

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, JANUARY 30, 2019

SESSION OF 2019 203RD OF THE GENERAL ASSEMBLY

No. 6

**SENATE**

WEDNESDAY, January 30, 2019

The Senate met at 10 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John K. Fetterman) in the Chair.

**PRAYER**

The Chaplain, Reverend DR. GREG STOVELL, of First Presbyterian Church, West Chester, offered the following prayer:

Let us pray.

Almighty and merciful God, Your glory shines throughout this world. We give You thanks in this place for our State and our nation. You have given us this good land as our heritage. Help us to always remember Your generosity and constantly do Your will. We pray today to bless this land with honest industry, sound learning, and honorable ways of life. Save us all from violence, discord, and confusion, from pride and arrogance, and from every evil way. Make us who come from many nations with many languages a united people. We commend this nation to Your merciful care that we may live securely in peace and be guided by Your providence. Today we pray to give all in authority the wisdom and strength to know Your will and to act on it. Remind them of their calling to serve the people as lovers of truth and justice. Today we give You thanks for all of those gathered here for the calling of their lives to serve. Bless them and their families. Bless the people they represent. Give them the spirit of wisdom and understanding that they may perceive truth and serve as Your instruments of good will.

Gracious God, may we all gather here today to serve Your people within and beyond these walls and borders. May we be a blessing to this world, especially to those who need the blessing the most. Use us to model community, equality, and justice. Use us to heal divisions, to support the weak, help the afflicted, and honor all people. Give us Your light and Your truth to guide us as we humbly pray in Your strong name. Amen.

The PRESIDENT. The Chair thanks Reverend Stovell, who is the guest today of Senator Dinniman.

**PLEDGE OF ALLEGIANCE**

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

**BILL INTRODUCED AND REFERRED**

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

January 30, 2019

Senators HUGHES, BREWSTER, FONTANA, FARNESE, SANTARSIERO, COSTA, BLAKE, SCHWANK, COLLETT, KEARNEY, LEACH, HAYWOOD and MUTH presented to the Chair **SB 111**, entitled:

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

Which was committed to the Committee on EDUCATION, January 30, 2019.

**GENERAL COMMUNICATION**

**RESIGNATION OF SENATOR DON WHITE**

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

SENATE OF PENNSYLVANIA

January 29, 2019

The Honorable Joe Scarnati  
President Pro Tempore  
292 Main Capitol  
Harrisburg, PA 17120

Dear Senator Scarnati:

Please accept this letter as my formal notice of resignation from the Senate of Pennsylvania. My last day will be February 28, 2019.

It has been an honor to serve the constituents of the 41<sup>st</sup> senatorial district and I am proud of what we have accomplished in the last 18 years. I know I am leaving the Senate in good hands and I wish you all the best as you continue to lead the Senate.

Sincerely,

DON WHITE  
Senator, 41<sup>st</sup> District

**LEGISLATIVE LEAVES**

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

Senator GORDNER. Mr. President, I request temporary Capitol leaves for Senator Baker and Senator Stefano, and legislative leaves for Senator Aument, Senator Bartolotta, Senator Corman, Senator Folmer, and Senator White.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Schwank, and legislative leaves for Senator Brewster and Senator Leach.

The PRESIDENT. Senator Gordner requests temporary Capitol leaves for Senator Baker and Senator Stefano, and legislative leaves for Senator Aument, Senator Bartolotta, Senator Corman, Senator Folmer, and Senator White.

Senator Costa requests a temporary Capitol leave for Senator Schwank, and legislative leaves for Senator Brewster and Senator Leach.

Without objection, the leaves will be granted.

**LEAVES OF ABSENCE**

Senator GORDNER asked and obtained leaves of absence for Senator ALLOWAY and Senator REGAN, for today's Session, for personal reasons.

**SPECIAL ORDER OF BUSINESS  
SENATE RESOLUTION ADOPTED**

Senators PHILLIPS-HILL, DINNIMAN, MARTIN, BARTOLOTTA, BAKER, SCAVELLO, SCHWANK, KILLION, COSTA, VOGEL, K. WARD, AUMENT, J. WARD, HUTCHINSON, BREWSTER, YUDICHAK and HAYWOOD, by unanimous consent, offered **Senate Resolution No. 13**, entitled:

A Resolution designating the month of January 2019 as "School Director Recognition Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Lancaster, Senator Phillips-Hill.

Senator PHILLIPS-HILL. Mr. President, I rise today to seek unanimous support for my resolution designating January 2019 as "School Director Recognition Month" here in Pennsylvania. Aside from parents and teachers, no individual has a larger impact on the education of our young people than the 4,500 dedicated individuals who serve on our local school boards.

**GUESTS OF SENATOR KRISTIN PHILLIPS-HILL  
PRESENTED TO THE SENATE**

Senator PHILLIPS-HILL. Mr. President, I recognize some special guests who are here with us today: Mr. James Roberts, board president from South Eastern School District; Ms. Vanessa Berger, board president from South Western School District; Dr. Todd Davies, superintendent from West York Area School District; Mr. Rodney Drawbaugh, board member from West York Area School District; Mr. Todd Gettys, board president from West York Area School District; Mr. Anthony Pantano, board member from Dallastown Area School District; and Mr. Richard Robinson, board member from York Suburban School District.

Former United States Senator Jon Tester is quoted as saying, "You've got to have a good public education system so small-business owners, when they locate to an area, are confident their kids are getting the best education possible." Public education is more than just learning basic math, science, English, and history, it is a platform for students to reach their greatest potential. It inspires hope in each new generation for a successful future. Pennsylvania's school districts exist because individuals volun-

teer their time to make informed decisions about issues facing our public schools. School boards are asked to juggle numerous responsibilities and manage competing interests. They are asked to provide abundant educational opportunities for students while also safeguarding the wallets of their taxpayers. They are essentially required to be spokespersons and liaisons, accountants and advocates, fiscal watchdogs, and human resource experts. Every January we celebrate these individuals, the nine elected school board members in each school district across the Commonwealth who serve our students, our communities, and our educational systems.

School directors volunteer, on average, 20 hours a month to help run the schools in our communities. They make difficult decisions for the betterment of our students, they vote on multi-million dollar budgets, they hire staff, select textbooks, review bus schedules and curriculum, just to name a few. As a former school board member, I know firsthand the difficulty of managing all of these different roles and shouldering the weight and expectations of every stakeholder. It is a heavy responsibility, but it comes with the best kind of reward, the ability to make a difference not only in the local community, but in the future of the lives of numerous young people. School board directors are uniquely positioned to insure the needs of students are met in a way that reflects the views and values of the community. Thank you to our school board directors for their advocacy and for making the difficult decisions, and, most importantly, thank you for making our students' success your greatest priority.

Mr. President, I ask my colleagues to pay tribute to the incredible volunteer contributions of our Commonwealth school board directors by casting an affirmative vote.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Phillips-Hill please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

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

The yeas and nays were required by Senator PHILLIPS-HILL and were as follows, viz:

**YEA-47**

Argall	Dinniman	Laughlin	Street
Aument	DiSanto	Leach	Tartaglione
Baker	Farnese	Martin	Tomlinson
Bartolotta	Folmer	Mensch	Vogel
Blake	Fontana	Muth	Ward, Judy
Boscola	Gordner	Phillips-Hill	Ward, Kim
Brewster	Haywood	Sabatina	White
Brooks	Hughes	Santarsiero	Williams, Anthony H
Browne	Hutchinson	Scarnati	Williams, Lindsey
Collett	Kearney	Scavello	Yaw
Corman	Killion	Schwank	Yudichak
Costa	Langerhole	Stefano	

**NAY-0**

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

### LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Schwank, Senator Baker, and Senator Folmer have returned, and their respective leaves are cancelled.

### GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, it is my pleasure to introduce our Chaplain today, Reverend Greg Stovell, and his daughter, Susan, who is in the gallery. The church, which is the First Presbyterian Church of West Chester, has been part and parcel of our community for a long time. I know as an elected official, if there is a case in our community where someone is suffering, someone needs help, there are certain churches I can call and they will always respond. The First Presbyterian Church of West Chester is such a church, and I am grateful for its pastor, and for the history of this church in our community. This church has been part and parcel of all of what we hope we stand for in Chester County, and that is to reach out to each and every citizen and to help those who need help. Remember, Chester County is the wealthiest county in the Commonwealth, but we still have many people who are in need of assistance, and this church is always there to help us.

The Reverend Dr. Stovell has carried on the fine tradition of the First Presbyterian Church of West Chester, and I hope we can give a warm welcome to the church's pastor and his daughter, who is a senior in high school and got the day off because of an educational trip to the Capitol. I ask that we give a nice warm welcome to them.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Dinniman please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Aument has returned, and his legislative leave is cancelled.

### CALENDAR

#### SECOND CONSIDERATION CALENDAR

##### SB 113 CALLED UP OUT OF ORDER

**SB 113 (Pr. No. 58)** -- Without objection, the bill was called up out of order, from page 1 of the Second Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 113 (Pr. No. 58)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss; and repealing a retroactivity provision.

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

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

### RECESS

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

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

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

### AFTER RECESS

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

### CONSIDERATION OF CALENDAR RESUMED

#### SECOND CONSIDERATION CALENDAR RESUMED

#### BILLS ON SECOND CONSIDERATION

**SB 9 (Pr. No. 43)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*) as the official amphibian of the Commonwealth of Pennsylvania.

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

**SB 26 (Pr. No. 5)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Borough of Topton, Berks County, in exchange for the imposition of Project 70 restrictions on other lands to be acquired by the Borough of Topton, Berks County.

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

#### BILLS OVER IN ORDER

**SB 127** and **SB 128** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### BILL ON SECOND CONSIDERATION

**SB 130 (Pr. No. 92)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to release a use restriction and reversionary interest affecting certain real property situate partly in the Township of Mahoning and partly in the Borough of Danville, County of Montour.

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

**UNFINISHED BUSINESS  
BILL REPORTED FROM COMMITTEE**

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

**SB 113 (Pr. No. 58) (Rereported)**

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss; and repealing a retroactivity provision.

**SENATE RESOLUTIONS ADOPTED**

Senators TARTAGLIONE, BROOKS, DINNIMAN, FONTANA, SCHWANK, BREWSTER, COLLETT, VOGEL, PHILLIPS-HILL, BROWNE, BARTOLOTTA, K. WARD, SCAVELLO, AUMENT, MARTIN, HUGHES, MUTH, SANTARSIERO, KILLION, YUDICHAK, COSTA, FOLMER, MENSCH and FARNESE, by unanimous consent, offered **Senate Resolution No. 14**, entitled:

A Resolution recognizing February 1, 2019, as "National Wear Red 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, very often women are the caretakers in their families. We take care of our children, spouses, parents, and everyone around us, but, unfortunately, we do not take care of ourselves, especially when it comes to heart disease. Not only does heart disease claim the lives of more women than men each year, but also, one woman is killed every 60 seconds by cardiovascular disease, making it the most deadly of all diseases among women. Yet, only 1 in 5 American women believe that heart disease is her greatest health threat. This year, Senator Baker and I hope to change these odds. As part of the American Heart Association's Go Red campaign, we are offering this resolution to insure women understand the risks of heart disease, and we are encouraging every female in this State to become more aware and proactive in maintaining their own cardiovascular health.

Today, Mr. President, we are asking for an affirmative vote on this resolution to declare Friday, February 1, 2019, as "National Wear Red Day" so we may continue outreach efforts until we have reached every mother, daughter, sister, and friend in the Commonwealth.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, I am pleased to join my friend and colleague, Senator Tartaglione, in sponsoring this resolution. There are many health warnings and alerts competing for attention and action, so the American Heart Association is doing something quite distinctive to make their cause and message stand out. National Wear Red Day is a powerful dose of advocacy on behalf of better health and longer lives for women. While it is disconcerting to learn how pervasive heart disease and strokes are among women, it is reassuring to know that much of this can be prevented. We cannot hear the commonsense advice often enough: be aware of the risks; take control of your health; educate yourself, then family and friends, of the benefits of healthy choices on diet, exercise, and lifestyle; do not wait until the signs of serious trouble are apparent before making a doctor visit; and get involved in helping others through advocacy or financial support. Of course, some risk factors cannot be helped, like family history and age, but other things can be managed. It is important for women to know their numbers for cholesterol, blood pressure, blood sugar, and body mass index.

There are five silent heart attack symptoms that everyone should know: shortness of breath; pain in the upper back, jaw, one or both arms, or neck; discomfort in the center of the chest; nausea or flu-like symptoms; and profuse sweating. None of us should ignore these critical warning signs. The American Heart Association is challenging us to make a commitment to stand together and take charge of our heart health, so I hope everyone will join Senator Tartaglione and me in spreading the message and helping to save lives. Be sure to wear red, Go Red for Women this Friday, February 1.

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 BROOKS, BARTOLOTTA, SCAVELLO, AUMENT, HUGHES, TARTAGLIONE, KILLION, YUDICHAK, COSTA, FOLMER, FARNESE, BREWSTER and BROWNE, by unanimous consent, offered **Senate Resolution No. 15**, entitled:

A Resolution designating the week of January 27 through February 2, 2019, as "Physician Anesthesiologist Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator BROOKS. Mr. President, today I ask for unanimous support for this resolution designating the week of January 27 to February 2 as "Physician Anesthesiologist Week." Pennsylvania is home to more than 1,400 anesthesiologists, who are dedicated to the highest standards of medical and surgical care. These physicians play a life-sustaining and frequently lifesaving role in

surgeries before, during, and after an operation. Please join me in honoring our anesthesiologists' contributions to our healthcare, both here in Pennsylvania and across the nation.

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.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, FEBRUARY 4, 2019

12:30 P.M. AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 85 and 145) Room 8E-A East Wing

Off the Floor JUDICIARY (to consider Senate Bills No. 49 and 86; and Senate Resolution No. 20) Rules Cmte. Conf. Rm.

TUESDAY, FEBRUARY 5, 2019

9:30 A.M. STATE GOVERNMENT (to consider Senate Bills No. 133 and 190) Room 461 Main Capitol

TUESDAY, FEBRUARY 19, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Revenue/Lottery) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Independent Fiscal Office) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Public Utility Commission) Hrg. Rm. 1 North Off.

WEDNESDAY, FEBRUARY 20, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Department of State) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Pennsylvania Historical and Museum Commission) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Banking and Securities) Hrg. Rm. 1 North Off.

THURSDAY, FEBRUARY 21, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - PA State System of Higher Education) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - State Police/Homeland Security) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - PA Emergency Management Agency/ Fire Commissioner) Hrg. Rm. 1 North Off.

MONDAY, FEBRUARY 25, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Labor & Industry) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of General Services) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Transportation) Hrg. Rm. 1 North Off.

TUESDAY, FEBRUARY 26, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - State Related Universities) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Judiciary) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - PA College of Technology) Hrg. Rm. 1 North Off.

4:00 P.M. APPROPRIATIONS (Budget Hearing - Thaddeus Stevens College of Technology) Hrg. Rm. 1 North Off.

WEDNESDAY, FEBRUARY 27, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Health) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Human Services) Hrg. Rm. 1 North Off.

THURSDAY, FEBRUARY 28, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Corrections/Board of Probation and Parole) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - PA Liquor Control Board) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Environmental Protection) Hrg. Rm. 1 North Off.

4:00 P.M. APPROPRIATIONS (Budget Hearing - JCJC/PCCD) Hrg. Rm. 1 North Off.

MONDAY, MARCH 4, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Drug & Alcohol) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Life Sciences Greenhouse/Life Sciences PA) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Conservation & Natural Resources) Hrg. Rm. 1 North Off.

TUESDAY, MARCH 5, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Education) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Aging) Hrg. Rm. 1 North Off.

WEDNESDAY, MARCH 6, 2019

10:00 A.M. APPROPRIATIONS (Budget Hearing - Dept. of Military & Veterans Affairs) Hrg. Rm. 1 North Off.

1:00 P.M. APPROPRIATIONS (Budget Hearing - Dept. of Agriculture) Hrg. Rm. 1 North Off.

3:00 P.M. APPROPRIATIONS (Budget Hearing - Ben Franklin Technology Partners) Hrg. Rm. 1 North Off.

THURSDAY, MARCH 7, 2019

10:00 A.M.	APPROPRIATIONS (Budget Hearing - PA Gaming Control Board)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Community & Economic Development)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Budget Secretary/Governor's Executive Office)	Hrg. Rm. 1 North Off.

**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 Monday, February 4, 2019, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 10:46 a.m., Eastern Standard Time.