

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, OCTOBER 3, 2018

SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 42

SENATE

WEDNESDAY, October 3, 2018

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

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

PRAYER

The Chaplain, Reverend JORDAN F. CASSON, Rector of St. Michael's Episcopal Church, Yeadon, offered the following prayer:

Good morning.

Centering ourselves to this moment in time, let us pray.

May the spirit of love, grace, peace, justice, forgiveness, strength, and hope, we the ordinary ones ask to do extraordinary things through You. Begin this morning by saying thank You. We are thankful because today we have another opportunity to find and become our best selves. In this space of thankfulness, things left undone intentionally or unintentionally by our thoughts, words, or deeds can still be forgiven, corrected, or completed. May we have the courage to bring light and speak life to those around us who find themselves in dark places.

We are mindful today that regardless of political party, race, culture, or creed, we are more similar to one another than we are different, and when we work together, these similarities transcend that which divides us. We are also mindful of the tremendous responsibility that Members of the Senate, their staff, and all persons who serve this great State endure from day to day. Let us hold in the light issues they may face away from these walls and their loved ones, whose sacrifices make it possible for them to serve.

Lastly, we are mindful of all the children in our State who go hungry or find themselves in distress. May they know that they are in our hearts and on our minds. Finally, may we remember the words of the 20th-century mystic Howard Thurman, who said, "There is something in every one of you that waits and listens for the sound of the genuine in yourself. It is the only true guide you will ever have. And if you cannot hear it, you will all of your life spend your days on the ends of strings that somebody else pulls." Amen.

The PRESIDENT. The Chair thanks Father Casson, who is the guest today of Senator Williams.

PLEDGE OF ALLEGIANCE

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

BILLS REPORTED FROM COMMITTEE

Senator HUTCHINSON, from the Committee on Finance, reported the following bills:

SB 1258 (Pr. No. 1988)

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

HB 645 (Pr. No. 4148) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in neighborhood assistance tax credit, further providing for tax credit and for grant of tax credit and providing for reporting.

LEGISLATIVE LEAVES

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

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

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

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of June 6, 2018, is now in print.

The Clerk proceeded to read the Journal of the Session of June 6, 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-48

Alloway	Dinniman	Laughlin	Schwank
Argall	DiSanto	Leach	Stefano
Aument	Eichelberger	Martin	Street
Baker	Farnese	McGarrigle	Tartaglione
Bartolotta	Folmer	McIlhinney	Tomlinson
Blake	Fontana	Mensch	Vogel

Boscola	Gordner	Rafferty	Vulakovich
Brewster	Greenleaf	Regan	Ward
Brooks	Haywood	Reschenthaler	White
Browne	Hutchinson	Sabatina	Williams
Corman	Killion	Scarnati	Yaw
Costa	Langerholc	Scavello	Yudichak

NAY-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 RICHARD L. ALLOWAY
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, it is my pleasure to be here today to introduce one of my constituents, Kayla Repasky, a 22-year-old native of Gettysburg, Pennsylvania, and she is a senior at the University of Alabama studying to obtain a bachelor of science in nursing. Her career ambition is to ultimately become a nurse anesthetist. She is a member of the Phi Sigma Theta Honor Society and the Order of Omega. An accomplished dancer, she received her formative years of training at the Hanover Children's Ballet Theatre and Company. She has danced in various places around the country, including *Beauty and the Beast* in Walt Disney World. Kayla's personal platform is Think First America, a nonprofit organization that she founded. She has created education programs to promote anti-bullying to educate K through 12 students on how to use technology responsibly and fight against cyber-bullying. She published a children's book, *Buddy and the Bully* to help parents and educators teach kindness and discuss bullying to young children.

Kayla has been awarded the Daily Point of Light Award, the President's Volunteer Service Award, and has been designated a Champion Organization with Pacer's National Bullying Prevention Center. She is also Miss Pennsylvania and will serve as the goodwill ambassador for all five of Pennsylvania's Children's Miracle Network Hospitals. Kayla is also a strong advocate for STEM education. She lives in Adams County and is here with her mother today. Please give a warm Senate welcome to Miss Pennsylvania.

The PRESIDENT. Let us give Miss Pennsylvania a warm welcome. As you can see from Miss Pennsylvania, she is ready to speak. First, let us introduce your mom, too, because she has had so much to do with your success, right? So we want to welcome her.

(Applause.)

The PRESIDENT. Kayla Repasky, Miss Pennsylvania, please address the Pennsylvania Senate.

Ms. REPASKY. On February 3, 2018, Bryan Doll, an eighth-grader in my community, took his own life because he was bullied. This story is all too familiar. One in every four students are bullied in our school systems. I started a nonprofit organization, Think First America, that seeks to educate students to combat bullying, promote Internet positivity, and the importance of choosing kindness. A few of my initiatives that I am proud of are having established the Bryan Doll Junior Memorial Fund, publishing a children's book entitled *Buddy and the Bully*, and creating the Think Before You Post Girl Scout Patch pro-

gram. To date, I have raised \$20,000 to support Think First America, an anti-bullying initiative in my community.

But my advocacy through education programs can only go so far. I am calling on Pennsylvanians to take action to combat this bullying epidemic. Our State needs stricter anti-bullying laws and a more streamlined process to report bullying. Every student who reports being bullied should be taken seriously. The actions taken by the administrators who process bullying cases need to be more closely monitored with consequences for those who do not adhere to the policies of properly investigating claims of bullying. It is time for action because we are not doing enough. We need to also educate parents on the warning signs to notice if their child is being bullied and how to advocate for their children who are being bullied. If we can take action together, we can help Pennsylvania's children combat bullying and choose kindness. Thank you.

(Applause.)

The PRESIDENT. Thank you, Miss Pennsylvania. That is the way we like our speeches in the Pennsylvania Senate, short and sweet. Fantastic.

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

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

Senator MARTIN. Mr. President, I am very excited to stand here today as both groups I will introduce to you hail from my alma mater, Lancaster Catholic in Lancaster, Pennsylvania. I will begin with the ladies first, which I believe is appropriate.

It is my pleasure to introduce the Lancaster Catholic High School Girls' Basketball Team to the Pennsylvania Senate and congratulate them on winning the PIAA Class AAAA title over Berks Catholic High School. While this is the fourth State championship for the Lady Crusaders, it is their first since 1996. The Crusaders wrapped up their undefeated 32-0 season and achieved their 51-36 victory with an impressive effort at both ends of the court. With a 29-21 lead at the end of the first half, they pulled away and secured a 2-digit lead by the game's end. The team led in rebounds, had 11 steals, forced 14 turnovers, and put on the offensive pressure led by Kiki Jefferson, who finished the game with 24 points and already has over 1,000 points in her PIAA career. After the game, Kiki passionately told a reporter, I love Lancaster. I am just a kid from Lancaster with a big dream. Senior Lauren Mills credited teamwork as a reason for their success, and as many of us in this Chamber know, a dream and teamwork can take you very far.

Mr. President, these young women honor themselves and their community with their class and determination, and I know head coach Charlie Detz and his assistants are incredibly proud of them as well. I ask any my colleagues to join me in welcoming and congratulating these young women on their fourth PIAA State championship title.

The PRESIDENT. Would the guests of Senator Martin, the champion Lancaster Catholic High School Girls' Basketball Team, please rise so that we may welcome you to the Pennsylvania Senate. A dynasty.

(Applause.)

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

Senator MARTIN. Mr. President, I am equally as pleased to also introduce the Lancaster Catholic High School Boys' Baseball Team to the Pennsylvania Senate and congratulate them on winning the PIAA District III Class AAA title over South Side High School. This was not the first appearance for the Crusaders baseball team in a PIAA title game, but it was their first victory, and I know it will not be their last. The Crusaders concluded their 25-5 season and achieved their 5-1 victory with a commanding offensive effort. They took the lead early on when Cam Barto stole home for a one-run lead in the top of the first inning, and RBI singles in the third inning from Alex Kukic and Dylan Pawlowicz helped the Crusaders secure the lead. Starting pitcher Dillon Marsh, who fought through health concerns throughout the season, struck out 11 and allowed only five hits including one run in the seventh inning and no walks. With a deep roster and support from head coach Ty Book and his assistant coaches, you could say their success was inevitable.

Mr. President, as an alumnus of Lancaster Catholic, I have always been proud of the hard work and determination of the young men and women who wear the purple and gold. I ask my colleagues to join me in welcoming and congratulating these young men on their first PIAA State championship title.

The PRESIDENT. Would the guests of Senator Martin, the champion Lancaster Catholic High School Boys' Baseball Team, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE

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

Senator RAFFERTY. Mr. President, it is always difficult to follow the hitting coach of the boys' baseball team, but I will do my best.

Mr. President, I am very honored today to be here to have the opportunity to introduce two special guests from my office. Recently, they both started in my office. Matthew Dean, who lives in Audubon, Pennsylvania, is the son of Matthew S. and Teresa M. Dean. Matthew is a recent graduate of Pennsylvania State University. I think he is recovering from Saturday. His achievement is a graduate degree in international politics, national security concentration, minored in Chinese language, and security and risk analysis. He is a very bright young man. His future goals include attending law school. He is interning in my office this year, and we are very happy to have him with us.

Recent to our office is Kevin DiGuiseppe. Kevin lives in the Spring City area. His parents are Michael and Kimberly DiGuiseppe. Kevin also attended Penn State University and graduated with a degree in political science. His achievements include the National Honor Society and dean's list, and his future goal is to advance his knowledge and involvement in the legislature and one day, hopefully, work in a firm with government relations. Both very bright young men. We are fortunate to have them in our office. They are very interested in government and serving the public. So, it is a real addition to all of us in the 44th Senatorial District. I ask for our usual warm Senate welcome for Matthew and Kevin.

The PRESIDENT. Would the guests of Senator Rafferty, Matthew, who is serving as an intern in Senator Rafferty's office, and Kevin, who is an employee in Senator Rafferty's district office, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUEST OF SENATOR ANTHONY WILLIAMS PRESENTED TO THE SENATE

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

Senator WILLIAMS. Mr. President, we were led in our acknowledgment of our faith today by a member of clergy from my district, and I would like to say a few words about his background and biography, and I am proud, happy, and delighted that he is with us today. Reverend Jordan F. Casson was born on Good Friday, April 17, 1987. Father Casson used his understanding of Catholic social teaching to become an advocate for civil and human rights, a vocation that led him to Morehouse College in 2005. While at Morehouse, Father Casson led several campaigns to free a Chatham County, Georgia, inmate, Troy Davis. In addition to his civic activities at Morehouse, he joined the Martin Luther King, Jr., Chapel Assistant Program, an organization designed to expose Morehouse students to theological principles for parish, ministry, and seminary education after college. Consequently, he felt called to religious life and attended the Candler School of Theology at Emory University in Atlanta in 2010. That path led toward the Episcopal Church.

Father Casson wanted to do impact work. He also knows he wants to get married and have a family at some point in time. I guess he put that in there to make sure that it is in the airwaves, and he is right over there. Ladies, have at it. Pastor Jordan now serves at St. Michael's Episcopal Church as its sixth rector in Yeadon, Pennsylvania, part of my district. He is a proud member of Alpha Phi Alpha, Incorporated, and served as an NAACP president for New York and Georgia State Youth Divisions. In his spare time, he plays the violin and cello and is extremely devoted to his family, friends, and mentors. I ask the Members of the Senate to greet our guest today with great enthusiasm.

The PRESIDENT. We will do it. Father Casson, thank you for your prayers. Please rise, the guest of Senator Williams. We appreciate it. Great to have you with us, and thank you for your blessings and prayers.

(Applause.)

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Rules room in the rear of the Chamber immediately.

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

Senator COSTA. Mr. President, I ask Senate Democrats to join me in our caucus room in the rear of the Chamber.

The PRESIDENT. For purposes of 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 LEAVES

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator White and Senator Gordner.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 26, HB 44, HB 83, HB 86, HB 104, HB 128, HB 149, HB 285, HB 289, HB 353, HB 504, HB 644 and SB 689 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 783 (Pr. No. 4136) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer of ownership of vehicles used for human habitation.

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-48

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

NAY-0

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

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

BILL LAID ON THE TABLE

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

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

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

HB 864 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 864, Printer's No. 3433, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

SB 884 and SB 899 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 912 (Pr. No. 2068) -- 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 medical assistance deemed eligibility program for home care, home health and older adult daily living center services.

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 gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I offer remarks for the record.
The PRESIDENT. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA:)

Mr. President, Senate Bill No. 912 requires the Department of Human Services to seek a waiver from the Federal Centers for Medicare and Medicaid services to establish a deemed eligibility program for home care services, home health services, and older adult daily living services.

Although I am pleased with Senator Brooks' agreed-to amendment to the bill submitted yesterday, there are still several uncertainties with regard to the financial effect of this legislation and the future of such a program. Most importantly, it is unknown what the costs of implementation of this program will be if the department secures the Federal approval to implement the program and receive reimbursement. A similar House bill creating a deemed eligibility program was estimated to cost the Commonwealth \$20 million to \$30 million. We have no cost estimates for Senate Bill No. 912, yet we are still moving forward with the vote today.

It is also uncertain whether this waiver will be approved at all. Pennsylvania's current Medical Assistance program structure providing home and community services is done through a section 1915(c) waiver from the Federal government, not a service under our State plan. It currently applies to individuals at least 60 years old, not only to those at least 65 years old, as this bill would require.

Additionally, we do not know how this proposed program would affect our Community Health Choices program for the management of long-term care services and supports, which will be offered statewide by January 2020. Two of the three managed care organizations contracted with the Commonwealth to provide Community Health Choices offer in-home supports for participants awaiting such eligibility decisions in order to avoid a nursing home stay, and they do so at their own costs. Moreover, if this is approved, it could bifurcate a system because we would then have a fee-for-service waiver at the same time the Commonwealth is moving to a managed care system, which can lead to additional unknown costs.

I am thankful that this program will not be effective unless the Federal government approves a waiver for the program. However, there are simply too many uncertainties regarding the financial impact and the potential effect on our existing Medical Assistance population and programs.

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-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 present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 983 and **SB 1006** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 1034 (Pr. No. 2157) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority.

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

HB 1034 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1034, Printer's No. 2157, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1073 (Pr. No. 2067) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, further providing for disability benefits and for definitions.

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-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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 1157 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1176 (Pr. No. 1756) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL OVER IN ORDER

HB 1216 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1237 (Pr. No. 2040) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Pennsylvania Rural Health Redesign Center Authority and the Pennsylvania Rural Health Redesign Center Fund.

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 Luzerne, Senator Baker.

Senator BAKER. Mr. President, we have heard a great deal about the acute financial challenges afflicting many of our rural hospitals, so Senate Bill No. 1237 is intended to help address this crisis. The communities housing these cornerstone facilities are worried that possible closures will diminish healthcare access and deal severe blows to already struggling economies across rural Pennsylvania. So I have been pleased to work with the Department of Health, both Secretary Rachel Levine and former Secretary Karen Murphy, on what we consider a cutting-edge innovative approach to address critical problems and change the operating climate from one of decline to opportunity.

The bill will create the Rural Health Redesign Center, a public-private entity established to oversee the transformation. The program is intended to help by developing a more predictable payment plan, creating fixed budgets to regularize reimbursements, improving the ability to develop and carry out expanded, innovative community health services, and providing the capacity to pursue programs addressing key needs such as behavioral health and substance abuse. A pilot program will be offered to interested hospitals. This effort will initially be funded by a \$25 million grant from the Center for Medicare and Medicaid Innovation. Rural hospitals serve a higher concentration of Medicare and Medicaid patients, a chief contributor to the financial problems. This will provide for global funding through a global budget model that will offer predictable funding.

Representative Pickett has introduced a companion bill in the House, and this measure is supported by the Hospital and Healthsystem Association of Pennsylvania. So I urge an affirmative vote on Senate Bill No. 1237 and appreciate the opportunity to speak on the importance of the Rural Health Redesign Center initiative.

Thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL LAID ON THE TABLE

HB 1239 (Pr. No. 1466) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses.

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

HB 1239 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1239, Printer's No. 1466, 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 1305, HB 1460, HB 1527, HB 1539, HB 1550, HB 1613, HB 1800 and HB 2049 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2060 (Pr. No. 3820) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and providing for relinquishment of firearms and firearm licenses by convicted persons and for abandonment of firearms, weapons or ammunition; and, in protection from abuse, further providing for definitions, for commencement of proceedings, for hearings, for relief, for return of relinquished firearms, other weapons and ammunition and additional relief, for relinquishment for consignment sale, lawful transfer or safekeeping and for relinquishment to third party for safekeeping, imposing a penalty and providing for order to seal record from public view.

On the question,

Will the Senate agree to the bill on third consideration?

EICHELBERGER AMENDMENT A9864 OFFERED

Senator EICHELBERGER offered the following amendment No. A9864:

Amend Bill, page 26, lines 24 through 27, by striking out the period in line 24 and all of lines 25 through 27 and inserting:

and that the third party will return the firearms to the defendant only upon receipt of an express, written notification issued by the court or law enforcement that the firearms be returned to the defendant.

(O) If the third party is an attorney or commercial armory, an acknowledgment of one of the following:

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, there has been a lot of work done on this bill, in fact, there was a Senate bill that preceded it that we had worked on here in the Senate and passed out of the Senate unanimously, I believe, some time ago. The House chose a different option and sent us a bill by a different author and it was changed during the process.

One of the provisions in the bill is surrendering guns after a certain point of a final PFA or conviction of a crime, the guns are relinquished to--there is a restricted group of people to whom the gun would be relinquished. Taking guns away from American citizens is a very serious matter. We have protections under our Second Amendment that protect our citizens' rights to have firearms in their possession. So, I think we all understand that any interference with that is a very serious matter. We do interfere with that when people are convicted of crimes and have other restrictions placed on them by the courts. So, there is a way to get this done.

What we had in the original bill and we have strengthened in this amendment is the ability to turn over a weapon to someone that is outside of the household, not a relative, who would agree to hold the gun and only surrender the gun back to the defendant once the court or law enforcement provides written notification that the gun can be surrendered. I think it is ample protection. I think it is a fair and reasonable remedy to some of the issues that we are facing with this bill. There are a lot of people concerned that we have gone maybe a little too far with this bill, but generally the bill is a good, sound bill and I am supportive of the bill in general, but I do have concerns about this provision, as do many others.

So, I am asking for an affirmative vote on the amendment and consideration from Members about the very serious nature of us requiring Americans to surrender their weapons.

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

Senator COSTA. Mr. President, I rise this afternoon to ask for a negative vote on the Eichelberger amendment. Mr. President, I think the heart of the matter is making certain that we are in a position to safeguard those individuals who are working and dealing within the constraints of a PFA and making certain that we do everything we can to protect them and make sure that those weapons that are at issue are removed from the ability of the perpetrator and the abuser to be able to have access to those weapons. I think this amendment makes it easier, quite frankly, and it is not something that we contemplated when we passed Senate Bill No. 501, the Senator Killion legislation, we did not include provisions along those lines, and I think it was the right decision for us to be able to do that.

Mr. President, I also think what we need to recognize here is that we are on the cusp of having pretty significant domestic violence legislation make its way to the Governor's desk. By us passing it here today without any amendment whatsoever, the measure goes to the Governor's desk. I am reluctant to take a chance that an amendment like this would get into this particular piece of legislation and would be one that would make its way over to the House for its consideration without any understand-

ing or assurance or guarantee that the measure would be something that the House would agree to or even run the measure.

So, for a number of reasons, most specifically, we want to make certain that we are not putting guns into the hands of friends who would be at a really particular volatile time, with respect to weapons in domestic violence matters, that this would be something that would be harmful to an underlying purpose. A lot of folks, as the gentleman said, a lot of good work is in this bill, a lot of great work has been done by the domestic violence organizations and so many others. I would hate like heck to undo all of that work because we added an amendment that is going to limit our ability to get it to the Governor's desk. That should be our goal today, collectively, Democrats, Republicans, standing up and saying that we protect men and women who are dealing with domestic violence situations, particularly as it relates to weapons and possession of weapons. We should send a very strong message to our communities and support the domestic violence groups and ask that this amendment be defeated and we vote in the affirmative on the measure and move it on to the Governor's desk for his signature, which we know that the Governor said he will sign this very promptly.

Thank you, Mr. President.

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

Senator KILLION. Mr. President, I also rise in opposition to my good friend Senator Eichelberger's amendment. Since the amendment has been filed, we have heard both from the District Attorneys Association as well as the Pennsylvania Coalition Against Domestic Violence that they are opposed to this amendment. So, I encourage Members to vote "no" on Senator Eichelberger's amendment. Thank you.

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

Senator TOMLINSON. Mr. President, I rise to oppose this amendment. This amendment is about securing the firearms, this amendment is to make sure that these firearms do not get back into the hands of someone who might commit a crime with them or cause dangers to anyone, and I do not think that leaving these firearms with a friend provides that security. Representative Quinn, from Bucks County, my colleague, has worked very, very hard on this legislation, as has Senator Killion, from Delaware County, and I think that if we do this we endanger people, we put people's lives at risk. I oppose this amendment and I also want to say that if we pass this without an amendment, if we pass the underlying bill without an amendment, this bill will go to the Governor and it will be signed and we will protect people's lives.

Thank you, Mr. President.

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

Senator McGARRIGLE. Mr. President, I also rise to oppose this amendment. House Bill No. 2060 as presently written goes a long way in protecting victims of domestic violence. At the same time, it does not take away the rights of firearm owners who are responsible. If House Bill No. 2060 saves one life here today, Mr. President, we are doing the right thing. So, I also ask my colleagues for a negative vote on this amendment. Thank you.

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

Senator RAFFERTY. Mr. President, I join with my colleagues in opposing my friend's amendment. I ask for a negative vote on this amendment. This is a very serious piece of legislation and one that is a tool that can be used by our prosecutors, by our courts, and by our law enforcement community to protect lives. I join with the DAs Association and the Domestic Violence Coalition in opposing this amendment, and I ask for a "no" vote to make sure this bill passes in its current form, worked on by a number of interested people and parties, and make sure it gets to the Governor for his signature.

Thank you, Mr. President.

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

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

YEA-9

Bartolotta	Eichelberger	Reschenthaler	Ward
Brewster	Hutchinson	Vogel	White
Brooks			

NAY-39

Alloway	DiSanto	Leach	Schwank
Argall	Farnese	Martin	Stefano
Aument	Folmer	McGarrigle	Street
Baker	Fontana	McIlhinney	Tartaglione
Blake	Gordner	Mensch	Tomlinson
Boscola	Greenleaf	Rafferty	Vulakovich
Browne	Haywood	Regan	Williams
Corman	Killion	Sabatina	Yaw
Costa	Langerholz	Scarnati	Yudichak
Dinniman	Laughlin	Scavello	

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

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

On the question,
Shall the bill pass finally?

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

Senator SCHWANK. Mr. President, at the outset, let me say how relieved I am that the amendment did not pass. I commend my colleagues for their votes, because I know I have received the emails that you have received and I understand that it is a difficult vote, but you did the right thing, and I think lives will be saved as a result of it. I feel now that we are finally enacting legislation that will truly make a difference for individuals who are victims of domestic violence. So many times we participate in solemn ceremonies and we talk about the issue; finally, we are passing something that will make a difference. What a relief, too, to get beyond the handwringing and actually make a significant change in Pennsylvania law that will protect women, children, and men.

This bill has the potential to save lives the moment it becomes law by strengthening protection from abuse orders. No longer will perpetrators be able to surrender firearms to family members or friends who can just give them back. Getting these weapons out of their hands has the potential to save lives. In my own county, I know of many cases where this might have made the difference and might have saved some lives. There was a woman who was murdered in the middle of the day right out on the street, right outside our county courthouse. She had been granted a protection from abuse order 3 days before her husband shot her. He fled the country but we finally found him, tracked him down, and he is in jail. Years earlier, a woman was murdered by her ex-husband, who had also shot and killed her boyfriend. She had a protection from abuse order against him. Not far from Berks County was another woman, a young mother who was murdered in a restaurant parking lot. Her husband, who she had filed at least three protection from abuse orders against, then drove their two children to a remote road and shot and killed them before turning the gun on himself. These are instances that I think all of you, if you are just reading your newspaper or listening to your constituents, you have faced these in every single county in the Commonwealth.

While every incident is different, the stories I have just recounted all have one common denominator: a gun. Guns are proven to be the most common weapon used to carry out these horrific murders, and that is why this bill is so important. It is not to penalize responsible gun owners but to insure that guns are not used as crimes of passion in domestic violence cases. Every one of these deaths is heartbreaking. They have lasting impacts on our communities, and especially on the surviving loved ones and friends. The trauma that they experienced for a lifetime we cannot even know or possibly understand. We will never know in the cases that I have recounted if a law like House Bill No. 2060 might have helped to keep them safe. But we can understand that if we enact this legislation and the Governor signs it, there is the strong possibility that future deaths by guns in domestic violence situations can be averted.

I encourage my colleagues to vote for this bill. I know that you will because we did it with Senator Killion's bill, Senate Bill No. 501. It is really the right thing to do. We are making a change in Pennsylvania law that will truly help to reduce death from domestic violence. Thank you.

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

Senator KILLION. Mr. President, I rise in strong support of House Bill No. 2060. This bill is similar to Senate Bill No. 501, legislation which I sponsored that passed the Senate unanimously on March 21. Like Senate Bill No. 501, House Bill No. 2060 will help reduce domestic violence murders in our State. In 2017, Pennsylvania saw the highest number of domestic violence deaths in a decade. Tragically, 117 people lost their lives in domestic violence-related incidents, and 78 of these abuse victims were killed by gun violence. This must end. We can no longer stand by and watch as women, children, men, and members of the law enforcement community are threatened by gun violence stemming from dangerous domestic violence disputes.

There are several ways House Bill No. 2060 will protect victims. I would like to mention the two most important. First, this bill will get the guns out of the hands of abusers. Individuals convicted of a misdemeanor crime of domestic violence and

abusers who have a final PFA action held against them must surrender their firearms within 24 hours, unless the victim agrees otherwise. Secondly, Pennsylvania will end the unsafe practice of allowing friends and family members of abusers to store these guns and, instead, the firearms must be stored by police, sheriffs, gun dealers, or attorneys. This will prevent weapons from being retrieved and used for further acts of violence. Many individuals and organizations have worked tirelessly to pass this domestic violence bill, but I would like to recognize my former colleague, Representative Quinn, the sponsor of the bill, the Pennsylvania Coalition Against Domestic Violence, and Moms Demand Action for their amazing efforts over the last year and a half. This legislation would not have passed without their incredible grassroots advocacy.

Mr. President, it is time for Pennsylvania to stand up for victims of domestic abuse by sending House Bill No. 2060 to Governor Wolf for his signature. This legislation will save lives, and I respectfully ask my colleagues to join me in an affirmative vote.

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

Senator McGARRIGLE. Mr. President, I also rise to speak in support of House Bill No. 2060, the companion bill to Senate Bill No. 501 sponsored by Senator Killion, a measure I cosponsored and have actively championed this season. The effort to protect citizens from domestic violence is an ongoing one. It is a process, and, sometimes, an imperfect one. When we can identify a way to reduce the potential for this violence, and to do so within the parameters of the Constitution, I believe we should do so. Requiring the relinquishment of firearms for those subject to protection from abuse orders or those convicted of misdemeanor crimes of domestic violence is common sense. It reduces the risk of violence for everyone involved: the victim, police, and even the offender. But it is really not a solution if the weapons are simply transferred to a friend or a neighbor, as current law allows.

Removing this third-party safekeeping as an option for a defendant ordered by the court to relinquish firearms is in line with the spirit of the current law and it closes a loophole. The intent of this law is to remove firearms from a volatile situation, not merely removing them from a specific location. In addition, there is no way it should take convicted abusers 60 days to surrender their firearms, as currently required. This leaves too much time for retaliation. The 24 hours required by House Bill No. 2060 is more sensible. This bill is a positive step toward preventing incidents of domestic violence from escalating. It provides a better chance of escape for victims and provides a safer setting for police officers who often must wade into an unstable situation. For these reasons, I ask my colleagues to join me in casting a vote in support of this legislation.

Thank you, Mr. President.

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

Senator STREET. Mr. President, thank you for this opportunity. I also rise to support this important legislation. I will say that during my tenure as outside counsel to the Sheriff's Office in Philadelphia, I became aware of just how volatile situations can be when PFAs are issued. Protecting women from being killed in these moments of tension, as well as protecting the law enforcement officers who have to intervene in these situations,

is one of the most important things that we can do. So I am pleased that so many of my colleagues have joined me in supporting this important legislation, and I ask for an affirmative vote. Protecting the safety of our most vulnerable citizens in times of distress is one of the most important things we can do, and I believe this legislation moves us in a significant direction toward increasing those protections and making sure that Pennsylvanians, particularly women who are being faced with domestic violence, can be safer in their moments of greatest need. I ask for an affirmative vote, and I thank you for this time, Mr. President.

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

Senator TOMLINSON. Mr. President, today we take a monumental step toward protecting victims and their families from additional threats of gun violence. When a PFA is ordered, or there is a domestic violence conviction, we use a commonsense approach to remove guns from an already tenuous situation. The courts must determine that an individual is a violent threat for guns to be confiscated. From that point, the individual has 24 hours to turn them over to law enforcement or a licensed dealer. We hope this will provide some relief and reassurance to victims as they seek to get their lives back on track, knowing that the threat of gun violence is greatly diminished.

Mr. President, I thank and congratulate my colleague from Bucks County, Representative Quinn, on her diligent work on House Bill No. 2060. I also would like to recognize Senator Killion from Delaware County for his work and their cooperation on getting this bill forward. Mr. President, I ask for an affirmative vote. Let us move this on to the Governor and get this bill signed into law.

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

Senator BREWSTER. Mr. President, as one of the individuals here today who voted for the amendment, I think we should make it clear, and I think I speak on their behalf--I hope that no one in this room suggests that because of the vote on the amendment we somehow are not concerned about domestic violence. As a former mayor for many years, and council, my support of local domestic violence organizations and shelters for battered women is well documented. I will say this, oftentimes when we make laws in this room, some of us really pay attention to find a middle-of-the-road approach so that we can make sure that we do not undo things that should not be undone and fix things that need to be done.

So I challenge those in the room, and I, of course, support House Bill No. 2060, applaud the maker of the bill, but we have much to do. So I would be reluctant at this point in time to boast that we have fixed the problem. Countless numbers of cases where women have been battered by men with their hands and all sorts of elements, not just guns, certainly that is an issue. It is an important issue. The safety of law enforcement officers, families, all too often these unfortunate events become reconciled. We need to figure out how we deal with the approach from the beginning to the end. Some are quite different. So I wanted to make the comment that as we go forward, this is the beginning and not an end to this problem. I suggest that we put more thought into case studies as to what has happened, not what we read in the media but factual events that have occurred in com-

munities and regions of this Commonwealth that are sometimes different in how we deal with it.

So I am going to support the bill, and I believe everyone else will do that for the right reasons. Let us not get caught up in the vehicle, that being guns, when there are so many other ways for women, children, and men to be abused and stay focused on the event, psychological events that happen in people's minds that cause a spontaneous reaction that oftentimes they regret later. I thought it would be appropriate to make that comment.

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 Baker.

The PRESIDENT. Senator Corman requests a legislative leave for Senator Baker. 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-43

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

NAY-5

Bartolotta	Hutchinson	Vogel	Ward
Eichelberger			

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 2124, HB 2133, HB 2211, HB 2321, HB 2324, HB 2325 and HB 2453 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 2, SB 16, SB 110, SB 255 and HB 296 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 340 (Pr. No. 374) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the tax sale of abandoned properties.

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

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

BILL OVER IN ORDER

SB 479 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 544 (Pr. No. 3213) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users.

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 575, HB 582, SB 820, SB 930, SB 931, SB 963, SB 1023, HB 1152, HB 1153 and SB 1154 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1185 (Pr. No. 1986) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for Pennsylvania Housing Tax Credit.

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

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

BILL LAID ON THE TABLE

SB 1199 (Pr. No. 1845) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1199 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 1199, Printer's No. 1845, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

SB 1207, SB 1220, HB 1233, SB 1245, SB 1254, HB 1745, HB 1811 and HB 1829 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1840 (Pr. No. 4147) -- 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, for computation of benefits and for physical examination or expert interview.

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 1843, HB 1931, HB 2050, HB 2052, HB 2066, HB 2154, HB 2157, HB 2158, HB 2159, HB 2205, HB 2206 and HB 2489 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Community, Economic and Recreational Development to be held in the Rules room in the rear of the Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Community, Economic and Recreational Development, without objection, the Senate stands in recess.

AFTER RECESS

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

**UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE**

Senator SCAVELLO, from the Committee on Community, Economic and Recreational Development, reported the following bill:

HB 1511 (Pr. No. 4149) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in hotel occupancy tax, further providing for definitions and for imposition of tax and establishing the Tourism Promotion Fund.

SENATE RESOLUTIONS ADOPTED

Senators ALLOWAY, STREET, DINNIMAN, MARTIN, SCHWANK, BROWNE, RAFFERTY, BREWSTER, WHITE, MENSCH and COSTA, by unanimous consent, offered **Senate Resolution No. 456**, entitled:

A Resolution honoring Camp Letterman.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, I offer this resolution honoring Camp Letterman in conjunction with my good friend, Representative Moul from Gettysburg. In July of 1863, an official United States general hospital was ordered to be opened in Gettysburg. It was located on the Gettysburg battlefield and named for Dr. Jonathan Letterman, the medical director of the Army of the Potomac. It was established near a railroad station for ease of movement for incoming medical supplies and wounded soldiers. Camp Letterman was the largest field hospital in North America, and it treated both Union and Confederate soldiers, totaling more than 4,000 patients, 365 of whom died, and 40 of them were from Pennsylvania. Camp Letterman remained open until November 20, 1863, and it is still there today. We have markers down there, Mr. President, and we recognize Camp Letterman for what it did for both our Confederate and Union soldiers during the Civil War. Please join me in honoring the camp and its service to our country.

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

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

Senator VOGEL, by unanimous consent, offered **Senate Resolution No. 457**, entitled:

A Resolution recognizing the Women of the Grange.

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

Senators TARTAGLIONE, MENSCH, BREWSTER, BARTOLOTTA, BOSCOLA, SABATINA, FONTANA, STREET, SCHWANK, DINNIMAN, GREENLEAF, AUMENT, McILHINNEY, BAKER, BROWNE, RAFFERTY, GORDNER, KILLION, MARTIN, YUDICHAK, HUGHES, ARGALL, FOLMER, RESCHENTHALER, COSTA, FARNESE, McGARRIGLE and SCAVELLO, by unanimous consent, offered **Senate Resolution No. 458**, entitled:

A Resolution recognizing the month of October 2018 as "National Breast Cancer Awareness Month" in Pennsylvania and October 19, 2018, as "National Mammography Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I am here to talk about a disease that affects too many people and claims too many lives each year. The disease I am referring to today is breast cancer. Breast cancer is the second most common cancer in women. In the U.S., a woman is diagnosed every 2 minutes and one dies every 13 minutes from this terrible disease. About one in eight women born today will develop breast cancer at some point in their lives. In Pennsylvania, cancer is the leading cause of cancer deaths among 25- to 53-year-old women and 60- to 70-year-old men. As many of you know, breast cancer has personally affected my family as my own sister lost her battle with breast cancer. But there is good news. Thanks to medical research, awareness, and early detection, the 5-year survival rate for breast cancer is 100 percent.

Mr. President, in honor of the individuals who have lost their battle with breast cancer, for those who are currently living with it, for those who have survived it, and for all of the family members and friends, I introduce this resolution recognizing the month of October as "National Breast Cancer Awareness Month," and October 19, 2018, as "National Mammography Day." I am encouraging residents to learn about breast cancer, take precautionary steps now, and to seek medical attention when they first notice symptoms. I am asking all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

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

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

Senators MENSCH and TOMLINSON, by unanimous consent, offered **Senate Resolution No. 459**, entitled:

A Resolution recognizing October 8, 2018, as "National Hydrogen and Fuel Cell Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator MENSCH. Mr. President, today, along with my colleague, Senator Tomlinson, I offer this resolution recognizing October 8, 2018, as "National Hydrogen and Fuel Cell Day" in Pennsylvania. Mr. President, scientists and engineers across our country will celebrate Hydrogen and Fuel Cell Day on October 8, a date aptly chosen for the atomic weight of hydrogen, which is 1.008. The United States is a world leader in the development and deployment of fuel cell and hydrogen technologies. In Pennsylvania, we are seeing an increased focus on hydrogen as an energy carrier and a pathway to good environmental stewardship.

One example that comes to mind is PDC Machines, which is located in Warminster Township, Bucks County. PDC Machines is continuously working to develop new technologies related to hydrogen fuel cells and encouraging growth within this sector. Hydrogen and fuel cells can be used in multiple sectors for transportation, stationary power, industrial applications, enabling energy security, resiliency, and a strong domestic economy in emerging technologies. It is important that private industries, Federal and State governments, national laboratories, and institutions of higher education all continue to win approval of fuel cell and hydrogen technologies to address the most pressing energy, environmental, and economic issues in the United States. As such, I ask my colleagues to join me in supporting this resolution in order to help raise awareness of yet one more clean energy technology 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.

BILLS ON FIRST CONSIDERATION

Senator BOSCOLA. 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 1258, HB 645 and HB 1511.

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

MONDAY, OCTOBER 15, 2018

4:00 P.M.	Performance-Based Budget Board (public meeting on The Performance-Based Budget Board will hold an organizational meeting to organize the activities of the board and to discuss the progress of performance budget review being conducted by the Independent Fiscal Office)	Hrg. Rm. 1 North Off.
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TUESDAY, OCTOBER 16, 2018

10:00 A.M.	HEALTH AND HUMAN SERVICES (joint public hearing with the Majority Policy Committee to consider the role and impact of Pharmacy Benefit Managers in Pennsylvania)	Hrg. Rm. 1 North Off.
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WEDNESDAY, OCTOBER 17, 2018

9:00 A.M.	STATE GOVERNMENT (public hearing to discuss proposed amendments to the US Constitution through a Convention of States as provided by Article V, and related resolutions, including Senate Resolutions No. 133, 134 and 254)	Hrg. Rm. 1 North Off.
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PETITIONS AND REMONSTRANCES

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

Senator BOSCOLA. Mr. President, I rise to express my continued frustration about two bills that desperately need to be passed in either Chamber as soon as possible. When thieves steal, the money they stole needs to be returned. Senate Bill No. 897 and House Bill No. 1806 each passed their respective Chamber and are sitting in committee waiting for action. The House bill has been pending in the Senate for a year, and the Senate bill has been pending in the House since May. These bills would expand the scope of restitution for government agencies, nonprofits, churches, businesses, and individuals so that those entities can recover the money that was stolen from them.

The State's restitution law was weakened in 2016 by a State Superior Court ruling that held that government entities and nonprofits are not entitled to restitution. Restitution, in the Supreme Court's mind, is only applicable if you are a flesh-and-blood person. So, Mr. President, if you are a taxpayer, I believe you are a flesh-and-blood person. Governments do not survive without taxpayers, and neither do nonprofits. So, Mr. President, we need to correct this so that thieves, when they steal, pay the money back.

We have 4 voting days left to do something about this issue, and there are two solutions to this problem. We can vote for the House bill sitting in our Chamber, or the Senate bill should be sent back to us in the Senate. Probably the most expeditious way is to pass the Senate bill in the House. For me, this is not a political issue, this is a commonsense issue that when somebody steals money, they should have to pay back the money. It is the taxpayers who are suffering from our inaction here, and it is taxpayers who I thought we were here to protect.

If this goes without action, there are going to be more and more individuals who are going to go to court refusing to pay their bills when they steal money. I had instances in Bethlehem Township where there was a contract, it was paid for, the township paid the contract, the work was never done. Now the taxpayers are paying twice because the money was not paid back, but then they had to hire another contractor to do the work. We had an individual who stole from a church, and she agreed to give back the money but now she is going to court and saying, oh, well, the Superior Court ruled and now I do not have to pay it back, so I am not going to. More and more of these cases are going on throughout this Commonwealth. There is no reason why we cannot stop this now. If we do not do this in the next 4

days, all legislation starts over again and any hope of this happening is not until next year. It is unacceptable and it is unfair to Pennsylvania's taxpayers. These bills have universal support among lawmakers, and it is time to protect our citizens from crime. It is time to pass these bills. Everyone practically agrees it needs to be done, so let us get it done and let us get this legislature to bring some common sense to this building and do some things that make sense.

I want to show you articles that are appearing across this Commonwealth because they know that we need to do something quickly. Here is one: "Tick-tock: Pennsylvania lawmakers have six voting days--**obviously we only have four now**--to protect us from thieves." It starts out with, "State lawmakers talk tough about all they're supposedly doing to protect us from crime. They should talk less and act more." I wholeheartedly agree with this article. The article ends up saying, "There should be universal support to amend the law, and legislative leaders should consider it a priority. Failure to fix the law means lawmakers aren't protecting us from crime, despite what they claim." Right on. That article is right on.

I hope anybody watching this would call their lawmakers and say, look, get this bill passed. It is about time you protect us from thieves that are out there and do not want to pay back the money.

Thank you, Mr. President.

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

Senator BROOKS. Mr. President, I thank my colleagues for their affirmative vote on Senate Bill No. 912. Home is where the heart is. This simple and often-used phrase carries a much deeper meaning when we talk about our aging loved ones. We can all agree that, if possible, our loved ones would like to age in place in the familiar surroundings of their own home and in their own community. We want to do everything we can to give them that opportunity. Yet the door to in-home care is still closed to some of our seniors due to stringent and outdated Medicaid rules that we plan to fix with Senate Bill No. 912. This bill would expedite the eligibility process for those seniors who need in-home care, which gives our loved ones the options to stay at home when determining how they receive their care.

I take a moment to thank my colleague, Senator Street, and the Pennsylvania Homecare Association for their work and efforts in helping Senate Bill No. 912 pass this Chamber, and also for helping our loved ones and our aging seniors have the ability to stay at home during these difficult times. Thank you.

RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Monday, October 15, 2018, at 1 p.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 1:33 p.m., Eastern Daylight Saving Time.