

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, JUNE 24, 2019

SESSION OF 2019 203RD OF THE GENERAL ASSEMBLY

No. 34

**SENATE**

MONDAY, June 24, 2019

The Senate met at 1 p.m., Eastern Daylight Saving Time.

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

**PRAYER**

The Chaplain, Reverend BRETT IAN JENKINS, Pastor of Holy Cross Evangelical Lutheran Church, Nazareth, offered the following prayer:

Let us pray.

Gracious, good, and Holy God, in whom we live and move and have our being, treasury of good things and giver of all life, we thank You for the gift and responsibility of liberty, for time and opportunity to serve our fellow human beings, and for the diversity of perspectives and abilities that permit us even in our human limitations to labor toward truth and justice for respectful cooperation. Since apart from You we fall into chaos and violence, draw us, who so easily stray, ever closer to Yourself. Keep us mindful of the accounting we must someday give for all that we have done and left undone. Let us act in accord with Your will and wisdom. With respect for the faith of all those here present, I offer this prayer in the name of Jesus Christ. Amen.

The PRESIDENT pro tempore. The Chair thanks Pastor Jenkins, who is the guest today of Senator Scavello.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**RECALL COMMUNICATIONS  
REFERRED TO COMMITTEE**

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

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until her successor is appointed and qualified, vice George Gunn, Lansdale, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Michael Wolf, Enola, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr (Alternate), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Ashok Khare, Warren, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice C. Alan Walker, Clearfield, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Victoria S. Madden, Esquire (Alternate), 1056 Brandt Avenue, Lemoyne 17043, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Martin Raniowski, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Barry Schoch, Camp Hill, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until her successor is appointed and qualified, vice Laura Ellsworth, Sewickley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell (Public Member), 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Christopher Decker, Shohola, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CLARION UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 24, 2019, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until November 16, 2022, and until his successor is appointed and qualified, vice Syed Ali-Zaidi, Shippenville, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

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

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 24, 2019, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial

District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Brian Swatt, Indiana, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory Black, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve *[data missing]* a term of six years, and until her successor is appointed and qualified, vice Jerry Swope, Lock Haven, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2019, and until her successor is appointed and qualified, vice Robert Agbede, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

PHYSICIAN GENERAL

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of David Galinsky, M.D., 267 Meeting House Lane, Merion Station 19066, Montgomery County, Seventeenth Senatorial District, for appointment as Physician General, to serve at the pleasure of the Governor, vice Rachel Levine, M.D., Middletown, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

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

June 24, 2019

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Aven Bittinger, 408 Lancaster Drive, Box #150, Shippensburg 17257, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Rodney Kaplan, West Chester, graduated.

TOM WOLF  
Governor

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

June 24, 2019

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nicole E. Dunlap, 1314 Pincrest Drive, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Joar Hahn, Darby, graduated.

TOM WOLF  
Governor

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

June 24, 2019

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alexander Fefolt, 104 McNally Circle, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Brian Swatt, Indiana, resigned.

TOM WOLF  
Governor

### HOUSE MESSAGES

#### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 144**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

#### HOUSE BILLS FOR CONCURRENCE

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

June 20, 2019

- HB 716** and **1170** -- Committee on Labor and Industry.  
**HB 855, 920, 921, 922** and **923** -- Committee on Appropriations.  
**HB 1032** and **1033** -- Committee on Consumer Protection and Professional Licensure.  
**HB 1034, 1035, 1036, 1379** and **1405** -- Committee on Local Government.  
**HB 1514, 1516, 1517, 1518, 1519, 1520, 1521, 1523** and **1526** -- Committee on Agriculture and Rural Affairs.

June 21, 2019

- HB 33** -- Committee on Health and Human Services.  
**HB 305** and **1222** -- Committee on State Government.  
**HB 956** -- Committee on Aging and Youth.  
**HB 1185** and **1188** -- Committee on Game and Fisheries.  
**HB 1479, 1510** and **1547** -- Committee on Transportation.  
**HB 1522** and **1537** -- Committee on Labor and Industry.  
**HB 1538** and **1614** -- Committee on Judiciary.  
**HB 1557** -- Committee on Environmental Resources and Energy.  
**HB 1590** -- Committee on Agriculture and Rural Affairs.  
**HB 1609** -- Committee on Veterans Affairs and Emergency Preparedness.

### BILLS INTRODUCED AND REFERRED

The PRESIDENT pro tempore laid before the Senate the following Senate Bills numbered, entitled, and referred as follows, which were read by the Clerk:

June 20, 2019

Senators ARGALL, BREWSTER, MENSCH, J. WARD and YUDICHAK presented to the Chair **SB 775**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, adding provisions relating to bidder registration before sale; and, in sale of property, further providing for date of sale, for repurchase by owner, for restrictions on purchases and for sale of property in repository.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 20, 2019.

Senators GORDNER, MARTIN, SCAVELLO, BLAKE, COSTA, STEFANO, MENSCH and K. WARD presented to the Chair **SB 779**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in dates of elections and primaries and special elections, further providing for general primary and candidates to be nominated and party officers to be elected.

Which was committed to the Committee on STATE GOVERNMENT, June 20, 2019.

Senators FARNESE, FONTANA, LEACH, HUGHES, TARTAGLIONE, BREWSTER, SCHWANK and COSTA presented to the Chair **SB 780**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation.

Which was committed to the Committee on JUDICIARY, June 20, 2019.

Senators BLAKE, FOLMER, FONTANA, HUGHES, HAYWOOD, KILLION, K. WARD, MENSCH, BAKER, TARTAGLIONE, KEARNEY, MUTH and COLLETT presented to the Chair **SB 782**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in State-related institutions, further providing for reporting, for contents of report and for copies and posting and providing for contracts.

Which was committed to the Committee on STATE GOVERNMENT, June 20, 2019.

Senators BLAKE, FOLMER, FONTANA, HUGHES, HAYWOOD, KILLION, MENSCH, BAKER, TARTAGLIONE, KEARNEY, MUTH and COLLETT presented to the Chair **SB 783**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; in requirements and prohibitions, providing for Pennsylvania Interscholastic Athletic Association; in access, further providing for open-records officer, for regulations and policies, for uniform form, for requests and for retention of records and providing for inmate access; in procedure, further providing for access, for requests, for written requests, for electronic access, for creation of record,

for redaction, for production of certain records and for exceptions for public records; in agency response, further providing for general rule and for extension of time; in appeal of agency determination, further providing for filing of appeal and for appeals officers; in judicial review, further providing for civil penalty, for fee limitations and for Office of Open Records; and, in miscellaneous provisions, further providing for relation to other laws.

Which was committed to the Committee on STATE GOVERNMENT, June 20, 2019.

June 21, 2019

Senators FOLMER, PHILLIPS-HILL, MARTIN and HUTCHINSON presented to the Chair **SB 770**, entitled:

An Act repealing the act of November 30, 2004 (P.L.1672, No.213), entitled, "An act providing for the sale of electric energy generated from renewable and environmentally beneficial sources, for the acquisition of electric energy generated from renewable and environmentally beneficial sources by electric distribution and supply companies and for the powers and duties of the Pennsylvania Public Utility Commission."

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 21, 2019.

Senators BROOKS, MENSCH, DiSANTO, FOLMER, PHILLIPS-HILL, STEFANO, K. WARD, COSTA, BLAKE, BREWSTER, FONTANA and YUDICHAK presented to the Chair **SB 776**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for effect of adoption.

Which was committed to the Committee on JUDICIARY, June 21, 2019.

Senators FARNESE, TARTAGLIONE, BREWSTER and COSTA presented to the Chair **SB 781**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for factors to consider when awarding custody.

Which was committed to the Committee on JUDICIARY, June 21, 2019.

Senators L. WILLIAMS, BLAKE, BOSCOLA, BROWNE, COLLETT, COSTA, FARNESE, FONTANA, HUGHES, HUTCHINSON, IOVINO, LEACH, SANTARSIERO, TARTAGLIONE, J. WARD, DINNIMAN and BREWSTER presented to the Chair **SB 785**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for scope of subchapter, for definitions, for assistance to volunteer fire companies, ambulance service and rescue squads, for Volunteer Companies Loan Fund, for powers and duties of office, for disposition and use of proceeds, for repayment obligations for principle and interest, for temporary financing authorization, for referendum for additional indebtedness, for authorization of contracts, reimbursement procedure and amount and for reimbursement procedure and amount.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 21, 2019.

Senators SCARNATI, HUTCHINSON, YAW, K. WARD, STEFANO, VOGEL, BROOKS, LANGERHOLC, J. WARD, FOLMER, MENSCH and MARTIN presented to the Chair **SB 790**, entitled:

An Act relating to conventional wells and the development of oil, gas and coal; imposing powers and duties on the Department of Environmental Protection; providing for preliminary provisions, for general requirements, for enforcement and remedies, for related funds and for miscellaneous provisions; and making an appropriation.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 21, 2019.

## RESOLUTION INTRODUCED AND REFERRED

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

June 20, 2019

Senators MARTIN, K. WARD, PHILLIPS-HILL, KILLION, BOSCOLA and LEACH presented to the Chair **SR 179**, entitled:

A Resolution petitioning the Congress of the United States to extend daylight saving time throughout the year across the country.

Which was committed to the Committee on STATE GOVERNMENT, June 20, 2019.

## GENERAL COMMUNICATIONS

### AUDITOR GENERAL'S CERTIFICATE

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

COMMONWEALTH OF PENNSYLVANIA  
Department of the Auditor General  
Harrisburg, PA 17120-0018

June 24, 2019

The Honorable Joseph Scarnati  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Scarnati:

In accordance with the provisions of Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), I am providing you with the accompanying certification in connection with the general obligation bond sale of June 12, 2019.

A duplicate original of my certificate is enclosed.

Sincerely,

EUGENE A. DePASQUALE  
Auditor General

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### AUDITOR GENERAL'S CERTIFICATE

Pursuant to  
ARTICLE VIII, Section 7(a)(4)  
of the  
CONSTITUTION OF PENNSYLVANIA  
and  
Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

I, Eugene A. DePasquale, Auditor General of the Commonwealth of Pennsylvania, pursuant to Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), certify as follows:

The amount of outstanding net debt as of June 26, 2019. . . . . \$10,671,778,432

The difference between the limitation upon all net debt outstanding as provided in Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and the amount of outstanding net debt as of June 26, 2019. . . . . \$58,136,235,968

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 24th day of June 2019.

EUGENE A. DePASQUALE Auditor General

The PRESIDENT pro tempore. This report will be noted in the Journal.

**REPORT OF THE JOINT STATE GOVERNMENT COMMISSION ON SEXUAL HARASSMENT AND MISCONDUCT IN THE WORKPLACE**

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

COMMONWEALTH OF PENNSYLVANIA Joint State Government Commission Room 108 - Finance Building Harrisburg, PA 17120

June 18, 2019

To the Members of the General Assembly of Pennsylvania:

We are pleased to release *Sexual Harassment and Misconduct in the Workplace: Survey of Claims and Policies in Pennsylvania Governmental Agencies*, a staff study directed by HR829 of 2018. The full report and a one-page summary are now available at <http://jsg.legis.state.pa.us/>.

Respectfully submitted,

GLENN J. PASEWICZ Executive Director

The PRESIDENT pro tempore. This report will be filed in the library.

**REPORT ON STANDARDIZED TESTS IN PUBLIC EDUCATION**

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

COMMONWEALTH OF PENNSYLVANIA Legislative Budget and Finance Committee Room 400, Finance Building Harrisburg, Pennsylvania 17105-8737

June 24, 2019

To the General Assembly

Commonwealth of Pennsylvania Harrisburg, PA 17120

**RE: STANDARDIZED TESTS IN PUBLIC EDUCATION**

Enclosed herewith is the Report of the Legislative Budget and Finance Committee for Standardized Tests in Public Education.

The PRESIDENT pro tempore. This report will be filed in the Library.

**PERFORMANCE EVALUATION OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION CHAPTER 102 AND CHAPTER 105 PERMITTING PROGRAMS**

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

COMMONWEALTH OF PENNSYLVANIA Legislative Budget and Finance Committee Room 400, Finance Building Harrisburg, Pennsylvania 17105-8737

June 24, 2019

To the General Assembly Commonwealth of Pennsylvania Harrisburg, PA 17120

**RE: PERFORMANCE EVALUATION OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION CHAPTER 102 AND CHAPTER 105 PERMITTING PROGRAMS**

Enclosed herewith is the Legislative Budget and Finance Committee's for Performance Evaluation of the Department of Environmental Protection Chapter 102 and Chapter 105 Permitting Programs.

The PRESIDENT pro tempore. This report will be filed in the Library.

**APPOINTMENTS BY THE PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Elisabeth J. Baker as a member of the State Council for Interstate Adult Offender Supervision, as a member of the Pennsylvania State Council for Interstate Juvenile Supervision, and as a member of the Judicial Council of Pennsylvania.

**BILLS REPORTED FROM COMMITTEES**

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

**HB 1514 (Pr. No. 1910)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for the Farm-to-School Program; and making a related repeal.

**HB 1516 (Pr. No. 2124)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, establishing the Agriculture Rapid Response Disaster Readiness Account.

**HB 1520 (Pr. No. 2212) (Amended)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in Pennsylvania Preferred® Trademark, further providing for Pennsylvania Preferred Trademark Licensing Fund and providing for military veterans; providing for grant programs; and making editorial changes

**HB 1526 (Pr. No. 2126)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in general provisions, providing for Agriculture-Linked Investment Program; and making related repeals.

**HB 1590 (Pr. No. 2213) (Amended)**

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, establishing the Dairy Investment Program and Dairy Investment Program Account.

Senator SCAVELLO, from the Committee on Banking and Insurance, reported the following bills:

**HB 3 (Pr. No. 2211) (Amended)**

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for health insurance markets oversight; and establishing the Pennsylvania Health Insurance Exchange Fund.

**HB 1016 (Pr. No. 1166)**

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in fraternal benefit societies, providing for solvency and further providing for benefit contract and for injunction, liquidation and receivership of domestic society.

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

**SB 473 (Pr. No. 1052) (Amended)**

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for sale of tobacco and for use of tobacco in schools prohibited; making a conforming amendment to Title 53; and making a related repeal.

**HB 1614 (Pr. No. 2214) (Amended)**

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) 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 for sale or transfer of firearms; and, in commencement of proceedings, further providing for Statewide municipal police jurisdiction, for nonmunicipal police extraterritorial jurisdiction and for agents of the Office of Attorney General and providing for interpretation.

**LEGISLATIVE LEAVES**

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

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

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

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

The PRESIDENT pro tempore. Senator Corman requests a legislative leave for Senator Tomlinson.

Senator Costa requests a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**JOURNALS APPROVED**

The PRESIDENT pro tempore. The Journals of the Sessions of April 10, 2019, April 23, 2019, April 29, 2019, and April 30, 2019, are now in print.

The Clerk proceeded to read the Journals of the Sessions of April 10, 2019, April 23, 2019, April 29, 2019, and April 30, 2019.

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

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

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

**YEA-49**

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

**NAY-0**

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

The PRESIDENT pro tempore. The Journals are approved.

**GUESTS OF SENATOR MARIO M. SCAVELLO PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I rise to introduce my constituent and friend, Pastor Brett Ian Jenkins, who is serving as guest Chaplain today and offered the opening prayer for to-

day's Session. He is accompanied by Barbara Lynn-Sarley, who is the head of social ministry of Holy Cross. Pastor Jenkins, STS, is from Holy Cross Evangelical Lutheran Church in Nazareth, Pennsylvania. Prior to joining Holy Cross Church, during his study for his master's of divinity from the Lutheran Theological Seminary in Gettysburg, he served as the vicar for Lazarus Lutheran Church in Linesboro, Maryland, and as an ordained pastor he has served across Pennsylvania, from the Alleghenies to northeast Pennsylvania. Pastor Brett serves as a professional coach for other pastors within his denomination, the North American Lutheran Church, and is pursuing a certificate of pastoral care through the Wycliffe Institute of Pastoral Care. Reverend Jenkins is also in the final stages of completing a doctorate in ministry with an emphasis in Apologetics and Evangelism through the Institute of Lutheran Theology. In his free time, Pastor Brett enjoys making music, fishing, taking walks with his wife, Dr. Lisa Jenkins, and enjoying family time with his children, Iain and Elizabeth.

Please join me in welcoming Pastor Brett Jenkins, his family, and all of his guests traveling with him here today, who are seated in the gallery.

The PRESIDENT pro tempore. Would the guests of Senator Scavello please rise to be welcomed by the Senate.

(Applause.)

#### **GUESTS OF SENATOR DAYLIN LEACH PRESENTED TO THE SENATE**

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

Senator LEACH. Mr. President, I have two interns who are with us for the entire summer. When I was their age, I worked at Dorney Park. This has got to be more enlightening than that, and we are grateful for their help and hope that they have a great experience. We have Alexis O'Neal and Angela Butler.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Leach please rise to be welcomed by the Senate.

(Applause.)

#### **GUEST OF SENATOR KIM L. WARD PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I rise today to introduce my friend, Beth Lechman. Beth is the director of the Westmoreland County Election Bureau. I have known her for years because she is very, very active in 4-H. She and her husband have a beef and crop farm. That is how I first met her, and before you know it, your friends all move up and she moved up there pretty high. She is here today to help celebrate the 100th anniversary of the 19th Amendment to the United States Constitution. It was ratified by the Pennsylvania General Assembly on June 24, 1919, and it provided women with the same opportunity as men with their voting rights. She has been employed by the county for 22 years, and I was just so happy to run into her in the hallway today.

The PRESIDENT pro tempore. Would the guest of Senator Kim Ward please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

#### **RECESS**

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of an off-the-floor meeting of the Committee on Veterans Affairs and Emergency Preparedness to be held in the Rules room in the rear of the Chamber, followed immediately by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Veterans Affairs and Emergency Preparedness, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

The PRESIDENT pro tempore. For purposes of an off-the-floor meeting of the Committee on Veterans Affairs and Emergency Preparedness to be held in the Rules room, followed by Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

#### **AFTER RECESS**

**The PRESIDING OFFICER (Senator Elisabeth J. Baker) in the Chair.**

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

#### **RECESS**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

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

The PRESIDING OFFICER. Senator Corman requests a recess of the Senate for purposes of off-the-floor committee meetings, beginning with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations, and then the Committee on Labor and Industry. Without objection, the Senate stands in recess.

#### **AFTER RECESS**

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

#### **LEGISLATIVE LEAVES CANCELLED**

The PRESIDING OFFICER. Senator Tomlinson and Senator Tartaglione have returned, and their legislative leaves are cancelled.

## CALENDAR

## THIRD CONSIDERATION CALENDAR

## BILL AMENDED

**HB 65 (Pr. No. 69)** -- The Senate proceeded to consideration of the bill, entitled:

An Act Designating a bridge on that portion of State Route 3047 over the South Branch of Blacklick Creek, Blacklick Township, Cambria County, as the Private First Class Steve L. Klosz Memorial Bridge.

On the question,

Will the Senate agree to the bill on third consideration?

Senator K. WARD offered the following amendment No. A2192:

Amend Bill, page 1, line 4, by striking out the period after "Bridge" and inserting:

; designating the 2100 to 2200 block of Castor Avenue, State Route 1005, in Philadelphia County as the Police Officer Raymond Diaz, Jr., Memorial Highway; designating the portion of Interstate 376 from the end of the bridge identified as Bridge Key 3522 to the exit at State Route 51 in Beaver County, as the Richard L. Shaw Memorial Highway; designating the bridge identified as Bridge Key 3522 on that portion of Interstate 376 over the Ohio River in Vanport Township, Beaver County, as the USAF Combat Controller Staff Sgt. Dylan Elchin Memorial Bridge; designating the first block of West Main Street, State Route 1010, in Fleetwood Borough, Berks County, as the Alex J. Szoke Highway; designating the bridge identified as Bridge Key 15986 on that portion of Interstate 79 northbound over West 16th Street in the City of Erie, Erie County, as the Thomas J. Kennedy, Jr., Memorial Bridge; designating the bridge on that portion of State Route 4011 over Pine Creek, Hegins Township, Schuylkill County, as the A. Donald Buffington Memorial Bridge; designating a portion of Pennsylvania Route 144 beginning at the intersection of Pennsylvania Route 64 in Pleasant Gap and ending at the intersection of Pennsylvania Route 45 in Centre Hall, Centre County, as the Duster-Quad 50-Searchlight Highway; and designating a portion of Pennsylvania Route 50 in Independence Township, Washington County, as the Lt. Col. Juanita L. Warman Memorial Highway.

Amend Bill, page 2, by inserting between lines 20 and 21: Section 2. Police Officer Raymond Diaz, Jr., Memorial Highway.

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

(1) Police Officer Raymond Diaz, Jr., made the ultimate sacrifice on September 9, 2016, when he died as a result of complications from injuries sustained in an accident when his patrol car was struck by a vehicle while responding to a burglary.

(2) As a result of the accident Officer Diaz was diagnosed with concussion-like symptoms as well as other injuries.

(3) Officer Diaz was assigned to the 24th Police District and served with the Philadelphia Police Department for 20 years.

(4) Officer Diaz was survived by his wife and three children.

(b) Designation.--The 2100 to 2200 block of Castor Avenue, State Route 1005, in Philadelphia County is designated the Police Officer Raymond Diaz, Jr., Memorial Highway.

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

Section 3. Richard L. Shaw Memorial Highway.

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

(1) Richard L. Shaw, born on May 8, 1927, passed away on December 29, 2018, at 91 years of age.

(2) After graduating from the University of Pittsburgh in 1950 with a business degree, Shaw went to work for the Michael Baker Corp., an engineering firm, in 1952. He progressed through various leadership positions before being named president in 1973 and chief executive officer in 1984.

(3) He retired as CEO of Michael Baker Corp. in 1992, but returned to that role three times between 1993 and 2006, finally retiring

in 2008.

(4) Shaw served for decades on the board of directors of the Beaver County Corporation for Economic Development, as well as the New Brighton Area school board.

(5) Shaw was a trustee of Brighton Center for Youth and served on the boards of a number of organizations, including The United Way of Beaver County, Salvation Army, Penn State-Beaver, Southwestern Pennsylvania Regional Planning Commission, Allegheny County Airport Authority, American Red Cross and Boy Scouts of America.

(6) In his capacity at Michael Baker Corp., Shaw also completed the property surveys, site design and civil permitting for the new home of the Beaver County Humane Society at no cost to the society. The plan for the state-of-the-art facility came to fruition in 2013.

(7) Shaw was a leading force in the designation of Route 60 as Interstate 376, which sparked significant economic development in Beaver County.

(8) A World War II veteran, Shaw dedicated more than 60 years to supporting and expanding the business and civic communities of Beaver County.

(b) Designation.--The portion of Interstate 376 from the end of the bridge identified as Bridge Key 3522 to the exit at State Route 51 in Beaver County, is designated the Richard L. Shaw Memorial Highway.

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

Section 4. USAF Combat Controller Staff Sgt. Dylan Elchin Memorial Bridge.

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

(1) USAF Combat Controller Staff Sgt. Dylan Elchin was born June 11, 1993, and gave his life in the line of duty on November 27, 2018, at 25 years of age.

(2) After graduating from Hopewell High School in 2012, Staff Sgt. Elchin joined the United States Air Force and was stationed at Cannon Air Force Base in New Mexico.

(3) Staff Sgt. Elchin was deployed to serve in the Andar District of the Ghazni Province in Afghanistan as a Joint Terminal Attack Controller with the 26th Special Tactics Squadron.

(4) Staff Sgt. Elchin was a recipient of the Bronze Star, the Purple Heart, the Army Commendation Medal with valor, the Air Force Commendation Medal, the Air Force Combat Action Medal, the Good Conduct Medal, the National Defense Service Medal, the Afghan Campaign Medal, the Global War on Terrorism Service Medal and the NATO Medal.

(5) Throughout his career, Staff Sgt. Elchin steadfastly displayed exceeding loyalty and dedication to the United States of America as well as the United States Air Force. People who value freedom will forever owe him a debt that never can be repaid.

(b) Designation.--The bridge identified as Bridge Key 3522 on that portion of Interstate 376 over the Ohio River in Vanport Township, Beaver County, is designated the USAF Combat Controller Staff Sgt. Dylan Elchin Memorial Bridge.

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

Section 5. Alex J. Szoke Highway.

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

(1) Alex J. "Shonny" Szoke was recognized for his record of community commitment and service by a resolution of the borough council of Fleetwood Borough, Berks County, on December 10, 2018.

(2) Mr. Szoke and his wife, Gloria, were married for 65 years before his death on November 18, 2018.

(3) He enlisted in the United States Marine Corps Reserve before graduating from Kutztown High School in 1948, and served in the United States Navy during the Korean War.

(4) Mr. Szoke was a member of Fleetwood Borough Council for 40 years, serving most of that time as council president.

(5) He also served as a church council member of Becker's St. Peter's Lutheran Church, Molltown; a founder of the Fleetwood Area Baseball Association (FABA); a Cub Scout master for Evansville and Fleetwood, an officer of the Fraternal Order Orioles Fleetwood Nest 23; a secretary of his union local at Allentown Portland Cement in Evans-

ville, past chair of the Berks County Democratic Committee, and winner of the full beard award during the 1973 Fleetwood Centennial year.

(b) Designation.--The first block of West Main Street, State Route 1010, in Fleetwood Borough, Berks County, is designated as the Alex J. Szoke Highway.

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

Section 6. Thomas J. Kennedy, Jr., Memorial Bridge.

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

(1) Thomas J. Kennedy, Jr., was born May 18, 1930, in the City of Erie, Erie County, and served the United States in the Marine Corps, where he reached the rank of Captain.

(2) Captain Kennedy was the Senior Battalion Advisor to the Fifth Battalion, Vietnamese Marine Brigade, in the hostile area of Phu An, Quang Ngai Province, Vietnam.

(3) On June 12, 1966, Captain Kennedy was with the Fifth Battalion Command Post when the lead elements were pinned down by heavy enemy fire and the Command Post was destroyed by enemy mortar and rifle fire, killing the Battalion Commander, the Battalion Surgeon, key staff officers and numerous soldiers.

(4) Although suffering multiple shrapnel wounds, Captain Kennedy located a radio and, with his last breath, reported the situation, allowing the battalion to set up a defensive perimeter and repulse repeated enemy attacks.

(5) Despite his mortal wounds, Captain Kennedy prevented enemy forces from overrunning the remaining battalion units and valiantly gave his life protecting the lives of his fellow Marines.

(6) For conspicuous gallantry and intrepidity in action, Captain Kennedy was posthumously awarded the Silver Star, the third-highest personal decoration for valor in combat.

(b) Designation.--The bridge, identified as Bridge Key 15986, on that portion of Interstate 79 northbound over West 16th Street in the City of Erie, Erie County, is designated the Thomas J. Kennedy, Jr., Memorial Bridge.

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

Section 7. A. Donald Buffington Memorial Bridge.

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

(1) A. Donald Buffington was born December 16, 1929.

(2) Mr. Buffington graduated in 1947 from the former Hegins Township High School and in 1949 from the former Eckles College of Mortuary Science, Philadelphia.

(3) Mr. Buffington faithfully served his community as a board member of the Valley View Park Association and a board member of the Tri-Valley School Board for several decades.

(4) Mr. Buffington spent several decades of time maintaining the Valley View Park which included painting and cutting grass.

(5) Mr. Buffington was a coach for the Hegins Valley Teener League and was the first Teener League coach from Schuylkill County to win the State Championship in 1970.

(6) Mr. Buffington played and coached semi-pro baseball in the area for many years.

(7) Mr. Buffington was the Funeral Director for the former Buffington Funeral Home and the Buffington-Reed Funeral Home, both of Valley View.

(8) Mr. Buffington was a member of Friedens United Church of Christ in Hegins, Valley View Gun Club and Valley View Fire Company.

(b) Designation.--The bridge located on State Route 4011 over Pine Creek, Hegins Township, Schuylkill County, is designated the A. Donald Buffington Memorial Bridge.

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

Section 8. Duster-Quad 50-Searchlight Highway.

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

(1) Dusters, quad .50s and searchlights were weapons used by the United States Army, grouped together as separate small units, and deployed to Vietnam starting in 1966 and ending in 1972.

(2) Duster was the nickname given to a weapon mounted on a tank chassis with two 40 mm guns mounted on top.

(3) Quad 50 was the nickname for a weapon that had four .50 caliber machine guns mounted on the back of a two and one-half ton truck.

(4) Searchlights provided white light and infrared illumination to assist the United States Army in the defense of combat bases at night.

(5) Several hundred soldiers from this Commonwealth served in units heavily armed with dusters, quad .50s and searchlights.

(6) The 1st Battalion, 44th Artillery, with Battery G of the 65th Artillery and Battery G of the 29th Artillery attached, was the highest decorated unit of its size to fight in the Vietnam War.

(7) As a unit equipped with dusters, quad .50s and searchlights, the unit was awarded over 450 medals for valor, including the Medal of Honor, and was awarded over 1000 Purple Hearts.

(8) During the Vietnam War, units equipped with dusters, quad .50s and searchlights suffered the loss of 211 soldiers, including five soldiers from this Commonwealth.

(b) Designation.--The portion of Pennsylvania Route 144 beginning at the intersection of Pennsylvania Route 64 in Pleasant Gap and ending at the intersection of Pennsylvania Route 45 in Centre Hall, Centre County, is designated as Duster-Quad 50-Searchlight Highway.

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

Section 9. Lieutenant Colonel Juanita L. Warman Memorial Highway.

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

(1) Lt. Col. Juanita L. Warman lived in Avella as a child and attended elementary school and junior high school there.

(2) Lt. Col. Juanita L. Warman attended the former Langley High School in Pittsburgh and graduated from the University of Pittsburgh with a master's degree in nursing.

(3) Lt. Col. Warman worked at the University of Pittsburgh Medical Center for a portion of her career, joined the United States Army and, as a psychiatric nurse practitioner, served in support of Operation Enduring Freedom in 2006.

(4) Lt. Col. Warman was an expert in post-traumatic stress disorder and traumatic brain injury.

(5) Lt. Col. Warman served a year in Germany at Landstuhl Regional Medical Center, a medical facility where soldiers wounded in Afghanistan and Iraq were treated before being returned to the United States, and regularly volunteered for trips to care for soldiers being transported to Landstuhl.

(6) For her meritorious service at Landstuhl, Lt. Col. Warman was awarded the Army Commendation Medal in 2006.

(7) On November 5, 2009, while at the Soldier Readiness Processing Center in Fort Hood, Texas for deployment to Iraq, Lt. Col. Warman was killed during a shooting rampage in which 13 people were killed and 30 more were injured.

(8) Lt. Col. Warman's military career spanned 25 years in active duty and the Army reserves.

(b) Designation.--The section of Pennsylvania Route 50 in Independence Township, Washington County, from Segment 70 to Segment 80 is designated the Lt. Col. Juanita L. Warman Memorial Highway.

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

Amend Bill, page 2, line 21, by striking out "2" and inserting:

10

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

**SB 91, SB 174, HB 195, SB 200, HB 262 and HB 318 --**

Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 325 (Pr. No. 307) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for the definition of "certified registered nurse anesthetist"; further providing for registered nurse, clinical nurse specialist, use of title and abbreviation "R.N." or "C.N.S." and credentials and fraud; and providing for certified registered nurse anesthetist and qualifications.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Madam President, I rise in support of Senate Bill No. 325. Just again, for the benefit of the Members of the Senate, this is strictly a title protection bill. If you are not familiar with this particular bill, 48 States have the CRNA recognition. We are now one of only two States that remain that have not done this. Over 15 years ago, we adopted legislation for the other advanced practice nurses, that would be for the CRNPs, where we gave them their title protection, and also for the nurse midwives, we gave them their title protection. That was over 15 years ago. The one that we have not yet done is for nurse anesthetists. This does not expand their practice one bit, one iota, one paragraph, one sentence, or one letter. This is strictly a title protection bill, and it says if you have this education, then you are able to call yourself a certified registered nurse anesthetist, like nurse anesthetists in 48 other States.

There are several drawbacks for us remaining one of the two States that has not done that. One is for military folks. If you are in the military and you get your designation in Pennsylvania and you get stationed, my daughter lives in San Antonio, Texas, for instance, and you get stationed at Lackland Air Force Base, you are not immediately able to call yourself a CRNA and start to do the work because there are several hoops that you have to go through because Pennsylvania is one of the two States that does not have that recognition. This, for our military and our veterans, is important to not have them go through the hoops that they have to go through when they get the training here and then are stationed somewhere else.

The other thing that is really embarrassing is, if there is a national emergency and we need medical personnel to go to Florida, Texas, or somewhere where a hurricane or flood has hit, our nurse anesthetists are not able to go. Why? Because those folks in the emergency situation need folks to get involved immediately, and because we do not have that CRNA designation, they are not able to get that, and they are not able to help in those national emergencies.

This bill passed 49 to 1 last Session. I am looking, again, for a large passage today, and I hope that we can finally get the bill to the Governor so that we do not become the 50th State, at least we are the 49th State, in order to get this done.

Thank you, Madam President.

And the question recurring, Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Collett, Corman, Costa, Dinniman, DiSanto, Farnese, Folmer, Fontana, Gordner, Haywood, Hughes, Hutchinson, Iovino, Kearney, Killion, Langerholc, Leach, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Sabatina, Santarsiero, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H, Williams, Lindsey, 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.

BILLS OVER IN ORDER

HB 330 and HB 370 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 448 (Pr. No. 2181) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 12, 2018 (P.L.136, No.28), known as the Pennsylvania Commission for the United States Semiquincentennial Act, further providing for definitions, for establishment, for composition and for report to the Governor and the General Assembly.

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

On the question, Shall the bill pass finally?

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

YEA-48

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Dinniman, DiSanto, Farnese, Folmer, Fontana, Gordner, Haywood, Hughes, Leach, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim

Browne	Iovino	Sabatina	Williams, Anthony H
Collett	Kearney	Santarsiero	Williams, Lindsey
Corman	Killion	Scarnati	Yaw
Costa	Langerholc	Scavello	Yudichak

NAY-1

Hutchinson

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 AMENDED

**SB 456 (Pr. No. 451)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1986 (P.L. 1585, No. 174), known as the Private Licensed Schools Act, further providing for definitions and for license fees and providing for multibranch training schools.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BARTOLOTTA offered the following amendment No. A1922:

Amend Bill, page 1, lines 5 and 6, by striking out "and for license" in line 5 and all of line 6 and inserting:  
, for State Board of Private Licensed Schools, for powers and duties of board, for application for license, for license fees and for requirements for licensure and operation; providing for multibranch training schools and for institutional grants authority; further providing for promulgation of rules; and repealing provisions relating to existing licenses to remain in force and transfer of personnel, etc.

Amend Bill, page 1, lines 9 through 20; page 2, lines 1 through 23; by striking out all of said lines on said pages and inserting:

Section 1. The definitions of "adequate correction service," "multibranch training school" and "private licensed school" in section 2 of the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act, are amended and the section is amended by adding definitions to read:  
Section 2. Definitions.

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

["Adequate correction service." The proper receipt and prompt correction of all home-study tests and materials, with appropriate written comments and suggestions for correction of errors and apparent weaknesses, and the prompt return of the corrected materials to students concerned.]

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"Branch facility." A facility of a private licensed school when all of the following occur:

(1) The facility has the same ownership, management or control as that of the private licensed school.

(2) The curriculum offered at the facility is substantially the same as the curriculum offered at the private licensed school.

(3) The number of tuition-paid students enrolled at each facility does not exceed 50 per class.

(4) The facility is administratively an integral part of the private licensed school.

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"Distance education." Instruction offered by any means where the student and faculty member are in separate physical locations so that in-

person communication is absent and communication is accomplished instead by one or more technological media. The term includes, but is not limited to, real-time or delayed interaction using voice, video, data or text, including instruction provided online, via correspondence or via interactive video. Instruction provided via synchronous video from an institution in this Commonwealth to additional campus sites of the same institution in this Commonwealth is not considered distance education. The term does not include independent study or instruction which is not instructor led.

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"Multibranch training school." A [business corporation] school licensed to do business in Pennsylvania having [more than] at least one branch facility at which instruction is offered to the general public for a fee. [A branch facility shall mean a facility of a licensed school when all of the following occur:

(1) The facility has the same ownership, management or control as that of the licensed school.

(2) The curriculum offered at such facility is substantially the same as the curriculum offered at the licensed school.

(3) The number of tuition-paid students enrolled at each such facility does not exceed 50 per class.

(4) The facility is located within the same county and is administratively an integral part of the licensed school. No additional license fees or bond shall be required of any such facility, provided that the physical plant of each such facility is approved by the board.]

"Private licensed school." A school or classes operated for profit or tuition that provides resident instruction to prepare an individual to pursue an occupation in the skilled trades, industry or business, or systematic instruction by [correspondence or by telecommunication] distance education in a field of study. It shall not include a private academic school as defined in [the act of June 25, 1947 (P.L.951, No.401), entitled, as amended, "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the State Board of Private Academic Schools; and imposing penalties"] section 2 of the act of January 28, 1988 (P.L.24, No.11), known as the Private Academic Schools Act; a school maintained or a class conducted for training for the vocation of homemaking or to give training in public and other service occupations; a barber school; a school of cosmetology; a flight school; a private tutorial school, including, but not limited to, a school of music or dance; an institution granting a degree other than those approved to award the degree of associate in specialized business or associate in specialized technology; a school or class conducted by an employer or trade union for employees or union members where no fee or tuition is charged; a school owned and operated by a bona fide religious institution whose only purpose is the providing of religious instruction; a school conducted by the Commonwealth or a political subdivision thereof; or a school which is operated by a hospital licensed under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, and which is accredited by a regional or national accreditation agency.

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"Teach-out." The continuation of instruction to students to complete the program or course in which the students are enrolled when the school's license has expired, been revoked or a school has ceased enrollment.

Section 2. Section 3(a) of the act is amended to read:

Section 3. The State Board of Private Licensed Schools.

(a) Establishment of the board.--There is hereby created within the department a departmental administrative board to be known as the State Board of Private Licensed Schools. The board shall consist of 15 members, 14 of whom shall be appointed by the secretary. Three members shall represent private licensed schools providing instruction in business and commercial pursuits, three members shall represent private licensed schools providing instruction in trades or technologies, three members shall represent private licensed schools providing [correspondence] distance education or home-study instruction and five members shall be representative of the general public having no current affiliation with private licensed schools. The Director of the Bureau of Consumer Protection in the Office of Attorney General, or a designee, shall serve ex officio and shall have voting rights. [Of the initial appointments, seven members, two from the business, one each from trade and correspondence school sectors and three from the public sector, shall be appointed for terms of two years. Seven members, one from the business, two each from trade and correspondence school sectors and two

from the public sectors, shall be appointed for terms of four years.] After the initial appointments, all terms shall be for four years or until a successor has been appointed, but in no event shall a member hold office for longer than six months beyond expiration of the term. No board member shall serve more than two consecutive four-year terms. An appointment to fill a vacancy shall be for the unexpired term.

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Section 3. Section 4(b) and (d) of the act are amended and the section is amended by adding a subsection to read:

Section 4. Powers and duties of board.

\*\*\*

(b) Disposition of student records.--The board shall require every applicant for initial or renewal licensure to provide a written statement describing arrangements for disposition of student records in the event of closure. It shall be the duty of the board and the department to assist in the execution of the arrangements when necessary. Priority shall be given to plans for retention of the records with existing private licensed schools in the same geographical area.]

(b.1) Repository of student records.--The following apply:

(1) The board may enter into an agreement with a third party to establish a centralized repository of student records for all private licensed schools. If the board enters into an agreement with a third party under this paragraph, a private licensed school shall work in collaboration with the board and the third party to provide the private licensed school's student records for the centralized repository, including student records that may have been previously disclosed to the board, the third party or another private licensed school. The board may establish an annual timeline for the private licensed school to provide student records for the centralized repository.

(2) The board or third party authorized by the board may use current information technology systems and other means to provide the necessary security and privacy for the centralized repository of student records.

(3) The board or a third party authorized by the board may impose reasonable fees to establish and maintain the centralized repository of student records. The board may overturn a fee imposed by a third party under this paragraph by a majority vote if the board deems the fee to be unreasonable.

(4) A third party centralized repository shall be required to submit to the board a plan of succession to protect and provide service for student records in the event the centralized repository ceases operation.

(5) The third party centralized repository shall maintain the records for 50 years from the date of graduation or withdrawal in accordance with the Family Educational Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. § 1232g).

(6) A records repository agreement submitted with an application for licensure or renewal shall remain in effect until the private licensed school fully participates in the centralized repository.

(7) Subsection (b) shall apply until the board has:

(i) entered into a third-party agreement as prescribed in paragraph (1);

(ii) the repository is functioning; and

(iii) submitted to the Legislative Reference Bureau for publication as a notice in the Pennsylvania Bulletin the date the centralized repository is accepting student records.

\*\*\*

(d) Statistical report.--The board shall submit annually to the Education Committees of the Senate and House of Representatives a report containing statistical data on tuition rates, job placement of graduates[,] and percentage of students completing programs of study [and the level of State support for students]. Private licensed or registered schools shall submit this information to the department by September 30 of each year for the preceding academic year ending June 30.

\*\*\*

Section 4. Sections 7(a)(3) and (4) and 10(b) of the act are amended to read:

Section 7. Application for license.

(a) General rule.--Before any license is issued to a private school, a verified application shall be made, in writing, to the board on a form prepared and furnished by the department. The application shall require a statement showing:

\*\*\*

(3) The place or places where instruction will be given or

[correction services provided by correspondence schools] the location from which instruction by distance education will originate.

(4) A specific listing of the equipment and staff available for instruction in each program, and for the proper administration of [correspondence courses of study and for maintenance of an adequate correction service] distance education courses.

\*\*\*

Section 10. License fees.

\*\*\*

(b) Multibranch training school and branch facility fee.--A multibranch training school and a branch facility shall pay the same fees set forth in subsection (a)[, except that such school shall be required to pay only one fee for any and all branch training schools located in one county]. No additional license fees or bond, excluding surety bond and board-approved private surety fund, shall be required of a multibranch training school and branch facility.

\*\*\*

Section 5. Section 12 of the act is amended by adding a subsection to read:

Section 12. Requirements for licensure and operation.

\*\*\*

(f) School closure.--A school shall notify the board at least 30 calendar days in advance of a school closure. A license or registration shall automatically terminate when the school closes. If a school is planning to close or if the school faces a situation that could result in closure, the school must provide the board with a teach-out plan, a list of all current students with contact information and copies of current student transcripts for students who are currently enrolled. A school that is closing is responsible for ensuring completion by all current students or placement of all current students in an appropriate teach-out or transfer program, ensuring that all student academic records are securely placed in the repository of student records provided for in section 4(b.1) or with another approved repository within one week of the date of closure and providing contact information for a responsible school official for up to one year following the date of closure.

Section 6. The act is amended by adding sections to read:

Amend Bill, page 3, line 6, by striking out all of said line and inserting:

Section 13.2. Institutional grants authority.

A licensed school under this act may offer institutional grants to students of any amount without board approval.

Section 7. Section 14 of the act is amended to read:

Section 14. Promulgation of rules.

The board shall promulgate rules and regulations necessary to carry out the purposes of this act. [The rules and regulations of the State Board of Private Business Schools, the State Board of Private Correspondence Schools and the State Board of Private Trade Schools in force on the effective date of this act, and not countermanded by this act, shall remain in effect until repealed or amended by the board, but not for a period of more than one year.]

Section 8. Sections 16 and 17 of the act are repealed:

[Section 16. Existing licenses to remain in force.

Licenses issued by the State Board of Private Business Schools, the State Board of Private Trade Schools and the State Board of Private Correspondence Schools shall remain in force for the period of the license. At the time of renewal of the license, the State Board of Private Licensed Schools may establish a staggered schedule for renewal.

Section 17. Transfer of personnel, etc.

Personnel, allocations, appropriations, equipment, files, records, contracts, agreements, obligations and other materials which are used, employed or expended by the boards hereby abolished in connection with the powers, duties or functions exercised under this act by the State Board of Private Licensed Schools are hereby transferred to the State Board of Private Licensed Schools with the same force and effect as if the appropriations had been made to, as if said items had been the property of and as if the contracts, agreements and obligations had been incurred or entered into by said State Board of Private Licensed Schools.]

Section 9. This act shall take effect as follows:

(1) The repeal of section 4(b) of the act shall take effect on the date specified in the notice published under section 4(b.1)(7)(iii) of the act.

(2) The remainder of this act shall take effect in 60 days.

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

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

BILLS OVER IN ORDER

**SB 485, HB 547, HB 548 and SB 575** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 590 (Pr. No. 705)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in charter schools, establishing the Charter School Funding Advisory Commission.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

**SB 669 (Pr. No. 813)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 67 (Public Welfare) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in medical assistance hearings and appeals, further providing for definitions; in public welfare generally, providing for adoption opportunities and for family finding and kinship care; establishing the Kinship Care Program and the Subsidized Permanent Legal Custodian-ship Program; making related repeals; and making editorial changes.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

**SB 748** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 751 (Pr. No. 876)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties, further providing for power of commission to order acquisition of small water and sewer utilities; in procedure on complaints, further providing for service of complaints on parties; and, in rates and distribution systems, further providing for computation of income tax expense for ratemaking purposes.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-49

Argall	DiSanto	Martin	Street
Aument	Farnese	Mastriano	Tartaglione
Baker	Folmer	Mensch	Tomlinson
Bartolotta	Fontana	Muth	Vogel
Blake	Gordner	Phillips-Hill	Ward, Judy
Boscola	Haywood	Pittman	Ward, Kim
Brewster	Hughes	Regan	Williams, Anthony H
Brooks	Hutchinson	Sabatina	Williams, Lindsey
Browne	Iovino	Santarsiero	Yaw

Collett	Kearney	Scarnati	Yudichak
Corman	Killion	Scavello	
Costa	Langerhole	Schwank	
Dinniman	Leach	Stefano	

NAY-0

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

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

**HB 826 (Pr. No. 2085)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for sports raffles for charity; and making related repeals.

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-46

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

NAY-3

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

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

BILL OVER IN ORDER

**HB 915** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1172 (Pr. No. 1989)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," providing for licensure by endorsement.

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

MUTH AMENDMENT A2101 OFFERED

Senator MUTH offered the following amendment No. A2101:

Amend Bill, page 2, line 26, by striking out all of said line and inserting:

that:

(i) The act should not be an impediment to the granting of a Amend Bill, page 2, by inserting between lines 28 and 29:

(ii) The applicant's current license, certificate, registration or permit as described in paragraph (1) is or has not been subject to refusal, suspension or revocation for acts constituting one of the following:

(A) Sexual abuse or sexual misconduct.

(B) Drug or alcohol abuse that directly results in harm to an individual for which the applicant is licensed, certified, registered or permitted to serve.

(C) Drug or alcohol abuse to the extent that such use impairs the ability of the applicant to practice safely.

(D) Criminal conviction directly involving harm to the health or safety of an individual for which the applicant is licensed, certified, registered or permitted to serve.

Amend Bill, page 3, line 2, by striking out all of said line and inserting:

board or commission determines, in its discretion, that:

(i) The

Amend Bill, page 3, by inserting between lines 5 and 6:

(ii) The applicant has not been disciplined by the jurisdiction that issued the license, certificate, registration or permit for acts constituting one of the following:

(A) Sexual abuse or sexual misconduct.

(B) Drug or alcohol abuse that directly results in harm to an individual for which the applicant is licensed, certified, registered or permitted to serve.

(C) Drug or alcohol abuse to the extent that such use impairs the ability of the applicant to practice safely.

(D) Criminal conviction directly involving harm to the health or safety of an individual for which the applicant is licensed, certified, registered or permitted to serve.

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

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Madam President, House Bill No. 1172 is a very important piece of legislation. It makes it easier for people to continue their profession when they move into Pennsylvania. We do not want to dissuade good, hardworking people from creating a life here and contributing to the success of our Commonwealth. However, this bill fails to dissuade those who are truly dangerous from moving to Pennsylvania, leaving a dangerous loophole for past offenders who move into our State and continue to harm others. In its current form, the bill gives discretion to the licensure boards and commissions to give provisional licenses to those who have committed offenses in their workplace or harmed patients or consumers. This includes cases, if

they were to move into our Commonwealth, similar to Larry Nassar or physician Jack Barto, those types of people would be able to possibly continue their abuse or harm in Pennsylvania with board-approved and government-stamped licenses.

Dr. Barto, a pediatric physician in the Johnstown area, was first accused of endangering patients in 1994, and those allegations were swept under the rug with settlement payments. Again accused in 2000 by several patients with credible allegations, his license was taken away. A mere 2 1/2 months later, the board chose to ignore the evidence and rely on his community reputation and restored his license because, quote, the allegations are incongruous to his reputation. It is remarkable that part of the decision to reinstate his license was due to there being, quote, no apparent justification for the delayed complaint. It took 4 years for one of these families to come forward. In December of 2017, after 43 years of practice, Barto was arrested. He assaulted three children 2 days before that arrest. Simple math shows 12 patients per week since his license being restored in 2000, he would have easily been able to harm and commit over 10,972 exact preventable assault or instances of patient harm.

The main reason for a license is so that Pennsylvania consumers can feel secure in utilizing a person's service. This amendment would insure that provisional licenses are not issued to those who have a history of harming others by the mere opinion of the licensing board, those with a history of sexual misconduct or abuse, drug or alcohol abuse that resulted in harm to an individual during the applicant's services, drug or alcohol abuse that resulted in unsafe practice in the area in which the applicant was licensed, and, finally, a criminal conviction involving the harm or safety of an individual in which the applicant had previously been licensed to serve. We, as elected officials, as public servants, as moral humans, have an obligation and a duty to protect Pennsylvanians, our constituents, and citizens. This is a critical amendment to insure that past or current offenders from other States cannot move into our Commonwealth and possibly harm or endanger our people.

I ask all of my colleagues to support this amendment. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, I think, certainly, the amendment is very well intended and certainly trying to capture a very important issue. But I am going to ask for a negative vote, because as we have been moving through the process of criminal justice reform, we have been trying to go through the process of allowing more discretion at the local level, at the court level, and less mandates from Harrisburg, so that they can make decisions on a case-by-case basis instead of sort of a strict one-size-fits-all.

Yes, this does give the boards or commissions more discretion, and, yes, I am sure boards or commissions will make mistakes from time to time, just as courts will, juries will, judges will, from time to time. The question is, where is this decision better made? Is it here in this building or is it better on a case-by-case basis in front of these boards or commissions? So, as well intended as the amendment is, and certainly understandable what the maker of the amendment is trying to achieve, I think we are better allowing that discretion at each of the boards or commissions. So, I ask for a negative vote.

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

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

YEA-23

Blake	Farnese	Langerholc	Street
Boscola	Fontana	Leach	Tartaglione
Brewster	Haywood	Muth	Williams, Anthony H
Collett	Hughes	Sabatina	Williams, Lindsey
Costa	Iovino	Santarsiero	Yudichak
Dinniman	Kearney	Schwank	

NAY-26

Argall	DiSanto	Mensch	Tomlinson
Aument	Folmer	Phillips-Hill	Vogel
Baker	Gordner	Pittman	Ward, Judy
Bartolotta	Hutchinson	Regan	Ward, Kim
Brooks	Killion	Scarnati	Yaw
Browne	Martin	Scavello	
Corman	Mastriano	Stefano	

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

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

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

**HB 1549** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**SECOND CONSIDERATION CALENDAR**

BILL OVER IN ORDER

**SB 22** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL REREFERRED

**SB 28 (Pr. No. 7)** -- 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, in inheritance tax, further providing for the rate of inheritance tax.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 31 (Pr. No. 649)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, in Pennsylvania Housing Affordability and Rehabilitation Enhancement Program, further providing for fund.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 66 (Pr. No. 926)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for health insurance coverage requirements for stage four, advanced metastatic cancer.

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 67, SB 81, SB 147 and SB 217** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION AND REREFERRED

**HB 233 (Pr. No. 203)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in special powers and duties of the county, further providing for flags to decorate graves.

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

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

**HB 235 (Pr. No. 877)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 277 (Pr. No. 236)** -- 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 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 284, SB 337, SB 351, SB 352, SB 356, SB 396, HB 407, SB 438, SB 447, SB 493, SB 494, SB 495, SB 531 and SB 569** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 586 (Pr. No. 644)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for eligibility requirements for examination, for limited licenses and for requirements of a School of Cosmetology.

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

BILLS ON SECOND CONSIDERATION AND REREFERRED

**HB 615 (Pr. No. 1784)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for State employees and officers, further defining "enforcement officer"; and providing for installment payments.

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

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

**SB 688 (Pr. No. 827)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in powers and duties of elected officials, further providing for organization of council, quorum, participation by telecommunication device, voting, compensation and eligibility; and, in mayor, further providing for salary of mayor.

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

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

**SB 689 (Pr. No. 828)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in township supervisors, further providing for compensation of supervisors.

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

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

**SB 690 (Pr. No. 829)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for power to convey.

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

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

**SB 691 (Pr. No. 830)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for real property.

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

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

**SB 692 (Pr. No. 831)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for real property; and, in corporate powers, further providing for city property and affairs.

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 REREFERRED

**SB 729 (Pr. No. 907)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school safety and security, further providing for School Safety and Security Grant Program and for school safety and security training; providing for threat assessment; and, in school health services, further providing for confidentiality, transference and removal of health records.

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

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**HB 808 (Pr. No. 901)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, providing for power to set fees; in fiscal affairs, further providing for collection fee for uncollectible checks; in fishing licenses, further providing for non-resident and tourist licenses, for one-day resident fishing license, for license, permit and issuing agent fees and for license and permit packaging options; in special licenses and permits, further providing for net permits, for boat and net licenses for boundary lakes, for permits for protection and management of particular fish, for permits for the use of explosives, for Lake Erie fishing permits and for fishing guide and charter boat permits; in regulated fishing lakes, further providing for licenses and for fees; in dams, bar racks and migration devices, further providing for obstructing migration of fish; in preliminary provisions, further providing for fees; and, in registration and titling of boats, further providing for issuing agents, for fees and for notice for boats and related equipment.

Considered the second time and agreed to,

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

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

**HB 1615 (Pr. No. 2084)** -- The Senate proceeded to consideration of the bill, entitled:

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

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.

#### SENATE RESOLUTION No. 105, ADOPTED

Senator CORMAN, without objection, called up from page 12 of the Calendar, **Senate Resolution No. 105**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the statutory cap on the Pennsylvania State Police complement and issue a report of its findings and recommendations to the Senate.

On the question,  
Will the Senate adopt the resolution?

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

#### SENATE RESOLUTION No. 140, ADOPTED

Senator CORMAN, without objection, called up from page 12 of the Calendar, **Senate Resolution No. 140**, entitled:

A Resolution urging the Congress of the United States to ensure the United States Department of Veterans Affairs sufficiently implements the letter and spirit of the VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018 and provide veterans in this Commonwealth with the care they have earned for their military service.

On the question,  
Will the Senate adopt the resolution?

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

#### DISCHARGE RESOLUTION No. 1 LAID ON THE TABLE

**D.R. No. 1** -- The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, I move that Discharge Resolution No. 1, discharging the Committee on Banking and Insurance from further consideration of **SB 310**, be placed on the table.

The PRESIDING OFFICER. Senator Corman moves that Discharge Resolution No. 1, discharging the Committee on Banking and Insurance from further consideration of **SB 310**, be placed on the table.

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

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

#### DISCHARGE RESOLUTION No. 2 LAID ON THE TABLE

**D.R. No. 2** -- The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, I move that Discharge Resolution No. 2, discharging the Committee on Banking and Insurance from further consideration of **SB 311**, be placed on the table.

The PRESIDING OFFICER. Senator Corman moves that Discharge Resolution No. 2, discharging the Committee on Banking and Insurance from further consideration of **SB 311**, be placed on the table.

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

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

**BILLS REPORTED FROM COMMITTEE**

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

**SB 300 (Pr. No. 1011) (Rereported)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in qualifications of electors, further providing for qualifications of electors at primaries; in party organization, further providing for only enrolled electors to vote at primaries or hold party offices; in nomination of candidates, further providing for candidates to be nominated and party officers to be elected at primaries and providing for procedure for unenrolled electors to cast primary ballots; and, in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges.

**SB 418 (Pr. No. 1014) (Rereported)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in ballots, further providing for number of ballots to be printed and specimen ballots.

**SB 421 (Pr. No. 1015) (Rereported)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in ballots, further providing for form of official election ballot; in voting machines, further providing for requirements of voting machines and for form of ballot labels on voting machines; in electronic voting systems, further providing for requirements of electronic voting systems, for forms and for election day procedures and the process of voting; and, in preparation for and conduct of primaries and elections, further providing for instructions for voters and manner of voting in districts in which voting machines are used, for count and return of votes in districts in which ballots are used and for what ballots shall be counted, manner of counting and defective ballots.

**SB 422 (Pr. No. 399) (Rereported)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for Pennsylvania Election Law Advisory Board.

**SB 607 (Pr. No. 675) (Rereported)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for speed timing devices.

**SB 746 (Pr. No. 923) (Rereported)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, providing for date for emissions testing equipment.

**SB 751 (Pr. No. 1055) (Rereported) (Amended)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system.

**HB 24 (Pr. No. 1735)**

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

**HB 131 (Pr. No. 857) (Rereported)**

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses and for breweries; in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries; and, in miscellaneous provisions, further providing for construction and applicability.

**HB 265 (Pr. No. 2177) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for career information and recruitment; in terms and courses of study, further providing for Commission for Agricultural Education Excellence; in vocational education, further providing for career and technical education equipment grants and providing for utilization of credits; providing for classification of program code; and, in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and State-related institutions, for Transfer and Articulation Oversight Committee and for duties of department.

**HB 423 (Pr. No. 2175) (Rereported)**

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for local option.

**HB 786 (Pr. No. 2187) (Rereported)**

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency medical services system, further providing for definitions and for Pennsylvania Trauma Systems Foundation, providing for accreditation of trauma centers, for submission of list, for funding, for notification of trauma center closure, for reporting and for certification and financial report; and making a related repeal.

**HB 807 (Pr. No. 900) (Rereported)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Pennsylvania National Guard, further providing for compensation of division commander or equivalent; and making a related repeal.

**BILLS REPORTED FROM COMMITTEE  
AND RECOMMENDED**

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

**SB 742 (Pr. No. 919) (Rereported)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

**SB 743 (Pr. No. 920) (Rereported)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

**SB 744 (Pr. No. 953)** (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for prohibition on expenditures for emission inspection program.

**SB 745 (Pr. No. 922)** (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for prohibition on expenditures for emission inspection program.

**SB 778 (Pr. No. 1003)** (Rereported)

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in sustainable mobility options, further providing for Public Transportation Trust Fund; and, in Pennsylvania Turnpike, further providing for definitions.

Upon motion of Senator CORMAN, and agreed to by voice vote, the bills were recommitted to the Committee on Transportation.

**MOTION PURSUANT TO SENATE RULE 12**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, as a special order of business, I call up Senate Supplemental Calendar No. 1, Senate Bill No. 751, and move the Senate proceed to consider Senate Bill No. 751, notwithstanding the provisions of Senate Rule 12(m)(2).

On the question,

Will the Senate agree to the motion?

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

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 751 (Pr. No. 1055)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system.

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 PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Madam President, I open by first thanking all of those who have engaged and worked with me on Senate Bill No. 751, my colleagues on both sides of the aisle, the Penn-

sylvania Department of Education, and all of the various stakeholder groups who have provided such valuable input. Thank you for your time, your engagement, and your feedback. I especially thank those students, families, school administrators, and classroom teachers who have reached out to me over the last 7 years to share concerns, often pulling me aside and speaking with me during classroom visits. As I did during the meeting of the Committee on Education last week, I specifically mention Bryan Hower and Steve Heffner, educators who have engaged with me on numerous instances with respect to the implementation of the statewide teacher evaluation system. I thank superintendents Dr. Mike Leichter and Dr. Bob Hollister. Thank you for your civil manner in which you have engaged, and thank you for your patience with me.

As I said last week during the meeting of the Committee on Education, as the prime sponsor of the original teacher evaluation system that was established in law in 2012, I must confess some pride of authorship. However, I have found that humility in authorship is a far better approach. We have a responsibility as legislators to constantly have our basic assumptions challenged. It is appropriate to look back on the work we have done to gather feedback and make adjustments as needed. It has been a privilege for me to work with our educators over the last number of years to develop this proposal. The bill I offer for consideration today is the direct result of their feedback and input.

I would like to highlight, very briefly, a number of the major changes that have been made with this proposal. First, the observation, which currently consists of 50 percent of an educator's evaluation, we are proposing increases to 70 percent. The building level weight lessens, 10 percent, down from 15 percent, and the teacher-specific weight increases to 20 percent, up from 15 percent. Second, and I think this is groundbreaking territory for Pennsylvania, something we can all be proud of, this new system seeks to acknowledge the impact of poverty on a student's academic achievement and the overall school environment. Third, the current system ties all employees to standardized test scores. This new system provides a different formula for different employees based on their content area and responsibilities. Additionally, this proposal sees a reduction in the reliance on standardized assessment, and I believe follows up the important work that this General Assembly initiated last Session when we opened up multiple pathways to graduation, and not basing a child's sole path to graduation on a standardized test score. The language also speaks to a mid-year review, reduces the look-back period, and very significantly enhances the professional development for our educators, insuring our educators are adequately trained on the new system. Finally, it requires the Department of Education to conduct a report on the teacher evaluation system in 5 years of implementation, which shall be sent to the House and Senate Committees on Education.

Madam President, I believe the data is clear that the quality of a teacher in the classroom is the number one in-school factor driving student academic achievement. This bill represents a significant step forward for our Commonwealth, recognizing our educators as the professionals they are, and providing them with useful and meaningful feedback that they deserve. Furthermore, I believe these changes will unleash the creativity of our teachers and innovation in a classroom, leading to improved academic outcomes for our students. Madam President, I urge my colleagues to vote in support of Senate Bill No. 751. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator L. Williams.

Senator L. WILLIAMS. Madam President, first, I acknowledge Senator Aument for his work on this bill. It is rare for an elected official to admit on the record that he was wrong and then work to fix it. There are some good things in the bill. For example, shortening the look-back period from 10 years to 4 years. There are some things that are a step in the right direction. For example, for non-teaching professional employees, i.e. counselors, social workers, and nurses, the bill moves from 20 percent of the score being student outcomes on testing to 10 percent. This is a step in the right direction, but if we cannot isolate a nurse's effect on a student's PSSA or Keystone score, they should not be evaluated on it. Another step in the right direction is moving from 50 percent observation and 50 percent student outcomes to 70-30 percent. I would prefer 80-20, however, I understand that there are compromises necessary in any bill.

However, the creation of a poverty index that has not been fully tested is troubling. I believe that it is well-intentioned for the first time to acknowledge the effect that poverty has on a building score and how that can artificially depress an educator's score. The issue is that the score has not been fully and publicly vetted. Additionally, because the formula is included in a statute, as opposed to regulation, if we get it wrong, it will require an act of this body to fix it, and in the meantime, it will negatively affect educators across the Commonwealth.

The speed with which this bill is moving is concerning. We have the opportunity to fix a broken evaluation system, and as they say, the devil is in the details, and there are a lot of details in this bill, both that educators and administrators have yet to sort out. I will be a "no" vote until we more fully examine the details of this bill. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Madam President, I rise to support and echo the comments of the gentlewoman from Allegheny County, specifically as it relates to some of the benefits that are part of this legislation and the work that has been done along those lines. The disappointing part to me, Madam President, has been the fact that the school district I represent, the city of Pittsburgh, felt as though they were not given an ample opportunity to be part of this conversation and dialogue as part of the PFT, and for that reason, was one of the major concerns they had. While, at the same time, I recognize that uniformity is important and things will take place across this Commonwealth, it is important for folks to know that in the city of Pittsburgh, we have dealt with the teacher evaluation issue for a number of years. In fact, we worked very closely with the Gates Foundation in the city of Pittsburgh and have been able to develop and implement a teacher evaluation program that was really a role model for other parts of the country. At the end of the day, the Department of Education signed off on it and it became something unique to Pennsylvania along those lines. All of that would be disrupted, all of the good work and tens of millions of dollars that have been spent along those lines in this particular case, to go back and develop a new process would upend all of the work that was done already.

At the end of the day, Madam President, I heard from both the Pittsburgh public school administrators, who were opposed to the legislation for some of the reasons the gentlewoman spoke about,

and also from PFT themselves as it relates to the concerns that they have on some of the things that were raised. For those reasons, I am going to stand and support the school district that I am honored to represent, given the concerns that they raised with me, and I intend to vote "no." Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Madam President, would Senator Aument stand for interrogation?

The PRESIDING OFFICER. Senator Aument, it has been requested that you stand for interrogation on the bill. Do you agree to stand for interrogation?

Senator AUMENT. Madam President, I do. Thank you.

The PRESIDING OFFICER. Senator Dinniman, the questions will be sent through the Chair, and he has agreed to accept the questions.

Senator DINNIMAN. Madam President, I understand.

Might you ask the gentleman, since the major dispute is on the poverty factor, which has not been fully vetted and yet will be put in statute, whether he is open, this coming fall, for further review of that factor? It is my understanding that this evaluation does not go into effect, I believe, until 2021, and throughout the fall, and, if necessary, into the spring, so those who feel they have not had a say, Madam President, who are coming from high-poverty districts such as Philadelphia and Pittsburgh, would the gentleman be open to such discussion and change if the facts would mean that we have to create change?

Thank you, Madam President.

The PRESIDING OFFICER. Senator Aument, our colleague from Chester County has indicated there are concerns about the dispute about the poverty factor and whether you would be open to further conversation and discussion as this initiative moves forward.

Senator AUMENT. Madam President, I thank the gentleman for his question. The fact that I am standing here 7 years after the legislation that I sponsored became law in 2012 and that I have continued to have this conversation with our educators and our administrators testifies to the fact that I am most certainly willing to have an ongoing conversation and make changes and adjustments as necessary.

With respect to the poverty factor, we seek to use data that is already being reported from our school districts to the Department of Education. We have worked very closely with the Department of Education on developing the poverty factor, and we have been very intentional about delaying the implementation of this legislation until the 2021-22 school year. We are taking adequate time to develop and implement this system, and we also have reporting requirements, specifically so that we can see what impact the poverty factor is having on educators' evaluations so we can make the adjustments as necessary.

Senator DINNIMAN. Madam President, I do have another question. In these further deliberations, which I am delighted that the gentleman from Lancaster County is fully supportive of, will he make sure that those who feel that they were not included, as AFT and PFT chapters, Philadelphia and Pittsburgh, be fully included in those discussions? Madam President, would he make that effort?

Senator AUMENT. Madam President, I appreciate that question as well. Absolutely. I will continue to be open and transparent, as I have throughout this process. For the last 2 years, I have,

on numerous instances, at public hearings, Committee on Appropriations hearings, Committee on Education hearings, op-eds, and media interviews, I have discussed my intention to introduce this legislation. I have discussed the various components of that legislation, and nearly every stakeholder took advantage of that opportunity to meet with me and express their concerns, and their feedback and their input was taken very seriously. Unfortunately, not every stakeholder group did so. The invitation remains. The arm is outstretched. I am more than happy to meet with them, and I look forward to the feedback that any of those who might be interested in this legislation would offer.

Senator DINNIMAN. Madam President, a final question before comments. The Pittsburgh School District, their evaluation was developed, in part, through the Gates Foundation, and I remember distinctly requesting that the Department of Education would make an exception to the way a teacher was evaluated based on the grant that they had received, which was a very substantial grant at that time. Would the maker of this bill be open to any discussions that might take place in relationship to the Gates Foundation grant and support as it relates to teacher evaluations so that the work over many years of the Gates Foundation at Pittsburgh schools might continue on?

Senator AUMENT. Madam President, absolutely. As I mentioned in my earlier comments, I would be delighted to meet with any administrator, any educator, and any stakeholder who has an interest in this issue.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Madam President, in committee I opposed this bill because I wanted to make sure that our Senators from Pittsburgh and Philadelphia, who make up a significant part of our Caucus, would have a chance here, on the floor, to make comments and to vote. We do have assurances that the main concerns of the PFT chapters: that of having a full vetting of the poverty factor; that of the willingness, if appropriate, to change that factor based on the facts; that of making sure that the PFT chapters are fully involved in such vetting; and that if we discover there are any exceptions that have to be made based on the Gates Foundation grants that were given, just as we have done in the past, that would certainly be open fully for discussion. I do feel that I can support this.

Here is the key factor, and I thank Senator Aument for all his work. The gentleman from Lancaster County and I have gone through a learning experience together. I give him credit. He first supported the standardized test, as he admits, he put the first bill in based on testing. But a great tribute to Senator Aument, or to any Senator, is that through discussion and dialogue, we learned. I learned a great deal from Senator Aument as well, and I am happy to say that, in terms of what standards are and the necessity to keep those standards. That is what this process is all about.

So, understand, in supporting this bill, we have really, many of us in the Senate--and we want to make sure that PFT is involved in our continuation of doing this--have been trying to create a three-legged stool. The first leg of the stool was to make it clear that the Keystone test is not the end-all and be-all of whether a student should graduate. It is an objection to the whole standardized testing approach, and I thank the chairmen before Senator Aument - my colleague from Lebanon County and others who are not here anymore - as we, together, united on that princi-

ple. Last year we accomplished that, that there are various ways for graduation.

The second leg was that if the Keystones are no longer the only way to graduate, then the testing based on the Keystones, the evaluation based on the Keystones, does not make much sense anymore, does it? For example, what the Senate might not realize is, based on how evaluations are done now, in our high schools, that 50-percent score based on testing is really based on the teaching of teachers only in three subject areas. So I, as a music teacher, an art teacher, a history teacher, am dependent on what the biology, the English, and the algebra teacher do. That does not make any sense at all, and this bill aims to correct that. We are especially happy to note that we are going to try to find new and more creative ways to evaluate music and art. These are subjects where written evaluation is not the most appropriate.

Finally, the third leg of the stool, I am happy to say, the process has begun. That is, if the Keystones are no longer viewed as a valid test, the Department of Education itself has said that the Keystones are not a good way to test college and career readiness, we now have various ways to graduate. If the department itself has said that our teachers, unfortunately, are teaching to the test and other parts of the curriculum are being ignored, that we will now take the final step. The final step is to end the Keystones as part of Federal accountability and replace them with the SAT, which is a valid test which takes 1 day to take instead of 10, and you get results back in a month rather than waiting a whole year. I am happy to report that a bill that Senator Aument put in that I supported, though we tussled a little about the wording of the bill, that report is out. That report makes it quite clear that the Keystone is not the answer, even in terms of Federal accountability, and I hope you will read it. It was given to everyone. Hopefully, we can get to the third part and replace the Keystones with the SAT, because this is one leg of the stool I need to support so we can get to all three legs of the stool.

As long as the PFT is going to be included now fully, then my questions have been answered. I thank Senator Aument for his leadership on this issue, and I am proud to have worked with him, and I thank him for learning, and I want to tell him that I have learned, too. Together, that is what we all should do as Senators, right? Is to learn from each other, listen to each other, and that is how we create great legislation.

Thank you, Madam President.

#### LEGISLATIVE LEAVE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, I request a temporary Capitol leave for Senator Kim Ward.

The PRESIDING OFFICER. Senator Corman requests a temporary Capitol leave for Senator Kim Ward. 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-38

Argall	Corman	Leach	Schwank
Aument	Dinniman	Martin	Stefano
Baker	DiSanto	Mastriano	Tomlinson
Bartolotta	Folmer	Mensch	Vogel
Blake	Fontana	Phillips-Hill	Ward, Judy
Boscola	Gordner	Pittman	Ward, Kim
Brewster	Hutchinson	Regan	Williams, Anthony H
Brooks	Iovino	Santarsiero	Yaw
Browne	Killion	Scarnati	
Collett	Langerholc	Scavello	

NAY-11

Costa	Hughes	Sabatina	Williams, Lindsey
Farnese	Kearney	Street	Yudichak
Haywood	Muth	Tartaglione	

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.

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

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

**MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING**

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until her successor is appointed and qualified, vice George Gunn, Lansdale, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

**MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Nathanael R. Bague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radio-

active Waste Commission, to serve at the pleasure of the Governor, vice Michael Wolf, Enola, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

**MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr (Alternate), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Ashok Khare, Warren, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

**MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice C. Alan Walker, Clearfield, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

**MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Victoria S. Madden, Esquire (Alternate), 1056 Brandt Avenue, Lemoyne 17043, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Martin Raniowski, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Barry Schoch, Camp Hill, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until her successor is appointed and qualified, vice Laura Ellsworth, Sewickley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell (Public Member), 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Christopher Decker, Shohola, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CLARION UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 24, 2019, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until November 16, 2022, and until his successor is appointed and qualified, vice Syed Ali-Zaidi, Shippenville, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

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

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 24, 2019, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Brian Swatt, Indiana, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory Black, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Ashley Fehr, 115 Molleystown Road, Pine Grove

17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve *[data missing]* a term of six years, and until her successor is appointed and qualified, vice Jerry Swope, Lock Haven, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2019, and until her successor is appointed and qualified, vice Robert Agbede, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

PHYSICIAN GENERAL

June 20, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 12, 2019, of David Galinsky, M.D., 267 Meeting House Lane, Merion Station 19066, Montgomery County, Seventeenth Senatorial District, for appointment as Physician General, to serve at the pleasure of the Governor, vice Rachel Levine, M.D., Middletown, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE UNEMPLOYMENT  
COMPENSATION BOARD OF REVIEW

June 18, 2019

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 4, 2019, of Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Unemployment Compensation Board of Review, to serve until July 1, 2023, and until her successor is appointed and qualified, vice John T. Poprik, Doylestown, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

Senator AUMENT. Madam President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDING OFFICER. The nominations will be returned to the Governor.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

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

**SB 722 (Pr. No. 892)**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Drug and Alcohol Programs, further providing for powers and duties.

**HB 33 (Pr. No. 2182)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for definitions, for general assistance-related categorically needy and medically needy only medical assistance programs, for the medically needy and determination of eligibility and for medical assistance payments for institutional care; in hospital assessments, further providing for definitions, for authorization, for administration, for no hold harmless, for tax exemption and for time period; and, in Statewide quality care assessment, further providing for definitions.

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

**HB 716 (Pr. No. 2007)**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, providing for joint task force on misclassification of employees.

**HB 1170 (Pr. No. 2129)**

An Act prohibiting the employment of unauthorized employees; requiring construction industry employers to verify the Social Security numbers of employees; and imposing penalties.

**RESOLUTION REPORTED FROM COMMITTEE**

Senator REGAN, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

**SR 170 (Pr. No. 1053) (Amended)**

A Resolution establishing a task force on services for veterans, including the coordination of services in this Commonwealth among Federal, State, local and nonprofit programs aimed at serving veterans, and directing the Joint State Government Commission to establish an advisory committee to the task force and conduct a comprehensive review and analysis of services for veterans.

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

### SENATE RESOLUTIONS ADOPTED

Senators DINNIMAN, BREWSTER, SANTARSIERO, KILLION, BARTOLOTTA, FONTANA, SABATINA, COSTA, SCHWANK, FARNESE, MARTIN, J. WARD, GORDNER, HUGHES, YUDICHAK, PITTMAN, AUMENT, SCAVELLO and MASTRIANO, by unanimous consent, offered **Senate Resolution No. 180**, entitled:

A Resolution congratulating the YMCA on its 175th birthday.

On the question,  
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Madam President, one of the most interesting things was reading the resolution as it was written. I did not realize the Y went back 175 years. That is a pretty incredible history. The first Y was actually founded in 1844 in England, and the first one in the United States was in 1851. In 1853, a freed slave named Anthony Bowen created the first Y for people of African American descent. After the Civil War, in 1867, was the first dorm space and what we think of as the traditional Y with a gymnasium, with dorms, et cetera. That, along with the YWCA movement, was to give people a good, clean place to live, a place in which they could meet, express their faith, and assert their community values. In fact, in 1967, the Y became one of the first organizations in the United States to ban racial discrimination. So, Madam President, we have a glorious history here in Pennsylvania of the Y movement. I think almost every community of any size has a Y. I know in my county there are at least five Ys, and they do become part and parcel of our community.

Now, the Ys, themselves, have survived in part because they have been able to transform themselves and their programs to the needs of the communities today. The Y offers many types of family activities. The Y offers child care. The Y movement also has, as you know, made a special effort to work with middle school students, and in many of our communities actually offers free membership to youngsters who are in seventh or eighth grade in an effort to try to help middle school students develop fully - physically, spiritually, and mentally - as human beings. We also, while it is not their 175th birthday, welcome the Jewish Ys, the Hebrew Ys, that exist in Philadelphia and a number of other communities.

So, Madam President, we celebrate the 175th birthday of the Young Men's Christian Association, and we recognize the Young Women's Christian Association as well, which exists in our communities. We here in Pennsylvania truly wish them a happy birthday, truly express our admiration for all they have done for our communities, for the ability to transform themselves so that they are ever ready to become an essential part of the growth of each and every person within each and every one of our communities.

Thank you, Madam 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 SCHWANK, LANGERHOLC, FARNESE, COLLETT, DINNIMAN, SANTARSIERO, BREWSTER, KILLION, BLAKE, BROWNE, BAKER, MENSCH, MARTIN, BARTOLOTTA, COSTA, HUGHES and J. WARD, by unanimous consent, offered **Senate Resolution No. 181**, entitled:

A Resolution designating June 30, 2019, as "Arthrogryposis Awareness Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Berks, Senator Schwank.

Senator SCHWANK. Madam President, I must add, though, before I start on my resolution, how nice it is to address a Madam President standing at the helm of our Senate today, the day that we celebrate the passage of the 19th Amendment in Pennsylvania 100 years ago. Very nice to have you there.

(Applause.)

Senator SCHWANK. Madam President, back to the reason I stood up. Today, I and Senator Langerholc are cosponsoring a Senate resolution to recognize June 30 as "Arthrogryposis Awareness Day," or AMC. This is a prenatally developing condition where an infant is born with at least three joints in two different areas of the body that are permanently immobile. This condition arises in 1 in 3,000 births, which is not exactly rare, and it differs from baby to baby. But one thing we know is that hands, wrists, elbows, shoulders, feet, and knees are most often affected. AMC is not curable, but treatments such as surgical interventions and physical, speech, and occupational therapy indicates that individuals who are born with AMC can truly live independent and productive lives. What we hope, through this resolution, is to encourage those who are working on this issue, and also to encourage the research that we need and the kinds of interventions that will truly help individuals' babies who are born with this condition to lead those lives we would like them to lead.

Thank you, Madam 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 SCAVELLO, J. WARD, DINNIMAN, BREWSTER, YUDICHAK, FOLMER, AUMENT, STREET and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 182**, entitled:

A Resolution designating the month of July 2019 as "Free Community Paper Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Madam President, collectively, free community papers and newspapers disseminate valuable information to more than 50 million homes each week. Free community papers proudly serve the informational needs of the communities across this great land while promoting local commerce,

free enterprise, and public service. It is important to note that most, if not all, of our offices benefit from that information that these papers convey to our constituencies. It is fitting that recognition be given to those publications, their owners and staff, for their continued commitment to the growth and success of their local communities through these publications. Please join me in recognizing July 2019 as "Free Community Paper Month" in Pennsylvania.

Thank you, Madam 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 BROOKS. Madam 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 473, SB 722, HB 3, HB 24, HB 33, HB 716, HB 1016, HB 1170, HB 1514, HB 1516, HB 1520, HB 1526, HB 1590 and HB 1614.**

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

TUESDAY, JUNE 25, 2019

9:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 742, 743, 744, 745 and 778)	Room 461 Main Capitol
10:00 A.M.	JUDICIARY (public hearing to consider probation and parole reform in Pennsylvania, including a discussion of Senate Bill No. 14)	Hrg. Rm. 1 North Off.
11:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 256, 694 and 763; and House Bill No. 1557)	Room 461 Main Capitol
12:00 P.M.	EDUCATION (public hearing to consider the nomination of Pedro Rivera as Secretary of the Department of Education)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 619 and 723; and House Bills No. 3, 33, 235, 615, 790, 856, 915, 923, 1170, 1324, 1350, 1351, 1352, 1353, 1354, 1514, 1516, 1520, 1524, 1526 and 1590)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 117, 127, 128 and 440; and certain Executive Nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, JUNE 26, 2019

8:30 A.M.	JUDICIARY (public hearing to consider probation and parole reform in Pennsylvania, including a discussion of Senate Bill No. 14)	Hrg. Rm. 1 North Off.
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THURSDAY, JUNE 27, 2019

10:00 A.M.	JUDICIARY (public hearing to consider the nominations for the following Judges for the Court of Common Pleas: Mary McGinley, Esq. - Allegheny County; Shawn McMahon, Esq. - Elk/Cameron County; Anna-Kristie Morffi Marks - Lehigh County; Ryan Tira, Esq. - Lycoming County; Kelly Anne Gaughan, Esq. - Pike County; and Traci McDonald-Kemp, Esq. - Washington County)	Hrg. Rm. 1 North Off.
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**PETITIONS AND REMONSTRANCES**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Madam President, today marks 4,733 days since Pennsylvania's legislature last raised the minimum wage. That is 13 years, and it is far too long. Members of this body, and our counterparts in the House, are well aware that every single one of our neighboring States have raised their minimum wage in recent years, as have 29 nationwide. Yet, Pennsylvania lawmakers have refused to follow the lead of our neighbors, just as we have failed to honor the wishes of 70 percent of the Commonwealth's registered voters who agree that minimum wage workers should be making more than \$7.25 an hour.

In light of our high rate of poverty and near poverty, our rising cost of living and our stagnant wages, despite a strong labor market, inaction on this issue defies logic and it sets a dubious precedent. With every single passing day, we set a record for the length of time that Pennsylvania's low-wage workers have gone without a raise. Madam President, let me repeat, we are now at 13 years and counting. Sadly, despite the great strides that most States have made on this issue, Pennsylvania's low-wage workers are not alone in their frustration and suffering. Just last week, Federal lawmakers set their own record of minimum wage futility. It has now been 12 years since Congress last raised the Federal minimum wage. That is the longest such period in an 81-year history of the Federal minimum wage.

It is really not difficult to fathom, when you consider that more than 80 percent of the nation's registered voters want a higher minimum wage, while 55 percent support raising it to \$15 an hour. Clearly, we cannot rely on the Federal government to bail out our workers this time. For Pennsylvanians, millions of low-wage workers and those from 20 other southern and rural States, for the people who are working two or three jobs just to make ends meet, our inaction on the State level, along with Federal inaction, amounts to double jeopardy.

My legislation, Senate Bill No. 12, would rectify this injustice by reestablishing the Commonwealth as a national leader on minimum wage and by granting millions of Pennsylvanians the financial independence that they have worked so long and so hard to earn.

Thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Northampton, Senator Boscola.

Senator BOSCOLA. Madam President, I rise to publicly acknowledge an important 100-year anniversary, and, Madam President, I am so glad you are presiding over the Senate while I talk about this anniversary. It was actually 100 years ago today that women of the General Assembly were given the right to vote, and since that time, women have slowly emerged as an electoral force to be reckoned with. I might say we are finally hitting our stride. Today, we now have more women serving in the House and Senate than ever before. We cannot rest here, and we cannot stop. We need more women to register, we need more women to vote, and we need more women to run for office. We need more women from every walk of life and every corner of this Commonwealth to be part of important policy decisions we make in this Chamber; not only this Chamber, but chambers and boards and councils across this entire country.

Being politically active and involved is truly the best way to celebrate the suffragettes who struggled and sacrificed so much to advance the cause of women in America. Women who are considering being politically active and engaged, I say we need you, and go for it. It is important to acknowledge this anniversary, Madam President, but it is more important that we value the hard work and the rights that we have been given from so many women of the past. I thank them for giving us our right to vote, and I hope as we move forward, we have a strong democracy with more and more women who are engaged.

Thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Madam President, over the course of the past couple of years, and more recently the past several months, my colleagues have witnessed me standing here at the podium talking about an issue that is extremely important to the people of southwestern Pennsylvania as it relates to the delivery of healthcare in those regions, specifically, the concern I have regarding the UPMC and Highmark pending consent decree ending on June 30. Madam President, I am very happy and thrilled to stand here this evening to announce to my colleagues, if you have not already seen, the fine work and the good work of Attorney General Josh Shapiro in bringing together the two sides, Highmark and UPMC, and having them hammer out a historic 10-year agreement that now says that those residents of southwestern Pennsylvania who hold a Highmark card will continue to have access to UPMC facilities in our region. That not only encompasses the Hillman Cancer Center or Western Psychiatric Institute, or also the Children's Hospital in Pittsburgh, it includes all facilities. This is truly a very historic day.

As someone who worked on the original consent decree 5 years ago, along with my good friend and our good friend, Senator Don White, and so many others, it really is a good feeling knowing that the people in southwestern Pennsylvania will not have to agonize about where they were going to be able to receive their healthcare, whether or not they have to make upfront payments, whether or not they can continue to see the physician they want to see, and working through wherever they need to go with regard to facilities. So this is a tremendous day.

There are a lot of folks to thank. First and foremost, as I have mentioned, the Attorney General, for his persistence through the legal process, but also recognizing that it was important to bring the parties together. That is all we wanted to be able to do was get these two entities to the table and hammer out an agreement.

So, I applaud him for the fine work that is being done, and has been done, along those lines. But there are a number of other organizations and individuals who are part of this conversation. The Members here in the legislature who pushed on the legislative front to try to encourage binding arbitration and trying to create an oversight council to look at these integrated delivery healthcare systems. Everybody played a role. The individual patients and individual folks who told their stories in a variety of settings, whether they came here to Harrisburg, whether they met with folks at the public hearings that took place in Allegheny County, they told their stories. They added their names to the petitions and the list that accumulated some 10,000 signatures of people in southwestern Pennsylvania who shared the concern about being able to have access to good, high-quality healthcare.

I would be remiss if I did not say that the healthcare delivery of these two entities, UPMC and Highmark, is the best that you can find in this world. We will soon have a world-renowned vision center. We already have a world-renowned and recognized cancer facility, the Hillman Cancer Center. Both of these institutions have done great work, and even more recently I learned that Children's Hospital was rated as the eighth best pediatric hospital in the country. These are good institutions with fine people who work there, and I am glad that we were able to get past the point in time where these individuals, people who hold Highmark insurance cards, through no fault of their own in many instances, will continue to have access to this high-quality care, and it continues to be accessible for these folks.

This is really a good day for those of us who come from southwestern Pennsylvania. I was honored to be able to stand at this podium to fight for what I thought was right and what I thought should have been done with regard to how we deliver healthcare, and I am very, very appreciative of the work of the Attorney General and so many others, including Governor Tom Wolf.

Thank you, Madam President.

## HOUSE MESSAGES

### SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 89**, **SB 117**, **SB 127**, **SB 128** and **SB 440**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

## RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Madam President, I move that the Senate do now recess until Tuesday, June 25, 2019, 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 5:54 p.m., Eastern Daylight Saving Time.