licensee." An eating place or hotel as defined in section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, that is licensed to sell liquor under the Liquor Code.

Section 11. Sections 903, 904, 905, 906, 907(b), 908.1, 909, 909.1(a), (b), (c) and (h) and 912 of the act are amended to read:

Section 903. Licenses.

(a) Application.--A restaurant licensee or eating place licensee may apply to the board for a license to conduct tavern games at a licensed premises located in a municipality that has adopted a referendum to allow small games of chance under section 703.

(b) Information.--The application under subsection (a) shall include the following information and must be less than three pages in length:

(1) The name, address and photograph of the applicant.

(2) A current tax lien certificate issued by the department and a certificate from the Department of Labor and Industry of payment of all workers' compensation and unemployment compensation owed.

(3) The details of any license issued under 4 Pa.C.S. Pt. II (relating to gaming), the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, or this act which was applied for or in which the applicant or other owner has an interest.

(4) Certified consent by the applicant, including each owner and officer of the restaurant licensee or eating place licensee, to a Pennsylvania State Police background investigation by the bureau.

(5) Relating to criminal information, disclosure of all arrests and citations of the applicant, including nontraffic summary offenses. The information shall include all of the following:

(i) A brief description of the circumstances surrounding the arrest or issuance of the citation.

(ii) The specific offense charged.

(iii) The ultimate disposition of the charge, including any dismissal, plea bargain, conviction, sentence[, pardon, expungement] or order of Accelerated Rehabilitative Disposition.

(6) Financial interests and transactions as required by the bureau.

(7) Relating to citations of the applicant issued under the Liquor Code.

(8) Relating to disclosure of conditional license agreements entered into under the Liquor Code.

(9) Any other information required by the board.

(c) Duty of bureau.--The bureau shall conduct a background investigation of each applicant, the scope of which shall be determined by the bureau.

(d) Review.--Within [six months] 30 days of receipt of the background investigation report from the bureau, the board shall approve or disapprove the application.

(e) Background investigation.--Each applicant shall include information and documentation as required to establish personal and financial suitability, honesty and integrity. Information shall include:

(1) [Criminal history record information.] A criminal history record information check obtained from the Pennsylvania State Police, as defined in 18 Pa.C.S. § 9102 (relating to definitions) and permitted by 18 Pa.C.S. § 9121(b) (relating to general regulations).

(2) Financial background information.

(3) Regulatory history before the board or other Commonwealth agency.

(4) Other information required by the bureau.

(f) Personal interview.--If the bureau determines that the results of the background report investigation warrant additional review of the individual, the bureau shall conduct a personal interview with the applicant and may request information and interviews from other personal or professional associates.

(g) Cooperation.--The applicant shall cooperate with the bureau as requested during the conduct of the background investigation. Any refusal to provide the information required under this section or to consent to a background investigation shall result in the immediate denial of a license by the board.

(h) [Costs.--The applicant shall reimburse the bureau for the actual costs of conducting the background investigation. The board shall not approve an applicant that has not fully reimbursed the bureau for the investigation.] (Reserved).

(i) Approval.--[The bureau shall transmit the investigative report and may make a recommendation to the board.] The board shall review the information obtained under this section to determine if the applicant possesses the following:

(1) Financial stability, integrity and responsibility.

(2) Sufficient business experience and ability to effectively operate tavern games as part of the restaurant licensee's operator or eating place licensee's operator.

(3) Character, honesty and integrity to be licensed to operate

tavern games in a responsible and lawful manner.

(j) Disapproval.--The board may disapprove the issuance of a tavern gaming license for the following reasons:

(1) A license shall not be issued to a restaurant licensee or eating place licensee whose liquor license is in safekeeping pursuant to section 474.1 of the Liquor Code.

(2) A license shall not be issued to a location that is subject to a pending objection under section 470(a.1) of the Liquor Code.

(3) A license shall not be issued to a location that is subject to:

(i) a pending license suspension under section 471 of the Liquor Code; or

(ii) a one-year prohibition on the issuance or transfer of a license under section 471(b) of the Liquor Code.

Section 904. Application.

(a) Application fee.--An applicant shall pay the board a nonrefundable application fee of [\$1,000.] \$500. If possible, the application should not exceed two pages in length.

(b) Investigative fee.--An applicant shall pay an investigative fee of \$1,000 to the bureau.

(c) Costs.--In addition to the fee under subsection (b), an applicant and any owner and officer of the applicant shall pay for the actual costs of a background investigation conducted by the bureau that exceed the application fee. The bureau may:

(1) Charge an estimated amount to be provided prior to the background investigation.

(2) Submit for reimbursement from the applicant for the additional costs incurred in the background investigation.

(d) Funds.--Funds collected under subsections (b) and (c) shall augment the funds appropriated to the Pennsylvania Gaming Control Board under 4 Pa.C.S. (relating to amusements).]

Section 905. Approval.

(a) Issuance.--Upon being satisfied that the requirements of section 903 have been met, the board may approve the application and issue a tavern games license for a period of one year. [The board may enter into an agreement with the licensee concerning additional restrictions on the license, and this agreement shall be binding on the licensee. Failure of the licensee to adhere to the agreement will be cause for penalties under section 913(c) and for the nonrenewal of the license under section 913(f).]

(b) Renewal.--A license shall be renewed annually. A license renewal shall not require review of the bureau, unless requested by the board. The board may refuse to renew a tavern gaming license for the following reasons:

(1) A license shall not be issued to a restaurant licensee or eating place licensee whose liquor license is in safekeeping under section 474.1 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(2) A license shall not be issued to a location that is subject to a pending objection under section 470(a.1) of the Liquor Code.

(3) A license shall not be issued to a location that is subject to:

(i) a pending license suspension under section 471 of the Liquor Code; or

(ii) a one-year prohibition on the issuance or transfer of a license under section 471(b) of the Liquor Code.

(c) [Fee.--Upon approval, the] Renewal fee.--An approved applicant shall pay [a \$2,000 license fee to be deposited in the General Fund. The annual renewal fee shall be \$1,000.] an annual renewal fee of \$1,000.

(d) Entitlement.--Nothing under this chapter shall be construed to create an entitlement to a license by a person. The board shall have sole discretion to issue, renew, condition, suspend, revoke or deny a license based on the requirements of this chapter and whether the issuance and maintenance of the license are in the best interests of the Commonwealth.

(e) Nontransferability.--A license shall be a grant of privilege to conduct tavern games. A license may not be sold, transferred or assigned to any other person. A licensee may not pledge or otherwise grant a security interest in or lien on the license. The board shall have the sole discretion to issue, renew, condition or deny the issuance of a license.

Section 906. Change in ownership.

(a) Notice.--A licensee shall notify the board of a change of ownership of the premises or sale or transfer of the restaurant license.

(b) Qualification.--The purchaser or transferee of the assets or

premises of a licensee must independently qualify for a license[,] and pay the license fee [and undergo and pay fees and costs for a background investigation] under section 903.

Section 907. Prize limits.

(b) Aggregate prize limit.--No more than [\$35,000] \$50,000 in prizes may be awarded from tavern games by a licensee in a seven-day period.

Section 908.1. Tavern raffle.

The following shall apply to a tavern raffle:

(1) No more than one tavern raffle may be held in a calendar month.

(2) A tavern raffle must be held for a designated charitable purpose.

(3) Each individual participating in the tavern raffle must be informed of the charitable purpose involved.

(4) At least 50% of the net revenues from the tavern raffle shall be transmitted to the designated charity within seven days of the tavern raffle.

(5) Any net revenues not transmitted under paragraph (4) shall be distributed as follows:

(i) [Sixty] Fifty percent shall be paid to the Commonwealth.

(ii) [Thirty-five] Forty-five percent may be retained by the licensee.

(iii) Five percent shall be paid to the Commonwealth and deposited into the restricted receipts account established in section 909.3.

(6) A tavern raffle prize remaining unclaimed by a winner 60 days after the tavern raffle was held shall be donated by the licensee within 30 days to the designated charitable organization for which the tavern raffle was conducted.

Section 909. Distribution of net revenue.

Beginning January 1, 2014, the net revenue from tavern games received by a licensee shall be distributed as follows:

(1) [Sixty] Fifty percent of the net revenue obtained in any calendar year shall be paid to the Commonwealth.

(2) [Thirty-five] Forty-five percent of the net revenue obtained in any calendar year may be retained by the licensee.

(3) Five percent shall be paid to the Commonwealth and deposited into the restricted receipts account established in section 909.3.

Section 909.1. Tavern games tax.

(a) Imposition.--There is imposed a tax of [60%] 51% of the net revenue from tavern games sold by a licensed distributor to a licensee within this Commonwealth. Sales tax may only be charged on the licensed distributor's fee on the cost of tickets.

(b) Collection.--The tax imposed under subsection (a) must be collected by the licensed distributor from the licensee in an instance where the tavern game is required to be purchased from a licensed distributor under this act and must be paid over to the Commonwealth[.] with the Commonwealth distributing 5% of the net revenue specified under subsection (a) to the State Lottery Fund.

(c) Other games.--In an instance where the tavern game is not required to be purchased from a licensed distributor under this act, a tax of [60%] 55% is imposed upon the net revenue from tavern daily drawings and tavern raffles under section 908.1 and must be paid to the Commonwealth by the licensee.

(h) Penalties and interest.--If a licensee or licensed distributor fails to file the return required under subsection (e) or fails to pay the tax imposed under subsection (a) or (c), the department may do the following:

(1) assess the amount of tax due;

(2) impose and assess an administrative penalty equal to 10% of the tax due but unpaid for each quarter or fraction thereof that the tax remains unpaid together with interest at the rate established under section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, on the tax from the time the tax became due. The penalty provided in this paragraph must be added to the tax and assessed and collected at the same time and in the same manner as a part of the tax. Unless otherwise specified, the tax must be assessed, collected and enforced by the department under the provisions of Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971;

- (3) [notify the board that a licensee has not filed returns or has not paid tax. The board may] suspend or revoke a licensee's license; or
- (4) revoke a licensed distributor's license.

Section 912. Reports.

A licensee shall submit an annual report to the [board and the] department for the preceding year on a form and in a manner prescribed by the department. The department shall develop a schedule for the submission of the annual report. The report shall include:

- (1) Prizes awarded as required under section 335 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.
- [(2) Net revenue received from each tavern game conducted, itemized by week.
- (3) Amount of prizes paid from all tavern games, itemized by week.]
- (4) Amount of tax remitted to the department.
- (5) Amount given to designated charities from tavern raffles.
- (6) Other information as required by the department.

Section 12. The act is amended by adding a section to read:

Section 912.1. E-tab manufacturer requirements.

(a) Manufacturer reporting requirements.--

(1) Notwithstanding the provisions of section 501(a), the manufacturer of e-tabs shall submit an annual report to the department for the preceding 12-month period in a form and manner as prescribed by the department.

(2) The report shall be filed under oath or affirmation of the manufacturer and shall include the following information:

- (i) The proceeds received by each licensee from each e-tab game conducted, itemized by week.
- (ii) The amount of prizes paid from all e-tab games, itemized by week.
- (iii) Any other costs incurred related to the conduct of e-tab games.

(3) The report shall be distributed and published in the manner as provided under section 501(b) and (c).

(b) Records.--A manufacturer of e-tabs shall maintain records as required by the department for the enforcement of this act. Such records necessary to conduct random audits shall be made available to the Bureau of Liquor Control Enforcement, the department and any other entity authorized to enforce or conduct audits under this act.

Section 13. Sections 913 and 914 of the act are amended to read: Section 913. Enforcement.

(a) Board.--The board may, following notice and hearing, impose penalties or suspend or revoke a license under this chapter.

[(b) Authority of department.--Notwithstanding any law to the contrary, the department may report violations of this chapter to the board and to the Bureau of Liquor Control Enforcement.]

(c) [Penalties] Civil penalties.--The board may impose a civil penalty for a violation of this chapter in accordance with the following:

- (1) Up to [\$2,000] \$800 for an initial violation.
- (2) Up to [\$3,000] \$1,000 for a second violation.
- (3) Up to [\$5,000] \$2,000 for a third or subsequent violation.

(d) Criminal penalty.--A violation of this chapter shall be a misdemeanor of the third degree. A second or subsequent offense shall be a misdemeanor of the second degree.

[(e) Administrative law judge.--An administrative law judge under section 212 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, may impose the penalties under this section following the issuance of a citation by the Bureau of Liquor Control Enforcement.]

(f) Suspension, revocation or failure to renew.--

(1) In addition to any other sanctions the board may impose under this chapter [or under the Liquor Code], the board may, at its discretion, suspend, revoke or deny renewal of any license issued under this chapter if it receives any information from any source and determines that:

- (i) The applicant or any of its officers, directors, owners or employees:
 - (A) Is in violation of any provision of this chapter.
 - (B) Furnished the board with false or misleading information.
- (ii) The information contained in the applicant's initial application or any renewal application is no longer true and correct.

(2) In the event of a revocation, suspension or failure to renew, the applicant's authorization to conduct the previously approved activity shall immediately cease, and all fees paid in connection there-

with shall be deemed to be forfeited. In the event of a suspension, the applicant's authorization to conduct the previously approved activity shall immediately cease until the board has notified the applicant that the suspension is no longer in effect.

(3) The board shall immediately and permanently revoke a license issued under this chapter if the licensee has committed four or more violations of this chapter in a two-year period.

(g) Law enforcement officials.--Nothing in this chapter may restrict or limit the power of a State, county or local law enforcement official to conduct investigations and file criminal charges under this chapter.

(h) Violations.--

(1) Except as provided in paragraph (2), a violation of this chapter by a restaurant licensee or eating place licensee shall not constitute a violation of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(2) If a restaurant licensee or eating place licensee has committed four or more violations of this act, the bureau may enforce a violation of this chapter as a violation of the Liquor Code.

Section 914. Prohibitions.

The following shall apply to any license authorized or issued under this chapter:

(1) No license may be issued to a restaurant licensee or eating place licensee whose place of business is located in a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions).

(2) No license may be issued to a place of business on the grounds of a facility where a major league sports team conducts games or races.

(3) No license may be issued to a place of business that has been decreed a nuisance pursuant to section 611 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(4) The board shall be prohibited from issuing a license to any person who has been convicted of a felony offense or misdemeanor gambling offense in any jurisdiction unless 15 years have elapsed from the date of conviction of the offense.

(5) It shall be unlawful for an individual under 21 years of age to play or attempt to play or otherwise participate in a tavern game.

(6) It shall be unlawful for a licensee to permit an employee under 18 years of age to operate tavern games.

(7) It shall be unlawful for an owner, officer or employee of a licensee to sell, operate or otherwise participate in the conduct of tavern games if the employee has been convicted in any jurisdiction of a felony or a misdemeanor gambling offense unless 15 years have elapsed from the date of conviction of the offense.

(8) It shall be unlawful for an owner or officer of a licensee or for an employee of the licensee who operates the tavern game to participate in the game. This paragraph shall not apply to a raffle.

Amend Bill, page 13, line 22, by striking out "6" and inserting:

14

Amend Bill, page 13, line 25, by striking out "7" and inserting:

15

On the question,

Will the Senate agree to the amendment?

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

YEA-26

Alloway	Costa	Laughlin	Vogel
Argall	DiSanto	McGarrigue	Vulakovich
Bartolotta	Eichelberger	Mensch	Ward
Boscola	Folmer	Regan	White
Brewster	Fontana	Resenthaler	Yaw
Browne	Killion	Scarnati	
Corman	Langerhole	Stefano	

NAY-23

Aument	Gordner	Martin	Street
Baker	Greenleaf	McIlhinney	Tartaglione

Blake	Haywood	Rafferty	Tomlinson
Brooks	Hughes	Sabatina	Williams
Dinniman	Hutchinson	Scavello	Yudichak
Farnese	Leach	Schwank	

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

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

BILLS OVER IN ORDER

SB 884, SB 891, HB 983, HB 994, HB 1034, SB 1047, SB 1074, SB 1098 and HB 1124 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1126 (Pr. No. 1638) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, I ask if the maker of the bill will offer himself for interrogation.

The PRESIDENT. Senator Reschenthaler indicates he will. Senator, you may proceed.

Senator DINNIMAN. Mr. President, I was wondering why the maker of the bill, knowing that every conservation agency in the southeast, knowing that this is the major issue concerning the PUC and PHMSA, if he could explain why he supports this bill.

POINT OF ORDER

Senator WILLIAMS. Mr. President, I ask for us to be at ease very briefly.

The PRESIDENT. Senator Williams asks for the Senate to be at ease.

(The Senate was at ease.)

Senator DINNIMAN. Mr. President, no, excuse me, sir, and I apologize to you, Senator Reschenthaler. I looked at the name and you are the second bill and now you know my question, so I will look forward to your interrogation.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

SB 1169 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1232 (Pr. No. 3782) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for establishment of Statewide toll-free telephone number, for disposition and expunction of unfounded reports and general protective services 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.

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

Senator SCHWANK. Mr. President, I rise to speak in support of House Bill No. 1232, and I do not think this bill is necessarily controversial, but I want to point out some aspects of this bill that I know matter very much to my colleagues here in the Senate. House Bill No. 1232 continues Pennsylvania's long practice that recognizes the importance of a plan of safe care being developed for an infant born affected by prenatal drug exposure before the infant is discharged from the hospital. This bill continues to promote a public health approach and once again stipulates that in Pennsylvania, lawmakers have not, and will not, hopefully, equate the co-occurrence of drug use and pregnancy as child abuse. This legislation reinforces that Pennsylvania is committed

to a public health approach to address the health, safety, and early childhood development needs of infants and their families.

I have to catch myself on this occasionally, Mr. President, because I say it, and I hear other people say it, babies are not born addicted. They do not choose to have drugs in their blood system. That invites stigma for the infant, and, more importantly, for the mother of the infant as well. Babies, however, can be born dependent on a substance, and some experience actual withdrawal symptoms, which may be known as neonatal abstinence syndrome or NAS. A baby can be born dependent to drugs that are taken illegally, such as heroin, or in the best possible case, when the mother is addicted, she is taking prescribed drugs to help treat that opioid disorder; for example, taking methadone. Stigma is one of the biggest challenges faced in fighting the opioid crisis, and stigma is so magnified for a woman who is pregnant and also battling a substance-use disorder. I know that our goal is to make sure that everybody in the Commonwealth, in particular our infants who are born dependent on opioids, are given the best chance for a better life. That means that the mother receives treatment and the infant receives the treatment that may be required as well. That is a part of this bill. So I am happy to support it.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Corman requests a legislative leave for Senator Martin. Without objection, the leave will be granted.

And the question recurring,
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.

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 CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1644 (Pr. No. 3783) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in civil actions and proceedings, extensively revising statutory arbitration and providing for collaborative law process.

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-47

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

NAY-2

DiSanto Laughlin

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

Ordered, That the Secretary of the Senate 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 REREFERRED

HB 1659 (Pr. No. 3461) -- The Senate proceeded to consideration of the bill, entitled:

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

Upon motion of Senator CORMAN, and agreed to by voice vote, the bill was rereferred to the Committee on Rules and Executive Nominations.

BILLS OVER IN ORDER

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1898 (Pr. No. 3784) -- 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 licensure cost.

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

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

BILL REREFERRED

HB 2138 (Pr. No. 3328) -- The Senate proceeded to consideration of the bill, entitled:

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

Upon motion of Senator CORMAN, and agreed to by voice vote, the bill was rereferred to the Committee on Rules and Executive Nominations.

SECOND CONSIDERATION CALENDAR RESUMED

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 2078 (Pr. No. 3746) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 2079 (Pr. No. 3142) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 2080 (Pr. No. 3143) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 2081 (Pr. No. 3144) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 2082 (Pr. No. 3325) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2083 (Pr. No. 3146) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2084 (Pr. No. 3147) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2085 (Pr. No. 3148) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2086 (Pr. No. 3745) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2121 (Pr. No. 3747) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

HB 2242 (Pr. No. 3748) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2243 (Pr. No. 3749) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2244 (Pr. No. 3750) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2245 (Pr. No. 3751) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

HB 2246 (Pr. No. 3752) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 2 and **HB 26** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 83 (Pr. No. 2769) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds, issue of bonds and notes, maturity and interest.

Considered the second time and agreed to,

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

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 249 (Pr. No. 242) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, further providing for emergency vehicles.

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

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

BILL OVER IN ORDER

SB 255 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 353 (Pr. No. 3779) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for professional prescription, administration, and dispensing.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

HB 544, SB 575, SB 576, SB 714, SB 820, SB 917, HB 927, SB 930, SB 931, SB 933 and **HB 939** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

SB 963 (Pr. No. 1352) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for schedule of compensation and for physical examination or expert interview.

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

SB 963 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 963, Printer's No. 1352, 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 980, SB 1043 and SB 1079 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 1096 (Pr. No. 1897) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

BILLS OVER IN ORDER

SB 1134 and SB 1199 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 1209 (Pr. No. 1886) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program; and requiring the Pennsylvania State Police to complete and submit a report.

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

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

BILLS OVER IN ORDER

HB 1216 and HB 1460 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 1646 (Pr. No. 3568) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for suspension of operating privilege; in rules of the road in general, further providing for speed

timing devices and providing for automated speed enforcement systems; and, in miscellaneous provisions, further providing for careless driving.

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

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

BILLS OVER IN ORDER

HB 1958, HB 2050 and HB 2124 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED

HB 2468 (Pr. No. 3676) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

MENSCH AMENDMENT A8493

Senator MENSCH offered the following amendment No. A8493:

Amend Bill, page 2, line 28, by striking out "No agency of the Commonwealth," and inserting:

Except as provided in subsection (g), no

Amend Bill, page 3, line 30; page 4, lines 1 and 2; by striking out "Emergencies exception.--This section shall not apply to" in line 30 on page 3 and all of lines 1 and 2 on page 4 and inserting:

Exceptions.--This section shall not apply to any of the following:

(1) Emergency projects where, in the discretion of the condemning entity, the taking is reasonably necessary for the protection of life or property.

(2) Condemnations by an agency of the Commonwealth for any purpose.

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

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

RESCHENTHALER AMENDMENT A8858

Senator RESCHENTHALER offered the following amendment No. A8858:

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

The condemnation approval specified by this subsection shall not be required for any public utility facility or other project that is subject to approval by a Federal agency, the necessity for the propriety and environmental effects of which has been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission, regardless of whether the right to

establish and maintain such underground or other public utility facility is obtained by condemnation or by agreement with the owner.

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

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

Senator RESCHENTHALER. Mr. President, I am standing in anticipation of interrogation.

The PRESIDENT. Okay, it may or may not happen. Let us see. We cannot completely count on the past.

The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. It will happen, Mr. President.

The PRESIDENT. It will happen. So we all know Senator Reschenthaler has already agreed. Senator Dinniman is ready to go. Let us take it from the top.

Senator DINNIMAN. Mr. President, a very polite interrogation, by the way.

The PRESIDENT. Of course.

Senator DINNIMAN. I wonder if Senator Reschenthaler is aware of the tremendous environmental damage and other types of damages done to property owners in the southeast when the Public Utility Commission allowed the Mariner I line to be declared a utility.

POINT OF ORDER

Senator CORMAN. Mr. President, point of order.

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman, with a point of order.

Senator CORMAN. Mr. President, I know the issue that the gentleman brings up is very important, but I do not think that it has anything to do with the amendment that is before us. If he has a question on the amendment which the interrogation is for, I suggest that he ask a question referring to the amendment.

The PRESIDENT. The question, I think, is still in order, and it is up to Senator Reschenthaler if he wishes to address that.

Senator DINNIMAN. Mr. President, I can make it easier by asking it this way: Is Senator Reschenthaler aware that the PUC declares pipelines which cross environmental easements, as well as other areas, has allowed these pipelines, the Mariner Pipeline, to be declared a public utility with the right of eminent domain?

The PRESIDENT. Senator Reschenthaler, do you understand the question?

Senator RESCHENTHALER. Yes, Mr. President, I do. It is for that reason that this amendment has nothing do with the Mariner East Pipelines, either of them, because Mariner East I and II are already declared a public utility. It is actually outside the purview of not only the underlying bill, but also the amendment.

If I can explain the amendment a little bit more, it might shed some light on the amendment.

The PRESIDENT. You are still in order.

Senator RESCHENTHALER. Mr. President, the underlying bill's stated purpose, and it is in the cosponsorship memo, it says, and I quote, "Two school districts in the Commonwealth have decided to use Eminent Domain to condemn privately owned land permanently preserved by conservation easements held by local land trusts, over the objections of many residents of the

communities." My amendment simply narrows the bill for the express purpose of preventing schools from taking land through eminent domain that has been declared conservatory land.

Now, the amendment itself does not change existing law. If it is a Federal pipeline or Federal overhead lines that go through FERC, the process is already in place. Before eminent domain is used, there has to be an action in Federal court. Also, if it is a State project and it is dealing with the PUC and not interstate, you have to go to Commonwealth Court. So there are already procedures in place. This changes nothing in the existing law. All it does is it focuses the underlying bill to make sure that PUC and FERC projects still go through the same rigorous approval process that they do now.

Senator DINNIMAN. Mr. President, is the gentleman aware that on behalf of my constituents, Senator Rafferty's constituents, Senator Killion's constituents, Senator McGarrigle's constituents, that I went before the PUC administrative judge with this question and my concern about pipelines crossing any area which has a conservation easement, because this is not just schools in this bill. The schools were the reason for the bill, but it is intended that any conservation easement that is crossed would end up in Orphans' Court because, in essence, it is a type of trust. My concern was that once you have declared the pipelines to be a public utility with the right of eminent domain, we are going across land that was trust and was conservation, and your amendment would allow the current PUC practice, which we are now before the PUC, the administrative judge saying -- being affirmative to my concerns about the environmental and safety impact of these lines, including those which would go through easements on its journey through the southeast, the answer was affirmative by the PUC administrative judge and now it goes before the full commission. So my question is why have you decided, since it is a current controversy--

The PRESIDENT. Senator, please--

Senator DINNIMAN. Mr. President, I am asking a question.

The PRESIDENT. Do not address--I know you understand this, Senator, and it is perfectly natural when you are having a discussion, but even though it comes across as overly formal, you cannot say in fact, "your amendment," or "the amendment--

Senator DINNIMAN. Mr. President, I simply have asked the question, are you aware? And you have answered it, so my interrogation ends, so let me get to the point.

The PRESIDENT. Senator Reschenthaler, the Chair thanks you for standing for interrogation. If you are finished with your remarks with regard to your amendment?

Senator RESCHENTHALER. Mr. President, I am.

The PRESIDENT. Senator Dinniman, the floor is yours.

Senator DINNIMAN. Mr. President, the concern is this: when we are in the middle of a controversy and a bill is put in which is of great concern to us in the southeast, a bill which was meant to insure the integrity of the land that is being conserved, that bill that the environmental organizations within our region have asked for and Representative Kampf had put in, and I have submitted the same bill today for consideration in the Senate, this amendment hurts us in the southeast because there is no question that as we try to conserve land, in my county 28 percent of the land is preserved in perpetuity as open space and it is hard to put a utility anywhere without going through a significant portion of the land. The purpose of this was not just about schools. The schools brought it on both in Cumberland County and in Chester

County. In fact, the school issue right now is being negotiated, but the protection of open space is the most unifying issue in Chester County, and in districts I share with others, it crosses party lines, and it has always been as part of what we stand for.

Now, when we see our conservation easements threatened by any organization, especially the PUC, which declares a pipeline a public utility and thus gives it the right of eminent domain, which means that it can go anywhere that it wishes to go, and when in the process wells have gone dry, huge sinkholes have come about, including on land that has easements, and people have been forced to leave their homes, we look at, or I look at, and certainly my constituents look at an amendment being put in which supposedly is saying the obvious, that the PUC and others have such authority, as negative to all of us in the southeast.

This amendment was put in, Mr. President, to protect environmental easements. By specifically stating that the PUC and FERC--and I am concerned mostly about the PUC at this point, because it is the PUC which declares the utility and grants them eminent domain status. By putting this in, it is making a statement in the middle of an issue that concerns not only myself, but several other Senators in the southeast, especially after an administrative judge, after hearing testimony from all, made a decision that our environmental concerns of eminent domain and where this is placed is of merit and it is now before the whole PUC commission. This is not just a slap in the face, it seems to me, to my constituents, and others, but is actually almost an affirmation by this body of those who would oppose what that ruling is. When this amendment is put in at the same time that bills that I and Senator Rafferty have put in concerning the regulation of these pipelines that would go across such environmental easements in all land have been refused to be taken up by the Majority, when they pass the Committee on Consumer Protection and Professional Licensure unanimously, when those of Senator Rafferty pass the Committee on Judiciary unanimously, and we cannot get their consideration, and yet, something that affirms in the middle of this case, this amendment, is brought before the Senate, I rise to oppose the amendment.

I have deep respect for Senator Reschenthaler. He is a fine and capable individual, but I am getting a little tired of certain interests being able to control what is a major concern for us in the southeast. We want the prosperity that comes from the Marcellus Shale. We believe the Commonwealth is going to have its cake and eat it, but we have to be respectful to our citizens. We have to make sure that the environmental and the safety factors are taken into account. We are in a region that does not have an impact fee, and I do not see this body giving us such an impact fee.

Mr. President, to conclude, there are 70,000 individuals now on social media concerning this issue that I brought before the PUC. When our own county commissioners, township after township, the association of township officials in Chester County, when this pipeline and others could be declared a public utility go adjacent to our public schools and libraries, then there is concern about safety. All I am saying is, I do not want to see another affirmation of the PUC authority in this area when we are doing everything possible to represent our constituents.

You know, Pennsylvania is an area that has many interests, and the only time that we can economically succeed, and directly succeed, is if we respect the interests of all regions, not slap people in the face who have concerns from particular regions, and

then we come together, and when we do that, we will see the prosperity that can come from this blessing of natural resources. But there is a fight going on right now, the PUC is in the center of it, it is going to make a further decision through the whole board, and I look at this as an affirmation to assert an opinion contrary to what the administrative judge has given.

So, I oppose this, Mr. President, and I know that there are others in the southeast who feel the same way as I do. Let us respect the southeast the same way we respect other areas of Pennsylvania. Let us work together so we can all prosper from what this resource will bring to each and every citizen, but do it in a safe, do it in a respectful way, and do not interfere in the middle of cases which are determining those questions, and understand that there are some places such as Chester County where a third of our land is under conservation easements, and that is our goal, and we are already at 28 percent. In Berks County, Montgomery County, we all are moving in that direction.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I agree with my friend, colleague, and partner from Chester County on a number of pieces of legislation we have worked on. This bill began in the House of Representatives, and the National Land Trust was really behind this bill being written, this bill being passed and coming over to the Senate. The National Land Trust has sent out a press release asking for a "no" vote on the amendment, and I certainly respect my friend and colleague from Allegheny County, Senator Reschenthaler, who is a very thoughtful individual, for his reasoning behind it. I disagree with him on it, which is part of what the debate of this Senate is all about. With the National Land Trust taking the position they are; and based on some of the comments from my colleague, I am asking for a "no" vote on the amendment.

Thank you, Mr. President.

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

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

YEA-38

Alloway	Corman	Langerhole	Tartaglione
Argall	Costa	Laughlin	Vogel
Aument	DiSanto	Martin	Vulakovich
Baker	Eichelberger	Regan	Ward
Bartolotta	Farnese	Reschenthaler	White
Blake	Folmer	Sabatina	Williams
Boscola	Fontana	Scarnati	Yaw
Brewster	Gordner	Scavello	Yudichak
Brooks	Hughes	Stefano	
Browne	Hutchinson	Street	

NAY-11

Dinniman	Killion	McIlhinney	Schwank
Greenleaf	Leach	Mensch	Tomlinson
Haywood	McGarrigle	Rafferty	

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

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

It was agreed to.

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

SENATE RESOLUTION No. 394, ADOPTED

Senator CORMAN, without objection, called up from page 17 of the Calendar, **Senate Resolution No. 394**, entitled:

A Resolution designating the Commonwealth of Pennsylvania as a Purple Heart State and recognizing August 7th as "Purple Heart Day" in Pennsylvania.

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 rise today to recognize and salute those brave souls who gave their lives for the freedoms and liberties we have and enjoy today. Throughout our history, Pennsylvania's men and women have bravely served in our military and fought for this great country. Since World War I, more than 32,000 Pennsylvania veterans were killed in combat, and more than 59,000 were wounded during our country's major conflicts.

As a symbol of their sacrifice and remembrance of all they gave to us in this country, these Pennsylvania veterans are eligible for the Purple Heart. The original Purple Heart was designated as the badge of military merit and was established by George Washington as a formal way to recognize the heroic contributions of regular soldiers, rather than just solely members of the officer class. General Washington said the road to glory in a patriot army and a free country is thus open to all. Close to 150 years later in 1932, the Army, at the behest of General Douglas MacArthur, established the Purple Heart as a way to honor the service of those who sacrificed their lives and well-being in the service of their country and were killed or wounded during combat.

The mission of the Military Order of the Purple Heart, chartered by an act of Congress, is to foster an environment of goodwill among combat-wounded veterans and their families to promote patriotism, to support legislative initiatives, and, most importantly, to insure that we never forget the sacrifices of veterans killed in action or wounded in combat. More than 14 States across the United States have honored their combat military veterans killed or wounded by proclaiming their States to be Purple Heart States. In addition, the Purple Heart Trail was established in 1992 by the Military Order of the Purple Heart to be a symbolic trail throughout all 50 States to commemorate and honor all men and women who have been wounded or killed in combat while serving in the United States Armed Forces. In Pennsylvania, Route 45 from the towns of Water Street to Lewisburg is designated as part of the Purple Heart Trail.

The Commonwealth of Pennsylvania takes great pride in our fellow statesmen and women who have valiantly served, and we

honor the service and sacrifices of our nation's men and women in uniform who have been wounded or killed while serving to protect the freedoms we all enjoy as Americans.

I am proud to stand and say today, through this resolution, we are designating the Commonwealth of Pennsylvania as a Purple Heart State, and we recognize August 7 as "Purple Heart Day" here 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.

LEAVE OF ABSENCE

Senator WILLIAMS asked and obtained a leave of absence for Senator HUGHES, for the balance of today's Session, for personal reasons.

BILLS REPORTED FROM COMMITTEES

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

SB 668 (Pr. No. 1830) (Rereported)

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, further providing for definitions; repealing provisions related to approval of drugs; providing for imaging test; and further providing for exemptions and exceptions.

SB 1095 (Pr. No. 1894) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams.

HB 863 (Pr. No. 1930) (Rereported)

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, in definitions, further providing for definitions; in qualifications and applications for licenses and registration certificates, further providing for qualifications for license; in duties of licensees, further providing for comparative market analysis disclosure and providing for broker price opinion; in Real Estate Recovery Fund, further providing for establishment of the fund; and making related repeals.

HB 1782 (Pr. No. 3324) (Rereported)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, providing for alternative ratemaking for utilities.

HB 1851 (Pr. No. 3797) (Rereported) (Amended)

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 for definitions and providing for scheduling conference, for budget estimate and revisions, for billing invoices and for annual examination and analysis report and for the Pennsylvania Professional Liability Joint Underwriting Association; and making a related repeal.

HB 2133 (Pr. No. 3107) (Rereported)

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.

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

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.

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

SB 1011 (Pr. No. 1824) (Rereported) (Concurrence)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for rights of victims of crime.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1011 (Pr. No. 1824) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for rights of victims of crime.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1011?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1011.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 1782 (Pr. No. 3324) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, providing for alternative ratemaking for utilities.

On the question,

Will the Senate agree to the bill on third consideration?

STEFANO AMENDMENT A7573 OFFERED

Senator STEFANO offered the following amendment No. A7573:

Amend Bill, page 4, lines 28 and 29, by striking out "AND BE CONSISTENT WITH THE EFFICIENT CONSUMPTION OF UTILITY SERVICE"

Amend Bill, page 5, line 5, by inserting after "APPROVE":

modify or reject

Amend Bill, page 5, by inserting between lines 16 and 17:

(2) A utility that files an application in a base rate proceeding to establish alternative rates and rate mechanisms must demonstrate that it has utilized an alternative rates and rate mechanisms design process which allowed for review and comment from all interested stakeholders. An alternative rates and rate mechanisms design process shall include the following:

(i) Identification of the regulatory policy goals to be achieved by the alternative rates and rate mechanisms, including customer focus, operational effectiveness, public policy responsiveness and financial performance.

(ii) Identification of the desired regulatory outcomes, including how the alternative rates and rate mechanisms will affect ratepayers.

(iii) Identification of metrics and reporting that will be used to measure the utility's performance in achieving the outcomes. Each metric shall be quantifiable, verifiable and controllable by the utility.

(iv) Identification of consumer protections proposed for the alternative rate mechanism.

Amend Bill, page 5, line 17, by striking out "(2)" and inserting:

(3)

Amend Bill, page 5, line 24, by striking out "(3)" and inserting:

(4)

Amend Bill, page 5, by inserting between lines 29 and 30:

(5) An alternative rate mechanism shall be implemented in a manner that does not unreasonably discriminate against one customer class for the benefit of another and that avoids unreasonable intraclass and interclass shifting.

Amend Bill, page 6, lines 16 through 18, by striking out "BY REGULATION" in line 16, all of line 17 and "APPROVAL OF AN APPLICATION TO ESTABLISH ALTERNATIVE RATES" in line 18 and inserting:

shall begin a rulemaking to establish regulations to implement this section

Amend Bill, page 6, line 30; page 7, lines 1 and 2; by striking out "WHICH MAY" in line 30 on page 6, all of line 1 and "FLUCTUATIONS IN THE NUMBER OF CUSTOMERS SERVED" in line 2 on page 7

Amend Bill, page 7, lines 7 through 9, by striking out "WHICH MAY INCLUDE, BUT NOT LIMITED TO," in line 7, all of line 8 and "CUSTOMERS SERVED" in line 9

Amend Bill, page 7, line 21, by striking out "FINANCIAL OR"

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

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I rise today and offer this amendment to add much-needed consumer protection to House Bill No. 1782. Consumer protection has been a part of every major utility bill that has been considered in this body. They are essential to insure that consumers on the residential and industrial side of the energy market are protected from ever-increasing rates for essential utilities. Just 2 weeks ago, I, like many of you, was unaware of this issue. A major industrial company from my district came in to see me and informed me that this bill, as written, would severely impact Pennsylvania's standing when it comes to future capital investment and in the decision to locate here in Pennsylvania. This company employs hundreds in my district and thousands across Pennsylvania. This is an unacceptable potential outcome from this bill that we are asked to consider today. So, working with the Office of Consumer Advocate, the Small Business Advocate, the PA Manufacturing Association, and other consumer groups, I introduced this amendment.

This amendment does not stop alternative ratemaking from taking place, which in and of itself is a good idea. Instead, it insures that consumer protections are continued to be inserted in the process. It gives the PUC the flexibility, as they have in other instances, to modify proposals instead of approving or rejecting them as currently written. It puts alternative ratemaking through the rulemaking process instead of leaving it to the much more fluid policy process. It codifies the cost shifting between consumer classes, and it should be avoided. If the detractors of this amendment are right and it is redundant, which I do not believe that it is, then what is the harm of it? We should give as much guidance as we can to the PUC, not because we do not trust them, but we cannot predict its future makeup or composition. We will be the ones who are called when rates rise without warning after alternative ratemaking is implemented. We will be the ones to be held accountable if consumer protection is not part of this bill.

I am not going to pretend to be an expert in this field. This is a major shift in policy that we are being asked to consider during the heat of the budget season, when few of us have the ability to spend the time that is required to truly understand this issue. Because I am not overly familiar with this industry, I take the utilities at their word that this bill is needed and it would be very good for them, which means then that I must also weigh in the concerns of the industrial consumers who have told us that this bill, unamended, would be very detrimental to their business. I am not changing the underlying purpose of this bill, I am merely adding consumer protections to the bill to insure that all sides are able to continue to prosper under this legislation. For these reasons, I respectfully ask for your support on this amendment.

Thank you, Mr. President.

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

Senator TOMLINSON. Mr. President, House Bill No. 1782, the underlying bill, is a pretty simple bill. It passed the House by 191 to 1. The bill authorizes the Pennsylvania PUC to consider a range of alternative ratemaking tools that are already in use in

the majority of other States. It requires utilities to give notice to customers at the time of the filing with the PUC, the PUC decision on the filing, and the summary of rate adjustments if approved. According to the requirements of the underlying bill, this can only be done through a base rate case that takes all aspects of a utility's rate filing into consideration. In these rate cases, all stakeholders have the right to challenge the utility's proposal through public hearings, discovery, direct testimony, and interrogatories. It is a full litigation procedure with all of the customary consumer protections afforded now, none of those change. In rate cases, the burden of proof is still with the utility and will remain with the utility. To demonstrate that, all costs included in this are reasonable and prudent. Mr. President, House Bill No. 1817 does not change this well-established process. It, in fact, requires that any alternative rate and rate mechanisms must be established in accordance with a base rate proceeding.

I think the amendment is misplaced. I think it is misunderstood. I think the only thing you can possibly get out of this is that it will shift the burden from the large industrials to the residential rates quicker, which is a rate increase for your residential customer.

Mr. President, I oppose the amendment.

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

Senator BOSCOLA. Mr. President, I also rise to oppose the amendment to House Bill No. 1782. As the Minority chair of the Committee on Consumer Protection and Professional Licensure, this language has been thoroughly vetted in committee, and we even included a letter to the PUC seeking responses on the assertion of the original proposal. So, I have several concerns with this language, but in effect, my biggest concern is this would totally undercut the purpose of having alternative rate mechanisms in place in the first place. Now, as you see, the bill, as written, codifies a process which the PUC has ultimate jurisdiction over, and as part of a rate base, the PUC can approve, modify, or reject an alternative rate application. In essence, what this would do, and this is what concerns me, is that the language that is in the amendment pertains to customer class cross shift, so ultimately what you are going to see is the residential customer paying more, and that is egregious. So I think if you really look at this amendment, the bill has been totally vetted in the House, here, and we do not want to see residential customers paying more. Thank you.

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

Senator WILLIAMS. Mr. President, I join with a bipartisan effort to make sure that ratepayers, consumers, consumer protection in its truest form, is respected. With all due respect, those who fall in the category of loving industrialists, great. Those who fall in the category of wanting to protect people on fixed incomes, working-class people, veterans, et cetera, I fall in that class.

The reality is that a short study in 2 weeks is impossible. We got specific direction from people who have done this for generations. The PUC, which we all recognize is the best expert of all, is opposed to this. So, frankly, I am not sure even why it has gotten this far, but to the extent that it has arrived at this point, I am asking all of my Members on this side of the aisle to be in opposition to this particular amendment. Thank you.

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

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

YEA-15

Alloway	Eichelberger	Hutchinson	Stefano
Argall	Folmer	Langerhole	Vulakovich
Brooks	Gordner	Laughlin	Ward
DiSanto	Greenleaf	Resenthaler	

NAY-33

Aument	Dinniman	Mensch	Tomlinson
Baker	Farnese	Rafferty	Vogel
Bartolotta	Fontana	Regan	White
Blake	Haywood	Sabatina	Williams
Boscola	Killion	Scarnati	Yaw
Brewster	Leach	Scavello	Yudichak
Browne	Martin	Schwank	
Corman	McGarrigle	Street	
Costa	McIlhinney	Tartaglione	

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

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

BILL AMENDED

HB 2477 (Pr. No. 3778) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator FOLMER offered the following amendment No. A8179:

Amend Bill, page 7, line 10, by striking out "AND" and inserting a comma

Amend Bill, page 7, line 10, by inserting after "PLANTS":
and medical marijuana products

Amend Bill, page 7, line 11, by striking out "AND" and inserting a comma

Amend Bill, page 7, line 11, by inserting after "PLANTS":
and medical marijuana products

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

MOTION PURSUANT TO SENATE RULE 12

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

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 2, House Bill No. 1851, and move the Senate proceed to consider House Bill No. 1851, notwithstanding the provisions of Senate Rule 12(m)(2).

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1851 (Pr. No. 3797) -- 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 for definitions and providing for scheduling conference, for budget estimate and revisions, for billing invoices and for annual examination and analysis report and for the Pennsylvania Professional Liability Joint Underwriting Association; and making a related repeal.

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-47

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

NAY-1

Laughlin

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

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

HB 104 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 104, Printer's No. 2952, 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.

**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 STATE ATHLETIC COMMISSION

April 10, 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, Rudy Battle, 319 West Mt. Pleasant Avenue, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years, and until his successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE STATE ATHLETIC COMMISSION

April 9, 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, Joel L. Frank, 1222 Bridgewater Drive, West Chester 19380, Chester County, Ninth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years, and until his successor is appointed and qualified.

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 certain 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 STATE ATHLETIC COMMISSION

April 10, 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, Rudy Battle, 319 West Mt. Pleasant Avenue, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years, and until his successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE STATE ATHLETIC COMMISSION

April 9, 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, Joel L. Frank, 1222 Bridgewater Drive, West Chester 19380, Chester County, Ninth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years, and until his successor is appointed and qualified.

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-48

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

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.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

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

SB 899 (Pr. No. 1906) (Amended)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for older adults protective services and imposing penalties; and making a related repeal.

HB 296 (Pr. No. 290)

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

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

HB 2453 (Pr. No. 3590)

An Act amending the act of February 18, 1998 (P.L.146, No.22), known as the Check Casher Licensing Act, amending the title of the act; in general provisions, further providing for authority of the Department of Banking and Securities; in licensing provisions, further providing for license terms and fees; in enforcement, further providing for suspension and revocation of license and civil penalties, for change of status, for restrictions on business of licensee and for civil penalty; and, in miscellaneous provisions, further providing for applicability and repealing provisions relating to report to General Assembly.

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

HB 1613 (Pr. No. 3794) (Amended)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Health Care Cost Containment Council, for its powers and duties, for health care cost containment through the collection and dissemination of data, for public accountability of health care costs and for health care for the indigent.

Senator WARD, from the Committee on Labor and Industry, reported the following bills:

HB 298 (Pr. No. 3796) (Amended)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in training and certification of inspectors, further providing for training of inspectors.

HB 1469 (Pr. No. 3795) (Amended)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

SENATE RESOLUTIONS ADOPTED

Senators SCARNATI, BLAKE, BROOKS, FONTANA, BAKER, EICHELBERGER, GREENLEAF, SCHWANK, BARTOLOTTA, MARTIN, SABATINA, RESCHENTHALER,

BREWSTER, BROWNE, YUDICHAK, FOLMER, KILLION, RAFFERTY, WHITE, VULAKOVICH, WARD, HUGHES, AUMENT and MENSCH, by unanimous consent, offered **Senate Resolution No. 406**, entitled:

A Resolution designating the month of September 2018 as "Ovarian Cancer Awareness Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators BARTOLOTTA, ARGALL, DINNIMAN, VOGEL, SABATINA, BREWSTER, BROWNE, MARTIN, MENSCH, RAFFERTY, FOLMER, COSTA, RESCHENTHALER, VULAKOVICH, HUTCHINSON and BAKER, by unanimous consent, offered **Senate Resolution No. 407**, entitled:

A Resolution designating the week of July 2 through 8, 2018, as "Whiskey Rebellion Heritage Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BARTOLOTTA. Mr. President, the Whiskey Rebellion is one of the most notable events of early American history, which took place in Washington County from 1791 to 1794 in protest of a Federal excise tax on whiskey. Just 2 weeks ago, I was thrilled to work with a group of Washington County business owners, historians, re-enactors, and a whiskey distiller to highlight not just my hometown of Monongahela, which, by the way, is the location of the famous Whiskey Point, but several other historic landmarks for what was our inaugural Whiskey Boys Rampage, an event that culminated in a large group of folks marching through the streets carrying a liberty pole from David Bradford's house to Liberty Pole Spirits, a wonderful whiskey distillery location in Washington. This celebration is something new that celebrates the Whiskey Rebellion in Washington County.

Historically, to end the rebellion, President Washington sent a Federal militia of nearly 13,000 men marching into Washington, Westmoreland, and Allegheny Counties. As rebels fled the area, the rebellion soon disbanded. This event marks the only time in American history that a standing President took command of Federal troops. In an effort to properly recognize the Whiskey Rebellion, the city of Washington, Pennsylvania, annually hosts a festival in July. The events are to honor the period of America's early days through historic re-enactments, period exhibitions, family fun, frontier art, and more, shining a national spotlight on the city, county, and the region. I ask my colleagues to join me in recognizing the week of July 2 through July 8, 2018, as "Whiskey Rebellion Heritage Week" in Pennsylvania by voting in the affirmative on this resolution. Thank you.

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 BROOKS. 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 899, HB 296, HB 298, HB 1469, HB 1613 and HB 2453.

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

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. 431, 530, 564, 764, 1002, 1101 and 1142; House Bills No. 1448, 1689 and 2138; and certain Executive Nominations)	Rules Cmte. Conf. Rm.

BILLS SIGNED

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

SB 892, SB 978 and SB 1011.

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 Friday, June 22, 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 5:04 p.m., Eastern Daylight Saving Time.