

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

FRIDAY, JUNE 25, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 40

## SENATE

FRIDAY, June 25, 2021

The Senate met at 10 a.m., Eastern Daylight Saving Time.

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

## PRAYER

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

Let us pray.

Heavenly Father, today we ask You to help us to live in Your ways. Saint Paul's letter to the Romans tells us how to do just that. "Let love be sincere; hate what is evil, hold on to what is good; love one another with mutual affection; anticipate one another in showing honor. Do not grow slack in zeal, be fervent in spirit, serve the Lord. Rejoice in hope, endure in affliction, persevere in prayer....Bless those who persecute you....Rejoice with those who rejoice, weep with those who weep. Have the same regard for one another....be concerned for what is noble in the sight of all....live at peace with all." Lord, we ask You to fill us with wisdom and grace so that we can live in Your ways. Amen.

## PLEDGE OF ALLEGIANCE

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

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE AMENDMENTS BY AMENDING SAID AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1154**, in which concurrence of the Senate is requested.

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

### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 87**, **SB 115**, **SB 425** and **SB 484**, with the information the House has passed the same without amendments.

## BILLS INTRODUCED AND REFERRED

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

June 24, 2021

Senators LAUGHLIN, PITTMAN and STEFANO presented to the Chair **SB 796**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, prohibiting vehicle locking devices by municipalities.

Which was committed to the Committee on LOCAL GOVERNMENT, June 24, 2021.

Senators ROBINSON, ARGALL, SCAVELLO, GORDNER, YUDICHAK, STEFANO, MENSCH and BOSCOLA presented to the Chair **SB 797**, entitled:

An Act amending the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, further providing for definitions, for creation of neighborhood improvement district and for powers of neighborhood improvement district management association.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 24, 2021.

## LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Browne, Senator Martin, and Senator Brooks, and legislative leaves for Senator Langerholc and Senator Tomlinson.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Haywood, Senator Muth, and Senator Schwank, and legislative leaves for Senator Hughes, Senator Anthony Williams, and Senator Sabatina.

The PRESIDING OFFICER. Senator Kim Ward requests temporary Capitol leaves for Senator Browne, Senator Martin, and Senator Brooks, and legislative leaves for Senator Langerholc and Senator Tomlinson.

Senator Costa requests temporary Capitol leaves for Senator Haywood, Senator Muth, and Senator Schwank, and legislative leaves for Senator Hughes, Senator Anthony Williams, and Senator Sabatina.

Without objection, the leaves will be granted.

### JOURNAL APPROVED

The PRESIDING OFFICER. The Journal of the Session of April 21, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of April 21, 2021.

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

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### NAY-0

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

The PRESIDING OFFICER. The Journal is approved.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Martin has returned, and his temporary Capitol leave is cancelled.

### PERMISSION TO ADDRESS

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

Senator AUMENT. Mr. President, if I might, before introducing my guest, I would like to extend best wishes to my chief of staff, Ryan Boop, and his wife, Ashley, who last night at 8:55 p.m., welcomed their daughter, Quinn Elizabeth. Pleased to report that Quinn is a very healthy 5 pounds, 4 1/2 ounces, and it is quite remarkable to me the lengths Ryan will go to get out of a long day of work here at the Capitol. In all seriousness, I want to congratulate Ryan and Ashley and offer best wishes to his entire family: Lily, Daniel, and Quinn.

### GUEST OF SENATOR RYAN P. AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, it is my pleasure to introduce my intern for the summer, Cade Hepner, originally from Kittanning, Pennsylvania. Cade is a recent graduate of Slippery Rock University, where he majored in political science with a minor in Japanese. In his free time, he enjoys snowboarding, woodworking, and going on walks with his dog Rosco, and we are thrilled to have Cade in our office this summer to assist with some of our long-term legislative projects. Please join me in welcoming Cade to the Pennsylvania Senate.

The PRESIDING OFFICER. Would the guest of Senator Aument please rise to be welcomed by the Senate.

(Applause.)

### GUEST OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I am pleased to introduce my legal intern for this summer, Michael Kulick, from Luzerne County. He is impressive from the standpoints of the education and training he has received and the spirit of public service that infuses his work. If you want any indication of his ability and commitment, Michael had a double major and a double minor at the University of Scranton, emerging with a very high GPA. He is entering his final year of law school at Villanova University. Bright, energetic, personable, these are traits he possessed since his childhood. The same sort of work ethic marked his previous summer internships. He twice served legal internships with Lackawanna County respected attorneys and last year, during the pandemic, he worked with Pocono Organics, where he engaged in a full range of activities with the agriculture and business development at the farm. I have known Michael and his family for many years. In fact, I recall the excitement and joy that his family experienced when Michael's "gotcha day" came, the day that he and his sister Elizabeth joined their forever home and family. Michael is the grandson of doctors Rose and Joe Mattioli, the longtime operators of Pocono Raceway--a tremendous attraction in our region. Everyone is spotlighting him this weekend for race weekend. His mom, Michele Mattioli-Kulick, is still part of "The Tricky Triangle" executive team. Michael and his family have been deeply involved in civic, cultural, and charitable efforts, and they have earned the deep affection of many for their kindness and generosity. In his spare time he enjoys sketching, painting, and photography. So we are so proud of Michael and how he has made his way through the world. I feel very fortunate to have him with us this summer as he is gaining experience in the operations and priorities of the Senate Committee on Judiciary. He is making a substantial contribution to our work, and I am delighted to introduce Michael Kulick and ask for a warm Senate welcome.

Thank you, Mr. President.

The PRESIDING OFFICER. Michael, please rise so we may give you our usual warm welcome.

(Applause.)

### GUESTS OF SENATOR DANIEL J. LAUGHLIN PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, I rise to introduce some friends of mine who live right across the street from me. They did not win a statewide sporting competition or anything like that, but they have put up with me for 25 years now, and I would say that they definitely won the prize for the longest drive to be here today. So I would like to welcome Ernie and Sheilah Bruno, very dear friends of mine, and I would like a warm Senate welcome for them.

The PRESIDING OFFICER. Would the guests of Senator Laughlin please rise to be welcomed by the Senate.

(Applause.)

### PERMISSION TO ADDRESS

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

The PRESIDENT pro tempore. Mr. President, as we do quite often—not only we as Members of the General Assembly—at times we move on in our careers and take different paths, and we honor those when they leave. We also have people who work for the Senate, both in our staffs—from time to time we take a moment to honor them—but also not just our staff but our institution. It takes institutional employees to come in and make sure we do the things we need to do to get things done correctly. So today I want to take a moment, as we wrap up our June Session, and hopefully get a budget passed today; and if that happens, one of our employees will be spending her final day here on the Senate floor. So I wanted to take a moment and honor her because she has been a great friend and a tremendous, dedicated public servant. In her 29 years of service to this institution, Ann-Marie Sweeney has faithfully and professionally produced more than 2,000 Journals detailing each Session day. Behind every bill passed, every motion made, every word uttered on the floor of the Senate, Ann-Marie was here to capture it.

In her nearly three decades of work, her honesty and standard of service—which has never been called into question—this is a record we should all aspire to reach. During her illustrious career, Ann-Marie served with 156 different Senators, eight Lieutenant Governors, four Presidents pro tempore, and perhaps, most impressively, two Senator Corman. My father sat beside Ann-Marie for many years in some truly historic moments for the Commonwealth. But greater than the history they witnessed were the memories and friendship they shared. It always meant the world to my father, and I know he would be proud to see all she has done for the Senate and all the accomplishments that are still to come. Lord knows how we would have ever gotten through Session days without our espressos. So on behalf of myself and my colleagues, I just wanted to take a moment—I cannot see her behind the screen—to say, Ann-Marie, thank you, God bless you, we love you, we are going to miss you, and we look forward to working with you in your next field of work. God bless, thank you for everything.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, thank you, Senator Corman, for those very appropriate and true words about Ann-Marie. You know, when I first got here, she was sitting in that chair and made me so comfortable. She has done such a professional job for all of us, such a nonpartisan professional job,

and I see her over here typing in the things that we are saying right now. I always marveled at her as she talks to folks and smiles at you and makes you feel so comfortable, that she is still doing all this. I just do not know how she does all that, so I was very pleased this morning to be able to second the motion to bring her on in a big capacity here with the Reapportionment Commission. We have really stolen one of the Senate's stars by having you move over to there, Ann-Marie, and I wish you the best of luck there, but you have already proven, here, in these last many years, what your capabilities are. So while we will miss you sitting here, I will be happy and glad to continue working with you over in the Reapportionment Commission. So God bless you, I know this is going to be great, it is going to be fun for you. It is going to be good and we are lucky to have you.

(Applause.)

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

Senator COSTA. Mr. President, I, too, rise to, in my case and along with Senator Kim Ward, not necessarily bid farewell to Ann-Marie, because we will be working with her through the Reapportionment Commission activity, but to my colleagues who had the privilege and pleasure of working with her over these many years, we were truly blessed, we were very fortunate. Many folks probably did not realize the day-to-day things that Ann-Marie had to do to make sure she heard every word that was uttered and make sure that she followed the conversation in a way that we just took for granted. The manner in which she did it, her pleasant nature, just being the wonderful person she is. She is going to be missed here in this body.

Senator Corman referenced many of the remarks that I was going to talk about, for example, the number of Journals that she did every day and trying to keep track of who said what and when we spoke over each other many times she was able to decipher that and put it into an appropriate way and to maintain it for us as we go forward. We certainly all know the importance of our Journals so we can reflect back on the work that we do. How important it is to make sure it is accurate and appropriately done, so in that regard. In addition to all those Journals, it is important to note that she has served 156 different State Senators, eight Lieutenant Governors, and four Presidents pro tempore. Many of us who, in the days when we used to work late nights here in this Chamber, will remember that Ann-Marie on Thanksgiving mornings, a couple times, was not able to go home and cook a turkey because we made her work into the early mornings and on Christmas Eve she was not able to go home and prepare a Christmas Eve luncheon or dinner because we were working here on those days. She never once uttered a complaint or concern about the nature of the work that she did and, again, we were very fortunate along those lines.

She also participated in many historic events. Certainly the trial that took place here, the first impeachment trial in almost 150 years, at the time, she was there day-in and day-out. I remember before I came here, watching it on PCN, it was one of the first things that we saw that took place in this Chamber, it was fascinating, but she participated in that as well. Most recently, this past year, as we dealt with the COVID-19 limitations that were placed upon all of us in the manner in which she managed to be able to, in this horrible sound system, when you are on the Zoom call, be able to capture the words of everyone here along those lines. I am going to submit my remarks for the re-

cord, but I just have tremendous fondness for Ann-Marie Sweeney and the work she has done. As I mentioned, we will be able to have her service for those of us in the Reapportionment Commission, but I want to say thank you, Ann-Marie, for being who you are and, most importantly, for the work that you have done as well. There is only one regret that I have. I was not able and was not a coffee drinker or espresso drinker, so I never had the privilege of joining the espresso club, and I am not quite sure how many members were in the club. I am thinking maybe 80-some members who participated in your club and I think that is a wonderful thing. Many of you probably did not realize that she walks around here and delivers espresso to the desks of our colleagues, and that is just one of the things we are going to miss as we go forward. Thank you very much. I know some other Members want to speak. At the conclusion of our remarks we do have a citation that we will present to Ann-Marie. As I think about it, Senator Anthony Williams wanted to interrogate himself the other day, and we know we cannot do that, but this is the only instance where I think remarks will be given about a person and that person's responsibility is to transcribe those remarks. So, Ann-Marie, thank you for everything, and once our Members are done speaking we will present you with a citation.

Thank you, Mr. President.

(Applause.)

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

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

Mr. President, I rise today to bid farewell to a very familiar face to all of us. Ann-Marie P. Sweeney has served as the Official Reporter for the Pennsylvania Senate since 1992. She has served the Senate and the Commonwealth with the utmost professionalism, attention to detail, and levity that sometimes serves the greatest purpose in the Chamber.

During her time in the Senate, Ann-Marie has produced 2,136 Journals detailing each Session day. She has also served with 156 different State Senators, eight Lieutenant Governors, and four Presidents pro tempore. Through the long nights of Session, on weekends, and occasionally even holidays, Ann-Marie made sure that all Senate Records were reflected accurately. There were several Thanksgiving and Christmas days that Ann-Marie spent here with us instead of preparing a holiday meal with her family, and never once did I hear here a complaint or see anything but a smile on her face. Not only were votes taken into the record, but the remarks, comments and reflections of the many Senators are preserved through her work. Ann-Marie took on the immense responsibility of reporting on historic State events including the first impeachment trial in almost 150 years in the Commonwealth, and through the current pandemic and remote Session for COVID-19.

Prior to her service in the Senate, she worked in the Reporter's Office of the State House of Representatives. She also served as the Reporter for the Legislative Reapportionment Commission in 1991, 2001, and 2011. With her new roles as Director of Administration for the 2021 Legislative Reapportionment Commission, Ann-Marie will take her 29 years of experience in the Senate and in the constitutional process to further serve the people of Pennsylvania and ensure their right to fair representation.

In honor of Ann-Marie P. Sweeney's departure from the Senate and her ascent to the honorable position of Director of Administration for the 2021 Legislative Reapportionment Commission, we wish her all the happiness and success in her new position that she had previously achieved in the Senate. We are deeply grateful for her service. President pro tempore Corman, Leader Kim Ward, and I would like to jointly present this citation to her.

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

Senator GORDNER. Mr. President, I would like to add some remarks as well. This is a great time of year where we really do start to recognize, appropriately, our staff. So much of the work here that gets done in the budget and Fiscal Code is done by so many of our tremendous staff, and I am not sure—I have become very friendly with the Secretary's staff and Parliamentary staff over a number of years—and it is just so amazing how much of the behind-the-scenes stuff that I do not know, that everyday we appreciate what gets done by so many different people, making sure that they cover who is here, who is not here, making sure the bills are here, the amendments are done, everything is done so precisely. It is the behind-the-scenes folks who really get it done.

One of the more behind the scenes—and because of the screen, really behind the scenes—is Ann-Marie. My wife's best friend started out as a court stenographer and she went to Central Penn Business School. I know that is where Ann-Marie went as well to learn her training. Someone who was around back in the eighties, she literally started out when she got out of high school as a teenager, someone who was here during the Thornburgh administration, started working in the House, and has been over in the Senate for 29 years. I brought a rule book, and I know we are not supposed to use props, Mr. President, but she knows the rules. There have been a couple of instances where, just in my time here, where we have needed her on a couple of different matters to step up to the plate in order to assist us in the running of this Chamber. It was great that she was able to do that because of her longstanding knowledge of the rules and how important that is in regard to what she does in regard to the Journals.

She is just a pleasant person, someone with a smile that comes in here on a daily basis. By the way, Mr. Democratic Leader, she also makes a mean mixed drink, just so you know, after hours—and I hope I am not getting into trouble—she can make a mean mixed drink as well. So she has all bases covered. But probably most importantly to me is she is my concert buddy. We are both about the same age and we love going to concerts of groups that we were not able to see when we were kids but now have the money to do it. I will call you out, she was trying to scoop up some ZZ Top tickets yesterday. As a matter of fact, we went into Session at 10 a.m. and they went on sale at 10 a.m., so it was a little bit of a difficult situation, but we have compared notes on a lot of different concerts and been at a couple of them. I think Brian Wilson was one of them that we were both at, just as an example. So, Ann-Marie, thank you for all of your many years of service, your professionalism, but just being a joy to be with on a daily basis, and I wish you all the best.

(Applause.)

The PRESIDING OFFICER. I, too, would like to thank Ann-Marie for being here all of these years and her smiling face every day. I have never seen her not smile. So, Ann-Marie, stand up here please, and let everyone recognize you the right way. Come out here. The Senate will be at ease.

(The Senate was at ease.)

## LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Anthony Williams, Senator Sabatina, and Senator Schwank have returned, and their respective leaves are cancelled.

## RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room and via Zoom.

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

Senator Costa. Mr. President, for the purpose of a Democratic caucus, I request the Democrats join me in the rear of the Chamber and via Zoom.

The PRESIDING OFFICER. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, 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 Brooks, Senator Haywood, Senator Langerholc, Senator Hughes, and Senator Muth have returned, and their respective leaves are cancelled.

## SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Permission has been granted for the following items to be added to the agenda for the off-the-floor meeting today for the Committee on Appropriations: Senate Bill No. 397 and Senate Bill No. 398.

## CALENDAR

### THIRD CONSIDERATION CALENDAR

### HB 1300 CALLED UP OUT OF ORDER

**HB 1300 (Pr. No. 1869)** -- Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1300 (Pr. No. 1869)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, as follows: in preliminary provisions, further providing for definitions, providing for legislative authority over elections, establishing the Bureau of Election Audits and providing for special standing in challenges to the Election Code; in the Secretary of the Commonwealth, further providing for powers and du-

ties of the Secretary of the Commonwealth and providing for reports on implementation of elections; in county boards of elections, further providing for powers and duties of county boards and providing for county boards of elections and satellite offices; in district election officers, further providing for qualifications of election officers, for compensation of district election officers and for appointment of watchers; providing for registration of electors; in ballots, further providing for form of official election ballot and for number of ballots to be printed and specimen ballots; in voting machines, further providing for examination and approval of voting machines by the Secretary of the Commonwealth, for requirements of voting machines, for preparation of voting machines by county election boards and for delivery of voting machines and supplies by county election boards to election officers; in electronic voting systems, further providing for experimental use of electronic voting systems and for statistical sample and providing for requirements of accessible voting machines; in voting apparatus bonds, providing for voting system defects, disclosure, investigations and penalties; in preparation for and conduct of primaries and elections, providing for voter's bill of rights, for senior voter's bill of rights, for disabled voter's bill of rights and further providing for time for opening and closing polls, 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 and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for delivering or mailing ballots, for voting by absentee electors, providing for supervised voting by qualified absentee electors in certain facilities and further providing for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for delivering or mailing ballots and for voting by mail-in electors; in Pennsylvania Election Law Advisory Board, further providing for Pennsylvania Election Law Advisory Board; providing for early voting by qualified electors; in returns of primaries and elections, further providing for returns to be open to public inspection and exceptions and for computation of returns by county board, certification and issuance of certificates of election; in recounts and contest, providing for powers and duties of the Attorney General relating to elections; in penalties, further providing for disobeying lawful instructions, for perjury, for false affidavits of candidates, for refusal to permit inspection of papers, destruction or removal and Secretary of the Commonwealth, for refusal to permit inspection of papers, destruction or removal and county boards of elections, for insertion and alteration of entries in documents, removal and refusal to deliver, for refusal to permit overseers, watchers, attorneys or candidates to act, for driving away watchers, attorneys, candidates or overseers, for refusal to permit election officers, clerks and machine inspectors to act and driving away said persons, for refusal to administer oath and acting without being sworn, for violation of oath of office by election officers, for peace officers, failure to render assistance and hindering or delaying county board members and others, for nomination petitions and papers and offenses by signers, for false signatures and statements in nomination petitions and papers, for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression, for offenses by printers of ballots, for unlawful possession of ballots and counterfeiting ballots, for forging and destroying ballots, for tampering with voting machines, for destroying, defacing or removing notices, et cetera, for police officers at polling places and for peace officer, failure to quell disturbances at polls, hindering or delaying election officers and others, for election officers permitting unregistered electors to vote, challenges and refusing to permit qualified electors to vote, for election officers refusing to permit elector to vote in proper party at primaries, for frauds by election officers, for prying into ballots, for interference with primaries and elections, frauds and conspiracy, for persons interfering in other districts, for assault and battery at polls, for unlawful assistance in voting, for election officers permitting unlawful assistance, for failure to keep and return record of assisted voters, for unlawful voting, for elector voting ballot of wrong party at primary, for repeat voting at elections, for removing ballots, for commissioners to take soldiers' votes, for fraudulent voting by soldiers, for bribery at elections, for receipts and disbursements of primary and election expenses by persons other than candidates and treasurers, for receipts of primary and election expenses by unauthorized persons, for contributions by corporations or unincorporated associations, for failure to file expense account, for prohibiting

duress and intimidation of voters and interference with the free exercise of the elective franchise, for failure to perform duty, for hindering or delaying performance of duty, for violation of any provision of act, for violations of provisions relating to absentee and mail-in ballots and providing for unlawful collection of ballots and prohibiting duress and intimidation of elections officials; providing for reimbursements and withholding; and making a related repeal.

On the question,

Will the Senate agree to the bill on third consideration?

#### COSTA AMENDMENT A2042 OFFERED

Senator COSTA offered the following amendment No. A2042:

Amend Bill, page 2, by inserting between lines 37 and 38: in primary and election expenses, further providing for definitions, for organization of political committees, for organization of political committees and treasurer and assistant treasurer and records of candidate and committees, for registration, for reporting and for reporting by candidate and political committees and other persons, providing for limitations on contributions, further providing for late filing fees and certificates of filing, for contributions or expenditures by national banks, corporations or unincorporated associations, for advertising and for reports by business entities and publication by Secretary of the Commonwealth and providing for independent expenditures and for independent expenditure evaluation; and providing for corporate political accountability;

Amend Bill, page 16, by inserting between lines 2 and 3:

(i.1) To biennially adjust the limitations on contributions under section 1627.1(r).

Amend Bill, page 124, by inserting between lines 10 and 11:

Section 28. Section 1621(d), (e) and (f) of the act are amended and the section is amended by adding subsections to read:

Section 1621. Definitions.--As used in this article, the following words have the following meanings:

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(d) The word "expenditure" shall mean any of the following:

(1) The payment, distribution, loan or advancement of money or any valuable thing by a candidate, candidate committee, political committee, political action committee, political party committee or other person for the purpose of influencing the outcome of a nomination or an election[:]; provided, however, that the payment, distribution, loan or advancement of money or any valuable thing shall be made only for expenses directly and exclusively incurred for the campaign in which the candidate is running in the contemporaneous election cycle and that no expenditure of funds from campaign accounts shall be used for any personal purpose.

(2) The payment, distribution, loan, advance or transfer of money or other valuable thing between or among political committees[:];

(3) The providing of a service or other valuable thing for the purpose of influencing the outcome of a nomination or election of any person to any public office to be voted for in this Commonwealth[: or];

(4) The payment or providing of money or other valuable thing by any person other than a candidate or political committee, to compensate any person for services rendered to a candidate or political committee.

(e) The words "independent expenditure" shall mean an expenditure by a person, other than a political committee or candidate, expressly advocating the election or defeat of a clearly identified candidate for nomination or election or promoting the success or defeat of a clearly identified ballot question appearing on the ballot in each election district in this Commonwealth, made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by that candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof.

(f) The word "lobbyist" shall mean any person who is registered pursuant to the provisions of [the act of September 30, 1961 (P.L.1778, No.712), known as the "Lobbying Registration and Regulation Act."] 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

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(n) The words "affiliate" or "authorized committee" shall include:

(1) Any committee established or authorized by a candidate as part of his or her campaign for a specific campaign for a designated office.

(2) Any committee established, financed, maintained or controlled by the same corporation, labor organization, membership association, not-for-profit organization or trade or professional association, person or group of persons, including any parent, subsidiary, branch, division, department or local unit of an entity under this paragraph. Local units may include, in appropriate cases, a franchisee, licensee or regional association.

(o) The words "chief executive officer" shall mean the highest ranking officer or decision-making individual with authority over a corporation's affairs.

(p) The words "clearly identified" shall mean:

(1) with respect to a candidate, the name of the candidate appears;

(2) with respect to a candidate, a photograph, drawing or other image of the candidate appears; or

(3) with respect to a candidate or ballot question, the identity of the candidate or ballot question is apparent by unambiguous reference.

(q) The words "electioneering communication" shall mean a broadcast, cable, mail, satellite, the Internet, social media or print communication by a person, other than a political committee or candidate, that refers to a clearly identified candidate or clearly identified ballot question appearing on the ballot in each election district in this Commonwealth and is publicly distributed within ninety (90) days before an election in which the candidate is seeking election or reelection or the ballot question appears on the ballot. The term does not include any of the following communications:

(1) A communication that is disseminated through a means other than a broadcast station, radio station, cable television system, telecommunications, Internet or satellite system, newspaper, magazine, periodical, billboard advertisement or mail.

(2) A communication to less than one hundred (100) recipients.

(3) A news story, commentary, letter to the editor, news release, column, op-ed or editorial broadcast by a television station, radio station, cable television system or satellite system or printed in a newspaper, magazine or other periodical in general circulation.

(4) Expenditures or independent expenditures or contributions that must otherwise be reported under this article.

(5) A communication from a membership organization exclusively to its members and their families, otherwise known as a membership communication.

(6) Bona fide candidate debates or forums and advertising or promotion of the same.

(r) The words "electioneering communication expenditure" shall mean any expenditure made by a person, other than a political committee or a candidate, as payment for an electioneering communication.

(s) The words "foreign-influenced corporation" shall mean a corporation for which:

(1) a foreign owner holds, owns, controls or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than five (5) per cent of the total equity or outstanding voting shares; or

(2) foreign owners hold, own, control or have directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than twenty (20) per cent of the total equity or outstanding voting shares.

(t) The words "foreign national" shall mean:

(1) a foreign principal; or

(2) an individual who is not a citizen of the United States or a national of the United States and who is not lawfully admitted for permanent residence.

(u) The words "foreign owner" shall mean a foreign national or a corporation wherein a foreign national holds, owns, controls or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than fifty (50) per cent of the total equity or outstanding voting shares.

(v) The words "foreign principal" shall mean:

(1) a government of a foreign country;

(2) a foreign political party; or

(3) a partnership, association, corporation, organization or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

(w) The words "independent expenditure political action committee" shall mean a political action committee that only receives contributions to make independent expenditures.

(x) The words "in-kind contribution" shall mean a contribution of goods, services, property or any valuable thing offered free or at less than the fair market value for the goods, property or services. The words shall not include any legal or accounting services rendered to or on behalf of any political committee of a political party, an authorized committee of a candidate or any other political committee, if the services are solely for the purpose of ensuring compliance with this article. The legal or accounting services shall be reported under section 1626.

(y) The words "personal purpose" shall mean a purpose that, by its nature, confers a personal benefit, including expenditures such as a home mortgage, home rent, utility payment, clothing purchase, noncampaign automobile expense, country club membership, vacation or a trip of a noncampaign nature, household food items, tuition payments, admission to a sporting event, concert, theater or other form of entertainment and other expenditures not specifically and directly necessary for the conduct of the campaign.

(z) The word "person" shall include any corporation, partnership, limited liability company, business trust, other association, government entity, other than the Commonwealth, estate, trust, foundation or natural person.

Section 29. Sections 1622 and 1624(a) and (b) of the act are amended to read:

Section 1622. Organization of Political Committees; Treasurer and Assistant Treasurer; Records of Candidate and Committees.--

(a) Every political committee shall have a treasurer and a chairman. No contribution shall be received nor shall any expenditure be made when there is a vacancy in either one of these offices. All money received and disbursed by a political committee must be done through the treasurer of the committee.

(b) Every candidate who authorizes a committee [or committees,] to receive and disburse funds on behalf of this candidacy, shall name a sole treasurer[, irrespective of the number of committees so authorized,] to receive and disburse all funds [for] of said [committees. Nothing herein shall be construed to prohibit a candidate from receiving or expending moneys on his behalf or a treasurer of a political party committee or a committee authorized to receive and distribute funds on behalf of more than one (1) candidate from receiving or expending moneys on behalf of said candidates, notwithstanding the appointment of a sole treasurer. A sole treasurer may delegate authority, in writing, to any number of assistant treasurers to receive and disburse moneys collected on behalf of a candidate for election. Nothing in this section shall prohibit authorized individuals from selling tickets or soliciting funds when funds are deposited in the campaign account of the candidate] committee.  
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Section 1624. Registration.--

(a) Any political committee which receives contributions in an aggregate amount of two hundred fifty dollars (\$250) or more shall file a registration statement, designed by the Secretary of the Commonwealth, with the appropriate supervisor within twenty (20) days after the date on which it receives such amount. Each committee in existence shall have sixty (60) days from the effective date of this amendatory act to comply with the requirements of this section.

(b) Each registration statement shall contain the following information:

(1) The name, addresses and phone numbers of the political committee.

(2) The name, address and phone number of the committee's treasurer.

(3) The name, address and phone number of the committee's chairman.

(4) The names, addresses and relationships of other affiliated or connected organizations.

(5) The candidates, if any, and their names and addresses.

(6) The ballot question, if any, which the committee intends to support or oppose.

(7) The banks, safety deposit boxes or other repositories and their addresses used by the committee.

(8) The proposed period of operation of the committee.

(9) A political committee which is established, financed, maintained or controlled by a sponsoring organization such as a corporation,

labor organization, membership association, not-for-profit organization or trade or professional association shall include in its registered name the full name of its sponsoring organization.

(c) The committee shall inform the appropriate supervisor of any changes in the information contained in subsection (b) within thirty (30) days of that change.

(d) No political committee which receives an aggregate amount of contributions of two hundred fifty dollars (\$250) or more may make a contribution to any candidate or political committee unless it has registered with the appropriate supervisor.

Section 30. Section 1626(a), (b), (c), (d) and (g) of the act are amended and the section is amended by adding subsections to read:

Section 1626. Reporting by Candidate and Political Committees and other Persons.--

(a) Each treasurer of a political committee and each candidate for election to public office shall file with the appropriate supervisor reports of receipts and expenditures on forms, designed by the Secretary of the Commonwealth, if the amount received or expended or liabilities incurred shall exceed the sum of two hundred fifty dollars (\$250). Should such an amount not exceed two hundred fifty dollars (\$250), then the candidate or, in the case of a political committee, the treasurer of the committee shall file a sworn statement to that effect with the appropriate supervisor rather than the report required by this section[.]; provided, however, that if the amount received or expended by a candidate does not exceed two hundred fifty dollars (\$250) he or she may comply with this section by signing an affidavit to that effect on his or her political committee's report or statement.

(b) Each report shall include the following information:

(1) The full name, mailing address, specific occupation and specific name of the employer, if any, or the principal place of business, if self-employed, of each person who has made one or more contributions to or for such committee or candidate within the reporting period in an aggregate amount or value in excess of [two hundred fifty dollars (\$250)] one hundred dollars (\$100), together with the amount and date of such contributions. The accuracy of the information furnished to the candidate or committee shall be the responsibility of the contributor.

(2) The full name and mailing address of each person [who] and political committee that has made one or more contributions to or for such committee or candidate within the reporting period in an aggregate amount or value in excess of fifty dollars (\$50), together with the amount and date of such contributions. The accuracy of the information furnished by the contributor shall be the responsibility of the contributor.

(3) The total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under clauses (1) and (2).

(4) Each and every expenditure, the date made, the full name and address of the person to whom made and the purpose for which such expenditure was made. If the creditor is a credit card company or similar instrumentality that is an intermediary for collecting payments due, it shall not be sufficient to list the name of the collecting organization. The report shall identify the credit card company and also the specific entities and payments being paid through the credit card company or like entity. If the payment is being made by a committee to a creditor for expenses on behalf of one or more candidates, the amounts of payments and purposes of the payments shall be broken down to identify each candidate's share of the incurred expenses. The report shall include copies of the political committee's or candidate's itemized credit card statements displaying the reportable expenditures included in the report.

(5) Any unpaid debts and liabilities, with the nature and amount of each, the date incurred and the full name and address of the person owed.

(6) The account shall include any unexpended balance of contributions or other receipts appearing from the last account filed.

(7) Identification of political committees:

(i) If the contributor is a political committee, the official registration number of the committee must be included on the contribution check or in the case of an electronic transfer within the documentation sent to the candidate providing notice to the electronic transfer of funds.

(ii) The official registration number of the committee shall be included on the disclosure report filed by the committee.

(iii) The official committee registration number shall be included on each entry for that committee on a candidate's disclosure report.

(c) [Vouchers or copies of vouchers for all sums expended amounting to more than twenty-five dollars (\$25) shall be retained by the candidate or the committee treasurer and shall be available for public inspection and copying as herein provided. Any person may inspect or copy such vouchers or copies thereof by filing a written request with the appropriate supervisory office which shall notify the candidate or political committee of such request. The candidate or political committee shall have the option of either forwarding such vouchers or copy of the same to the supervisor for such purpose or making the vouchers or copy of the same available to the requesting person. If a candidate or a treasurer of a political committee shall fail to make said vouchers or copies thereof available for inspection and copying when requested by the appropriate supervisory officer, such officer shall direct the candidate or political committee to promptly deliver the vouchers or copies thereof to the supervisory office for purposes of inspection and copying. Costs of copying and costs of delivery by the candidate or treasurer of the requested vouchers or copies thereof shall be borne by the person requesting same.] (1) Vouchers or copies of vouchers for all sums expended amounting to more than twenty-five dollars (\$25) shall be retained by the candidate or the political committee treasurer for a period of three (3) years as required under section 1622(c) and shall be available for public inspection and copying.

(2) Any person may inspect or copy such vouchers or copies thereof by filing a written request with the appropriate supervisory office which shall notify the candidate or political committee of the request. The candidate or political committee shall forward the vouchers or copy of the same to the supervisor for such purpose within fifteen (15) days of the date of the request. The supervisor shall make the vouchers or copies of the vouchers available to the requesting person for inspection and copying. Costs of copying and costs of delivery by the candidate or treasurer of the requested vouchers or copies shall be borne by the requesting person.

(3) If a candidate or a treasurer of a political committee fails to forward the vouchers or copies of the vouchers to the supervisory office when requested, the supervisory office shall provide written notice of the violation to the candidate or political committee. If the violation is not corrected within thirty (30) days after receipt of a notice, the department shall issue a notice of violation and, after a hearing, make a determination and may assess penalties against the candidate or treasurer of the political committee for noncompliance under this act.

(4) An aggrieved candidate or treasurer of a political committee or requesting person who was party to the department's determination under paragraph (3) may file an action in court seeking declaratory or injunctive relief. In an action under this subsection, the court may allow the prevailing party reasonable attorney fees, including litigation costs and expenses. An action filed under this paragraph must be filed in either:

(i) the Commonwealth Court in the case of any candidate or treasurer of a candidate's political committee if the candidate is running for a Statewide elected office or a legislative office of the General Assembly; or

(ii) an appropriate court of common pleas in the case of all other candidates or treasurers of political committees.

(5) Prior to granting a request for inspection and copying vouchers, a candidate or political committee may require a requester to prepay an estimate of the fees authorized under this section if the costs of copying and costs of delivery required to fulfill the request are expected to exceed one hundred dollars (\$100). If no prepayment is requested or made, a candidate or political committee may require the requester to pay the actual costs of copying and costs of delivery prior to the release of the requested documents.

(6) The Attorney General shall have prosecutorial jurisdiction over a violation committed under this section. The district attorney of any county in which a violation occurred has concurrent powers and responsibilities with the Attorney General over the violations.

(7) The supervisor of a candidate or political committee may deny a requesting person access to a voucher or copies if the requesting person has made repeated requests for the same record more than twice and the repeated requests have placed an unreasonable burden on the candidate or political committee, which is substantiated by repeated responses to substantively similar requests. A denial under this paragraph shall not restrict the ability to request a different record.

(d) Pre-election reports by candidates for offices to be voted for by the electors of the State at large, candidates for the office of Senator in

the General Assembly, candidates for the office of Representative in the General Assembly and all political committees, which have expended money for the purpose of influencing the election of such [candidate] candidates, shall be filed not later than the sixth Tuesday before and the second Friday before an election, provided that the initial pre-election report shall be complete as of fifty (50) days prior to the election and the subsequent pre-election report shall be complete as of fifteen (15) days prior to the election. Pre-election reports by all other candidates and political committees which have received contributions or made expenditures for the purpose of influencing an election shall be filed not later than the second Friday before an election, provided that such report be complete as of fifteen (15) days prior to the election.

(d.1) During nonelection years in which subsection (d) is not operative, an elected official or announced candidate for any elective office shall file quarterly reports if he or she receives more than two hundred fifty dollars (\$250) during the respective calendar quarter. Reports shall be due thirty (30) days after the end of each calendar quarter and shall be complete through the final day of the calendar quarter the report covers.

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(g) [Every] Except as provided under section 1644, every person, other than a political committee or candidate, who makes independent expenditures expressly advocating the election or defeat of a clearly identified candidate, or question appearing on the ballot, other than by contribution to a political committee or candidate, in an aggregate amount in excess of [one hundred dollars (\$100)] one thousand dollars (\$1,000) during a calendar year shall file with the appropriate supervisor, on a form prepared by the Secretary of the Commonwealth, a report which shall include the same information required of a candidate or political committee receiving such a contribution and, additionally, the name of the candidate or question supported or opposed. Reports required by this subsection shall be filed on dates on which reports by political committees making expenditures are required to report under this section.

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

"Costs of copying." Up to twenty-five cents (25¢) per copy for black and white copies, and up to fifty cents (50¢) per copy for color copies. If a CD or DVD is provided, the cost of copying will be up to the actual cost of the CD or DVD, not to exceed three dollars (\$3) per disc. For a flash drive the cost of copying will be up to the actual cost of the flash drive.

"Costs of delivery." The cost of postage or shipping of documents from the candidate or committee to the requester. The allowable fee for postage or shipping will be up to the actual cost of the United States Postal Service's first-class postage.

"Political committee." As defined in section 1621.

"Voucher." A document that reasonably describes the campaign expense.

Section 31. The act is amended by adding a section to read:

Section 1627.1. Limitations on Certain Contributions.--

(a) Aggregate contributions, including in-kind contributions, from any individual to any candidate for the office of Senator or Representative in the General Assembly, judge of court of common pleas or a county or municipal office, or to the candidate's committee or agent, may not exceed one thousand five hundred dollars (\$1,500) for each election. For each election, a candidate and the candidate's committee or agent may not accept or receive more than one thousand five hundred dollars (\$1,500) in aggregate contributions, including in-kind contributions from any individual for each election.

(b) Aggregate contributions, including in-kind contributions, from any individual to any candidate for Statewide office, his authorized committee or agent, may not exceed five thousand dollars (\$5,000) for each election. For each election, no candidate, his authorized committee or agent may accept or receive more than five thousand dollars (\$5,000) in aggregate contributions, including in-kind contributions from any individual for each election.

(c) For each election aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee, its affiliate or agent to any candidate for Statewide office, the office of Senator or Representative in the General Assembly, judge of court of common pleas or a county



or municipal office, his authorized committee or agent, may not exceed ten thousand dollars (\$10,000). For each election, no candidate for the office, nor the candidate's committee or agent, may accept or receive more than the applicable amount or amounts as specified under this subsection in aggregate contributions, including in-kind contributions, from a single political action committee or agent or candidate's political committee. A donor shall be an individual or a single committee regardless of the number of contributions made by that individual or committee during the election cycle.

(d) Contributions from political party committees to a political action committee, other party committee or other committee may not exceed five thousand dollars (\$5,000) for each election.

(e) A candidate for the office of Senator or Representative in the General Assembly, judge of a court of common pleas or a county or municipal office, or the candidate's committee or agent may not accept in excess of two hundred and fifty thousand dollars (\$250,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. Contributions, in the aggregate, received by a candidate, may not exceed the aggregate contributions made by individuals per election.

(f) Except for a candidate for the office of Governor, a candidate for Statewide office, his authorized committee or agent may not accept in excess of one million dollars (\$1,000,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. A candidate for Governor, his authorized committee or agent may not accept in excess of five million dollars (\$5,000,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. Contributions in aggregate received by a candidate may not exceed the aggregate contributions made by individuals per election.

(g) Aggregate contributions, including in-kind contributions, from any person or a single political action committee, its affiliate or agent or any single candidate's political committee, its affiliate or agent to a single political action committee, its affiliate or agent, may not exceed ten thousand dollars (\$10,000) during any calendar year. For each election, no political action committee, its affiliate or agent may accept or receive more than ten thousand dollars (\$10,000) in aggregate contributions, including in-kind contributions, from any individual person or a single political action committee, its affiliate or agent during any calendar year.

(h) Aggregate contributions from any individual, person or a single candidate's political committee, its affiliate or agent or a single political action committee, its affiliate or agent or any other political committee to a single political party committee may not exceed ten thousand dollars (\$10,000) in a calendar year. A single political party committee may not accept or receive more than ten thousand dollars (\$10,000) in aggregate contributions from any individual, person, single candidate's political committee or agent or a single political action committee, its affiliate or agent, any political committee or other committee in a calendar year.

(h.1) The following shall apply to annual aggregate limits:

(1) No individual may make contributions to candidates, political committees or other committees that have a combined aggregate amount or value that exceeds twenty-five thousand dollars (\$25,000) in a calendar year.

(2) No political action committee may make contributions to candidates, political committees and party committees in an aggregate amount or value that exceeds one hundred thousand dollars (\$100,000) in any calendar year.

(i) A gift, subscription, loan, advance or deposit of money or anything of value to a candidate shall be considered a contribution both by the original source of the contribution and by any intermediary or conduit if the intermediary or conduit:

(1) exercises any direction over the making of the contribution; or

(2) solicits the contribution or arranges for the contribution to be made and directly or indirectly makes the candidate aware of the intermediary or conduit's role in soliciting or arranging the contribution for the candidate.

(j) For purposes of subsection (i), a contribution shall not be considered to be a contribution by an intermediary or conduit to the candidate if any of the following situations occurs:

(1) The intermediary or conduit has been retained by the candidate's committee for the purpose of fundraising and is reimbursed for expenses incurred in soliciting contributions.

(2) For an individual, the candidate has expressly authorized the intermediary or conduit to engage in fundraising, or the individual occupies a position within the candidate's campaign organization and is authorized by the organization to engage in fundraising.

(3) For a political committee, the intermediary or conduit is the authorized committee of the candidate.

(k) The following shall apply to out-of-State contributions:

(1) A candidate, candidate committee, party committee, political action committee or political committee may not accept a campaign contribution from an out-of-State political action committee if the political action committee's home state has less restrictive disclosure laws than this Commonwealth, except as provided under paragraph (2).

(2) A candidate, candidate committee, party committee, political action committee or political committee may accept a campaign contribution from an out-of-State political action committee if that political action committee is registered in this Commonwealth with the Department of State and, by the registration, has affirmed that the contributor will comply with the contribution, expenditure and reporting requirements of this act, and the regulations relating to contributions, expenditures and reporting promulgated under this act by the Department of State and the State Ethics Commission.

(3) The Secretary of the Commonwealth shall list and certify those states that have less restrictive disclosure laws than the Commonwealth. The list shall be compiled and updated annually and published in the Pennsylvania Bulletin not later than January 1, 2020, and each January 1 thereafter. The list shall be made available on the Department of State's publicly accessible Internet website and provided in hard copy in campaign committee packets prepared by the department.

(l) This section shall apply to any contribution made for the purpose of influencing an election to any public office in this Commonwealth except Federal offices.

(m) For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which the contribution is made shall be considered to be made during the calendar year in which the election is held.

(n) For purposes of this section, contribution limits shall apply to each election separately unless an annual limit or other limit is specified.

(o) A person who has a fiduciary contract for services with the General Assembly may not engage in campaign finance activity for candidates of the General Assembly, including making of contributions, fundraising activities or involvement in political action committees or candidate political committees.

(p) Nothing under this section shall prohibit a municipality, including a city of the first class, from instituting lower limitations on contributions to candidates for elected offices under the municipality's jurisdiction.

(q) A violation of the contribution limits under this section shall subject the violator to a fine equal to three times the amount of money that exceeds the limits. The penalty shall apply to both the person making the contribution and the person receiving it.

(r) The Secretary of the Commonwealth shall biennially adjust to the nearest one hundred dollars (\$100) the limits in subsections (a), (b), (c), (d), (e), (f), (g) and (h) by the percentage change in the Consumer Price Index and publish the new amounts in the Pennsylvania Bulletin. For the purposes of this subsection, "Consumer Price Index" means the Consumer Price Index for all urban consumers that is published by the United States Department of Labor, Bureau of Labor Statistics.

(s) The limitations imposed under this section may not apply to contributions from a candidate's personal resources to a candidate committee, political committee or political action committee acting on behalf of the candidate, except that if the contributions total one hundred thousand dollars (\$100,000) or more, regardless of the time period over which the contributions are made, the contribution limits under this section shall quadruple.

Section 32. Section 1632(a) of the act is amended to read:

Section 1632. Late Filing Fee; Certificate of Filing.--

(a) A late filing fee for each report or statement of expenditures and contributions which is not filed within the prescribed period shall be imposed as follows. Such fee shall be [ten dollars (\$10)] twenty dollars (\$20) for each day or part of a day excluding Saturdays, Sundays and holidays that a report is overdue. An additional fee of ten dollars (\$10) is due for each of the first six (6) days that a report is overdue. [The maximum fee payable with respect to a single report is two hun-

dred fifty dollars (\$250).] A supervisor shall receive an overdue report or statement even if any late filing fee due has not been paid but the report or statement shall not be considered filed until all fees have been paid upon the receipt by the supervisor of an overdue report. No further late filing fees shall be incurred once the report or statement is filed notwithstanding the fact that the report or statement is not considered filed. The late filing fee is the personal liability of the candidate or treasurer of a political committee and cannot be paid from contributions to the candidate or committee, nor may such fee be considered an expenditure. A report or statement of expenditures and contributions shall be deemed to have been filed within the prescribed time if the letter transmitting the report or statement which is received by the supervisor is transmitted by first class mail and is postmarked by the United States Postal Service on the day prior to the final day on which the report or statement is to be received: Provided, That this sentence shall not be applicable to the reporting requirements contained in section 1628. All Department of State filing and disclosure requirements for prior campaign activity must have been met in order for a candidate to obtain a place on the ballot.

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Section 33. Section 1633(a) of the act is amended and the section is amended by adding a subsection to read:

Section 1633. Contributions or Expenditures by National Banks, Corporations or Unincorporated Associations.--(a) It is unlawful for any National or State bank, partnership or any corporation, incorporated under the laws of this or any other state or any foreign country or any unincorporated association, except those corporations formed primarily for political purposes or as a political committee, to make a contribution or expenditure in connection with the election of any candidate or for any political purpose whatever except in connection with any question to be voted on by the electors of this Commonwealth. Furthermore, it shall be unlawful for any candidate, political committee, or other person to knowingly accept or receive any contribution prohibited by this section, or for any officer or any director of any corporation, bank, or any unincorporated association to consent to any contribution or expenditure by the corporation, bank or unincorporated association, as the case may be, prohibited by this section. If any portion of this section regarding bans on contributions or expenditures by national banks, corporations or unincorporated associations is nullified by a court decision, the contribution limits established for individuals under section 1627.1 shall also be applied to the entities currently covered under this section.

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(e) (1) A foreign-influenced corporation may not make an independent expenditure, an electioneering communication expenditure or a contribution to an independent expenditure political action committee.

(2) A corporation that makes an independent expenditure, an electioneering communication expenditure or a contribution to an independent expenditure political action committee shall, within seven (7) business days after making the expenditure or contribution, file with the Department of State a statement of certification, signed by the chief executive officer under penalty of perjury, avowing that, after due inquiry, the corporation was not a foreign-influenced corporation on the date the expenditure or contribution was made.

Section 34. Section 1638 of the act is amended by adding a subsection to read:

Section 1638. Advertising.--

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(c) (1) Unless the person making an independent expenditure or electioneering communication, transmitted through paid radio, television or Internet advertising, has received a statement of certification as prescribed under section 1633(e) from each contributing corporation that is among the top five (5) contributors when ranked in order of amount of contribution made to the person for the twelve-month period immediately preceding the date of the communication, the advertisement shall include the following statement:

Some of the funds used to pay for this message may have been provided by foreign-influenced corporations.

(2) The person making the independent expenditure or electioneering communication under this section shall be entitled to rely on the statement of certification provided by the contributor unless the person has actual knowledge that the certification is false.

Section 35. Section 1641(a) of the act is amended and the section is amended by adding a subsection to read:

Section 1641. Reports by Business Entities; Publication by Secretary of the Commonwealth.--

(a) Any business entity including but not limited to a corporation, company, association, partnership or sole proprietorship, which has been awarded [non-bid] contracts or grants over fifty thousand dollars (\$50,000) from the Commonwealth or its political subdivisions during the preceding [calendar year] two-year period, shall report by February 15 of each year to the Secretary of the Commonwealth a list including the amount of the contract, description of the service provided and location and an itemized list of all political contributions known to the business entity by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner or individual owner that has been made by:

(1) any officer, director, associate, partner, limited partner, individual owner or members of their immediate family when the contributions exceed an aggregate of one thousand dollars (\$1,000) by any individual during the preceding year; or

(2) any employee or members of his immediate family whose aggregate political [contribution] contributions exceeded one thousand dollars (\$1,000) during the preceding year.

For the purposes of this subsection, "immediate family" [means a person's spouse and any unemancipated child] shall have the same meaning as in 65 Pa.C.S. § 13A03 (relating to definitions).

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(c) The Department of State, in consultation with the Department of General Services, shall publish a list of all business entities, corporations, companies, associations, partnerships or sole proprietorships receiving grants and contracts in excess of fifty thousand dollars (\$50,000) from the Commonwealth not later than January 31 of each year for the preceding two-year period. The list shall be updated quarterly.

Section 36. The act is amended by adding sections to read:

Section 1643. Independent Expenditures.--

(a) Except as prohibited under section 1633(e)(1), a person may make independent expenditures.

(b) The following shall apply to expenditures made for a written, typed or other printed communication or an Internet-based, written communication which promotes the success or defeat of a candidate's campaign for nomination or election or the adoption or defeat of a ballot question or solicits funds to benefit a political committee:

(1) A person may not make, incur or contract for an expenditure with the consent of, in coordination with or in consultation with a candidate, candidate committee, political committee or candidate's agent.

(2) A group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars (\$1,000) in the aggregate which have not formed a political committee may not make or incur an independent expenditure.

(c) Communications under subsection (b) shall contain the following language:

(1) The words "paid for and approved by" and one of the following:

(i) For an individual, the name and address of the individual.

(ii) For a committee other than a party committee, the name of the committee and its campaign treasurer.

(iii) For a party committee, the name of the committee.

(iv) For a group of two or more individuals that received funds or makes or incurs expenditures not exceeding one thousand dollars (\$1,000) in the aggregate which have not formed a political committee, the name of the group and the name and address of its agent.

(2) The words "approved by" and one of the following:

(i) For an individual, group or political committee other than a candidate committee making or incurring an expenditure with the consent of, in coordination with or in consultation with a candidate committee or candidate's agent, the name of the candidate.

(ii) For a candidate committee, the name of the candidate.

(d) Independent expenditures:

(1) The following apply:

(i) A person may not make or incur an independent expenditure for a written, typed or other printed communication or an Internet-based, written communication which promotes the success or defeat of a candidate for nomination or election or promotes or opposes a political party or solicits funds to benefit a political party or committee, unless the communication bears upon its face the words "paid for and approved by" and the name of the person, the name of its chief executive officer

or equivalent and its principal business address and the words "This message was made independently of a candidate or political party."

(ii) An entity which is a tax-exempt organization under Chapter 1, Subchapter F of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.), making or incurring an independent expenditure under subparagraph (i), shall also bear upon the face of the communication the words "Top Five Contributors" followed by a list of the five persons making the largest contributions to the organization during the twelve-month period before the date of the communication.

(2) Disclosure requirements are as follows:

(i) In addition to the requirements of paragraph (1), a person may not make or incur an independent expenditure for television advertising, radio or Internet video advertising or Internet radio advertising, that promotes the success or defeat of a candidate for election or promotes or opposes a political party or solicits funds to benefit a political party or committee, unless at the end of the advertisement there appears or includes simultaneously for a period of no less than four seconds a clear identifiable audio, video, photographic or similar image of the person's chief executive officer or equivalent and a personal audio message, in the following form:

I am . . . (name of person's chief executive officer or equivalent), . . . (title) of . . . (entity). This message was made independently of any candidate, political committee or political party, and I approve of its content.

(ii) A tax-exempt organization under Chapter 1, Subchapter F of the Internal Revenue Code of 1986, making or incurring an independent expenditure under subparagraph (i), shall include on the advertisement an easily readable written message in the following form:

"The Top Five Contributors to the organization for this advertisement are" followed by a list of the five persons making the largest contributions to the organization during the twelve-month period before the date of the communication.

Section 1644. Independent Expenditure Evaluation.--

(a) When the Bureau of Commissions, Elections and Legislation audits and evaluates an expenditure that is included in a report under section 1643 to determine whether the expenditure is an independent expenditure, there shall be a rebuttable presumption that the following expenditures are not independent expenditures:

(1) An expenditure made by a person in cooperation, consultation or in concert with, at the request, suggestion or direction of or pursuant to a general or particular understanding with a candidate or political committee or other agent acting on behalf of a candidate or political committee.

(2) An expenditure made by a person for the production, dissemination, distribution or publication, in whole or in substantial part, of a broadcast or a written, graphic or other form of political advertising or campaign communications prepared by a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee.

(3) An expenditure made by a person based on information about a candidate's or political committee's plans, projects or needs, provided by a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee with the intent that the expenditure be made.

(4) An expenditure made by an individual who, in the same election cycle, is serving or has served as the campaign chairperson, campaign treasurer or deputy treasurer of a political committee benefiting from the expenditure, or another executive or policymaking position, including as a member, employee, fundraiser, consultant or other agent acting on behalf of a candidate or political committee.

(5) An expenditure made by a person whose officer, director, member, employee, fundraiser, consultant or other agent who serves the person in an executive or policymaking position also serves as or has served in the same election cycle as the candidate or the campaign chairperson, campaign treasurer or deputy treasurer of a candidate or political committee benefiting from the expenditure, or in another executive or policymaking position of the candidate or political committee.

(6) An expenditure made by a person for:

(i) fundraising activities with or for a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee; or

(ii) the solicitation or receipt of contributions on behalf of a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee.

(7) An expenditure made by a person based on information about a candidate's campaign plans, projects or needs, that is directly or indirectly provided by a candidate, the candidate's committee or a political committee or a consultant or other agent acting on behalf of the candidate or political committee to the person making the expenditure or the person's agent, with an express or tacit understanding that the person is considering making the expenditure.

(8) An expenditure made by a person for a communication that clearly identifies a candidate or political committee during an election campaign if the person making the expenditure, or the person's agent, has informed the candidate who benefits from the expenditure that the candidate or political committee or a consultant or other agent acting on behalf of the benefiting candidate or political committee concerning the communications content, or of the intended audience, timing, location or mode or frequency of the dissemination.

(9) An expenditure made by a person or an entity for consultant or creative services, including services related to communications strategy or design or campaign strategy, to be used to promote or oppose a candidate's election to office if the provision of these services is also providing consultant or creative services to the candidate or to an opposing candidate in the same election.

(b) As used in this section, the words "agent acting on behalf of a candidate" include:

(1) an individual or a person paid by a candidate or a candidate committee; and

(2) any consultant, printing firm, media production company, Internet website director or webmaster, marketing firm, advertising firm, filed organization firm or other company or firm retained by a candidate or authorized by a candidate or a candidate committee to act on the candidate's behalf.

Section 37. The act is amended by adding an article to read:

#### ARTICLE XVI-A

##### CORPORATE POLITICAL ACCOUNTABILITY

##### Section 1601-A. Definitions.

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

"Contribution" or "expenditure." As follows:

(1) The term includes:

(i) Any monetary and nonmonetary political contributions and expenditures not deductible under section 162(e)(1)(B) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 162(e)(1)(B)), including:

(A) Contributions to or expenditures on behalf of political candidates, political parties, political committees and other entities organized and operating under Chapter 1, Subchapter F of the Internal Revenue Code of 1986 (26 U.S.C. Chapter 1, Subchapter F).

(B) Any portion of any dues or similar payments made to any tax-exempt organization that is used for an expenditure or contribution if, made directly by the corporation would not be deductible under section 162(e)(1)(B) of the Internal Revenue Code of 1986.

(C) Any contribution or expenditure, as the terms are defined in section 301 of the Federal Election Campaign Act of 1971 (Public Law 92-225, 52 U.S.C. § 30101(8) and (9)).

(D) Any contribution or expenditure defined under this act.

(ii) Any direct or indirect payment, distribution, loan, advance, deposit or gift of money, or any services, or anything of value, except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business, to any candidate, campaign committee or political party or organization, in connection with any election to any office.

(2) The term does not include:

(i) Communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject.

(ii) Nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and execu-

tive or administrative personnel and their families or by a labor organization aimed at its members and their families.

(iii) The establishment, administration and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative or corporation without capital stock.

"Corporation." The term includes any company, trade or professional union, not-for-profit association and incorporated partnership organized as an incorporated entity under the laws of any state.

"Department." The Department of State of the Commonwealth.

"Issue advocacy campaign." Contributions or expenditures for any communication to the general public intended to encourage the public to contact a government official regarding pending legislation, public policy or a government rule or regulation. The term does not include contributions or expenditures for registered lobbyists or other persons employed by the corporation to lobby directly Federal or State government officials.

"Known at the time of the authorization vote." At the time the corporation seeks authorization from shareholders to spend corporate funds for political activities:

(1) the corporation's officers, directors or employees have identified a specific political activity for the corporation to support or oppose;

(2) corporate officers, directors or employees have taken steps to obligate funds to a political activity; or

(3) the corporation has a regularly scheduled payment to a trade association or other entity to pay for a political activity in the next 12 months.

"Majority of shareholders." Fifty percent plus one of all outstanding voting securities. Shareholders not casting votes shall not count toward affirmative authorization under this article.

"Political activities." Any contributions or expenditures made directly or indirectly to, or in support of or opposition to, any candidate, political party, committee, electioneering communication, ballot measure campaign or an issue advocacy campaign. The term does not include activities defined as lobbying under any Federal, State or local law.

"Separate segregated fund." A political action committee formed by a corporation for the purpose of making contributions to candidates for office or to political parties. A separate segregated fund which supports Federal candidates shall have the same meaning as in section 316 of the Federal Election Campaign Act of 1971 (Public Law 92-225, 52 U.S.C. § 30118).

Section 1602-A. Shareholder vote on corporate political activities.

(a) Annual vote.--

(1) Any corporation incorporated in this Commonwealth that spends in the aggregate \$10,000 or more of corporate treasury funds on all political activities in this Commonwealth must comply with the requirements of this section.

(2) Any proxy or consent or authorization for an annual meeting of the shareholders of a corporation incorporated in this Commonwealth, or a special meeting in lieu of the meeting, if proxies are solicited in respect of any security occurring on or after six months following the date on which final regulations are published under subsection (d) shall provide for a separate resolution subject to shareholder vote to approve any spending of \$10,000 or more by the corporation for any political activity.

(3) Notwithstanding the requirement for an annual shareholder vote to authorize any spending of \$10,000 or more by the corporation for any political activity, a corporation may request authorization for spending on political activities on a more frequent basis. Any authorization request by the corporation that is not made during an annual authorization shall be deemed a special authorization.

(4) If a corporation spends less than an aggregate of \$10,000 in a 12-month period for political activities, it shall not be required to seek shareholder authorization for the spending.

(b) Shareholder approval.--

(1) When seeking shareholder authorization for expenditures for political activities, the corporation shall request the authority to spend a maximum dollar amount in the next 12 months.

(2) If known at the time of the authorization vote, the company shall articulate whether the corporate treasury funds so authorized are intended to benefit or defeat specific candidates, ballot

measures or issue advocacy campaigns or whether it will be paid to specific nonprofits or trade associations for political activities. The following apply:

(i) To be effective, the authorization vote must garner support from a majority of shareholders.

(ii) A vote by the shareholders to approve or disapprove any spending of \$10,000 or more by a corporation for a political activity shall be binding on the corporation.

(iii) Notwithstanding the requirement for an annual shareholder vote to authorize any spending of \$10,000 or more by the corporation for any political activity, a corporation may request a special authorization for additional spending on political activities, provided that:

(A) all spending on political activities of \$10,000 or more must be authorized by a shareholder majority vote; and

(B) for any special authorization, the company shall articulate whether the corporate treasury funds so authorized are intended to benefit or defeat candidates, ballot measures or issue advocacy campaigns or will be paid to specific nonprofits or trade associations for political activities at the time the special authorization is requested.

(c) Director liability.--If a corporation makes an unauthorized contribution or expenditure for a political activity, the directors at the time that the unauthorized contribution or expenditure was incurred are jointly and severally liable to repay to the corporation the amount of the unauthorized expenditure, with interest at the rate of eight per cent per year.

(d) Rulemaking.--The department shall promulgate final regulations to implement this section no later than six months after the effective date of this section.

(e) Sole proprietorships excluded.--Notwithstanding any other provision of this section, nothing in this section shall apply a new duty to the owner of a sole proprietorship.

Section 1603-A. Notification to shareholders of corporate political activities.

(a) Notification to shareholders.--

(1) At least quarterly during each fiscal year, a corporation incorporated in this Commonwealth that makes contributions or expenditures for political activities must notify its shareholders and the department in writing of the nature of all its political activities, funded by either its separate segregated fund or through its general corporate treasury, including contributions or expenditures made directly or indirectly.

(2) A report made under this section shall include the following:

(i) The date of the contributions or expenditures.

(ii) The amount of the contributions or expenditures.

(iii) The identity of the candidate, political party, committee, electioneering communication, ballot measure campaign or issue advocacy campaign.

(iv) If the contributions or expenditures were made for or against a candidate, including an electioneering communication as defined under Federal law, the office sought by the candidate and the political party affiliation of the candidate.

(v) If the contributions or expenditures were made for or against a ballot measure, the purpose of the measure and whether the contributions or expenditures were made in support or opposition to the ballot measure.

(vi) If the contributions or expenditures were made for or against an issue advocacy campaign, the nature of the political issue and whether the contributions were made in support or opposition to the political issue.

(vii) All independent expenditures made by a separate segregated fund affiliated with the corporation.

(b) Public disclosure.--

(1) The quarterly reports of political activities by a corporation incorporated in this Commonwealth to shareholders shall be public records.

(2) A copy of the reports filed under subsection (a)(2) shall be:

(i) submitted to the department; and

(ii) posted for at least one year on the corporation's publicly accessible Internet website, if any.

Section 1604-A. Public disclosure of corporate political activities by the department.

(a) Department duty.--The quarterly reports of political activities by a corporation incorporated in this Commonwealth to shareholders shall be made publicly available by the department.

(b) Electronic form.--A quarterly report required to be filed under this section shall be filed in electronic form using filing software approved or developed by the department in addition to filing in any other form that the department may require by regulation and shall be published on the department's publicly accessible Internet website.

(c) Format.--The department shall ensure that, to the greatest extent practicable, the quarterly reports on political activities are publicly available through the department's publicly accessible Internet website in a format that can be searched, sorted and downloaded.

Section 1605-A. Report by Department of the Auditor General.

(a) Audit.--On an annual basis, the Department of the Auditor General shall audit the extent of compliance or noncompliance with the requirements of this article by corporations incorporated under the laws of this Commonwealth, their management and shareholders, and the effectiveness of the department in meeting the reporting and disclosure requirements of this article.

(b) Report.--No later than April 1 of each year, the Department of the Auditor General shall submit to the Governor a report on the review required by subsection (a) for the preceding year.

Section 1606-A. Board approval for all corporate political expenditures.

(a) Approval required.--Notwithstanding any other provision of law, a corporation or trade, business or professional association may not make any campaign contribution or expenditure unless specifically authorized to do so:

(1) by the vote of the board of directors of the corporation or of the executive committee of the trade, business or professional association at a regular or special meeting of the board of directors or the executive committee;

(2) by the president, vice president, secretary or treasurer of a corporation whom the board has specifically empowered to authorize the contributions or expenditures; or

(3) for a corporation, by any other person designated by resolution of the board of directors of a corporation to authorize contributions or expenditures.

(b) Form of contribution.--A corporation, trade, business or professional association may not make any contribution or expenditure as defined under Federal or State law, other than an in-kind contribution or expenditure, except by check.

Section 1607-A. Applicability to foreign corporations.

(a) General rule.--A foreign corporation, other than a foreign association or foreign nonprofit corporation, including a foreign parent corporation even though it does not itself transact intrastate business, shall be subject to the requirements of sections 1602-A, 1603-A, 1604-A and 1605-A, if:

(1) the average of property factor, payroll factor and sales factor, as described in section 401 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, with respect to the foreign corporation, is more than 50% during its latest full-income year; and

(2) more than one-half of its outstanding voting securities are held of record by persons having addresses in this Commonwealth appearing on the books of the corporation on the record date for the latest meeting of shareholders held during its latest full-income year or, if no meeting was held during that year, on the last day of the latest full-income year.

(b) Determination.--

(1) The determination of the property factor, payroll factor and sales factor under subsection (a) with respect to any parent corporation shall be made on a consolidated basis, including in a unitary computation, after elimination of intercompany transactions, the property, payroll and sales of the parent and all of its subsidiaries in which it owns directly or indirectly more than 50% of the outstanding shares entitled to vote for the election of directors, but deducting a percentage of the property, payroll and sales of any subsidiary equal to the percentage minority ownership, if any, in the subsidiary.

(2) Except as provided under paragraph (3), for the purpose of this section, any securities held to the knowledge of the issuer in

the names of broker-dealers, nominees for broker-dealers, including clearing corporations or banks, associations or other entities holding securities in a nominee name or otherwise on behalf of a beneficial owner, collectively nominee holders, shall not be considered outstanding.

(3) If a foreign corporation requests all nominee holders to certify, with respect to all beneficial owners for whom securities are held, the number of shares held for the beneficial owners having addresses as shown on the records of the nominee holder in this Commonwealth and outside of this Commonwealth, all shares certified in this manner shall be considered outstanding and held of record by persons having addresses either in this Commonwealth or outside of this Commonwealth as certified in this manner, if the certification provided is retained with the record of shareholders and made available for inspection and copying.

(4) A current list of beneficial owners of a foreign corporation's securities provided to the corporation by one or more nominee holders or agent thereof under the requirements of 17 CFR 240.14b-1(b)(3) (relating to obligation of registered brokers and dealers in connection with the prompt forwarding of certain communications to beneficial owners) or 240.14b-2(b)(3) (relating to obligation of banks, associations and other entities that exercise fiduciary powers in connection with the prompt forwarding of certain communications to beneficial owners) promulgated under the Securities Exchange Act of 1934 (Public Law 48-881, 15 U.S.C. § 78a et seq.) shall constitute an acceptable certification with respect to beneficial owners for the purposes of this subsection.

(c) Applicability.--This section shall not apply to any corporation:

(1) With outstanding securities listed on the New York Stock Exchange or the American Stock Exchange.

(2) With outstanding securities designated as qualified for trading on the Nasdaq Global Market of the Nasdaq Stock Market, or any successor to the Nasdaq Global Market of the Nasdaq Stock Market.

(3) With all of its voting shares, other than directors' qualifying shares, owned directly or indirectly by a corporation not subject to this section.

(d) Liability.--If a party obtains a final determination by a court of competent jurisdiction that a corporation failed to provide to the party information required to be provided by this article or provided the party information of the kind required to be provided by this article that is incorrect, a court, in its discretion, may include in its judgment recovery by the party from the corporation of court costs and reasonable attorney fees incurred in the legal proceeding to the extent the court costs and reasonable attorney fees relate to obtaining the final determination.

Amend Bill, page 124, line 11, by striking out "28" and inserting:

38

Amend Bill, page 124, line 30, by striking out "29" and inserting:

39

Amend Bill, page 150, line 29, by striking out "30" and inserting:

40

Amend Bill, page 152, line 8, by striking out "31" and inserting:

41

Amend Bill, page 152, line 29, by striking out "32" and inserting:

42

Amend Bill, page 153, lines 27 through 30, by striking out all of said lines and inserting:

Section 43. The dollar figures contained in section 1627.1 of the act shall be adjusted biennially at a rate determined by the Federal Election Commission as authorized under 11 CFR 110. The Secretary of the Commonwealth shall certify the calculation of the rate as determined by the Federal Election Commission and shall transmit notice of the new dollar figures to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 44. The provisions of this act are severable. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application.

Section 45. A comprehensive, fully searchable and user friendly computerized database to track full implementation of this act shall be made available to the public by the Department of State through its publicly accessible Internet website on or before December 31, 2022.

Amend Bill, page 154, line 1, by striking out "34" and inserting:

46

Amend Bill, page 154, line 3, by striking out "35" and inserting:

47

Amend Bill, page 154, line 8, by striking out "36" and inserting:

48

On the question,

Will the Senate agree to the amendment?

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

Senator COSTA. Mr. President, as we learned over the last several days, restoring faith in our electoral process and looking at poll results is what drives us in our efforts here as it relates to today's legislation, House Bill No. 1300, as well as other measures we passed over the course of the past couple days. An effort to restore the public's faith in our electoral process. It has been stated, as I mentioned, by my colleagues who have expressed their frustration in getting measures enacted into law that restores the faith in the electoral process and an issue that has achieved a high level of public support. It is my hope today that this particular amendment, if it makes its way into House Bill No. 1300, will receive support from my colleagues who, just 2 days ago, supported a measure that would get to the same goals of restoring faith in the electoral process by the public.

Mr. President, this amendment is legislation I have introduced over the course of the past several Sessions, probably the last five or six Sessions. Through the years we have received—I think maybe—one public hearing on this legislation. Senator Jane Earll, when she and I introduced it together a number of years ago—tells you how long it has been. Mr. President, as we know, Pennsylvania is one of the most poorly regulated States as it relates to campaign finance laws. Now, more than ever, we need to do more to restore faith in government and the electoral process, and that can come from increasing transparency and, quite frankly, less resources, less money infecting our process. This amendment addresses independent expenditures by incorporated entities as well. The *Citizens United* decision that the United States Supreme Court entered in 2010 has made independent expenditures a leading campaign finance issue in many States. The so-called uncoordinated and independent political expenditures now permitted by incorporated entities under this decision should be treated in a similar manner as we do with political action committee, PAC, expenditures, for reporting purposes. We need to know where these resources are coming from in the same manner. Connecticut and Maryland have both recently enacted legislation regarding this important issue. This amendment addresses corporate shareholder approval, also a political activity. It requires approval by a majority of shareholders when corporations are making political contributions that exceed \$10,000. Also included would be a provision requiring corporations to notify shareholders of any political campaign activity of the dollars that they are part of, that they have access to.

My amendment also amends the Election Code to limit the expenditure of a candidate's political committee, political action committee, political party committee, or other persons. Lastly, Mr. President, media reports have shown examples of the use of credit cards and gift cards by campaign committees. We learned that last Session and how much of a problem that was. Quickly we took action to incorporate that into our legislation and to this

amendment. This expenditure method is currently used to obscure how political action committee money is being used from public view. In many cases, expenses may be co-mingled for personal use, which is not permitted. But, because it is difficult, or sometimes impossible, to see what the expenses are, there is no accountability. To that end, Mr. President, my amendment will require credit card statements to be filed with campaign finance reports, ban the purchase of gift cards with PAC money, and define pure personal purpose. The people deserve to be fully informed about a candidate's financial backers and supporters. This amendment will restore the people's confidence that the elections are not bought and paid for by corporate entities, neither domestic nor foreign.

Beyond that, Mr. President, as I mentioned, there are limitations that would be put into place for State Senate races, State House races, statewide elections, gubernatorial races, as well as local and county municipal officials. They are reasonable and responsible limits that have been put into place in a number of other States. In my home city, the city of Pittsburgh, which I represent, we have campaign limits. The city of Philadelphia has long-enacted campaign financial limitations upon expenditures. Many other States—in fact, we are likely one of the only few States that does not have any limits on the amount of money we are able to receive and run a campaign. What goes to the heart of this issue is the public does not have faith in this electoral process. They think our campaigns are bought and paid for. We are bought and paid for. The influence of lobbyists into the work we do and the co-mingling of lobbying groups who are representing campaigns and doing campaigns and at the same time lobbying those same individuals are all part of the process, all part of what people do not like about the work that we do here.

We must take steps to clean up what needs to be cleaned up to restore faith in the electoral process for the people of Pennsylvania. As I said at the outset, when one of the measuring sticks as to whether or not we want to advance measures in this Chamber is polling results and public faith, this passes muster on both accounts. Overwhelmingly, the public expects us and wants us to make changes to the nature of our campaign expenditures and campaign finance reforms that we need in Pennsylvania. Similarly, Mr. President, this goes a tremendous way towards restoring faith in terms of what we do in Harrisburg so the public recognizes that we understand what is concerning them and we take steps to address it. For all those reasons, Mr. President, I ask for an affirmative vote on this very important and timely amendment.

Thank you, Mr. President.

#### COSTA AMENDMENT A2042 TABLED

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, the Minority Leader who made this, the author of this amendment, and I have never had the opportunity to discuss this issue in the 5 very interesting months that I have chaired the committee that has oversight in this regard. I know this much about campaign finance reform: it is horrifically complex. This court says this, this court says this; this State does it this way, this State does it this way. I am open to the idea of public hearings; I am open to the idea of workshops; but I am here to say that today is not that day. So, with

that in mind, I would ask that we place this amendment on the table.

The PRESIDING OFFICER. Senator Argall moves that the amendment be laid upon the table.

Senator COSTA. --Mr. President, I appreciate the gentleman's comments. This issue has been around for a number of years and I am not sure what latitude I have here. I am asking my colleagues for a negative vote on the motion to table this legislation. Thank you.

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

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

#### YEA-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson
Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavella	Yudichak
DiSanto			

#### NAY-21

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Saval	Williams, Lindsey
Costa			

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

The PRESIDING OFFICER. Amendment A2042 will be laid on the table.

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

On the question,  
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, if this was one of my college seminars over the last 30 years, I would talk about the fact that this bill is a perfect example of what many of you have come across again and again as the laboratories of democracy. In all the high school and college public policy textbooks, it is frequently referred to from its roots in 1932 by United States Supreme Court Justice Louis Brandeis, who basically said different States can move in different directions. In my academic research in the early 1990s, we looked at this example of the laboratories of democracy when Pennsylvania followed the lead of Michigan and adopted what we know as the Keystone Opportunity Zones program, essentially declaring an area of land completely tax-free in order to bring jobs and economic development. The

same is true in election law. This bill is the product of the laboratories of democracy of 13 bipartisan hearings--10 in the House, 3 in the Senate--which comprehensively reviewed Pennsylvania's election law. This bill seeks to address many of the concerns and the recommendations raised by bipartisan and nonpartisan local and State officials from Pennsylvania and election officers from other States, both red and blue, during these hearings. It incorporates many of the recommendations mentioned in the reports issued by the Senate Special Committee on Election Integrity and Reform and the House Committee on State Government. All of our offices--not just my offices in Berks and Schuylkill Counties--have heard from many people, as well as people from across Pennsylvania, on this issue who, for one reason or another, have lost some of their faith in our elections.

As the chair of the Committee on State Government, my top priority is to try to restore at least some degree of public confidence in our elections, and I believe that this legislation will help accomplish this goal. It would establish voter identification requirements, a new voter Bill of Rights, post-election audits to ensure the safety of voting in Pennsylvania, and stiffer penalties for those who try to abuse our elections. It also makes changes to canvassing and prec canvassing to help the counties report accurate results faster so that Election Day does not again turn into election week. It also creates a timeline to implement early voting, which would increase access for all Pennsylvanians to the ballot box. This bill will transform our election system for the better, and you have heard this phrase before, make it easier to vote and harder to cheat in Pennsylvania. I am asking for an affirmative vote today.

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

Senator BOSCOLA. Mr. President, House Bill No. 1300 is very extensive, and there are many provisions in House Bill No. 1300 that do make sense. Some improve and secure our election process that I can and I want to support. However, as the prime sponsor of Act 77, the bill that brought us no-excuse mail-in voting, I cannot support this bill because of the negative impact on this tremendous benefit to our voters, all of our voters. I believe the 2020 general election demonstrated that mail-in voting not only worked, but it was extraordinarily popular for our voters. House Bill No. 1300 seeks to roll back the convenience and benefits of the no-excuse mail-in voting.

First, it moves back the mail-in voting deadline to request from 7 days to 15 days. Second, it removes the option for an individual to opt into a permanent mail-in list. I can tell you, my husband and I are on that list, as well as most of my family. I would not like to see that removed. Third, it limits the number of drop boxes that a county can offer its residents. One box per 100,000 people. Well, in Northampton County we had four. Now, we would have to limit it to two, which makes no sense because they were very convenient for our voters. Fourth, it restricts the days a drop box can be available to 7 days before the election. Now, I know a lot of people, when they get their mail-in ballot, they like to fill it out almost immediately so they do not put it aside and forget about it. Those drop boxes need to be available the minute you get your mail-in ballot. Fifth, the bill removes language allowing counties to send out mail-in and absentee ballots as soon as the ballots are certified. Instead, it makes it that counties can only send out ballots the day after voter registration closes, which is 30 days before the election

under this bill. Sixth, the bill mandates, instead of simply allowing, that a drop box needs to be staffed by two judges of elections; and if the two judges are not available, because it requires one from each party, the box cannot be used. That is totally ridiculous. Finally, the bill would require the judges to check the mail-in ballots at the drop box. You cannot make this stuff up. You really cannot.

Mr. President, these changes undermine the benefit of mail-in voting for no good reason at all. The bill does nothing to enhance mail-in voting, and this is disappointing given the overwhelming bipartisan support mail-in voting was enjoyed last Session. Multiple States testified before the Special Committee, which I was a part of, and they had robust and enhanced mail-in voting systems. This bill is driving that in the opposite direction. Finally, Mr. President, I am equally disappointed by the rolling back of the deadline to register to vote. Personally, I support same-day registration and I have introduced bills to do that because we should be doing everything that we can to reduce barriers to voting. Government puts on elections for the benefit of the voters, and we should be viewing elections, election law, and election process as what is in the best interest of the voter, not what is most convenient for government or one party. We should always bend and alter reforms in favor of secure, convenient opportunities to enhance participation of the people, not restrict it. I wholeheartedly recognize that there is work that needs to be done in order to improve our elections. I get that. But the bad outweighs the good with House Bill No. 1300. I know that by working together--because the Governor is going to veto this--we can come up with a much better product that we all can agree on and can garner true bipartisan support just like Act 77 did. As that legislation crossed the finish line in both Chambers, it had 75 total votes against it out of 253 lawmakers. Not a bad deal. We did it once, we need to do it again, and I am looking forward to working with my colleagues in both Chambers on both sides of the aisle and the Governor to find that needed compromise before our next election.

Thank you, Mr. President.

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

Senator COMMITTA. Mr. President, I rise in opposition to this bill. There has been a lot of discussion and debate over election reforms in this Chamber. We all want to protect our democracy, strengthen the right to vote, and uphold free and fair elections. But to effectively do that, we must listen to the feedback from and work with our county commissioners and county officials. They are the professionals who actually run the elections. Unfortunately, to date, that has not happened with House Bill No. 1300. The County Commissioners Association of Pennsylvania has been calling for two changes to make the process smoother. Change number one, additional prec canvassing time. Change number two, moving back the mail-in ballot application deadline from 5 to 15 days prior to the election. While this bill does touch on those areas, it also goes far beyond that, creating expansive elections reforms and requirements related to the administration of elections. Rather than addressing the two necessary improvements in a standalone bill, I am concerned that we are pushing forward with much wider Election Code changes without adequate input from our county officials and, indeed, from the greater public.

According to the County Commissioners Association of Pennsylvania, this swift introduction and vote on this bill has not left adequate time to complete a thorough review or to address additional questions and clarifications. Counties request that the General Assembly include them as partners in the ongoing negotiations to come to a workable bill that can be successfully implemented, and those are their words. The bottom line is, necessary improvements that were advocated for by our county officials--the experts of our elections process--could have easily been addressed in a standalone bill, and I am sure it would have welcomed and received bipartisan support. Instead, we are here talking about pushing through a series of significant changes without fully examining the potential consequences or knowing the impacts. The right to vote is precious. This should not be a partisan issue. We owe it to voters to take the time to do it the right way with full transparency and input from the counties and other stakeholders. Again, I am voting "no" and I ask my colleagues to do the same. If we truly want to improve our election process, let us work together and let us bring our county officials, our election experts, to the table on this. Thank you.

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

Senator STREET. Mr. President, I rise once again to oppose this bill. As my colleague from the Committee on State Government, the chair, pointed out, there are many things upon which we agree. There are many things that we, in fact, can and should do together. We went through a process where we had a number of discussions. Unfortunately, this House bill lumps in things that are clearly unacceptable to many of us and our constituents with things that we could otherwise have agreed on. The bill--I will start with some of the positives. We could have agreed on doing something around prec canvassing. We agree with that. We all know that we should be doing something more around funding. These things could have been done on an individualized basis. But the bill unnecessarily eliminates--it moves the deadline from 15 days to apply for a mail-in ballot to only 7 days. This is problematic for a number of reasons because you are reducing the opportunity for people to have a mail-in ballot. Even if one were to make an argument around the mail, it would eliminate the ability for in-person mail-in voting 8 days with that provision alone. But it does not stop there. It goes further. While it seeks to create language specifically around in-person voting, it only creates 5 days; and under the current language, we would have--you could have up to 43 days because a person could walk in from the 50th day to the 42nd day and vote in person. This bill would eliminate the language that allows that.

Let us move to voter ID provisions, because people have constantly on this floor suggested how mundane can that be? How simple can that be? We just want people to show who they are, is what was suggested. But as I pointed out--and I will not use it today--our Senate ID--and I was told it is a prop so I cannot use it--in fact, is a form of identification. It has a picture on it, it has my name, it even has my occupation. It shows who I am and it is issued by the Commonwealth. But under the provisions of this bill it would be inadequate. Not just my ID, but the work ID of almost every Commonwealth employee. It has to be the ID that the Commonwealth issues through the Department of Transportation, that, one, there is often waiting periods for; two, requires all kinds of other pieces of ID that one needs to get it; and, three, has an expiration date so one constantly has to get a renewal. As



a matter of fact, the bill specifically says the ID only counts if it has an expiration date on it, requiring that one constantly would need to renew ID and that the mere issuance of a piece of identification that would tell who you are is not enough. So why would that be? Why would we not want to use a piece of ID that is enduring? Our identity does not change. I will be who I am for the rest of my life and my Senate ID clearly identifies who I am. But this bill specifically says that in the ID provisions the ID must expire and if it does not expire it is not ID at all. The only reason to do that is to create additional barriers to voting, additional challenges to voting, because if it were merely to identify who one is, my Senate ID does that. Many forms of work ID do that. Then it requires, even though they are going to send an identification card, it requires a second piece of ID on that, even after you have gone through the steps to get the first piece of ID, which requires identification.

So what I want to do is break down this notion that all we are trying to do with the voter ID requirements in this bill, and that is not to impugn the ideas of any person who has ever said they think we should have ID. We should be able to identify who you are. In-person identification. In Pennsylvania, in fact, the first time you vote, when the county board of elections is unfamiliar with you, you have to identify yourself with ID. But we know that routinely our county boards of elections know who regular voters are as people are voting twice a year, and that is why we do not require it on an ongoing basis. But this bill would require that it be shown each and every time a person shows up, so even if you have a neighbor who has known you for 30 years sitting at the table and you have voted at that polling place for 20 years, twice a year, 40 times, the 41st time it would say that they are supposed to turn you away. The only reason for doing that is to frustrate the ability of people to vote. So while I truly do believe that there are things that this Chamber can and will do around coming together to enact responsible reforms, like additional funding and making sure we can do prec canvassing; we cannot and must not do that at the expense of the enfranchisement of voters. People have worked too hard for us to get that far. We are all here because people thought it not robbery to come up from their homes to go to a polling place and vote for us. No Member of this General Assembly, whether in this Chamber or the other side of the building, would be here were it not for people having the enfranchisement to vote. We should not do anything to restrict that.

Mr. President, I urge a "no" vote on this bill. Thank you.

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

Senator HUGHES. Mr. President, my apologies, when my mother calls me on the phone I have to answer. I love you all, but when my 98-year-old mother--I should not have said her age, I am sorry. Do not look at me like that, Senator Schwank, alright? But when she calls, I have to take her call.

So we are here, once again, dealing with the issue in House Bill No. 1300 of what can clearly be termed voter suppression. The measures provided for in House Bill No. 1300 only limit access to the ballot and do not expand access to the ballot. That is all they do, Mr. President. They limit the franchise and do not expand it. My good friend and colleague, Senator Street, spoke clearly about some of the forms in which this measure limits access to the ballot. What needs to be brought to the table, I believe, is a real focus on one of those measures, the requirement

of signature verification; and that issue of signature verification really not having any acceptable standards or practices that are considered legitimate, authentic, and foolproof. Requiring signature verification. I dare say that when most of us signed our voter registration form for the first time X many years ago, our signature appeared one way. When we sign any of our documents now, our signature is likely extremely different. There is no existing technology which factors in the changes in an individual's signature. No standardized, foolproof technology--I will repeat that again, no standardized, foolproof, acceptable technology nor individuals trained in a prolific fashion that would be necessary to manage an election process on Election Day, or leading up to Election Day, that has foolproof and acceptable procedures and technology in place around dealing with the issue of signature verification. So what we have here in front of us, Mr. President, is another attempt in a national effort to limit the access to the ballot. This is Pennsylvania's voter suppression effort rearing its ugly head. This is Pennsylvania contributing to the national, State-by-State effort to suppress the vote. This is a way, since folks choose not to want to accept the blossoming of democracy--which was evidenced on November 3 when an unprecedented amount of people chose to participate in our democracy and chose to participate in the franchise, chose to vote--this is an effort to stymie that.

By the way, I would add that there was no fraud in Pennsylvania in the November 3 election. Absolutely no fraud. None at all. Yet we go down in measure, offered by the Majority, that will only do one thing: it will limit the access to the ballot of thousands of individuals all across Pennsylvania. Those individuals will be in all kinds of counties: red; blue; Democratic; and Republican counties. Urban, suburban, and rural communities. Every one, every community, every neighborhood, every constituency will be negatively impacted by this effort to suppress the vote that is here in House Bill No. 1300. Every community will be impacted by the effort to suppress the vote in House Bill No. 1300. The issue of voter suppression has again reared its ugly head in House Bill No. 1300. There was no fraud. There was no fraud on November 3.

Clearly, all of you are sitting in elected office. Those of us who were elected on November 3--all of you are sitting--having been sworn in, no issues, no problems, no attempted insurrection with respect to your election. All of you. So it worked well for you. But it is not, apparently, working well for the race at the top of the ticket, that of President of the United States. We need to do one thing, and the gentleman, I believe the maker of this measure, said in his opening comments that this is about restoring confidence in our electoral system. That the confidence in our electoral system, in our methods for voting, has been destroyed. That individuals have lost confidence in the process that we utilize to elect people. The first thing to do to restore that confidence is stop lying to the people of Pennsylvania, stop lying to the people of this nation, and accept the results that have been certified, adjudicated by Democratic and Republican judges, by judges appointed by other leaders, by judges, in fact, appointed by Donald Trump. Accept those legal results and accept the results of the election. That is the first step in addressing the issue of confidence in our electoral system. That is what the maker said in his opening comments, that we need to restore confidence in our electoral system. Well, the first way to do that is to not introduce voter suppression bills that have been introduced, that

have been evidenced in House Bill No. 1300. But to, in fact, restore the confidence by accepting the results. Accept the will of the people. The will of the people have spoken in this State, in communities across the nation. People have voted in all forms. It was beautiful. It was a wondrous thing to see. They mailed their ballots in. They dropped their ballots off before Election Day. They showed up, just like I did, at my polling place at the Settlement Music School in the Wynnefield section of Philadelphia, and I cast my vote in person because I love that process. I love that feel. I love that opportunity to go ahead and put up my vote. To push the person who I wanted to vote for, to push that button. It was a beautiful thing. Glorious. Full evidence of democracy in action. Accept those results of democracy at its fullest. Stop introducing measures like House Bill No. 1300, which are designed to suppress the vote.

#### POINT OF ORDER

Senator GORDNER. Mr. President, point of order.

The PRESIDING OFFICER. Senator Gordner.

Senator GORDNER. Mr. President, the speaker just said that this bill was introduced solely to suppress the vote. He is questioning the motives--

Senator HUGHES. No, I am not, Mr. President.

Senator GORDNER --and he is not able to do that, Mr. President.

Senator HUGHES. I am not questioning the motives of the matter.

Senator GORDNER. He is not allowed, under rule 10, to question the motives.

Senator HUGHES. Mr. President, what I am doing is discussing the impact of what will happen if House Bill No. 1300 becomes law.

Senator GORDNER. Mr. President--

Senator HUGHES. That is what I am talking about.

Senator GORDNER. If you would please advise the speaker--

Senator HUGHES. Since signature verification--

Senator GORDNER. --that he cannot question the motives of the Senators.

Senator HUGHES. I have said nothing about the motive of my colleagues. I have talked specifically about--

Senator GORDNER. Mr. President, this has been introduced--

Senator HUGHES. --the results of this bill should it become law--

Senator GORDNER. Mr. President.

The PRESIDING OFFICER. Senator Hughes, please yield one second.

The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, he has specifically said that this was introduced in order to suppress the votes. He said it several times. That questions the motives of this legislation and any Senator who votes for it.

The PRESIDING OFFICER. Senator Hughes, please strike those remarks and continue.

Senator HUGHES. Mr. President, let us be real clear. If this bill becomes law, especially with this onerous program called "signature verification" where there is no documented, foolproof methodology that exists in this nation, then people's votes will be suppressed. People's legitimate votes will not be counted. People

will be denied the opportunity to vote. When you deny the opportunity to vote, you are therefore, by definition, suppressing the vote. The effect, and those who choose to vote for this matter will be voting for a matter--

Senator Gordner. Mr. President.

Senator Hughes. --that suppresses the vote.

Senator GORDNER. Mr. President, rule 10, section (b), clearly says that you have to avoid personal references or questions as to motive. These are rules that we adopt at the beginning of each Session.

The PRESIDING OFFICER. Senator Hughes, that is a valid ruling. Please refrain from calling "suppress the vote" anymore and move on, please.

Senator HUGHES. Mr. President, I think the record will reflect that I mentioned no Member's name, that I mentioned specifically that the effect of the implementation of House Bill No. 1300 would be to deny people the opportunity to freely and fairly cast their vote. That individuals, because of this faulty, unprovable system called "signature verification"--which has not proven to be foolproof in any community in the nation, or probably in the world--because it is not foolproof, people will be denied the opportunity to vote. When you deny someone the opportunity to vote, you are therefore suppressing the vote. If you vote to deny someone the opportunity to vote, by definition, you are suppressing the vote. That is just the facts. I did not call out any Member's name. I did not suggest their motive. I specifically talked about the impact of what would happen if House Bill No. 1300 becomes law. It is not complicated. It is pretty simple. The problem is that we have seen these tactics pulled in other States across the nation--Texas, Florida, Georgia, Michigan. It just goes on and on, Mr. President. Now, Pennsylvania is rearing its head, or at least the Majority is rearing its head, by moving this measure to be part of this pantheon of other States that are putting measures in place to make it harder for people to vote, not easier.

There was no evidence on November 3 in Pennsylvania of fraudulent voting. There was no--excuse me, I apologize, Mr. President, I made a mistake. There was evidence in Pennsylvania of fraudulent voting. I believe there were three cases. I believe those cases were done at the behest, or rather, excuse me, to the benefit of Mr. Trump. Those three cases where fraudulent voting occurred, three out of millions of votes that were cast--one, two, three votes--were cast fraudulently to the benefit of Donald Trump. But even though he had three fraudulent votes cast to his benefit, he still lost. So, the maker of the matter said in his opening statement, to restore confidence in our system, we need these measures. These measures do not restore confidence in our system. The first thing that needs to happen to restore confidence in our system, Mr. President, is to accept the results on November 3. Stop the steal, stop lying, stop buying into the lie that occurred on November 3. There was no steal of an election. So, therefore, these matters were not accepted.

The limiting of drop boxes. Mr. President, was it not a glorious thing so that people, senior citizens especially, could go into their neighborhood, have their ballot, do what it is they need to do at a drop box or an election center in their own community? That was a glorious thing, and it helped to provide, Mr. President, for one of the most robust elections in the history of this nation. But now, in House Bill No. 1300, we have to limit those drop boxes. There is a limit for satellite election offices in House Bill No. 1300. So the thing that allowed for the proliferation of

voting, those things are now limited in House Bill No. 1300. But we have seen this before. We have seen this before, Mr. President. Every time there is democracy flourishing, there is a backlash to it. It happened after Reconstruction, it happened with the election of Barack Obama, where suddenly, after a Black man was elected President of the United States of America, there was this proliferation of photo ID measures all across the nation, even here in Pennsylvania we had that issue. But, fortunately, the State Supreme Court, which at that time--I believe--was in the Majority hands of the Republican party, cast out photo ID. I believe the case was decided in 2014. We saw it then, and we see it now.

This bill, House Bill No. 1300, is part of hundreds of pieces of legislation introduced across the nation that the effect of the implementation limits access to the ballot, and therefore, by definition, suppresses the vote. That is why this is wrong, Mr. President. Let us call it for what it is: measures limiting access to the ballot. Measures, specifically, the requirement of signature verification, which provides no training of personnel, and evidences no foolproof program, or foolproof technology, anywhere in this nation, or in fact the world, that would be implemented here in Pennsylvania. It is wrong, Mr. President. The results of this bill comes because democracy was in full effect on November 3, and all of the measures put together here have the effect of limiting democracy and access to the ballot; and as I said, by definition, House Bill No. 1300 suppresses the vote.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, the author of this legislation is not the Senator to my left, the author of the legislation is a chairman of the House Committee on State Government, the chairman who held 10 hearings. The bill was not pushed through the House Committee on State Government. There were 10 hearings that were held on all sorts of different issues, and all sorts of different folks participated in those hearings. Lots of information was gathered from the State and from out-of-State as well. Earlier this year, our President pro tempore appointed a Special Committee on Election Integrity and Reform, and I was pleased to be one of the Members of that committee. It was led by Senator Langerholc and Senator Street, and we had bipartisan hearings. The first hearing was having--if I remember--Colorado, Utah, and Florida officials participate so we could listen to them and hear from them. The last time I looked, Colorado is a blue State. But it was very informative, some of the things that Colorado said. As a matter of fact, Colorado is recognized as one of the best States in regard to their election system. You know what they have? They have signature verification in Colorado. Is that not amazing? We just heard about what a horrible word it is, "signature verification," but Colorado has the law that, to a large degree, this language is patterned after. You know what, I do not want to shock anyone, I know most people are seated here, but do you know what other State had signature verification? Pennsylvania. We had signature verification until last year when the court basically threw it out. We had signature verification. The General Assembly passed it, put it into statute. There it was in black and white until the State Supreme Court changed it in the middle of an election in 2020. So if you want to talk about this incredible thing about signature verification, we had it until the

court changed it. So we are just putting it back in. We are using Colorado's example of what they have in regard to their system.

Drop boxes. I encourage you to find language in our statutes authorizing drop boxes. I mean, I can wait a couple of minutes, an hour, 2 hours, 3 hours, however long you want to wait until you can find drop boxes authorized in statute. I do not think you are going to find it. But we talked about drop boxes when we had Colorado, Florida, and Utah, and what we found out from those other States is that they have security systems in place to watch the drop boxes that they have to make sure that they are secure. Whether it was a red State, a blue State, or a purple State, that is what they talked about: making sure that their drop boxes were secure. I think it is Colorado that said theirs are bolted to concrete to make sure they are secure. They have got security cameras. So, unless I am wrong--and I am willing to be proven wrong--I do not think you can find drop boxes in our current statutes, but House Bill No. 1300 would allow them. Just make them secure. I think voters would want that.

Producing an ID. Just an amazing thing that I can find in regard to this issue, and the constitutional amendment of the Senator from Blair that we have talked about before. Every week I have been coming to the same hotel for 13 years, and I have to produce an ID. If I want to go to the All-Star game in Colorado and I order tickets and go to the will-call box in Colorado--it is not in Georgia anymore, it is in Colorado--you know what? In order to get those tickets, I have to show an ID. If you wanted to go to the Democratic National Convention in 2016, in order to get your credentials, you had to show an ID. If I go to the bank to do something, oftentimes I have to show an ID. It is commonplace in regard to showing an ID. We have provided so many different means for someone to have an ID. We are going to have the State Department send new IDs out to make sure that those 90-year-old folks have something recent in order to show. So I do not get the arguments and the comments that were made, especially by the previous speaker.

I think election reform is one of the biggest issues in Washington over the last week or so in regard to different mechanisms and places. So some of the things we are doing here, signature verification, Colorado, we had it here. Drop boxes not in statutes, but we are going to authorize it in this bill under certain secure provisions. Voter ID, you have to be kidding. There are not a whole lot of things you can do without, at some point, showing an ID, including going to the All-Star game and picking up tickets at the will-call box in Colorado in a couple of weeks. But let us look at the details and not make spurious types of arguments or accusations as the previous speaker did in regard to the many provisions that were put in this bill after 10 hearings and after multiple hearings in the Senate. What we have done in regard to this legislation, and the author of this legislation did in the House, is take some of the best ideas from around the country that have been proven in a lot of different ways and put it in this bill. I urge a "yes" vote.

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

Senator COSTA. Mr. President, I rise, very briefly, to maybe refute some of the intended comments to this side of the aisle with respect to our position. Let me be clear, there are many aspects of House Bill No. 1300 that we recognize, support, and have consistently supported. Precanvassing, which we know our counties have asked us for, and we are trying to deliver on that,

absent the voter ID piece. The drop boxes, both prec canvassing and drop box security, we all felt we had an agreement back in September when we were in this same place, and it never happened, unfortunately. But we agree and recognize those are important pieces of this conversation about how we voted in this Commonwealth. The funding that is allocated here, or recommended, is something that is important to us. Where our objection lies, very clearly, is the voter identification piece of this. As we know, when we went down this path a number of years ago, trying to put into place restrictive voter identification, rules and regulations were stricken by our Pennsylvania courts that said it was inappropriate. You all may remember the famous quote from our previous speaker, Mike Turzai, who stated that the change of the voter identification law was going to make certain that Mitt Romney was going to win Pennsylvania in the general election. Obviously that did not happen, and the legislation was stricken and never made it into law, and rightfully so. That to me, Mr. President, is one of the things that is very objectionable to us as my colleague, the previous speaker on this side of the aisle, Senator Hughes, indicated that it was disenfranchising folks and denying folks the opportunity to cast ballots. Regardless of what was stated, with respect to mailing out IDs and the like, we believe strongly that this is solely intended, or the outcome of the consequence, I should say--as I frame it that way--is that this would disenfranchise voters across Pennsylvania. That is what the court said as well. They have a right, a constitutional right, to be able to vote, and limiting it, in many ways, as being discussed here, is inappropriate, wrong, and is something we should not do.

The important thing is, with respect to the previous conversation about this measure, the 13 hearings and the ones that the State House and the State Senate had and the different committees had, my colleague, the gentlewoman from Allegheny County, Senator Lindsey Williams, brought to my attention and raised a good point. There were these hearings, but what is important to remember is the hearings were not on the verbiage of the legislation. To look to see whether or not the legislation mirrored and matched what took place at the hearings and, more importantly, what was missing from the legislation, along those lines. That is an important point that we need to talk about. So when we talk about transparency and openness about this discussion, the discussion that needed to take place--as we do many times here in the Senate and the House, when we debate legislation, we debate the words on the piece of paper that represent the bill, that represent the legislation. That is what has not taken place, to be able to vet whether or not what is stated in these bills, to address some of the things that my colleagues raised, whether that is accurate or not. That is what needed to be done that was not done.

Finally, Mr. President, I cannot, for the life of me, understand how it is that we can pass election law legislation without addressing the most onerous issue, the issue that people in Pennsylvania probably speak more loudly about even than this issue, one of the problems that we have with our electoral process, and that is campaign finance reform. We offered an amendment that was not permitted to be considered because it was tabled. At the end of the day, ladies and gentlemen, a "yes" vote on a tabling motion to deny the opportunity to discuss campaign finance reform is voting against it, in our view, and that is how we are going to carry that word. At the end of the day, I cannot imagine or understand how it is that we can sit in this Chamber, or stand in this

Chamber, and say that we are going to pass comprehensive election reform law and not have it include campaign finance reform. That is one of the things that people have cried out for decades, and I appreciate the opportunity that the chairman of the Committee on State Government has offered to have a conversation going forward. We look forward to that conversation, and my hope is that it will be part of a measure, part of a bill at some point in time, that would allow us the opportunity to address that issue, that will allow us to address prec canvassing, security in drop boxes, and what needs to be done with respect to funding at our county levels to be able to ensure that they have the manpower, the mechanisms, and the equipment to be able to quickly do these types of things. Because that is the only thing that is going to pass here. When we sit down and work together. We all know this measure is destined for a veto in the Governor's office. We all know that there will be sufficient votes here to prevent and override that veto. So why are we going down this path knowing that that will be the outcome? That is why we need to come together, work together to address the things where there is mutual agreement upon, as I mentioned, as well as incorporating into this conversation a role that campaign finance reform will play in the overall discussion as we go forward. So I ask my colleagues for a negative vote.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes, for the second time, the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, the comments of the Senator from Philadelphia about his mother got me thinking. Like many of you--I suspect, your mom, your grandma--my mom grew up in a bilingual household. In this case, Pennsylvania Dutch. To challenge our retiring stenographer on her last day--not last day, well we hope last day, right--the word that comes to mind is "ferhhoodled." I am a little confused. Now, contrary to what you may have heard today, or perhaps what you see in the national media accounts on this subject of election reform, it is not all about Republicans and Democrats. Look at New Jersey--not a Republican State--requires a driver's license number or the last four digits of a Social Security number for online voter registration. That is not voter suppression, that is common sense. Virginia--again, no longer a Republican State--requires both a photo ID and your Social Security number. California--how long has it been since California elected a Republican Majority in the House and Senate--California also requires an ID to register. The Senator from Columbia County talked about the fact that Colorado has what is likely the toughest signature verification requirements for mail-in ballots in the country out of all 50 States. We can go on and on through the list, through the testimony we heard at all of those public hearings. Connecticut, Delaware, New Jersey, none of them permit early in-person voting. That is included in this bill. New York, Connecticut, Delaware--again, none of those are Republican States--do not allow no-excuse absentee voting, which we would allow in this bill.

This bill--I will say it one more time--will make it easier to vote and harder to cheat in Pennsylvania. That is why I am suggesting a "yes" vote, whatever the Governor decides. Let us be honest, in the last 7 years, this Governor has vetoed bills he said he would sign, he has signed bills he said he would veto. Who knows what he is going to do. But I believe it is our obligation to pass this bill to him and hope, indeed, that he permits this bill to

become law. This bill is a step forward in beginning to restore the faith that some of our voters have lost.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes, for the second time, the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I want to say this. Look, there are many things that we have done in Pennsylvania in our Election Code that we should be proud of, and there are many more things that I am looking forward to working on with the gentleman from Schuylkill, my colleague. But there are too many bad things in this bill. This will not be our last opportunity to work on reforming our electoral system. There are lots of ways to verify who you are, and we certainly all want to make sure that the right people are voting. But we can do it in a way that is more fair, more open; and, certainly, as people mentioned before, when I go to will-call, I show my Senate ID and they say that is good enough for me to get my tickets. But in this bill, my ID would not be good enough and neither is this bill. I urge a "no" vote.

#### LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Browne and Senator Tomlinson have returned, and their respective leaves are cancelled.

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-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson
Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

#### NAY-21

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Saval	Williams, Lindsey
Costa			

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.

#### PREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1508 (Pr. No. 1603)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1509 (Pr. No. 1604)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy

Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

## 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 1510 (Pr. No. 1605)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

## 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 1511 (Pr. No. 1606)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

## 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 1512 (Pr. No. 1607)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

## 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 1513 (Pr. No. 1845)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1514 (Pr. No. 1609)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the fiscal year July 1, 2021, to June 30, 2022.

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-50

Argall	DiSanto	Martin	Schwank
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Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1515 (Pr. No. 1610)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2021, to June 30, 2022.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1516 (Pr. No. 1611)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attor-

ney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021; and making additional appropriations from the restricted revenue accounts within the State Gaming Fund to the Pennsylvania State Police for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### NAY-0

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

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

#### BILLS OVER IN ORDER

**SB 1** and **SB 113** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 125 (Pr. No. 92)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 1951, carrying State Route 4017 on Wetzel Road, Shaler Township, Allegheny County, as the Commander William J. Schofield, III, Memorial Bridge.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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.

#### BILL OVER IN ORDER

**SB 137** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 184 (Pr. No. 1884)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal homicide, further providing for the offense of causing or aiding suicide; and, in depositions and witnesses, further providing for definitions.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

#### YEA-34

Argall	Corman	Mastriano	Scavello
Aument	DiSanto	Mensch	Stefano
Baker	Dush	Phillips-Hill	Tomlinson
Bartolotta	Gebhard	Pittman	Vogel
Boscola	Gordner	Regan	Ward, Judy
Brooks	Hutchinson	Robinson	Ward, Kim
Browne	Langerholc	Sabatina	Yaw
Collett	Laughlin	Santarsiero	Yudichak
Comitta	Martin		

#### NAY-16

Brewster	Fontana	Kearney	Street
Cappelletti	Haywood	Muth	Tartaglione



Costa Flynn	Hughes Kane	Saval Schwank	Williams, Anthony H. Williams, Lindsey
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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

**SB 236** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 246 (Pr. No. 214)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for evidence and defenses to human trafficking.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 264 (Pr. No. 1003)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, 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.

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	Laughlin	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa			

#### NAY-1

Mastriano

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

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

#### BILLS OVER IN ORDER

**SB 318, SB 457, SB 461 and SB 696** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 708 (Pr. No. 900)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; in crime victims, further providing for rights, for responsibilities of victims of crime under basic bill of rights, for responsibilities of State and local law enforcement agencies, for responsibilities of prosecutor's office and for responsibilities of juvenile probation office; in administration, further providing for office, for powers and duties of victim advocate and for powers and duties of Office of Victims' Services; in compensation, further providing for persons eligible for compensation, for filing of claims for compensation, for minimum allowable claim, for determination of claims, for emergency awards, for awards and for confidentiality of records; in services, further providing for eligibility of victims; in financial matters, further providing for costs and for costs for offender supervision programs; and, in enforcement, further providing for subrogation and for revictimization relief.

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 gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I rise to support Senate Bill No. 708. An essential part of our criminal justice system is providing for the needs of crime victims. Senate Bill No. 708, which I have prime sponsored, along with cosponsors Senator Hughes and Senator Haywood, makes meaningful updates to the Crime Victims Act to improve communication with victims of a crime so that they receive the necessary information when they need it and the compensation they deserve. This important legislation is part of a package of bills that were developed through the Justice Reinvestment Initiative, a bipartisan working group comprised of legislators, stakeholders, and advocates of criminal justice reform. During the previous legislative Session, two parts of the three-bill package were signed into law. This legislation represents the final piece of that package. Senate Bill No. 708 will reinvest savings generated through the companion legislation into victim services. It will help streamline the entire process and make certain more victims understand their important role in the system. It requires that law enforcement officers responding to or investigating an incident provide basic information about the rights and services available to crime victims. This bill would ensure victims know their rights to be enrolled into the address confidentiality program, which exempts those who enter the program from providing a public address and telephone number when their life may be in danger. Among other improvements, it changes the time a victim can file a claim for compensation from 2 years to 5 years, and it lowers the minimum threshold of out-of-pocket expenses for filing a claim from \$100 to \$50.

I thank Senator Hughes, Senator Haywood, their staff, and all of the stakeholders for their efforts on this legislation. Truly, this proposal has the potential to make a meaningful difference in the lives of so many who have been wronged. I ask my colleagues for an affirmative vote on Senate Bill No. 708.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I want to thank Senator Bartolotta and Senator Haywood for the opportunity to work on this matter. This should, in our long march towards justice, advance the issue in an appropriate fashion and shows, I believe, the true meaning of working together in a bipartisan fashion to get something positive done for the citizens of the Commonwealth of Pennsylvania, even those in most challenging situations. Thank you to my colleagues for the opportunity to work with you, and I urge an affirmative vote by all Members.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, I would also like to thank my fellow co-chair of the criminal justice reform caucus, Senator Bartolotta, and the chair of the Committee on Appropriations, Senator Hughes, for their leadership on both of these matters. This criminal justice reform has been a long time coming, getting the last bill passed, and hopefully we can get this through the House as we have been able to get it through the Senate in the past. Most especially, I am glad that we had the expansion of

the victims services fund so that funds for victims can be more broadly applied to survivors. Thank you all again, and thank you for your leadership.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

#### 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 772 (Pr. No. 912)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life insurance, further providing for standard nonforfeiture law for individual deferred annuities; and, in suitability of annuity transactions, further providing for definitions, for applicability and scope of article, for duties of insurers and insurance producers, for insurance producer training, for mitigation of responsibility, for recordkeeping and for enforcement.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

## 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.

**HB 843 (Pr. No. 827)** -- The Senate proceeded to consideration of the bill, entitled:

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

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

## 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 925 (Pr. No. 920)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 12275, carrying State Route 1002 over the West Branch of the Susquehanna River, Castanea Township, Clinton County, as the Petty Officer Stephen "Turbo" Toboz, Jr., Bridge.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, this bill will designate a bridge in Clinton County as the Stephen "Turbo" Toboz, Jr., Bridge. There are some here, and many in the military community, who

will remember the battle that will forever be known as the Battle of Roberts Ridge where a six-man SEAL team earned multiple awards for their courage and valor. This bridge dedication legislation is to honor one of those valorous men. Stephen "Turbo" Toboz, Jr., is a veteran of the United States Navy who served his country for 20 years as a Navy SEAL. On March 3 and 4, 2002, Turbo's team was inserted in support of Operation Anaconda in the Shahi-Kot Valley of Takur Ghar. As the team was being inserted, its MH-47 Chinook helicopter was hit by multiple rocket-propelled grenades, forcing the helicopter to make evasive moves in which SEAL Neil "Fifi" Roberts fell off the rear deck of the MH-47 onto the ground. The aircrew of the helicopter were able to accomplish a controlled crash landing several kilometers away. Immediate reports indicated that SEAL Roberts was alive, so another MH-47 was dispatched to pick up Turbo's team and form up a rescue party to go after their team member, Fifi Roberts. The team quickly reinserted onto Takur Ghar and immediately came under enemy fire. The bond between these battle-hardened men was evident as the SEALs fought up the mountain with total disregard for their own safety to several bunker locations near where their brother was last reported to be.

During this fight, three team members were wounded, including Petty Officer Stephen "Turbo" Toboz, Jr., who was shot in the leg. Battling for their lives in 3 feet of snow, in temperatures that were 20 degrees below zero, at such a high elevation, the team was forced down over the cliffs to a safer location. The battle continued for 18 hours, and during that time Turbo lost 3 liters of blood. Turbo's actions during this battle reflect the highest traditions of the Naval Special Warfare Development Group, DEVGRU, upon which himself and his true courage under overwhelming fire are in keeping with the nation's highest honors. Turbo is a force; if you have ever met the man, he is just amazing. He is a legend both in and out of the special warfare community and has done much to help other veterans and his community since his return to civilian life. I am honored to know him and have the ability to join with Representative Stephanie Borowicz, who sponsored this piece of legislation. I ask my colleagues to please join me in support of House Bill No. 925.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

## YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

## 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 944 (Pr. No. 1865)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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.

**HB 954 (Pr. No. 1323)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, dealing with child abuse: in criminal history record information, further providing for information in central repository or automated systems; and, in organization and responsibilities of Child Protective Services, further providing for services for prevention, investigation and treatment of child abuse.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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.

#### BILL OVER IN ORDER TEMPORARILY

**HB 1024** -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1147 (Pr. No. 1202)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offender treatment.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1349 (Pr. No. 1443)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producers, further providing for powers and duties of department, for application for insurance producer license, for license renewals and for prohibited acts.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1390 (Pr. No. 1506)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 37590, carrying Pennsylvania Route 425 over Fishing Creek, Chanceford Township, York County, as the PFC James Joseph Criswell Memorial Bridge.

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-50

Argall	DiSanto	Martin	Schwank
--------	---------	--------	---------

Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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 1429 (Pr. No. 1902)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, providing for the offense of financial exploitation of an older adult or care-dependent person.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

#### YEA-49

Argall	DiSanto	Laughlin	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mastriano	Street
Bartolotta	Fontana	Mensch	Tartaglione
Boscola	Gebhard	Muth	Tomlinson
Brewster	Gordner	Phillips-Hill	Vogel
Brooks	Haywood	Pittman	Ward, Judy
Browne	Hughes	Regan	Ward, Kim
Cappelletti	Hutchinson	Robinson	Williams, Anthony H.
Collett	Kane	Sabatina	Williams, Lindsey
Comitta	Kearney	Santarsiero	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa			

#### NAY-1

Saval

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

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

**HB 1431 (Pr. No. 1547)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of abuse of care-dependent person.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

#### YEA-48

Argall	Costa	Laughlin	Schwank
Aument	DiSanto	Martin	Stefano
Baker	Dush	Mastriano	Street
Bartolotta	Flynn	Mensch	Tartaglione
Boscola	Fontana	Muth	Tomlinson
Brewster	Gebhard	Phillips-Hill	Vogel
Brooks	Gordner	Pittman	Ward, Judy
Browne	Haywood	Regan	Ward, Kim
Cappelletti	Hughes	Robinson	Williams, Anthony H.
Collett	Hutchinson	Sabatina	Williams, Lindsey
Comitta	Kane	Santarsiero	Yaw
Corman	Langerholc	Scavello	Yudichak

#### NAY-2

Kearney Saval

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 1621 (Pr. No. 1797)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for small wireless facilities deployment.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak

Costa

Laughlin

#### 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.

### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 25, SB 222 and SB 225** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL REREFERRED

**SB 242 (Pr. No. 209)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for Motor License Fund.

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

#### BILLS OVER IN ORDER

**SB 284 and SB 312** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILLS REREFERRED

**SB 347 (Pr. No. 350)** -- 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 personal income tax, further providing for classes of income.

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

**SB 368 (Pr. No. 362)** -- 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 personal income tax, providing for small businesses.

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

#### BILLS OVER IN ORDER

**SB 431 and SB 435** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

## BILL REREFERRED

**SB 447 (Pr. No. 448)** -- 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 corporate net income tax, further providing for imposition of tax.

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

## BILLS OVER IN ORDER

**SB 519, SB 545, SB 562 and SB 565** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

## BILL OVER IN ORDER AND LAID ON THE TABLE

**SB 578 (Pr. No. 624)** -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, further providing for exemptions and special provisions.

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

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

## BILLS REREFERRED

**SB 586 (Pr. No. 634)** -- 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 historic preservation incentive tax credit, further providing for definitions.

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

**SB 594 (Pr. No. 903)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, providing for appropriations from the account and for Nonprofit Economic Emergency Delivery System Grants Program.

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

## BILLS OVER IN ORDER

**SB 597, SB 607, SB 617 and SB 689** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

## BILLS ON SECOND CONSIDERATION

**SB 703 (Pr. No. 787)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of stalking.

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

**SB 704 (Pr. No. 804)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for the offense of institutional sexual assault.

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

## BILLS OVER IN ORDER

**SB 705, SB 717 and SB 718** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

## BILL LAID ON THE TABLE

**SB 725 (Pr. No. 824)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses; and in commercial drivers, further providing for requirement for commercial driver's license.

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

## SB 725 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 725, Printer's No. 824, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILL OVER IN ORDER

**SB 726** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

## BILL LAID ON THE TABLE

**SB 737 (Pr. No. 841)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in repeals, further providing for general repeal.

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

#### **SB 737 TAKEN FROM THE TABLE**

Senator K. WARD. Mr. President, I move that Senate Bill No. 737, Printer's No. 841, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

#### **BILL REREFERRED**

**SB 783 (Pr. No. 935)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in special vehicles and pedestrians, providing for electric low-speed scooter pilot program.

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

#### **BILL LAID ON THE TABLE**

**HB 951 (Pr. No. 1335)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment; in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity; waiving sovereign immunity and governmental immunity; and making a related repeal.

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

#### **HB 951 TAKEN FROM THE TABLE**

Senator K. WARD. Mr. President, I move that House Bill No. 951, Printer's No. 1335, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

#### **BILL OVER IN ORDER**

**HB 1010** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

#### **BILL ON SECOND CONSIDERATION**

**HB 1013 (Pr. No. 1052)** -- 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 preliminary provisions, further providing for Keystone Exams and graduation requirements.

Considered the second time and agreed to,

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

#### **BILL OVER IN ORDER**

**HB 1500** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

#### **SENATE RESOLUTION No. 146, ADOPTED**

Senator K. WARD, without objection, called up from page 14 of the Calendar, **Senate Resolution No. 146**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the current limitations on liability under 42 Pa.C.S. §§ 8528 and 8553 and issue a report of its findings and recommendations to the Senate.

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

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### **YEA-50**

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### **NAY-0**

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

The PRESIDING OFFICER. The resolution is adopted.

#### **THIRD CONSIDERATION CALENDAR RESUMED**

#### **RECONSIDERATION OF HB 1147**

#### **BILL ON FINAL PASSAGE**

**HB 1147 (Pr. No. 1202)** -- Senator COSTA. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1147, Printer's No. 1202, passed finally.



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

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

Argall	DiSanto	Laughlin	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mastriano	Street
Bartolotta	Fontana	Mensch	Tartaglione
Boscola	Gebhard	Muth	Tomlinson
Brewster	Gordner	Phillips-Hill	Vogel
Brooks	Haywood	Pittman	Ward, Judy
Browne	Hughes	Regan	Ward, Kim
Cappelletti	Hutchinson	Robinson	Williams, Anthony H.
Collett	Kane	Sabatina	Williams, Lindsey
Comitta	Kearney	Santarsiero	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa			

#### NAY-1

Saval

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.

#### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be followed by a Republican caucus to be held in the Majority Caucus Room and via Zoom.

For the Members' information, we anticipate coming back into Session around 7 p.m.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Appropriations, Senate Democrats will meet in the rear of the Chamber and via Zoom for a caucus as well on the remaining bills for today.

The PRESIDING OFFICER. For purposes of a meeting of the Committee on Appropriations to be followed by Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, without objection, the Senate stands in recess.

#### AFTER RECESS

**The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the Chair.**

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

#### LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request a legislative leave for Senator Langerholc.

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

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

The PRESIDENT pro tempore. Senator Kim Ward requests a legislative leave for Senator Langerholc.

Senator Costa requests a legislative leave for Senator Flynn.

Without objection, the leaves will be granted.

#### HOUSE MESSAGES

#### SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 411** and **SB 532**, 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 bills will be referred to the Committee on Rules and Executive Nominations.

#### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR RESUMED

#### HB 1024 CALLED UP

**HB 1024 (Pr. No. 1823)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Third Consideration Calendar, by Senator K. WARD.

#### BILL AMENDED

**HB 1024 (Pr. No. 1823)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in program, further providing for confidentiality and public disclosure and for lawful use of medical marijuana; in practitioners, further providing for duration; in patients, further providing for caregivers; in medical marijuana organizations, further providing for permits, for relocation and for convictions prohibited; in medical marijuana controls, further providing for electronic tracking, for grower/processor, for storage and transportation and for laboratory; in dispensaries, further providing for dispensing to patients and caregivers and for facility requirements; in academic clinical research centers and clinical registrants, further providing for academic clinical research centers and for clinical registrants; and, in miscellaneous provisions, further providing for applicability.

On the question,

Will the Senate agree to the bill on third consideration?

## REGAN AMENDMENT A2152

Senator REGAN offered the following amendment No. A2152:

Amend Bill, page 1, lines 14 and 15, by striking out "confidentiality and public disclosure and for"

Amend Bill, page 1, line 21, by striking out "grower/processor" and inserting:  
grower/processors

Amend Bill, page 1, line 23, by inserting after "requirements;":  
in tax on medical marijuana, further providing for Medical Marijuana Program Fund; in administration, further providing for temporary regulations; in Medical Marijuana Advisory Board, further providing for advisory board and for regulations based on recommendations of advisory board; in offenses related to medical marijuana, further providing for disclosure of information prohibited;

Amend Bill, page 1, line 26, by striking out "; and," and inserting:  
and providing for research initiative;

Amend Bill, page 1, line 27, by inserting after "applicability":  
; and making a related repeal

Amend Bill, page 2, line 1, by striking out "'caregiver" and" and inserting:

"caregiver,"

Amend Bill, page 2, line 2, by inserting after "care"":

and "serious medical condition"

Amend Bill, page 2, line 4, by striking out "a definition" and inserting:

definitions

Amend Bill, page 2, line 10, by inserting a bracket before "The"

Amend Bill, page 2, line 10, by striking out the bracket before "individual"

Amend Bill, page 2, line 10, by striking out "] person"

Amend Bill, page 2, line 12, by inserting after "marijuana.":

] The term includes the following entities designated to deliver medical marijuana:

(1) An individual designated by a patient.

(2) If the patient is under 18 years of age, an individual under section 506(2).

(3) Individuals designated in writing, for purposes of section 502, by an organization that provides hospice, palliative or home health care services and:

(i) are employed by an organization that is licensed under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act;

(ii) have significant responsibility for managing the health care and well-being of a patient; and

(iii) were designated by the organization to provide care to a patient who has provided authorization for the designation.

(4) Individuals designated in writing, for purposes of section 502, by a residential facility, including a long-term care nursing facility, a skilled nursing facility, an assisted living facility, a personal care home, an independent long-term care facility or an intermediate care facility for individuals with intellectual disabilities that:

(i) are licensed by the department or the Department of Human Services;

(ii) have significant responsibility for managing the health care and well-being of the patient; and

(iii) were designated by the residential facility to provide care to a patient who has provided authorization for the designation.

Amend Bill, page 2, lines 19 through 22, by striking out all of said lines and inserting:

"Excipients." Solvents, chemicals or materials reported by a medical marijuana organization and approved by the department for use in the processing of medical marijuana.

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"Harvest batch." A specifically identified quantity of medical marijuana plant that is uniform in strain, cultivated utilizing the same growing practices, harvested at the same time and at the same location and cured under uniform conditions.

"Harvest lot." A specifically identified quantity of medical marijuana plant taken from a harvest batch.

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"Medical marijuana product." The final form and dosage of medical marijuana that is grown, processed, produced, sealed, labeled and tested by a grower/processor and sold to a dispensary.

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"Process lot." An amount of a medical marijuana product of the same type and processed using the same medical marijuana extract, standard operating procedures and the same or combination of different harvest lots.

\*\*\*

"Research initiative." A nonpatient investigation not subject to Institutional Review Board or Research Approval Committee approval requirements of a patient-based research program, project or study, conducted by an academic clinical research center and its contracted clinical registrant.

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"Serious medical condition." Any of the following:

(1) Cancer, including remission therapy.

(2) Positive status for human immunodeficiency virus or acquired immune deficiency syndrome.

(3) Amyotrophic lateral sclerosis.

(4) Parkinson's disease.

(5) Multiple sclerosis.

(6) Damage to the nervous tissue of the [spinal cord] central nervous system (brain-spinal cord) with objective neurological indication of intractable spasticity and other associated neuropathies.

(7) Epilepsy.

(8) Inflammatory bowel disease.

(9) Neuropathies.

(10) Huntington's disease.

(11) Crohn's disease.

(12) Post-traumatic stress disorder.

(13) Intractable seizures.

(14) Glaucoma.

(15) Sickle cell anemia.

(16) Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain [in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective].

(17) Autism.

(18) Other conditions that are recommended by the advisory board and approved by the secretary under section 1202.

"Synchronous interaction." A two-way or multiple-way exchange of information between a patient and a health care provider that occurs in real time via audio or video conferencing.

Amend Bill, page 2, line 24, by striking out "302(b),"

Amend Bill, page 2, line 25, by inserting after "(4)":

and (7)

Amend Bill, page 2, lines 26 through 30; page 3, lines 1 through 15; by striking out all of said lines on said pages

Amend Bill, page 6, by inserting between lines 7 and 8:

(7) A statement that the applicant:

[(i) Is of good moral character. For purposes of this subparagraph, an applicant shall include each financial backer, operator, employee and principal of the medical marijuana organization.]

(ii) Possesses the ability to obtain in an expeditious manner the right to use sufficient land, buildings and other premises and equipment to properly carry on the activity described in the application and any proposed location for a facility.

(iii) Is able to maintain effective security and control to prevent diversion, abuse and other illegal conduct relating to medical marijuana.

(iv) Is able to comply with all applicable Commonwealth laws and regulations relating to the activities in which it intends to engage under this act.

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Amend Bill, page 6, line 26, by inserting a bracket before "the"

Amend Bill, page 6, line 27, by inserting after "substances":

] the manufacture, delivery or possession with intent to manufacture or deliver a controlled substance in violation of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or similar law in any other jurisdiction:

Amend Bill, page 7, lines 1 through 4, by striking out "TO INDIVIDUALS" in line 1 and all of lines 2 through 4 and inserting:

to an individual for whom it has been 10 or more years since the entry of a final disposition of a felony conviction related to the manufacture, delivery or possession with intent to manufacture or deliver a controlled substance in violation of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or similar law in any other jurisdiction, or one year since the individual's release from imprisonment for the felony conviction, whichever is later.

Amend Bill, page 7, line 9, by striking out "and"

Amend Bill, page 7, line 22, by striking out "advisory board" and inserting:

department

Amend Bill, page 7, line 24, by striking out the comma after "704" and inserting:

and

Amend Bill, page 7, lines 24 and 25, by striking out ", 802(a)(1), 2001.1(A), 2002(A) AND (B) and 2109(a)"

Amend Bill, page 8, line 1, by inserting after "Obtain":

and transport

Amend Bill, page 8, line 3, by inserting after "grow":

and process

Amend Bill, page 8, line 10, by inserting after "Commonwealth":

to process medical marijuana

Amend Bill, page 8, lines 15 through 30; page 9, lines 1 through 5; by striking out "The department shall" in line 15, all of lines 16 through 30 on page 8 and all of lines 1 through 5 on page 9 and inserting:

(3) Apply solvent-based extraction methods and processes to medical marijuana plants that have failed a test conducted by an approved laboratory at harvest, subject to the following:

(i) The test failure shall be limited to yeast and mold.

(ii) The extracted material shall be processed into a topical form.

(iii) The medical marijuana product must pass a final processed test under section 704.

(iv) The medical marijuana product shall be labeled as remediated.

(v) This paragraph shall expire upon the publication in the Pennsylvania Bulletin of a notice of the secretary's approval of the recommendations relating to a research initiative, as prescribed in section 2003.1.

(4) Obtain harvested hemp from a person holding a permit issued by the Department of Agriculture to grow or cultivate hemp under the 3 Pa.C.S. Ch. 15 (relating to controlled plants and noxious weeds) if the hemp received by a grower/processor is subject to the laboratory testing requirements of section 704.

(5) Add excipients or hemp or hemp-derived additives obtained or cultivated in accordance with paragraph (4). Excipients must be pharmaceutical grade, unless otherwise approved by the department. In determining whether to approve an added substance, the department shall consider the following:

(i) Whether the added substance is permitted by the United States Food and Drug Administration for use in food or is Generally Recognized as Safe (GRAS) under Federal guidelines.

(ii) Whether the added substance constitutes a known hazard such as diacetyl, CAS number 431-03-8, and pentanedione, CAS number 600-14-6.

Amend Bill, page 9, lines 14 through 19, by striking out "the" in line 14 and all of lines 15 through 19 and inserting:

a grower/processor shall maintain continuous video surveillance. A grower/processor is required to retain the recordings onsite or offsite for a period of no less than 180 days, unless otherwise required for investigative or litigation purposes.

Amend Bill, page 9, lines 24 through 30; page 10, lines 1 through 13; by striking out the period in line 24, all of lines 25 through 30 on page 9 and all of lines 1 through 13 on page 10 and inserting:

and designated by the Secretary of Agriculture in consultation with the secretary for use by a grower/processor.

(2) The Secretary of Agriculture shall, within 30 days of the effective date of this subsection, transmit to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin an initial list of pesticides which may be used by grower/processors. The list shall be posted on the department's publicly accessible Internet website and shall be reviewed and updated by the Secretary of Agriculture, in consultation with the secretary, at least once annually and transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Amend Bill, page 11, line 7, by striking out the bracket before the comma after "determine"

Amend Bill, page 11, line 8, by striking out "]" of"

Amend Bill, page 11, line 14, by striking out "harvest batch of"

Amend Bill, page 11, line 14, by inserting after "marijuana":

product derived from a harvest batch

Amend Bill, page 11, line 16, by striking out "a harvest batch" and inserting:

each process lot

Amend Bill, page 11, line 18, by striking out "harvest batch of"

Amend Bill, page 11, line 18, by inserting after "marijuana":

product

Amend Bill, page 11, line 28, by striking out "REMOTELY" and inserting:

by synchronous interaction

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

by synchronous interaction

Amend Bill, page 12, by inserting between lines 20 and 21:

Section 5. Section 802(a)(1) of the act is amended and the subsection is amended by adding a paragraph to read:

Amend Bill, page 12, by inserting between lines 26 and 27:

(1.1) For the purposes of paragraph (1), a dispensary shall maintain continuous video surveillance. The dispensary is required to retain the recordings onsite or offsite for a period of no less than 180 days, unless otherwise required for investigative or litigation purposes.

Amend Bill, page 12, by inserting between lines 27 and 28:

Section 6. Sections 902(d), 1107(b), 1201(j)(4), (5) and (6), 1202, 1307, 2001.1(a) and 2002(a) and (b) of the act are amended to read:

Section 902. Medical Marijuana Program Fund.

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(d) Repayment of initial funding.--The department shall repay from the fees, taxes and investment earnings of the fund to the General Fund any money appropriated for the initial planning, organization and administration by the department with respect to the establishment of the program at the time of the original enactment of this act. [Repayment shall take place within a 10-year period commencing one year after the date of publication in the Pennsylvania Bulletin of the final regulations.]

Section 1107. Temporary regulations.

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(b) Expiration.--[The] Notwithstanding any other provision of law, the department's authority to adopt temporary regulations under subsection (a) shall expire [two years after the effective date of this section] May 31, 2022. Regulations adopted after this period shall be promulgated as provided by law.

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Section 1201. Advisory board.

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(j) Duties.--The advisory board shall have the following duties:

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(4) To issue [two years after the effective date of this section a written report] written reports to the Governor, the Senate and the House of Representatives.

(5) The written [report] reports under paragraph (4) shall include recommendations and findings as to the following:

(i) Whether to change the types of medical professionals who can issue certifications to patients.

(ii) Whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions under this act.

(iii) Whether to change the form of medical marijuana permitted under this act.

[(iv) Whether to change, add or reduce the number of growers/processors or dispensaries.]

(v) How to ensure affordable patient access to medical marijuana.

[(vi) Whether to permit medical marijuana to be dispensed in dry leaf or plant form, for administration by vaporization.]

(6) The [final written report] written reports under this section shall be adopted at a public meeting. The [report] reports shall be a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Section 1202. [Regulations based on] Effectuating recommendations of advisory board.

After receiving [the] a report of the advisory board under section 1201(j)(4), at the discretion of the secretary, the department may [promulgate regulations to] effectuate recommendations made by the advisory board by transmitting a notice to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. The secretary shall [issue notice] transmit notice to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin within 12 months of the receipt of [the] a report of the advisory board. The notice shall include the recommendations of the advisory board and shall state the specific reasons for the decision of the secretary on whether or not to effectuate each recommendation.

Section 1307. Disclosure of information prohibited.

(a) Offense defined.--In addition to any other penalty provided by law, an employee, financial backer, operator or principal of any of the following commits a misdemeanor of the third degree if the person discloses, except to authorized persons for official governmental or health care purposes, any information related to the use of medical marijuana:

(1) A medical marijuana organization.

(2) A health care medical marijuana organization or university participating in a research study under Chapter 19.

(3) A clinical registrant or academic clinical research center under Chapter 20.

(4) An employee or contractor of the department.

(b) Exception.--Subsection (a) shall not apply where disclosure is permitted or required by law or by court order. The department, including an authorized employee, requesting or obtaining information under this act shall not be subject to any criminal liability. The immunity provided by this subsection shall not apply to any employee of the department who knowingly and willfully discloses prohibited information under this act.

Amend Bill, page 14, lines 2 through 15, by striking out all of said lines and inserting:

(1) The department shall:

(i) Open applications for the approval of up to two additional academic clinical research centers and issue approvals to qualified academic clinical research centers within 90 days of the effective date of this paragraph.

(ii) Open applications for the approval of up to two additional clinical registrants within 120 days of the effective date of this paragraph and issue permits to qualified clinical registrants within 180 days from the date when applications are posted.

(2) If the statutory maximum number of approved academic clinical research centers or approved clinical registrants are not approved under paragraph (1), the department shall reopen the application process for the approval of academic clinical research centers and clinical registrants.

Amend Bill, page 14, line 26, by striking out "LICENSE" and inserting:

permit

Amend Bill, page 15, lines 10 and 11, by striking out ", AND PROVIDED ALL RIGHTS OF OTHER GROWER/PROCESSOR PERMITTEES."

Amend Bill, page 15, line 14, by inserting a bracket before "ONLY"

Amend Bill, page 15, line 14, by inserting a bracket after "ONLY"

Amend Bill, page 15, by inserting between lines 22 and 23:

Section 7. The act is amended by adding a section to read:

Section 2003.1. Research initiative.

(a) Authority.--An academic clinical research center, in coordination with its contracted clinical registrant, may conduct a research initiative on the antimicrobial effects of applying solvent-based extraction methods and processes to microbial contamination of immature medical marijuana plants, medical marijuana plants, medical marijuana or medical marijuana products.

(b) Procedure.--An academic clinical research center shall submit to the department for approval a completed written research protocol of the planned research initiative. The department shall grant approval or denial of the protocol within 15 days of its submissions. The following apply:

(1) The research initiative shall commence no later than 30 days from the date the department issues approval and shall be completed no later than six months from the start date of research initiative.

(2) Research initiative findings shall be provided to the department by the academic clinical research center within 15 days of the research initiative's conclusion.

(3) An academic clinical research center and its contracted clinical registrant shall present research initiative findings to the advisory board and the board's research subcommittee for the board's review and consideration under sections 1201 and 1202. The board shall issue a written report, with recommendations and findings regarding the use of solvent-based extraction methods and processes on microbial contamination by a clinical registrant or grower/processor. The secretary may approve the board's recommendation in accordance with section 1202.

(4) Prior to implementing a recommendation of the board under paragraph (3), as approved by the secretary, a clinical registrant or grower/processor shall seek approval from the department for a change in its grower/processor extraction process. The department shall inspect the site and facility equipment. Upon approval, the department shall issue a notice of final approval to implement the process.

Section 8. Section 2109(a) of the act is amended to read:  
Amend Bill, page 15, line 30, by striking out all of said line and inserting:

Section 9. The amendment of the definition of "serious medical condition" in section 103 of the act shall apply retroactively to May 18, 2016.

Section 10. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate this act.

(2) Section 1736-A.1 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is repealed.

Section 11. This act shall take effect as follows:

(1) The amendment or addition of sections 701(c.1) and 703(8) of the act shall take effect in 180 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, this amendment strengthens some of the changes that were made through the legislative process in an effort to put patients first. It has been thoroughly vetted by all four caucuses and the Governor's Office, and I would ask for an affirmative vote.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I rise to urge an affirmative vote on this amendment. This amendment includes an important provision that would help patients across the Commonwealth. This amendment would allow the disbursement of funds to assist patients in offsetting the costs of registration cards and expensive medicine. We have collected \$26 million in fees from the MMJ

and are projected to increase to more than \$55 million in FY 21-22. Current law stipulates that these funds be disbursed to the following: a financial hardship program to assist patients with the cost of providing medical marijuana; a program to assist patients and caregivers with the cost of medical marijuana identification cards; a program to reimburse background checks for caregivers; drug abuse prevention and treatment programs; and research related to the medicinal value of cannabis. However, the department is currently prohibited from using Act 16 to use these funds due to a drafting issue in the underlying legislation. These funds have already been collected and are just sitting there providing no access to medical research, drug abuse prevention, or relief for patients across the Commonwealth. This amendment would allow these funds to be released for those purposes. I thank the maker of the amendment for working with us in this space for getting this important language into the amendment, and I urge an affirmative vote.

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

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

#### YEA-47

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mensch	Street
Baker	Flynn	Muth	Tartaglione
Bartolotta	Fontana	Phillips-Hill	Tomlinson
Boscola	Gebhard	Pittman	Vogel
Brewster	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin	Schwank	

#### NAY-3

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

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

#### STREET AMENDMENT A2029 OFFERED

Senator STREET offered the following amendment No. A2029:

Amend Bill, page 1, line 17, by inserting after "caregivers":  
and providing for cultivating cannabis for personal use  
Amend Bill, page 2, lines 24 and 25, by striking out ", 502(b), 602(a)(4), 609 AND 614" and inserting:  
and 502(b)  
Amend Bill, page 4, by inserting between lines 28 and 29:  
Section 2.1. The act is amended by adding a section to read:  
Section 511. Cultivating cannabis for personal use.  
Notwithstanding any other provision of law, a patient who is 21 years of age or older and has been a resident of this Commonwealth for

a period of at least 30 days may cultivate cannabis for personal use subject to the following:

(1) A patient may cultivate up to five cannabis plants, which may be more than five inches tall. The plant limitation provided under this paragraph shall be cumulative for households in which more than one patient resides.

(2) Cannabis cultivation must take place in an enclosed and locked space.

(3) A patient may purchase cannabis seeds from a dispensary for the purpose of home cultivation. Seeds may not be given or sold to any other person.

(4) Cannabis plants may not be stored or placed in a location where the plants are subject to ordinary public view. A patient who cultivates cannabis under this section shall take reasonable precautions to ensure that the plants are secure from unauthorized access, including unauthorized access by an individual under 21 years of age.

(5) Cannabis cultivation may occur only on residential property lawfully in possession of the patient or with the consent of the person in lawful possession of the property. An owner or lessor of residential property may prohibit the cultivation of cannabis by a lessee.

(6) Cannabis plants may only be tended by patients who reside at the residence, or their authorized agent attending to the residence for brief periods, including when the patient is temporarily away from the residence.

(7) A patient who cultivates more than the allowable number of cannabis plants, or who sells or gives away cannabis plants, cannabis or cannabis-infused products produced under this section, shall be liable for penalties as provided by law in addition to loss of home cultivation privileges under this section.

Section 2.2. Sections 602(a)(4), 609 and 614 of the act are amended to read:

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

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

Senator STREET. Mr. President, we know that, for years, the war on drugs has criminalized people trying to seek access to medicine. Now, we thankfully have a medical program that allows people to secure life-saving cannabis medicine.

This amendment would allow only cannabis patients, with a lawful cannabis card, the ability to grow and cultivate cannabis in their home, but only an amount needed for personal use. This would create additional affordability for so many Pennsylvanians and is, in fact, something that--there is an outcry amongst cannabis patients. Qualifying patients may purchase cannabis seeds from a dispensary for the purpose of home cultivation and the seeds may not be given, sold, or used for any other purpose other than for that cannabis patient's cultivation of no more than five plants for their own use to address their own medical needs. The plants would have to be kept out of public view and, of course, away from children. A registered patient who cultivates more than the allowable number of plants would lose this privilege.

Mr. President, I believe this is an important amendment that would give an option that is needed and wanted by so many cannabis patients across the Commonwealth. I urge an affirmative vote.

#### STREET AMENDMENT A2029 TABLED

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

Senator K. WARD. Mr. President, I move that we table the amendment.

The PRESIDENT pro tempore. Senator Kim Ward moves that the amendment be laid upon the table.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### YEA-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson
Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerhole	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

#### NAY-21

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Saval	Williams, Lindsey
Costa			

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

The PRESIDENT pro tempore. Amendment A2029 will be laid upon the table.

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

### BILLS REPORTED FROM COMMITTEE

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

#### SB 397 (Pr. No. 870) (Rereported)

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions, for State Board of Osteopathic Medicine, for practice of osteopathic medicine and surgery without license prohibited and for licenses, exemptions, nonresident practitioners, graduate students, biennial registration and continuing medical education; and abrogating regulations.

#### SB 398 (Pr. No. 871) (Rereported)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions, for State Board of Medicine and for physician assistants; and abrogating regulations.

#### SB 574 (Pr. No. 621) (Rereported)

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

#### SB 674 (Pr. No. 745) (Rereported)

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in powers and duties of elected officials, further providing for surcharge by auditors; in powers, duties and rights of appointed officers and employees, further providing for borough manager created by ordinance and election, for powers and duties, for other offices not incompatible and for organization of commission; and, in taxation and finance, further providing for preparation of budget.

#### HB 336 (Pr. No. 1933) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for executive officers, administrative departments and independent administrative boards and commissions, for departmental administrative boards, commissions and offices, for department heads and for gubernatorial appointments; in organization of independent administrative boards and commissions, further providing for Pennsylvania Commission on Crime and Delinquency; in organization of departmental administrative boards and commissions and of advisory boards and commissions, repealing provisions relating to Board of License Private Bankers; providing for the Pennsylvania Emergency Management Agency and for flood plain management by the Pennsylvania Emergency Management Agency; in Commonwealth agency fees, further providing for Department of Banking and for Pennsylvania Securities Commission; in Independent Fiscal Office, further providing for definitions, for revenue estimates and for additional duties; in powers and duties of the Governor and other Constitutional officers of the Executive Board and of the Pennsylvania State Police, further providing for Auditor General; in powers and duties of the Department of State and its departmental administrative board, further providing for powers and duties in general and providing for equity reporting; in powers and duties of the Department of Justice and its departmental administrative boards, providing for duty of Attorney General to defend actions; in powers and duties of the Department of Banking, further providing for powers and duties in general for banking supervisory powers and for banking laws; in powers and duties of the Department of Environmental Resources, its officers and departmental and advisory boards and commissions, providing for general permit for transfer, storage or processing of oil and gas liquid waste; in powers and duties of Department of Conservation and Natural Resources, providing for Project 70; in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, providing for abrogation of department regulations; in powers and duties of the Department of Public Welfare and its departmental and advisory boards and commissions, providing for waiver guidance; in power and duties of the Department of Drug and Alcohol Programs, providing for service alignment; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commission, further providing for Department of Environmental Resources powers not affected; in powers and duties of Department of Revenue, repealing provisions relating to vehicle and tractor codes; in powers and duties of the Department of Community Affairs, its departmental boards, bureaus and agencies, further providing for powers and duties in general; providing for United States semiquincentennial; making related repeals; and making editorial changes.

#### HB 523 (Pr. No. 1822) (Rereported)

An Act amending the act of June 13, 1836 (P.L.551, No.169), referred to as the General Road Law, further providing for repair of private roads and providing for definitions.

#### HB 952 (Pr. No. 1934) (Amended) (Rereported)

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

classes of income, for withholding tax requirement for nonemployer payors, for information statement for nonemployer payors and for information statement for payees, providing for electronic payment and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees; in corporate net income tax, further providing for definitions; in bank and trust company shares tax, further providing for definitions; in realty transfer tax, correcting a scrivener's error relating to credits against tax; in tax credit eligibility, further providing for definitions and for eligibility and providing for application and administration, for assessment, for administering agency training, for broker registration, for tax credit and tax benefit reports, for allocation of tax credits or tax benefits awarded upon appeal and for guidelines; in research and development tax credit, further providing for credit for research and development expenses, for carryover, carryback, refund and assignment of credit and for report to General Assembly; in entertainment production tax credit, further providing for definitions, for credit for qualified film production expenses, for reissuance of film production tax credits, for definitions and for limitations and providing for Pennsylvania live events industry COVID-19 emergency assistance; in local resource manufacturing tax credit, further providing for application and approval of tax credit; in keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones, providing for extension for keystone opportunity expansion zone and further providing for additional keystone opportunity expansion zones; in mixed-use development tax credit, further providing for mixed-use development tax credits; in keystone innovations zones, further providing for keystone innovation zone tax credits and for annual report; in Pennsylvania Housing Tax Credit, further providing for Pennsylvania Housing Tax Credit and for annual report; in table game taxes, repealing provisions relating to expiration; in procedure and administration, further providing for petition for reassessment, for petition procedure and for review by board; in computer data center equipment incentive program, further providing for definitions and providing for applicability and for sales and use tax exemption program; in general provisions, further providing for bad checks, electronic funds transfers not credited upon transmission, additions to tax; imposing duties on the Department of Revenue; and making editorial changes.

#### **HB 957 (Pr. No. 1852) (Rereported)**

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

#### **HB 1348 (Pr. No. 1932) (Amended) (Rereported)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account, providing for elementary and secondary school emergency relief for school districts, charter schools and cyber charter schools, for emergency relief for other educational entities, for emergency education relief to nonpublic schools, for funding for library services and for allocation from ARPA - Elementary and Secondary School Emergency Relief - Administration, further providing for Department of Health and for use of money, providing for Pennsylvania Housing Finance Agency and establishing the Construction Cost Relief Program; in Rental and Utility Assistance Grant Program, further providing for Rental and Utility Assistance Grant Program, for department and for reallocation of grants; providing for American Rescue Plan Rental and Utility Assistance Grant Program, for Homeowners Assistance Grant Program, for Water Assistance Program and for Child Care Stabilization Program; in bonus and tax reports and returns and reports and records relating to tax collections, further providing for confidential information; in oil and gas wells, further providing for Oil and Gas Lease Fund; providing for Angel Investment Venture Capital Program and for Transportation Pilot Programs; in special funds, further providing for funding and for expiration; in additional special funds and restricted accounts, further providing for establishment of special fund and account, for use of fund and for distributions from Pennsylvania Race Horse Development Fund and providing for Opioid Settlement Restricted Account; providing for 2021-2022 budget implementation

and for 2021-2022 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for Department of Education, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Labor and Industry, further providing for Department of Human Services, providing for State employees' Retirement System, further providing for Multimodal Transportation Fund and providing for Public Transportation Trust Fund; in school district debt refinancing bonds, further providing for sinking fund charges for school building projects; in 2020-2021 restrictions on appropriations for funds and accounts, further providing for fund transfers; and making related repeals.

#### **MOTION PURSUANT TO SENATE RULE 12**

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move the Senate proceed to consider House Bill No. 1348, 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**

**HB 1348 (Pr. No. 1932)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account, providing for elementary and secondary school emergency relief for school districts, charter schools and cyber charter schools, for emergency relief for other educational entities, for emergency education relief to nonpublic schools, for funding for library services and for allocation from ARPA - Elementary and Secondary School Emergency Relief - Administration, further providing for Department of Health and for use of money, providing for Pennsylvania Housing Finance Agency and establishing the Construction Cost Relief Program; in Rental and Utility Assistance Grant Program, further providing for Rental and Utility Assistance Grant Program, for department and for reallocation of grants; providing for American Rescue Plan Rental and Utility Assistance Grant Program, for Homeowners Assistance Grant Program, for Water Assistance Program and for Child Care Stabilization Program; in bonus and tax reports and returns and reports and records relating to tax collection, further providing for confidential information; in oil and gas wells, further providing for Oil and Gas Lease Fund; providing for Angel Investment Venture Capital Program and for Transportation Pilot Programs; in special funds, further providing for funding and for expiration; in additional special funds and restricted accounts, further providing for establishment of special fund and account, for use of fund and for distributions from Pennsylvania Race Horse Development Fund and providing for Opioid Settlement Restricted Account; providing for 2021-2022 budget implementation and for 2021-2022 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for Department of Education, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Labor and Industry, further providing for Department of Human Services, providing for State employees' Retirement System, further providing for Multimodal Transportation Fund and providing for Public Transportation Trust Fund; in school district debt refinancing bonds, further providing for sinking fund charges for school building projects; in 2020-2021 restrictions on appro-

priations for funds and accounts, further providing for fund transfers; 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 PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, I rise today—even though House Bill No. 1348 is the Fiscal Code that we are all going to be voting for—to point out a very special moment. Over the last couple of years, so many of my colleagues have gotten to meet so many of the young advocates and their families who are spending their lives dedicated to fighting—we have all had the opportunity to meet some very young, special people over the course of the last couple of years who not only are in the fight for their lives battling against pediatric cancer, they have also gone above and beyond dedicating themselves to find better treatments, to find better cures, and to make sure that other kids and other families do not often have to go and face the same fate.

I have been very proud of the work that we have done here in the Senate. Obviously—whether today, or a lot of days—there are bills that we disagree on, sometimes the conversation gets heated, but I know this effort today, which was Senate Bill No. 74, which is now part of this Fiscal Code, shows that we finally have made pediatric cancer research a priority. So to all those children and their families, including the families that have lost their young angels, I want to thank them specifically for caring about not only their own children but other people's kids. Hopefully, with this investment in the wonderful pediatric cancer research facilities we have across this State, that someday we may find a cure, someday we may find treatments that are not so harsh on their little bodies, and today sets a stake in the ground saying that the Senate of Pennsylvania and this General Assembly are making these children a priority. I just want to take the time to thank everyone for their work and support of these children and their families.

Thank you, Mr. President.

(Applause.)

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-42

Argall	Costa	Laughlin	Stefano
Aument	DiSanto	Martin	Street
Baker	Dush	Mensch	Tartaglione
Bartolotta	Flynn	Pittman	Tomlinson
Boscola	Fontana	Regan	Vogel
Brewster	Gebhard	Robinson	Ward, Judy
Brooks	Gordner	Sabatina	Ward, Kim
Browne	Hutchinson	Santarsiero	Williams, Anthony H.
Collett	Kane	Scavello	Yaw
Comitta	Kearney	Schwank	Yudichak
Corman	Langerholc		

#### NAY-8

Cappelletti  
Haywood

Hughes  
Mastriano

Muth  
Phillips-Hill

Saval  
Williams, Lindsey

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.

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 6

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 574 (Pr. No. 621)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

Senator BREWSTER. Mr. President, I rise in support of Senate Bill No. 574. It creates an optional—and I want to repeat, optional—county demolition and rehabilitation fund to assist first through eighth class counties, as well as home rule charter counties, in funding the fight against blight. As we all know, blight is one of the biggest challenges in revitalizing neighborhoods and communities in Pennsylvania. Blight increases local safety concerns and decreases property values, as well as burdens municipal government with cost of code enforcement.

Specifically, Senate Bill No. 574 adds a new section to the Real Estate Tax Law to allow county governing bodies, by ordinance, to impose a \$250 fee, a one-time fee, with regard to the sale of property of delinquent taxes or mortgage foreclosures. Again, this is just an opportunity, I say to my colleagues, Mr. President, for those of us who have operated in local government, we know how difficult it is to get the funding throughout the Commonwealth. The average residential home was about \$8,000, it is now up to \$18,000. For some smaller communities, they simply do not have the money to do that. The obvious impact on the neighbors and the safety of the children in the neighborhoods is something we have to address. There are other bills. This bill actually started with Senator Argall and myself, we were in the Committee on Urban Affairs and Housing. I want to thank Senator Pittman and Senator Saval for moving the bill ahead. Again, it is just another optional bill throughout the Commonwealth that will help those communities that are in desperate need, and I would ask my colleagues for an affirmative vote.

Thank you, Mr. President.



And the question recurring,  
Shall the bill pass finally?

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

#### YEA-48

Argall	Costa	Langerhole	Schwank
Aument	DiSanto	Laughlin	Stefano
Baker	Dush	Martin	Street
Bartolotta	Flynn	Mensch	Tartaglione
Boscola	Fontana	Muth	Tomlinson
Brewster	Gebhard	Pittman	Vogel
Brooks	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Sabatina	Williams, Anthony H.
Collett	Hutchinson	Santarsiero	Williams, Lindsey
Comitta	Kane	Saval	Yaw
Corman	Kearney	Scavello	Yudichak

#### NAY-2

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

**SB 674 (Pr. No. 745)** -- 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 surcharge by auditors; in powers, duties and rights of appointed officers and employees, further providing for borough manager created by ordinance and election, for powers and duties, for other offices not incompatible and for organization of commission; and, in taxation and finance, further providing for preparation of budget.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, Senate Bill No. 674 is a Local Government Commission bill that makes changes to the Borough Code in line with the First Class Township Code revisions that we passed last year, Act 96 of 2020. These changes were requested by the Boroughs Association. Similar to Senate Bill No. 673 and Senate Bill No. 675, Senate Bill No. 674 provides that a borough official cannot be surcharged if they acted in good faith on the solicitor's opinion. It authorizes a borough to appoint a partnership, association, or corporation as a borough manager. It permits a borough civil service commission to reorganize in January of even-numbered years more flexibly, and it gets rid of the requirement for preliminary budgets to be prepared a month before the final budget adoption.

I thank the Committee on Local Government Majority chair, Senator Dush, for staying on top of committee business and for moving this legislation forward. I am proud to work with him on

both the commission and the committee to get things done for our local governments. My colleagues on the commission and I would appreciate an affirmative vote.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

#### YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

#### 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.

### HOUSE MESSAGES

#### SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 255** and **SB 381**, 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 bills will be referred to the Committee on Rules and Executive Nominations.

#### MOTION PURSUANT TO SENATE RULE 12

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 2 and move the Senate proceed to consider House Bill No. 336 and House Bill No. 952, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

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

**BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 336 (Pr. No. 1933)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for executive officers, administrative departments and independent administrative boards and commissions, for departmental administrative boards, commissions and offices, for department heads and for gubernatorial appointments; in organization of independent administrative boards and commissions, further providing for Pennsylvania Commission on Crime and Delinquency; in organization of departmental administrative boards and commissions and of advisory boards and commissions, repealing provisions relating to Board of License Private Bankers; providing for the Pennsylvania Emergency Management Agency and for flood plain management by the Pennsylvania Emergency Management Agency; in Commonwealth agency fees, further providing for Department of Banking and for Pennsylvania Securities Commission; in Independent Fiscal Office, further providing for definitions, for revenue estimates and for additional duties; in powers and duties of the Governor and other Constitutional officers of the Executive Board and of the Pennsylvania State Police, further providing for Auditor General; in powers and duties of the Department of State and its departmental administrative board, further providing for powers and duties in general and providing for equity reporting; in powers and duties of the Department of Justice and its departmental administrative boards, providing for duty of Attorney General to defend actions; in powers and duties of the Department of Banking, further providing for powers and duties in general for banking supervisory powers and for banking laws; in powers and duties of the Department of Environmental Resources, its officers and departmental and advisory boards and commissions, providing for general permit for transfer, storage or processing of oil and gas liquid waste; in powers and duties of Department of Conservation and Natural Resources, providing for Project 70; in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, providing for abrogation of department regulations; in powers and duties of the Department of Public Welfare and its departmental and advisory boards and commissions, providing for waiver guidance; in power and duties of the Department of Drug and Alcohol Programs, providing for service alignment; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commission, further providing for Department of Environmental Resources powers not affected; in powers and duties of Department of Revenue, repealing provisions relating to vehicle and tractor codes; in powers and duties of the Department of Community Affairs, its departmental boards, bureaus and agencies, further providing for powers and duties in general; providing for United States semiquincentennial; making related repeals; and making editorial changes.

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

**MUTH AMENDMENT A2153 OFFERED**

Senator MUTH offered the following amendment No. A2153:

Amend Bill, page 2, lines 52 through 56, by striking out "IN POWERS" in line 52, all of lines 53 through 55 and "STORAGE OR PROCESSING OF OIL AND GAS LIQUID WASTE;" in line 56

Amend Bill, page 40, lines 25 through 30; page 41, lines 1 through 8; by striking out all of said lines on said pages

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

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, my amendment would eliminate language that was amended into the Administrative Code pertaining to the storage of processing of oil and gas liquid waste. Upon review of the amended version of House Bill No. 336, the Administrative Code for the budget, it included language that would initiate the process to create a new permit for the temporary storage of gas and oil waste. First, I must take the opportunity to mention that waste generated from gas and oil is highly toxic and also can be radioactive, containing numerous heavy metals and has extremely high levels of radioactivity, especially because Pennsylvania has high levels of radon, which comes up in the frack waste or produced water as drillers conduct their business.

Interestingly, it is my understanding that this new permit process has been specifically requested by an operator within the industry itself. This is the very same industry that for years has complained that they impose a burdensome number of regulations and permits, and it takes far too long for our State regulatory agencies to approve permit requests. I find it interesting that they are requesting a new category of permits. So upon my research into this amendment, it revealed that this was because the current permit for the general storage of this waste water, the GMR 123 permit, is a 10-year permit, and they would like a permanent permit--they want temporary storage for up to 180 days. There are no details in this language that show where this can be stored--if it can be stored near water supplies of the Commonwealth, if it can be stored near areas where it could leak into the soil. No language showing how the oversight will ensure that this temporary storage will actually not harm our environment. Further research revealed to me that this operator who requested this has also been charged with environmental crimes in Pennsylvania and has pled no contest to negligent oversight of well pads in southwestern Pennsylvania for leaks and contamination. They have ruined miles and miles of aquifers to water supplies to people in this area. I think that if they want a new permit, we should be having the opportunity to review if this is a method that is actually safe, if this is a method that the DEP can actually oversee considering how underfunded and understaffed they are. Our families and our farmers all across this Commonwealth do not deserve more contaminated water in the interest of a corporate shortcut. I strongly urge a "yes" vote on this amendment.

Thank you, Mr. President.

**MUTH AMENDMENT A2153 TABLED**

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

Senator K. WARD. Mr. President, I move that we lay the amendment upon the table.

The PRESIDENT pro tempore. Senator Kim Ward moves that the amendment be laid upon the table.

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

## YEA-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson
Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

## NAY-21

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Saval	Williams, Lindsey
Costa			

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

The PRESIDENT pro tempore. Amendment A2153 will be laid upon the table.

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

## MUTH AMENDMENT A2155 OFFERED

Senator MUTH offered the following amendment No. A2155:

Amend Bill, page 2, lines 58 through 60; page 3, lines 1 and 2; by striking out "IN POWERS AND DUTIES OF" in line 58, all of lines 59 and 60 on page 2, all of line 1 and "DEPARTMENT REGULATIONS;" in line 2 on page 3

Amend Bill, page 41, lines 14 through 17, by striking out all of said lines

Amend Bill, page 52, lines 25 and 26, by striking out all of line 25 and "(IV)" in line 26 and inserting:

(iii)

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

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, my amendment would eliminate language that was put into House Bill No. 336, the Administrative Code, that pertains to the overtime requirements. The amendment earlier put into this bill was simply an attempt to quietly sneak past a statutory change that would directly take money out of the paychecks of hardworking Pennsylvanians. By eliminating overtime pay for thousands in our Commonwealth, we will be directly hurting our own recovery, reducing disposable income that could be spent in struggling small businesses across our communities, directly harming those living paycheck to paycheck, and decreasing the amount of income tax revenue brought into our State. This is wrong at any point to claw back this provision that was already a regulation put in place. At this moment in time, it adds an extra layer of salt to the wound as it is a heartless and cruel maneuver as we emerge out of a global

pandemic. It is another attack on workers, those who struggle to make ends meet, and many of these workers were working throughout this entire pandemic, did not receive hazard pay, worked more than 40 hours a week as salary workers, but do not get paid for overtime work. I cannot imagine anybody in here accepting those same conditions.

Also, we never even addressed the minimum wage issue. So, again, another problem, and then here we are clawing back the provisions to allow people to be paid for the work that they are putting in. An attempt to lift overtime for hardworking Pennsylvanians was previously proposed last year through traditional means, again, via legislation, and was vetoed by the Governor. Putting this language in at the eleventh hour through a procedural maneuver demonstrates how far—I guess it is easier to talk over it but it is a pretty important issue because I surely want all the people working more than 40 hours a week to be paid their fair share—pushing this through at the eleventh hour, clearly shown in here that not many are concerned; but that is okay, I am concerned and there are other people who are concerned. There are other people who are concerned that they are not going to get paid for the work that they have been doing; and to be fair, to be very blunt, this would have qualified for the profession of athletic training where you have to have a master's degree in most settings—where you make under \$40,000 a year working 60-plus hours a week with sports teams throughout different seasons: basketball, football, you name it, and you do not make a dime over your salary no matter what season it is, no matter how early you have to go into practice, or how long you have to travel with the team. I made \$37,500 a year—before I was a State Senator—with a master's degree at Eastern University, a Division III school. When you are a woman you do not get the big-time jobs in Division I or pro sports, so you struggle and work those 60 hours for your flat salary.

I strongly urge a "yes" vote to gut this language out to not repeal the overtime payment compensation that is going to be given, and needs to be given, to workers working more than 40 hours a week who are on a salary pay.

Thank you, Mr. President.

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

Senator K. WARD. Mr. President, I ask for a "no" vote on the amendment. Thank you.

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-21

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Saval	Williams, Lindsey
Costa			

## NAY-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson

Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

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-28

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Tomlinson
Baker	Gebhard	Phillips-Hill	Vogel
Bartolotta	Gordner	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak

#### NAY-22

Boscola	Flynn	Kearney	Schwank
Brewster	Fontana	Muth	Street
Cappelletti	Haywood	Sabatina	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Hutchinson	Saval	Williams, Lindsey
Costa	Kane		

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

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

**HB 952 (Pr. No. 1934)** -- 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 sales and use tax, further providing for exclusions from tax; in personal income tax, further providing for classes of income, for withholding tax requirement for nonemployer payors, for information statement for nonemployer payors and for information statement for payees, providing for electronic payment and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees; in corporate net income tax, further providing for definitions; in bank and trust company shares tax, further providing for definitions; in realty transfer tax, correcting a scrivener's error relating to credits against tax; in tax credit eligibility, further providing for definitions and for eligibility and providing for application and administration, for assessment, for administering agency training, for broker registration, for tax credit and tax benefit reports, for allocation of tax credits or tax benefits awarded upon appeal and for guidelines; in research and development tax credit, further providing for credit for research and development expenses, for

carryover, carryback, refund and assignment of credit and for report to General Assembly; in entertainment production tax credit, further providing for definitions, for credit for qualified film production expenses, for reissuance of film production tax credits, for definitions and for limitations and providing for Pennsylvania live events industry COVID-19 emergency assistance; in local resource manufacturing tax credit, further providing for application and approval of tax credit; in keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones, providing for extension for keystone opportunity expansion zone and further providing for additional keystone opportunity expansion zones; in mixed-use development tax credit, further providing for mixed-use development tax credits; in keystone innovations zones, further providing for keystone innovation zone tax credits and for annual report; in Pennsylvania Housing Tax Credit, further providing for Pennsylvania Housing Tax Credit and for annual report; in table game taxes, repealing provisions relating to expiration; in procedure and administration, further providing for petition for reassessment, for petition procedure and for review by board; in computer data center equipment incentive program, further providing for definitions and providing for applicability and for sales and use tax exemption program; in general provisions, further providing for bad checks, electronic funds transfers not credited upon transmission, additions to tax; imposing duties on the Department of Revenue; and making editorial changes.

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	Laughlin	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mastriano	Street
Bartolotta	Fontana	Mensch	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Collett	Hutchinson	Sabatina	Williams, Anthony H.
Comitta	Kane	Santarsiero	Yaw
Corman	Kearney	Scavello	Yudichak
Costa	Langerholc		

#### NAY-4

Cappelletti	Muth	Saval	Williams, Lindsey
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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.

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 9

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 957 (Pr. No. 1852)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, I thank, again, my colleague, the Democratic chairman of the Committee on Local Government. We have managed to get several good bills through thus far this year, and this is another one of those efforts. House Bill No. 957 amends the Municipal Authorities Act to allow the owner of a residential property with multiple units served by a single water meter to periodically request the authority to adjust the amount billed if it is determined that the amount billed exceeds the actual usage by 30 percent or more. This bill was reported unanimously out of the Committee on Local Government and passed the House by a vote of 200 to 1. Previous introductions of this bill were opposed by the Pennsylvania Municipal Authorities Association, but this Session the PMAA worked with the sponsor and with the House Committee on Local Government chairman on a compromise amendment on the House floor. PMAA has supported the amendment and is now neutral on the bill. I ask all Members for an affirmative vote. Thank you.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

#### 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.

## SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 8

### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 397 (Pr. No. 870)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions, for State Board of Osteopathic Medicine, for practice of osteopathic medicine and surgery without license prohibited and for licenses, exemptions, nonresident practitioners, graduate students, biennial registration and continuing medical education; and abrogating regulations.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin		

#### 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 398 (Pr. No. 871)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions, for State Board of Medicine and for physician assistants; and abrogating regulations.

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-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### 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.

### MOTION PURSUANT TO SENATE RULE 12

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 7 and move the Senate proceed to consider House Bill No. 1024, 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. 7

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1024 (Pr. No. 1936)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in program, further providing for lawful use of medical marijuana; in practitioners, further providing for duration; in patients, further providing for caregivers; in medical marijuana organizations, further providing for permits, for relocation and for convictions prohibited; in medical marijuana controls, further providing for electronic tracking, for grower/processors, for storage and transportation and for laboratory; in dispensaries, further providing for dispensing to patients and caregivers and for facility requirements; in tax on medical marijuana, further providing for Medical Marijuana Program Fund; in administration, further providing for temporary regulations; in Medical Marijuana Advisory Board, further providing for advisory board and for regulations based on recommendations of advisory board; in offenses related to medical marijuana, further providing for disclosure of information prohibited; in academic clinical research centers and clinical registrants, further providing for academic clinical research centers and for clinical registrants and providing for research initiative; in miscella-

neous provisions, further providing for applicability; and making a related appeal.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, as an original champion of medical marijuana when I was in the House of Representatives, I recognize the importance of House Bill No. 1024 for both the growing industry and the patients who have greatly benefitted from it. After 5 years, Pennsylvania has established a very successful medical marijuana program; but during that time, we have learned there are ways we can improve it for all. We have heard from the grower/processors, dispensaries, clinical registrants, and, most importantly, the patients, Mr. President. For me, personally, not a week goes by that I am not thanked by someone who has seen a drastic improvement in their health because of medical marijuana and the efforts this Chamber put forth 5 years ago to make the program a reality.

As chairman of the Committee on Law and Justice, I have had the opportunity to work directly on amendments that have further improved the bill before us today that would, in turn, provide for easier patient access to an even higher quality of medicine at a lower price. The original underlying bill aimed to improve caregiver measures including the allowances for them to care for more than five patients at a time. Additionally, the bill permanently implements two key COVID-19 allowances: curbside dispensing, which benefits patients, some of who are in pain and have mobility issues; and authorizes the dispensing of a 90-day supply of medicine rather than only a 30-day supply. The Committee on Law and Justice, which unanimously advanced House Bill No. 1024, amended the bill to allow the continuation of telemedicine by authorizing dispensaries to have a physician or pharmacist available either in person or remotely, a COVID-19 provision that has proven to be very beneficial for dispensaries and patients alike. Further, the bill was amended in committee to allow non-violent offenders to be affiliated with a medical marijuana organization after 10 years have passed since their most recent felony sentence, and I thank Senator Anthony Williams for his assistance on that aspect of the bill. Allow growers to remediate plants following a lab test that shows microbial contamination so that they are not losing an entire harvest. Authorize grower/processors to sell products to each other and increase the number of clinical registrants from eight to 10 and the number of dispensary locations under the Clinical Registrant program from 48 to 60. Now, today, my amendment that was agreed to by all four caucuses and the Governor, incorporated additional measures that build on a successful program and continue to help the half a million Pennsylvanians enrolled in the medical marijuana program. Therefore, I ask my colleagues for an affirmative vote on this very important legislation.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I rise in support of House Bill No. 1024 as well. I was an enthusiastic supporter of the medical marijuana program, and I hear consistently from my constituents how thankful they are for access to this product. It has made a real difference in the quality of life for so many people. So I am very pleased that we were able to come to some agreement on some of the issues, the updates that needed to be made to the medical marijuana.

I agree with all of the features that were focused on by the previous speaker, but one issue that really concerned me was the issue of pesticides on medical marijuana. Recognizing that pesticides were already used, one of the ideas that came forward from the coalition that was working on this was an expansion of the list of pesticides. After some further review and research, I recognize that other States are doing a lot of work on trying to ensure that individuals, consumers who are using medical marijuana, are getting a safe product. I think people should know if there are pesticides on the product that they are using, particularly considering the way that medical marijuana is used. So I am very pleased that one of the aspects of the bill that a lot of people might gloss over is one, that the list of pesticides that will be allowed to be used, will be listed in the *Pennsylvania Bulletin*; and further, they will be on the Pennsylvania Department of Health website. I think that was important because when people want to learn about the program, the medical marijuana program, they go to the DOH, the Department of Health website, to learn about it. This way, I feel a lot more comfort that people will actually know how this product is treated. I think a lot of people have the idea that this is so highly regulated that it could be perfectly safe. It can be perfectly safe, but they need to make wise decisions in terms of what product they are going to buy. So I am very pleased to see this in here, and, again, I support this bill. Thank you.

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

Senator STREET. Mr. President, I rise to urge support for this bill. As I pointed out earlier, there are many provisions that would allow us to provide additional support for cannabis patients. Twenty-six million dollars have already accumulated in a cannabis relief fund to provide assistance to patients. Passage of this bill, as amended, would allow cannabis patients to receive that relief that they have waited so long for. I therefore urge a "yes" vote.

And the question recurring,  
Will the bill pass finally?

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

## YEA-47

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mensch	Street
Baker	Flynn	Muth	Tartaglione
Bartolotta	Fontana	Phillips-Hill	Tomlinson
Boscola	Gebhard	Pittman	Vogel
Brewster	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw

Corman  
Costa

Langerholc  
Laughlin

Scavello  
Schwank

Yudichak

## NAY-3

Brooks

Hutchinson

Mastriano

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.

## RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held here on the floor and via Zoom.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Rules and Executive Nominations to be held here on the floor and via Zoom, without objection, the Senate stands in recess.

## AFTER RECESS

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

## BILLS REPORTED FROM COMMITTEE

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

## SB 255 (Pr. No. 971) (Rereported) (Concurrence)

An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2021; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2021; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

## SB 381 (Pr. No. 972) (Rereported) (Concurrence)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Special Education Funding Commission; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in certification of teachers, further providing for substitute teaching permit for prospective teachers; in community colleges, further providing for financial program and reimbursement of payments and for Community College Capital Fund; in educational tax credits, further

providing for limitations; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission; providing for intercollegiate athletics; in funding for public libraries, providing for State aid for fiscal year 2021-2022; in reimbursements by Commonwealth and between school districts, further providing for student-weighted basic education funding, for payments to intermediate units and for assistance to school districts declared to be in financial recovery status or identified for financial watch status; in construction and renovation of buildings by school entities, further providing for applicability; and making an editorial change.

**SB 411 (Pr. No. 967) (Rereported) (Concurrence)**

An Act amending Titles 42 (Judiciary and Judicial Procedure), 61 (Prisons and Parole) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsylvania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; providing for Board of Pardons; in preliminary provisions relating to retirement for State employees and officers, further providing for definitions; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation

and Parole and for appropriations for the Office of Victim Advocate; making related repeals; and making editorial changes.

**SB 532 (Pr. No. 968) (Rereported) (Concurrence)**

An Act designating the bridges, identified as Bridge Key 31419 and Bridge Key 31420, on that portion of U.S. Route 219 over State Route 601 in Conemaugh Township, Somerset County, as the Corporal Anthony G. Orlandi Memorial Bridge; designating the interchange of State Route 43, also known as the Mon-Fayette Expressway, with U.S. Route 40, known as Exit 22, in Redstone Township, Fayette County, as the PFC Joseph Frank Duda Memorial Interchange KIA WWII U.S.M.C.; designating the interchange of U.S. Route 40 with State Route 4035, also known as Market Street and Spring Street, in Brownsville, Fayette County, as the Corporal Denny Ray Easter Memorial Interchange KIA Vietnam War U.S. Army; designating the portion of Pennsylvania Route 837, also known as Duquesne Boulevard, between Center Street in the City of Duquesne, Allegheny County, and Hoffman Boulevard in West Mifflin Borough, Allegheny County, as the Clifton P. Pitts Memorial Highway; designating a bridge, identified as Bridge Key 8391, on that portion of Pennsylvania Route 53 over Laurel Run, also known as Lost Creek, in Dean Township, Cambria County, as the Seaman 2nd Class Louis J. Benzie WWII Memorial Bridge; designating a bridge, identified as Bridge Key 8461, on that portion of U.S. Route 219 over Pennsylvania Route 53, also known as Railroad Street, in Croyle Township, Cambria County, as the Janice Keen-Livingston First Responders' Memorial Bridge; designating the portion of State Route 4014, also known as Grandview Boulevard, from Pittsburgh Avenue to State Route 4015, also known as Zuck Road, in Millcreek Township, Erie County, as the John A. Pulice Memorial Highway; designating a bridge on that portion of State Route 4001 over Crooked Creek, Armstrong Township, Indiana County, as the Sergeant Carl Roof Memorial Bridge; designating a bridge, identified as Bridge Key 25488, carrying State Route 1011 over Mix Creek, Eldred Township, McKean County, as the Sgt. Neil K. Dorrior Memorial Bridge; designating a bridge, identified as Bridge Key 39504, carrying Pennsylvania Route 3004 over the Allegheny River, Roulette Township, Potter County, as the SSG Gerrith Kibbe Memorial Bridge; designating a bridge, identified as Bridge Key 32773, on that portion of U.S. Route 6 over the Tioga River, Mansfield Borough, Tioga County, as the Mansfield Veterans Memorial Bridge; designating a bridge, identified as Bridge Key 5840, on that portion of SR 4010 (17th Street) over Interstate 99 in Logan Township, Blair County, as the Honorable Richard A. Geist Memorial Bridge; designating a bridge, identified as Bridge Key 45998, carrying State Route 2027 in North Union Township, Fayette County, as the SSG Willis J. Crayton Memorial Bridge; designating the bridge, identified as Bridge Key 4133, carrying Pennsylvania Route 913 over Raystown Branch Juniata River in Liberty Township, Bedford County, as the Sergeant Charles Warsing Memorial Bridge; designating a bridge, identified as Bridge Key 68033, carrying State Route 2047 over CSX and SEPTA Railroads, in Middletown Township, Bucks County, as the PFC John Elton Candy Memorial Bridge; designating the entire portion of US Route 20 in Pennsylvania, beginning at the Pennsylvania-Ohio State Line and ending at the Pennsylvania-New York State Line, as the Pennsylvania Medal of Honor Highway; designating the portion of State Route 2038, also known as Fitzwatertown Road, between Jenkintown Road and North Hills Avenue in Upper Dublin Township, Montgomery County, as the CPL Vincent J. Wargo, Jr., U.S.M.C. Memorial Highway; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; and making related repeals.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 3**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 255 (Pr. No. 971) --** The Senate proceeded to consideration of the bill, entitled:



An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2021; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 255?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 255.

On the question,

Will the Senate agree to the motion?

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

Senator BROWNE. Mr. President, I rise today to ask my colleagues to concur in the amendments made by the House to Senate Bill No. 255. Mr. President, as I rise today to speak on our proposed State budget for the 2021-22 fiscal cycle, I am reminded by the old saying: those who fail to learn from history are doomed to repeat it. Those words are very appropriate for the decisions we are making today and how we got to the place we are today. As we continue to recover from the worst pandemic in our country's history and start to see a return to normalcy for our communities and our citizens, we find ourselves facing the same financial challenges and concerns that the Commonwealth faced coming out of what was called the Great Recession approximately 10 years ago. It is important that we consider this budget today, and as we consider it that we reflect on the challenges we faced a decade ago and the financial strains that were placed on State finances for the years after the Great Recession for over a decade, and the decisions that were made by this assembly to accommodate those challenges. During this pandemic, the General Assembly and Governor faced comparable declines in State revenues to what we experienced during the Great Recession, which also created large budget gaps as costs continue to grow. Similarly, Federal officials in Washington, D.C., our partners in Washington, provided financial assistance during the Great Recession, as they also have during this pandemic, to help us through these financial challenges and offset the lost revenue to help us balance our budgets. That was the prime reason for the follow-up stimulus act that was provided to us in January.

What is important for us to consider, however, and what we learned from our experience a decade ago, is that we do not want to empty the piggy bank and place the financial security of the Commonwealth in jeopardy when Federal support is no longer

available to us several years from now as it was for us in 2008 to 2010. We saw significant financial challenges when the American Recovery and Reinvestment Acts ended in 2011, which left the Commonwealth facing deficits for nearly a decade. It is equally important that we keep in mind, as we consider this budget today, that while we have--and this is often said regarding our circumstances--\$10 billion in the bank, that is not a budget surplus. There is a difference between what money we have in the bank and what is a budget surplus. We know what our obligations are going forward. We know our mandatory commitments to the people in our communities. The long-term living for healthcare, for those citizens with intellectual disabilities, and those future commitments must be accommodated because we know what they are in the decisions we make today. In order to balance the fiscal year 2021-22 State budget and provide vital programs and services to our residents and to fund educational opportunities for our students, at a minimum, based on U.S. Treasury guidance, just to meet these commitments, not for things in addition to those commitments, we need to use \$3.8 billion of Federal funding, allowed by Federal guidelines to cover revenue lost due to COVID-19 that occurred over the past year.

But we just cannot look to the current fiscal year. The financial impacts of the pandemic on State finances require us to look several fiscal years down the line, as we needed to do in 2008 and 2010, given the fact that when we came out of that we were looking at a \$4 billion deficit and the challenges that we faced at that time. If we do not plan accordingly to manage long-term fiscal imbalance and use a larger percentage of the Federal pandemic funding, we will experience the same financial problems we saw 10 years ago. There is an unbelievable amount of similarity between where we are now and where we were back then. Back then, the downturn was only due, even though significant, to a recession, not to an ongoing fiscal imbalance we have because of commitments we want and continue to want to keep to our most vulnerable citizens that are outstripping our financial and revenue capacity to meet them. We will not sacrifice those commitments. We must reflect on what they mean in relation to our growth in revenue and the challenges we have to meet them. No one will argue against the fact that there are many important sectors worthy of additional financial support. That is something that everyone in this Chamber understands, but if we only look at the short term, we risk creating a greater budget challenge in the future, as much as \$7 billion.

If you take all the Federal stimulus money out of our financial statement, out of our financial position, we are looking at a \$7 billion hole in 2 years when only committing ourselves to the obligations that we have already committed ourselves to and will stick to. Notwithstanding other commitments we make to our children, notwithstanding other commitments we want to make for job creation and other departments of State government. Only with those commitments, we are facing a \$7 billion hole coming out of the years when stimulus money is no longer available to us. This will no doubt put tremendous pressure on our taxpayers just to find ways to cover our mandated responsibilities. While we are predicting to end the fiscal year with a \$2.5 billion balance, it is important, again, to consider that we need to focus over the next several budgets, so if revenue does not continue to exceed estimates--and we have been fortunate this year, we were conservative in our projections, but our private sector and those

who create jobs and opportunities in our private sector exceeded expectations—but as Federal funding runs out, we have the financial security that we need to cover this imbalance.

Nevertheless, we want to use this opportunity in this responsible fiscal document in providing essential funding increases to help our students, as well as necessary long-term and critical care assistance for our older population, our citizens with disabilities, and provide additional support for critical industries in Pennsylvania including our continuing largest industry, the agriculture industry. This budget continues our commitment to our children by increasing funding across our most essential—different appropriations in the education budget, \$300 million for basic education, with \$200 million run through the basic education funding formula, our fair-funding platform that passed unanimously through this assembly several years ago with a bipartisan commitment by many in this Chamber and the support by our chief executive that brings the total amount of money run through this formula, pursuant to the recommendations of the commission to look prospectively to this formula in a means to promote fairness and the distribution of education dollars, to an amount that exceeds \$900 million: \$25 million more for Pre-K Counts and \$5 million for Head Start; \$50 million more for our needs in special education; \$20 million for Ready to Learn Block Grants, and \$40 million for the very important Education Improvement Tax Credit program. Recognizing the needs of our most vulnerable citizens, this budget increases funding for individuals with disabilities by \$14 million, which would remove more than 800 Pennsylvanians off the current emergency waiting list. An additional \$30 million is included in this budget for a new violence intervention and prevention program that was discussed across this Chamber, negotiated across this Chamber under the Pennsylvania Commission on Crime and Delinquency; and it continues to fund programs vital to one of our largest industries in the Department of Agriculture. It includes an additional \$3 million to provide emergency food assistance and purchase surplus agricultural products.

While this budget took the fiscally responsible approach that we need to take to secure our financial position for the future of this Commonwealth by using the majority of the American Rescue Plan Act funding to backfill revenue losses, that was the purpose of the act that came out of Washington, and balance the budget the next 2 years. It does provide, again, in a follow-up action by this assembly as we have done collectively, we did over \$2 billion last May, we followed up, again, collectively, in the beginning of this year with the support of many important industries, another billion dollars in spending from those Federal funds to address targeted needs within the Commonwealth: \$280 million for nursing homes, assisted living, and personal care homes; \$279 million for road and bridge improvements; nearly \$500 million for school districts and \$153 million for non-public schools; \$4.8 million for libraries, \$729 million for child care assistance, \$5 million for emergency medical services, and \$50 million for Pennsylvania State System of Higher Education as the first installment down payment for the important transition in the modernization of our Pennsylvania State System of Higher Education; \$350 million in homeowners assistance and \$400 million in emergency rental assistance; again, recognizing the challenges in our community, \$360 million for pandemic response.

Equally important to a long-term fiscal sustainability is a commitment in this budget to bolster our Rainy Day Fund. By transferring the projected \$2.5 billion in the ending balance from this fiscal year, which would be the largest transfer in State history to the sustainability fund, which is necessary to secure our financial position for the future. We must keep in mind, it is very important to keep this in mind, the average Rainy Day Fund balance across this nation—that includes States that are a lot smaller than us, not large States like Pennsylvania—the average balance and sustainability for general appropriation around this nation is \$2.5 billion. This puts the State in the place of an average balance for all States in the nation. It is encouraging to see that our economy performed through the pandemic better than expected. Part of that was due to the injection of Federal stimulus funding, but most of it was due to the resolve of our citizens and job creators to power through the challenges of the pandemic and help keep our economy working. To honor the resolve, now is the time to reflect on what our past has taught us and endeavor not to repeat that same course. It is always prudent to take heed of the lessons we have learned through past experiences so we do not fall victim to the challenges of the past. We can better respond to tomorrow's challenges when we reflect on how we responded to yesterday's challenges.

Mr. President, I believe this budget we have before us today takes into consideration the lessons we have learned coming out of the last major challenge the Commonwealth faced 10 years ago, the Great Recession, by ensuring we are responsible not only with how we use Federal stimulus money, but also that the decisions we are making today put us on a solid fiscal ground for the future. Surging forward from a pandemic of truly global proportions, let us collectively and bipartisanship set a fiscal platform which is best to repel but not burden our Commonwealth communities towards a future of promise and prosperity which is truly reflective of the State's glorious history—history repeated that reflects the best of what our great State has and will continue to be. In the wake of global challenge, a beacon of opportunity for us to emulate around the world for the best interests of Commonwealth citizens.

Thank you, Mr. President. I ask for the support of Senate Bill No. 255.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Philadelphia, Senator Saval.

Senator SAVAL. Mr. President, on Wednesday, I rose in this Chamber in solidarity with the Pennsylvanians who had come to us, outside our doors, representing a majority of Pennsylvanians from all across this State, begging to be heard in their demands for a budget for the people. I rise, again, today in solidarity with the demands of the people who have made clear their demands and been ignored.

Money is power, and we, the legislators here, hold a lot of it: \$40 billion, fully \$7 billion of which have been designated specifically for those in need. This could have been used to fix toxic schools, for hazard pay, to ensure that dollars that went to nursing homes actually stayed at the bedside. In this document there are significant gestures, we must admit, toward safety, security, and healing: \$10 million for low-income housing tax credits; \$50 million to ease the cost of construction for those building affordable housing; \$30 million for community violence prevention long heralded by my colleagues, Senator Hughes, Senator Haywood, Senator Street, and Senator Anthony Williams. I ap-

plaud these changes; I applaud my colleagues who fought for them. But, in the context of a budget that stashes several billion dollars away, dollars explicitly granted to us to help Pennsylvanians, to help them right now, we are left not simply to approve but to wonder, dazed and dispiritedly, what more could have been done? Even the marquee number for education leaves much to be desired. Adjusting for inflation, a total \$300 million increase in education funding leaves us more or less where we were in 2019.

When confronted by the serious, structural racist funding system that leaves our schools among the most unequally funded in the nation, legislators in this Chamber have once again washed their hands. This budget is a document that does not quicken the blood, that fails to arouse the imagination. In its effects, it is graceless with nonchalant give-aways to wealthy private schools, petrol chemical plants, tax havens, and, indeed, helicopters. Ultimately, it is a document that fails quietly, undramatically, and finally, comprehensively to meet the moment and the needs of our time. This document that has been foisted on us without ceremony has the intention of saving money for a rainy day. But let us be clear, this withholds a lifeline to the millions of people across our State drowning from 16 months of torrential downpour. This rainy day is happening right now. We just lived through what has been the most dire emergency of our lifetimes, an emergency that made clear to some what most Pennsylvanians have known for decades, our threadbare social safety net--eroded year after year by those who placed the interest of capital over the well-being of people--is no longer equipped to alleviate the suffering of our friends, family, and neighbors when they need it most. This is why each and every Member of this Chamber received endless pleas for help from our constituents as they attempted to navigate the unemployment and rental assistance systems. Those pleas for help are not just evidence of a pandemic, those are evidence that millions of Pennsylvanians are just one or two missed paychecks from an emergency. With \$3 billion in surplus and \$7 billion in ARP funding, we were granted, financially, the opportunity to change that, to enact structural changes that could make serious transformations in the material deprivation that our constituents have experienced for decades. This is a State where over 300,000 children suffer from hunger, where 600,000 earn less than the Federal poverty line in which the annual mean wage of a home healthcare aide is \$25,000 a year. The major investments that this budget does make, it only does under duress from the Federal government. Billions more this budget consigns to the bank as if none of these statistics mattered, as if none of this depravation and hardship were real. Many of us in this Chamber are ready to mobilize on behalf of those left behind by this budget; to move those unspent funds; to bring real, lasting transformation to our State.

It is an honor to be here fighting on behalf of the people in my district, on behalf of all Pennsylvanians who are struggling right now. More than an honor, in fact, it is an obligation. Though those who crafted this budget have failed this Commonwealth, we are determined not to. I ask for a negative vote.

Thank you, Mr. President.

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

Senator SCAVELLO. Mr. President, I was here back in 2008, 2009, and 2010 when we threw a tremendous amount of money, pretty much everything that we received from the Federal government, and put it into education budgets. Then, the year after,

there was no money and there were drastic cuts. We cannot afford to do that again. That was a mistake that was made back then. We cannot afford to do that again. So throw this all in and spend it and next year raise--let us see, you are talking \$2.5 billion, what is it approximately, 1 percent increase, yeah--1 percent increase in personal income tax; pretty close to it. Because that is what you are asking for. Pop it in, spend it now, and when you do not have the money--you heard what the chairman of the Committee on Appropriations stated a while earlier--you are looking at a \$3 billion and change shortfall the year after. This is about having dollars that are not there regularly. They are not going to be there the year after. If we do not come back and generate those dollars next year and you spend it, and that is what you are looking to do, what happens? Are you going to face the taxpayers and say I have to raise your personal income tax at least 1 percent? I do not think that is what you want to do. Nobody wants to do that. This is a time where we need to live within our means. As far as--and I have to tell you I have said it already on the floor--we have got to get people back to work. The sooner we get them back to work, because businesses today, we have opened them up at 100 percent, guess what? They are not going back. They are getting the free money and they are staying home. People need to get back to work. You know, this budget, there are always difficult decisions but it is well planned because of the experience that we have had in the past in this Commonwealth.

We lost a Governor because he got blamed for cutting education. The moneys that were not there. You cannot throw it all in and then realize, hey, what do I do next year? Look, I would love to give money to education. I am an education person. My daughter is an educator, she is a teacher. I would love to do that, but you have got to be careful because if you cannot produce it the following year, and then the next year you have that huge shortfall, what are you going to do? So I urge the Members to support this budget, and I want to thank the Chairman of the Committee on Appropriations and the Committee on Appropriations, on both sides, for working together to make this happen. Thank you very much.

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

Senator HUGHES. Mr. President, looking at a document, this State budget that is in front of us that does not meet our desires but, in fact, moves the ball forward. I am looking at a State budget that is in front of us, Mr. President, that increases education funding, including a new funding initiative called Level Up that drives new money to school districts that have been historically left behind--not for just a few years, but for generations. I am looking at a State budget, Mr. President, that has, for the first time, \$30 million of new money in a brand-new community violence program to invest in neighborhood organizations to help stop the growth of violence that is a direct result of the COVID-19 pandemic. Mr. President, I am looking at a budget document that does not meet our desires, but does move the ball forward with \$250 million targeted for student learning loss; \$49 million for summer enrichment programs; \$43 million for career and technical schools; \$152 million, Mr. President, in emergency assistance for non-public schools; another \$450 million, Mr. President, for emergency rental and utility assistance. For the first time--and I was talking to one of my colleagues yesterday about this--a low-income water assistance program treated like

other utilities, they get help. Now water problems, water bills, they will now get help to the tune of \$36 million. Mr. President, I am looking at a budget document in front of us that has programmed \$350 million for homeowner assistance. That, Mr. President, is for support for mortgage relief in case families are behind in their mortgage situation.

This is not a budget that we had hoped for, that we had fought for, that we desire. It is a budget that moves a document forward. I cannot ignore that. I cannot ignore these spending items that I have just mentioned. They are real. This is real money going to impact real lives who continue to suffer from a pandemic that they did not create. Unemployment rate in Pennsylvania still remains far too high. Parents are still withholding their children from going to school, child care, camp programs, and things of that nature because of the issues with not enough workers and facilities not being opened yet. This money is real money that goes to solve real problems, and although it is not a budget that we desire, not a budget that we fought for, it moves the ball forward. That is a good thing. I cannot ignore that. However, at the same time, I cannot ignore the glaring fact that when this document is done, when this budget is voted for, when it is signed into law, there will be \$5 billion sitting in the State's treasury, unspent, with another \$2 billion projected to arrive by the time we get to June 30, 2022. Five billion dollars sitting in accounts already, with another \$2 billion projected to arrive by the time we get to June 30, 2022. Those numbers, Mr. President, are too big to ignore. You cannot turn your head and look away from those numbers. We are not talking about \$7,000; we are not talking about \$7 million; we are not talking about \$70 million; we are not talking about \$700 million; we are talking about a projected \$7 billion that by the time we get to June 30, 2022, will be available to be spent--\$5 billion already. That cannot be ignored as well.

My good friend and colleague, Senator Saval, pointed directly to glaring issues and glaring problems that confront us right now. They are real. They stare us in our face every day. Restaurants and small businesses that still have not recovered, micro businesses that could never get access to the Federal PPP program, only got access to a couple hundred million dollars of the State small business grant program, which is, again, a rival all across the country, but they still suffer. Individuals and families--it may be the greatest housing crisis that exists in this nation since the Great Depression--they still suffer. Food insecurity remains a problem. Education equity remains a problem. Education adequacy remains a problem. People still cannot afford to go to college, and people still cannot afford to pay hundreds of thousands of dollars in student debt. Mr. President, we must move this ball forward with this budget document that is in front of us. But, Mr. President, I submit to you and to the Members of this body, to anyone who is listening, that this is not a time where we wait for June of next year to finish the work. Mr. President, the fight cannot be over when we walk out of here tonight or in the wee hours of tomorrow morning. We cannot give up on this fight for fairness and equity and help for the people who deserve to have it, especially when we are sitting on so much money that should be spent and available to be spent to help the people who did not cause the pandemic that is crushing them in their reality. We must move the ball forward, but no one should walk out of here thinking that we have scored a touchdown. I daresay that when the public finally pays attention to the reality, when the headlines

scream at us tomorrow, whether they be in real newspapers, the ones that I and a few others in this body still cherish, or it appears on social media, and it says Pennsylvania does its budget but still sits on \$5 billion of unspent money designed to help people, I am anticipating that people will respond with the outrage that they deserve to have. That, in fact, we do not wait until June of next year to finish this work. Because people are suffering right now and they cannot wait until June of next year. It needs to be our business to come back in September and finish this work. Come back and provide more small business assistance; relief for huge property tax burdens; and help for people with job creation, job training, and job preparation programs that they deserve to have but cannot wait a whole year to get it. We need to finish this job in September of this year. The message needs to go out. The ball is moving forward, but no touchdown will be scored when we walk out of here. The ball is moving forward but is falling far short of what is needed by the people of this Commonwealth. The ball is moving forward, but we have got to make sure that the end line does not move even further away. We cannot wait a year to deal with the crisis that exists in so many people's lives. We must act immediately to finish up the work to respond to the needs of the people of this Commonwealth. This fight is not over, Mr. President. No one in this body should think that when we walk out of here that the work is finished, that the fight is done, that the job is completed. No, not completed; started, some accomplishments, but not finished. Started, some accomplishments, but job incomplete. Started, some accomplishments, but with \$5 billion sitting in the bank and another \$2 billion projected to arrive a year from now on our books, we cannot leave our people suffering with that reality. The fight is not over. The fight cannot be over. The struggle must continue, and progress must be had immediately.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, I rise in opposition and disappointment to the budget proposal before us. This plan fails to invest in our State and the people of this Commonwealth. It is not about spending, it is about investing these dollars in our constituencies, our communities, and the people of Pennsylvania to have a sustainable path forward. While my colleagues who spoke before me--there are a few high points in this budget, such as a long-needed mortgage relief program, there is some additional funding for our struggling schools, but this budget, sadly, is yet another example of not just an opportunity missed, but the failure to provide Pennsylvania with an opportunity and a path forward. A path where this money could have been invested in programming to put us in an infrastructure plan, a renewable energy plan, a plan where we can make sure that Pennsylvanians were safe and their public health was not compromised at the sake of industry. A plan where you can afford to go to college, not live with boatloads of student debt. A plan where you knew you could retire securely. A plan where there was an opportunity to thrive and not just live from paycheck to paycheck and crumb to crumb. The people of Pennsylvania are begging for us, the public servants of this Commonwealth, to invest in them and their futures. That is our obligation both fiscally and morally. That is part of this job, and, as Senator Hughes just mentioned, the fight is not over. There are too many people relying on us, and I will not fail at that. Every single one of us got paid our entire salary,

got to work from home. These are privileges that are not given to the rest of the people that we represent. There is no hazard pay in this budget. All those frontline heroes who we celebrated and championed, where is their compensation for their hard work? That was left out. That includes hazard pay for our State workers who worked every day during this pandemic, including healthcare staff at all of our veterans homes. No hazard pay. We have such a long way to go, but in this moment there are resources like never before. This is an opportunity. It is not a battle. Now it is. I really would have thought that maybe--of course that all of the things on a wish list of how you hope Pennsylvania could be could come true in one single budget plan--there was an opportunity to put forth a plan to put us on a path where we are not relying on scraps, on a regressive tax system that leaves us with no revenue.

We have less congressional districts than we did years ago. Why? Because people move out of this State. The air is dirty, the water is contaminated, communities are struggling, there is not innovation. These are things those dollars could have went towards in a bipartisan manner; but, no, again, in the most critical moment of, probably, our lives in this era, after a global pandemic where we could have rejuvenated this Commonwealth, where many people have lived where business is usual and the status quo harmed them, and that will remain. The biggest part of this that is eating my stomach alive right now is that it does not have to be that way. So, yeah, the fight continues, and the fight for our lives is on the line. So I hope that this summer is spent productively planning a path forward that is sustainable, that puts us in a place where Pennsylvania prospers instead of the current status quo. That is all achievable. Other States are doing this. Our neighbor States are doing this. This place can be the place where everyone has always wanted to live. These Federal dollars could have been allocated. You do not have to spend them all. I get it. Put some in the bank account to save. That is fair, but what is not fair is that there are people in Pennsylvania right now still struggling pre-COVID-19 and from the COVID-19 pandemic. How many of them even have the time or resources to pay attention to what is happening here at night, but when they find out that this money could have been pushed out in a historic, epic way to invest in the people of Pennsylvania and it was not? One more day living in the economic anxiety in Pennsylvania. That seniors, veterans, families, single parents, all of them, looking at us, why did we not invest in opportunities for them? Why did we not invest in programming that would push us forward so that we do not have budget gaps, so that we grow our economy here?

So I hope that everyone takes their summer vacation as a time to curl up with some good books about plans to move forward. Research how this can be done. The path and information is out there. It is ours to implement, and that is what we were elected to do. Tonight, this budget does not uphold that. Not a single part of it. So I guess I will see you all in September, and those in the meantime have to sit in the fold and struggle. That is shameful. So I hope you all have a real happy Fourth of July and that this sits with you instead of just saying we did our job, we did our part. We need to do so much more.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes, for the second time, the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, as you know from your work for many years on this process, the General Appropriation Act is a part of a collective process on a series of bills that leads to the total budget activities for the year, and I want to take an opportunity because, regardless of our reasonable disagreements on the product, there is one thing that is always true: there is a solid group of public servants who work behind the scenes, late hours of the night, for all of us to make sure that we can advance our budget process every year. I want to take an opportunity to acknowledge our budget team led by John Guyer; our Fiscal Code team led by Anna Fitzsimmons, Greg Mahon, and Stacey Connors; our Tax Code team run by Tom Horan, including Stacey Connors and Adam Pankake; and our Administrative Code team led by Vicki Wilken and Greg Mahon. I want to thank and acknowledge them for their very hard work over the past month.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes, for the second time, the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, it is interesting, you and I and others have been through budget processes and negotiations for many years, probably more than we would like to admit to, but this may have been the most perplexing, most difficult document to pull together in the context of having such a significant amount of money available to spend. So given that difficulty, I would like to also make sure that we not lose this evening without thanking the Appropriations team on our side, led by our executive director Mark Mekilo--and you can yell for him, that is Senator Costa making noise. I am sorry Leader Ward, he just has to be heard, I guess it is a Pittsburgh thing. The really fine crew that we have that have really been able to not just provide solid information for our Members, our growing number of new Members on our side, but also get a number of issues accomplished and put in place for them in their respective districts. This is not easy work. It has been made more interesting, somewhat more complicated, because a lot of the new resources that we have available to us, Mr. President, are, in fact, really new and provided to us with guidance from the U.S. Treasury Department that we had to, of course, wait many months on before we knew exactly what we were able to do. This building and the progress that we are able to make really settles into some fine and some serious staff work, and Mark Mekilo on our Appropriations staff leads that effort and, of course, everyone, no matter what position they hold, makes a significant contribution to that. I wanted to make sure we acknowledge them.

Thank you, Mr. President.

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

Senator K. WARD. Mr. President, budgets are more than just a funding strategy for the State. They provide a unique snapshot of where we are and where we will be heading. This budget not only provides Pennsylvanians with a financial perspective, but it is a very human budget. For the last year and a half, the lives and livelihoods of all Pennsylvanians were drastically changed with the onset of the pandemic. Life changed for every single resident in this State. We were forced to stay home; children could not go to school; elderly residents were unable to see their families as they were in nursing homes; businesses closed; restaurants, bars, and taverns could not serve their patrons. Some were asked to work overtime under extreme conditions. Many folks lost their

jobs and were forced to apply for unemployment for the very first time in their lives. We were all forced to wear masks, and our healthcare workers and first responders put themselves out there on the line and it was all over a virus we did not know, we had never heard of, we knew very little about. The uncertainty we felt in not knowing when our freedom would be back and when we could return to normal was stressful. But our Commonwealth is resilient and our residents persevered, and this year's budget reflects resilience. It is not a statement of a new normal, but it is a declaration of rejecting restrictions and returning to life as we once knew it.

This \$4.2 billion budget transitions Pennsylvanians out of crisis and positions us and the Commonwealth for success. It tackles the most immediate challenges facing our schools, nursing homes, infrastructure, and struggling families, while saving funds to provide a financial safety net for the future. I know we heard these numbers, but I want to get to say them, too. We increased the education budget by \$300 million, of which \$100 million will go to the most struggling schools. We provided \$500 million to help schools reopen, sustain safe operations, and address student needs from the pandemic; and we have made historic investments in school choice, adding an additional \$40 million to the EITC/OSTC programs. We are making an investment in our communities, including \$279 million in stimulus funding to support transportation infrastructure. We have secured \$280 million in stimulus to secure nursing homes, and we have also made available support for families who are struggling to move past the COVID-19 pandemic by offering rental, utility, homeowner, and water assistance, and childcare stabilization. This budget offers a blueprint for an approach that should help us avoid taking money out of the wallets of hardworking families in the foreseeable future and rejects any notion of a tax increase.

We are on pace to end the current financial year with a \$2.5 billion surplus. We have taken legislative measures outside the budget to advance our Commonwealth's economy by ensuring that restaurants can continue outdoor dining, a measure that, in some instances, allows them to recoup revenues lost during the shutdown. We have taken the necessary steps to put our Commonwealth on a forward trajectory that is foundational in setting our future path forward by providing us with the flexibility we need to get Pennsylvanians back to work and our economy growing again. I also would like to take just a moment to thank all of—I hate to call these folks staff because they are so much more than staff, they are our teammates and we would never get here, we would never get any of this budget done without all of the people who help, all of our teammates who help, and these offices were unbelievable.

So it has been a real pleasure during my first budget to be able to work with such talented teammates, to be able to work across the aisle, to work with the House, and to work with our Governor. It is what Pennsylvania needs. They need to see us working together to make our Commonwealth better for our families and for our residents who live here. So I commit to working with all of you as we put our Commonwealth and our people first and we move forward. So thank you very much, everyone, for your cooperation and for a job well done. Thank you.

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### YEA-43

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mastriano	Street
Baker	Flynn	Mensch	Tartaglione
Bartolotta	Fontana	Phillips-Hill	Tomlinson
Boscola	Gebhard	Pittman	Vogel
Brewster	Gordner	Regan	Ward, Judy
Brooks	Hughes	Robinson	Ward, Kim
Browne	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin	Schwank	

#### NAY-7

Cappelletti	Haywood	Muth	Williams, Lindsey
Comitta	Kearney	Saval	

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

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

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 4

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

Senator K. WARD. Mr. President, I call up Senate Supplemental Calendar No. 832.

(Laughter.)

(Applause.)

Senator K. WARD. Mr. President, I call up Senate Supplemental Calendar No. 4.

#### SENATE CONCURS IN HOUSE AMENDMENTS

**SB 381 (Pr. No. 972)** -- 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 preliminary provisions, further providing for Special Education Funding Commission; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in certification of teachers, further providing for substitute teaching permit for prospective teachers; in community colleges, further providing for financial program and reimbursement of payments and for Community College Capital Fund; in educational tax credits, further providing for limitations; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission; providing for intercollegiate athletics; in funding for public libraries, providing for State aid for fiscal year 2021-2022; in reimbursements by Commonwealth and between school districts, further providing for student-weighted basic education funding, for payments to intermediate units and for assistance to school districts declared to be in financial recovery status or identified for financial watch status; in construction and renovation of buildings by school entities, further providing for applicability; and making an editorial change.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 381?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 381.

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

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Allegheny, Senator Lindsey Williams.

Senator L. WILLIAMS. Mr. President, I rise to talk about what is not in this School Code bill. We had a unique opportunity this year to invest in our children, our schools, and our Commonwealth's future, and instead we have a laundry list of missed opportunities. There is no State dollar increase for the PASSHE system. We are in dire need for Pennsylvania to invest State dollars into our public higher education institution, and this budget provides none. In this building, we know that in order to get anything you have to ask for more than what you need. I wanted PASSHE—I wanted the Chancellor—to ask for more so they ended up with something. He asked for 2 percent, and he got nothing. Our students got nothing. By not giving PASSHE the 2 percent increase that the Chancellor requested, this General Assembly has essentially cut funding to our State public higher education institutions. Similarly, there is no increase for community colleges. Community colleges are more important now than ever. They provide educational opportunities for students who otherwise would not be able to access postsecondary education. They play a critical role in workforce development, local economic development, and vocational training. With the exception of a new college in Erie, we are flat-funding and thereby cutting their budgets again. This School Code does nothing to prepare or strengthen our future workforce. There has been a lot of talk, and I am sure there will be more, about how we do not have enough people trained to do current and future jobs. This is why. We fail time and time again to fund our public higher education even when we have billions of dollars available. We have left an entire generation of students with a mountain of student loan debt that prevents them from fully engaging in the economy, and we are doing that to the next generation, too.

There is no increase for our libraries in the School Code. Our librarians spent the last year and a half working harder than ever figuring out how to serve the public in the midst of a pandemic. They created to-go project kits for kids, shifted to online programming whenever possible, helped people desperately seeking unemployment compensation, wiped down books as they came and went from the library, and so much more. They stretched their limited resources to the brink, trying to adapt and bring programming and services to as many people as possible, as quickly and safely as possible. They did all of this because they cared deeply about the communities they served, our communities. What did the General Assembly do to express our appreciation for this critical community lifeline? Nothing. We are, once again, increasing the Educational Improvement Tax Credit, EITC program, by \$40 million with no reforms to the accountability and transparency of the program. Let me lay that out plainly. We are giving \$40 million in tax credits to corporations, \$40 million that we have little idea of how that is being spent because the Department of Community and Economic Development is not

legally permitted to collect the data that they need to make sure that it is going to the students who need it most.

There is no charter school reform. School districts and property taxpayers across the Commonwealth are begging us to finally reform our charter school law, and we did nothing. We did not create a statewide cyber charter tuition rate. We did not apply the special education funding formula. We did not even include minor transparency and accountability updates. So we will give \$40 million in corporate handouts, but we will do nothing for our senior citizens who are struggling to pay their property tax bills. There is no funding for our school buildings. After months of demanding that schools open to full-time, in-person learning, instead of funding the necessary improvements to ensure that our students, teachers, and staff can return to safe, well-ventilated and healthy schools, this budget extends the moratorium on those improvements. You know what this budget tells our students? It tells them that you do not matter enough to invest in. It is okay for you to go to school in a building that is falling apart, to share outdated textbooks, and not to have the advantages that the school a few miles down the road has. Our students hear this message and they see this inequality. We had an opportunity to actually put into action that all too-often overused phrase, "it does not matter what ZIP Code you live in," and give every student a quality, safe building to learn in. Instead we stashed the money in a Rainy Day Fund and pretended like there is not a hurricane in our midst.

Thank you, Mr. President.

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### YEA-40

Argall	Corman	Langerholf	Santarsiero
Aument	Costa	Laughlin	Scavello
Baker	DiSanto	Martin	Schwank
Bartolotta	Dush	Mastriano	Stefano
Boscola	Flynn	Mensch	Tomlinson
Brewster	Fontana	Phillips-Hill	Vogel
Brooks	Gebhard	Pittman	Ward, Judy
Browne	Gordner	Regan	Ward, Kim
Collett	Haywood	Robinson	Yaw
Comitta	Hutchinson	Sabatina	Yudichak

#### NAY-10

Cappelletti	Kearney	Street	Williams, Anthony H.
Hughes	Muth	Tartaglione	Williams, Lindsey
Kane	Saval		

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

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 5**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 411 (Pr. No. 967)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure), 61 (Prisons and Parole) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsylvania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; providing for Board of Pardons; in preliminary provisions relating to retirement for State employees and officers, further providing for definitions; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation and Parole and for appropriations for the Office of Victim Advocate; making related repeals; and making editorial changes.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 411?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 411.

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

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

Senator BROWNE. Mr. President, very briefly, this is a result of at least 3 or 4 years of work on behalf of some very good people who have been trying to facilitate the merger of the Department of Corrections with the Pennsylvania Bureau of Probation and Parole and the Pennsylvania Pardons Board. I just want to take an opportunity to acknowledge the people who have worked for many years to make this happen, including Diana Woodside from the Department of Corrections; and our friends at the DAS Association, led by Greg Rowe; Senator Baker, chair of the Committee on Judiciary; along with her counsel, Mike Cortez. With their hard work, a 4-year work product is finally a reality. So I thank them for their work and ask our Members to vote for Senate Bill No. 411.

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

**YEA-47**

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mensch	Street
Baker	Flynn	Muth	Tartaglione
Bartolotta	Fontana	Phillips-Hill	Tomlinson
Boscola	Gebhard	Pittman	Vogel
Brewster	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin	Schwank	

**NAY-3**

Brooks	Hutchinson	Mastriano
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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 inform the House of Representatives accordingly.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 532 (Pr. No. 968)** -- The Senate proceeded to consideration of the bill, entitled:



An Act designating the bridges, identified as Bridge Key 31419 and Bridge Key 31420, on that portion of U.S. Route 219 over State Route 601 in Conemaugh Township, Somerset County, as the Corporal Anthony G. Orlandi Memorial Bridge; designating the interchange of State Route 43, also known as the Mon-Fayette Expressway, with U.S. Route 40, known as Exit 22, in Redstone Township, Fayette County, as the PFC Joseph Frank Duda Memorial Interchange KIA WWII U.S.M.C.; designating the interchange of U.S. Route 40 with State Route 4035, also known as Market Street and Spring Street, in Brownsville, Fayette County, as the Corporal Denny Ray Easter Memorial Interchange KIA Vietnam War U.S. Army; designating the portion of Pennsylvania Route 837, also known as Duquesne Boulevard, between Center Street in the City of Duquesne, Allegheny County, and Hoffman Boulevard in West Mifflin Borough, Allegheny County, as the Clifton P. Pitts Memorial Highway; designating a bridge, identified as Bridge Key 8391, on that portion of Pennsylvania Route 53 over Laurel Run, also known as Lost Creek, in Dean Township, Cambria County, as the Seaman 2nd Class Louis J. Benzie WWII Memorial Bridge; designating a bridge, identified as Bridge Key 8461, on that portion of U.S. Route 219 over Pennsylvania Route 53, also known as Railroad Street, in Croyle Township, Cambria County, as the Janice Keen-Livingston First Responders' Memorial Bridge; designating the portion of State Route 4014, also known as Grandview Boulevard, from Pittsburgh Avenue to State Route 4015, also known as Zuck Road, in Millcreek Township, Erie County, as the John A. Pulice Memorial Highway; designating a bridge on that portion of State Route 4001 over Crooked Creek, Armstrong Township, Indiana County, as the Sergeant Carl Roof Memorial Bridge; designating a bridge, identified as Bridge Key 25488, carrying State Route 1011 over Mix Creek, Eldred Township, McKean County, as the Sgt. Neil K. Dorrien Memorial Bridge; designating a bridge, identified as Bridge Key 39504, carrying Pennsylvania Route 3004 over the Allegheny River, Roulette Township, Potter County, as the SSG Gerrith Kibbe Memorial Bridge; designating a bridge, identified as Bridge Key 32773, on that portion of U.S. Route 6 over the Tioga River, Mansfield Borough, Tioga County, as the Mansfield Veterans Memorial Bridge; designating a bridge, identified as Bridge Key 5840, on that portion of SR 4010 (17th Street) over Interstate 99 in Logan Township, Blair County, as the Honorable Richard A. Geist Memorial Bridge; designating a bridge, identified as Bridge Key 45998, carrying State Route 2027 in North Union Township, Fayette County, as the SSG Willis J. Crayton Memorial Bridge; designating the bridge, identified as Bridge Key 4133, carrying Pennsylvania Route 913 over Raystown Branch Juniata River in Liberty Township, Bedford County, as the Sergeant Charles Warsing Memorial Bridge; designating a bridge, identified as Bridge Key 68033, carrying State Route 2047 over CSX and SEPTA Railroads, in Middletown Township, Bucks County, as the PFC John Elton Candy Memorial Bridge; designating the entire portion of US Route 20 in Pennsylvania, beginning at the Pennsylvania-Ohio State Line and ending at the Pennsylvania-New York State Line, as the Pennsylvania Medal of Honor Highway; designating the portion of State Route 2038, also known as Fitzwatertown Road, between Jenkintown Road and North Hills Avenue in Upper Dublin Township, Montgomery County, as the CPL Vincent J. Wargo, Jr., U.S.M.C. Memorial Highway; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; and making related repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 532?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 532.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator K. WARD and were as follows, viz:

#### YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

#### NAY-0

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

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

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

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

#### MEMBER OF THE BANKING AND SECURITIES COMMISSION

June 17, 2021

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, James Biery, 3 Gunpowder Road, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Banking and Securities Commission, to serve at the pleasure of the Governor, vice Vincent Gastgeb, Bethel Park, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

#### MEMBER OF THE BANKING AND SECURITIES COMMISSION

June 17, 2021

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, Mary Zenner, 3723 French Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Banking and Securities Commission, to serve

at the pleasure of the Governor, vice James Biery, Mechanicsburg, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

MEMBER OF THE STATE CHARTER  
SCHOOL APPEAL BOARD

June 14, 2021

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, Jennifer Faustman, 141 Cedarbrook Road, Ardmore 19103, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2025, and until the successor is appointed and qualified, vice Lee Ann Munger, Pittsburgh, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

MEMBER OF THE STATE CHARTER  
SCHOOL APPEAL BOARD

June 14, 2021

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, the Honorable Tom Killion, 3 Laura Lynn Lane, Glen Mills 19342, Delaware County, Ninth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2023, and until the successor is appointed and qualified, vice Scott Miller, Erie, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

MEMBER OF THE STATE CHARTER  
SCHOOL APPEAL BOARD

June 14, 2021

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, Stacey Marten, 438 West Lemon Street, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2022, and until the successor is appointed and qualified, vice Julie Cook, Harleysville, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

MEMBER OF THE STATE CHARTER  
SCHOOL APPEAL BOARD

June 14, 2021

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, Jodi Schwartz, 586 Mockingbird Way, Warrington 18976, Bucks County, Twelfth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2022, and until the successor is appointed and qualified, vice Jamie Brace, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE MILK MARKETING BOARD

June 17, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Barley, 801 Walnut Hill Road, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Milk Marketing Board, to serve until May 1, 2027, and until the successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 14, 2021

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, Marcus Brown, 3829 Carriage House Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Leslie Grey, Erie, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF  
CERTIFIED REAL ESTATE APPRAISERS

June 11, 2021

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, Randy Waggoner, 5245 Wertzville Road, Enola 17025, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of two years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 87 of 2020.

TOM WOLF  
Governor

MEMBER OF THE STATE TAX EQUALIZATION BOARD

June 21, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary S. Baker, P.O. Box 59, 1041 Mountainview Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve until November 14, 2021, and until the successor is appointed and qualified, vice Daniel Gudyish, West Hazleton, deceased.

TOM WOLF  
Governor

#### MEMBER OF THE STATE TAX EQUALIZATION BOARD

June 11, 2021

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, Brittany Mercadante, 51 West Pettebone Street, Forty Fort 18704, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve for a term of four years, and until the successor is appointed and qualified, vice Anthony Pinizzotto, Johnstown, deceased.

TOM WOLF  
Governor

#### *NOMINATIONS LAID ON THE TABLE*

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

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

#### EXECUTIVE NOMINATIONS

##### *EXECUTIVE SESSION*

Motion was made by Senator AUMENT,

That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

#### *NOMINATIONS TAKEN FROM THE TABLE*

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

The Clerk read the nominations as follows:

#### MEMBER OF THE BANKING AND SECURITIES COMMISSION

June 17, 2021

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, James Biery, 3 Gunpowder Road, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial

District, for appointment as a member of the Banking and Securities Commission, to serve at the pleasure of the Governor, vice Vincent Gastgeb, Bethel Park, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

#### MEMBER OF THE BANKING AND SECURITIES COMMISSION

June 17, 2021

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, Mary Zenner, 3723 French Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Banking and Securities Commission, to serve at the pleasure of the Governor, vice James Biery, Mechanicsburg, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

#### MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD

June 14, 2021

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, Jennifer Faustman, 141 Cedarbrook Road, Ardmore 19103, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2025, and until the successor is appointed and qualified, vice Lee Ann Munger, Pittsburgh, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

#### MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD

June 14, 2021

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, the Honorable Tom Killion, 3 Laura Lynn Lane, Glen Mills 19342, Delaware County, Ninth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2023, and until the successor is appointed and qualified, vice Scott Miller, Erie, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

#### MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD

June 14, 2021

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, Stacey Marten, 438 West Lemon Street, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2022, and until the successor is appointed and qualified, vice Julie Cook, Harleysville, whose term expired and whose last day was April 23, 2021.

TOM WOLF  
Governor

MEMBER OF THE STATE CHARTER  
SCHOOL APPEAL BOARD

June 14, 2021

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, Jodi Schwartz, 586 Mockingbird Way, Warrington 18976, Bucks County, Twelfth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2022, and until the successor is appointed and qualified, vice Jamie Bracey, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE MILK MARKETING BOARD

June 17, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Barley, 801 Walnut Hill Road, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Milk Marketing Board, to serve until May 1, 2027, and until the successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF  
CERTIFIED REAL ESTATE APPRAISERS

June 11, 2021

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, Randy Waggoner, 5245 Wertzville Road, Enola 17025, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of two years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 87 of 2020.

TOM WOLF  
Governor

MEMBER OF THE STATE TAX EQUALIZATION BOARD

June 21, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary S. Baker, P.O. Box 59, 1041 Mountainview Drive, Lehman 18627, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve until November 14, 2021, and until the successor is appointed and qualified, vice Daniel Guydish, West Hazleton, deceased.

TOM WOLF  
Governor

MEMBER OF THE STATE TAX EQUALIZATION BOARD

June 11, 2021

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, Brittany Mercadante, 51 West Pettebone Street, Forty Fort 18704, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve for a term of four years, and until the successor is appointed and qualified, vice Anthony Pinizzotto, Johnstown, deceased.

TOM WOLF  
Governor

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

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

Senator COSTA. Mr. President, I want to go back and make certain that the nominee for the Pennsylvania Parole Board, Marcus L. Brown--is he part of this package? If he is, I would like to have his name separated. It looks like I am getting a nod that he has already been separated out, that is what I needed to know.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, I am going to be supportive of the nominees, but I, for the record, want to be very clear that I am frustrated, concerned, and somewhat disappointed that this particular board has stood vacant for so long. Without expressing direct inquiry about, or question about, some of the individuals who were selected, I want to make it very clear that the board lacks diversity and geographical balance. For those of us who are supporting public education and fight for the broad range of public education, this board represents a significant place of balanced, transparent, and objective measurement of a space called charter. For those of us who supported that, we would expect more. One, that the board would have been filled long before now. But, more importantly, that once it was filled that certainly a person of color would be on it, and certainly someone from the west would also be included. I hope that in the

future that the Governor and those associated with the names would take that into consideration.

Further, for those who are watching this process, reading about this process, reporting on this process, I would hope that the next nominees do not fall to the standard of some of these nominees with regard to serious questions about conflict. Whether those questions can be resolved in this process are certainly open, but the reality is that we are at this moment. I am going to be supportive, but I want to be very clear that it is not an automatic measurement for me; simply because I believe in other options does not mean that I believe in all options. This is the highest standard by which we measure that and have people believe in it. So, people like me and people who I represent, who depend upon this system so greatly, deserve more. They deserve more and the swiftness of these appointees, the broadness of the selection, the diversity of the selection, and the integrity in the selection.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, I rise to request a ruling pursuant to Senate rule 20. My husband, Gary S. Baker, is a nominee for the State Tax Equalization Board and I ask the President to decide whether or not I must vote on this nomination. Thank you.

The PRESIDENT pro tempore. The Senate will be at ease.  
(The Senate was at ease.)

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

Senator BAKER. Mr. President, out of an abundance of caution, I will remove myself from voting on the nominee and will abstain.

Thank you, Mr. President.

And the question recurring,  
Will the Senate advise and consent to the nominations?

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

#### YEA-47

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mastriano	Street
Bartolotta	Flynn	Mensch	Tartaglione
Boscola	Fontana	Phillips-Hill	Tomlinson
Brewster	Gebhard	Pittman	Vogel
Brooks	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Sabatina	Williams, Anthony H.
Collett	Hutchinson	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak
Costa	Laughlin	Schwank	

#### NAY-2

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

Ordered, That the Governor be informed accordingly.

#### NOMINATION TAKEN FROM THE TABLE

Senator AUMENT. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

#### MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 14, 2021

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, Marcus Brown, 3829 Carriage House Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Leslie Grey, Erie, resigned.

TOM WOLF  
Governor

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

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

#### YEA-47

Argall	Costa	Laughlin	Schwank
Aument	DiSanto	Martin	Stefano
Baker	Dush	Mastriano	Street
Bartolotta	Flynn	Mensch	Tartaglione
Boscola	Fontana	Phillips-Hill	Tomlinson
Brewster	Gebhard	Pittman	Vogel
Brooks	Gordner	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Yaw
Comitta	Kearney	Saval	Yudichak
Corman	Langerhole	Scavello	

#### NAY-3

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

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

#### SENATE CONCURRENT RESOLUTION

#### WEEKLY RECESS

Senator K. WARD offered the following resolution, which was read as follows:

In the Senate, June 25, 2021

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 20, 2021, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses the week of September 20, 2021, it reconvene the week of Monday, September 27, 2021, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, September 27, 2021, unless sooner recalled by the Speaker of the House of Representatives.

On the question,  
Will the Senate adopt the resolution?

The yeas and nays were required by Senator K. WARD and were as follows, viz:

## YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano
Baker	Flynn	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gebhard	Phillips-Hill	Tomlinson
Brewster	Gordner	Pittman	Vogel
Brooks	Haywood	Regan	Ward, Judy
Browne	Hughes	Robinson	Ward, Kim
Cappelletti	Hutchinson	Sabatina	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

## NAY-0

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

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

### UNFINISHED BUSINESS ANNOUNCEMENTS BY THE SECRETARY

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

## SENATE OF PENNSYLVANIA

## COMMITTEE MEETINGS

## TUESDAY, JULY 13, 2021

10:00 A.M.	LABOR AND INDUSTRY (public hearing on to receive testimony on the Pittsburgh Construction Industry Tax Fraud Task Force Report)	Eastern Atlantic Rgnl. Cncl. of Carpenters 650 Ridge Rd. Pittsburgh
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## TUESDAY, JULY 20, 2021

11:00 A.M.	APPROPRIATIONS and EDUCATION (joint public hearing on Pennsylvania State System of Higher Education update regarding the latest report pursuant to Act	Hrg. Rm. 1 North Office (LIVE STREAMED)
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50 of 2020)

## WEDNESDAY, JULY 21, 2021

10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY and HEALTH AND HUMAN SERVICES (joint public hearing on Department of Health COVID-19 contact tracing emergency procurement)	Hrg. Rm. 1 North Office (LIVE STREAMED)
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## WEDNESDAY, JULY 28, 2021

10:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing on the economic impact of the workforce shortage)	Chamber of Commerce 115 E. King St. Lancaster
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## WEDNESDAY, AUGUST 4, 2021

10:00 A.M.	STATE GOVERNMENT (public hearing on Congressional Reapportionment)	Temple Univ. 3340 North Broad St. Philadelphia
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## FRIDAY, AUGUST 6, 2021

1:00 P.M.	EDUCATION (public hearing on COVID-19 policies and guidance for schools with the Department of Health and Department of Education)	Hrg. Rm. 1 North Office (LIVE STREAMED)
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## WEDNESDAY, AUGUST 11, 2021

10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (S) and AGRICULTURE AND RURAL AFFAIRS (H) (joint informational meeting on augmented reality technology applications for agriculture)	Red Barn Annex 2710 W. Pine Grove Road PA Furnace
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## MONDAY, AUGUST 16, 2021

1:30 P.M.	AGING AND YOUTH (public hearing on DHS proposed revisions to the Child Protective Services Law)	Hrg. Rm. 1 North Office (LIVE STREAMED)
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## WEDNESDAY, AUGUST 18, 2021

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider a letter to IRRC disapproving of Reg #7-559 regarding a CO2 Budget Training Program (RGGI))	Room 461 Main Capitol
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## MONDAY, AUGUST 23, 2021

12:30 P.M.	AGING AND YOUTH (S), HEALTH AND HUMAN SERVICES (S), AGING AND OLDER ADULT SERVICES (H) and HUMAN SERVICES (H) (joint public hearing to discuss the Department of Human Services' intent to contract with Maximus as its independent enrollment broker (IEB) and the impact this will have on seniors and adults with disabilities)	Hrg. Rm. 1 North Office (LIVE STREAMED)
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## TUESDAY, AUGUST 24, 2021

10:00 A.M.	STATE GOVERNMENT (public hearing on the Department of State's Risk Limiting Audit Pilot)	Hrg. Rm. 1 North Office (LIVE STREAMED)
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MONDAY, SEPTEMBER 13, 2021

10:30 A.M.

VETERANS AFFAIRS AND  
EMERGENCY PREPAREDNESS (public  
hearing on the "Next Generation of  
Firefighters")

Flight 93Mem.  
Learning Cntr.  
6424 Lincoln  
Highway  
Stoystown

### PETITIONS AND REMONSTRANCES

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Chester, Senator Kane.

Senator KANE. Mr. President, I rise today to recognize August 31 as Overdose Awareness Day in Pennsylvania. Senator Kearney and I have cosponsored Senate Resolution No. 150 to recognize this day, Overdose Awareness Day. It is a global event held on August 31 of each year that aims to raise awareness of drug overdoses, to reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or who have a permanent injury as a result of a drug overdose. I spoke on this issue yesterday, and I think everyone in this Chamber knows how important this issue is to me, so I will keep my remarks brief, but I just want to say, again, that help is out there. Every day we lose 10 Pennsylvanians to substance use disorder. It does not have to be that way. If you are struggling, please call the Pennsylvania Get Help Now hotline at 1-800-662-4357. If you do not know where to start, call me. My cell phone is xxx-xxx-xxxx. That is how important this is to me. I will talk to anyone who does call. Everyone deserves help.

Thank you, Mr. President.  
(Applause.)

### The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise to offer remarks for the record recognizing July as Lakes Appreciation Month in Pennsylvania.

Thank you, Mr. President.

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

*(The following prepared remarks were made part of the record at the request of the gentlewoman from Luzerne, Senator BAKER:)*

Mr. President, as we are on the doorstep of celebrating our nation's independence, we are also poised to share appreciation for cherished treasures in the Commonwealth. Pennsylvania is home to more than 2,000 lakes, ponds, and reservoirs. Many are natural occurrences, but more than a few are manmade. These waterways are critical components of our environment, enhancing our quality of life and providing sources of recreation, scenic beauty, and wildlife habitat. When we take into account water supply and storage, flood control, recreation, low-scale hydropower, habitat for fish and fowl, and the key attraction of countless camps and cabins, these bodies of water are invaluable and indispensable.

Beyond recognition of the importance of lakes, we must also have an eye towards threats to their vitality and future. Numerous impoundments have aging infrastructure that require dam refurbishment or replacement. Invasive aquatic species--fish and plants alike--threaten the balance of ecosystems; and, of course, overall water quality is a time-

less concern for the current generation and the ones to come. Clearly, we must all do our part through wise management and consistent maintenance to ensure the health of our waters. The Pennsylvania Lake Management Society is one of our strong advocates to help navigate these and other issues.

So as we take to the water and shores this year to enjoy fishing, boating, swimming, and tubing, along with other activities, let us pause to celebrate July as Lakes Appreciation Month. Expressing our gratitude for this incredible natural inheritance that we must protect for future generations, and all the partners in this mission, is a wonderful way to applaud these resources.

The PRESIDING OFFICER. Senator Tartaglione has submitted remarks for the record. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator TARTAGLIONE:)*

Mr. President, today marks 5,465 days since the Pennsylvania legislature last raised the minimum wage. That is almost 15 years, and it is far too long.

Mr. President, as we approach the 15th anniversary of the signing of Act 112 of 2006, and as we deliberate the fiscal year 2021-2022 budget and consider how we may best help Pennsylvania recover from a devastating pandemic, it is critical that we reexamine and reimagine the Minimum Wage Act. This process should start with updating the most basic component of the Act--the statewide minimum wage rate. I do not think I need to remind anyone that the rate is still just \$7.25 an hour.

Some may ask, why must raising the rate be our first priority? Because, as we stand here today, we are amid the longest period of minimum wage stagnation in the history of the Commonwealth. We must raise the minimum wage because the buying power of the dollar has declined by one-third since the last time we raised the rate. We must raise the minimum wage because the real value of the minimum wage has dipped this low just once in the last 70 years. That low point came in 2006, just before the General Assembly finally raised the rate following another long period of inaction on the issue. Mr. President, we must look a lot further back in time than 2006 to really see how neglectful we as a Commonwealth and as a country have been toward our lowest-paid workers on this issue.

The real value of Pennsylvania's effective minimum wage hit an all-time low in 1949 on the heels of the Second World War when our domestic labor market was flooded with servicemen returning from active duty, and when many women, who had assumed jobs outside the home, decided to remain in the workforce. This was almost 20 years before Pennsylvania adopted its own Minimum Wage Act. In 1950, the Federal rate jumped from 40 cents an hour to 75 cents--which equates to \$8.38 in 2021. This increase ushered in a sustained period of steady growth of our economy and the nation's middle class. The real value of the minimum wage peaked in 1968 at \$12.38 in today's dollars, and we have been on a downhill trajectory ever since.

Not coincidentally, income inequality in America was also at its lowest point during the late 1960s and early 1970s. The top 1 percent of the nation's earners accounted for about 11 percent of pre-tax income, compared to about 20 percent today. We see the destructive effects of this disparity every day in cities, towns, and rural areas across Pennsylvania. One in 8 men, women, and children in the Commonwealth are living in poverty. One in 4 residents of Philadelphia are living in poverty, while 1 in 7 are in deep poverty. That means these folks are living in households where the total income is less than half the poverty threshold.

Mr. President, poverty is just one way to measure our need for raising the minimum wage. Cost of living is another effective tool. Prices for basic necessities like housing, food, healthcare, childcare, and transportation vary throughout Pennsylvania, but there is not a single county in the Commonwealth where the living wage for a single adult with no children is less than \$11.79 an hour. In fact, the living wage is above \$12 an hour in all but five of our 67 counties, and it is \$13 or more in 23 counties.

Mr. President, with this as context, it is perfectly reasonable and obligatory for the General Assembly to raise the statewide minimum wage to \$12 this year. It is perfectly reasonable to raise the minimum wage by an additional 50 cents a year for the next 6 years so we can lift hundreds of thousands of Pennsylvanians out of poverty, rebuild the middle class, and advance a more sustainable economy. My legislation, Senate Bill No. 12, would facilitate these important updates in our Minimum Wage Act. I urge my colleagues to advance and adopt the bill as soon as possible.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, we thanked many folks for their help as staff members who have gone above and beyond, and Senator Browne has asked me to recognize one other member of his staff who did yeoman's work, and he really wants to thank her, Vicki Wilken. Thank you for your work on behalf of Senator Browne and our entire Caucus. We truly appreciate what you have done these last several weeks.

Thank you, Mr. President.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 101, HB 178, HB 336, HB 741, HB 827, HB 944, HB 952, HB 1024, HB 1348 and HB 1429.**

#### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 70, SB 81, SB 108, SB 147, SB 156, SB 265, SB 266, SB 267, SB 268, SB 269, SB 282, SB 416, SB 516 and SB 554,** with the information the House has passed the same without amendments.

#### BILL INTRODUCED AND REFERRED

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

June 25, 2021

Senators YAW, BARTOLOTTA, HUTCHINSON, BAKER, MENSCH, YUDICHAK, PITTMAN and TARTAGLIONE presented to the Chair **SB 806**, entitled:

An Act amending the act of July 20, 1979 (P.L.183, No.60), known as the Oil and Gas Lease Act, further providing for definitions, for payment information to interest owners and for accumulation of proceeds from production.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 25, 2021.

#### RESOLUTION INTRODUCED AND REFERRED

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

June 25, 2021

Senators MASTRIANO, BROWNE, LAUGHLIN, FONTANA, ROBINSON, ARGALL, STREET, YUDICHAK, GORDNER, HUTCHINSON, J. WARD, PHILLIPS-HILL, STEFANO, PITTMAN and AUMENT presented to the Chair **SR 151**, entitled:

A Resolution remembering the Korean War, often referred to as the Forgotten War, and the heroic efforts of the fellow Americans whose sacrifice set the precedent of our nation's global presence and adherence to freedom.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 25, 2021.

### HOUSE MESSAGES

#### HOUSE BILLS FOR CONCURRENCE

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

June 25, 2021

**HB 69** -- Committee on Consumer Protection and Professional Licensure.

**HB 1003 and 1255** -- Committee on Judiciary.

**HB 1232** -- Committee on Transportation.

**HB 1377** -- Committee on Finance.

**HB 1591** -- Committee on Local Government.

#### BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Jacob D. Corman III) in the presence of the Senate:

**SB 70, SB 81, SB 87, SB 108, SB 115, SB 147, SB 156, SB 255, SB 265, SB 266, SB 267, SB 268, SB 269, SB 282, SB 381, SB 411, SB 416, SB 425, SB 484, SB 516, SB 532, SB 554, HB 101, HB 125, HB 156, HB 178, HB 246, HB 264, HB 336, HB 741, HB 827, HB 843, HB 859, HB 925, HB 944, HB 952, HB 954, HB 957, HB 1024, HB 1147, HB 1300, HB 1348, HB 1349, HB 1390, HB 1429, HB 1431, HB 1508, HB 1509, HB 1510, HB 1511, HB 1512, HB 1513, HB 1514, HB 1515, HB 1516 and HB 1621.**

#### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Monday, September 20, 2021, 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 10:23 p.m., Eastern Daylight Saving Time.