

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, APRIL 11, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 14

**SENATE**

MONDAY, April 11, 2022

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

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

**PRAYER**

The Chaplain, Reverend JODY BOWSER, of King Street Church, Chambersburg, offered the following prayer:

Good afternoon. Thank you, Lieutenant Governor Fetterman. Thank you, all of you, Senators, and especially Senator Mastriano for the invitation to be here today.

Please pray with me.

Our Heavenly Father, we thank You for the gift of this day. We acknowledge that, Lord, every day is a gift. Every breath is a gift. You have been so good to us, Lord. We pray for our loved ones today, for our spouses, children, and grandchildren. We ask, Lord, that You would protect them and care for them right now. We also pray for those in uniform, our law enforcement officers, our firefighters. Our prayers are with the brave men and women in our armed forces, whatever their needs are at this very moment, Lord, we ask that You would meet those needs and cover them with Your hand of protection. We are mindful, Lord, of how precious and significant this particular week is, Holy Week. Lord, yesterday we celebrated Palm Sunday. If the crowd had been silent, the rocks would have burst forth in worship, hailing You as King. In 3 days we celebrate Maundy Thursday. Thank You, Jesus, for showing us how to love one another as You bent down and washed the feet of Your disciples. We thank You today for the cross, for Your sacrificial death, and we joyfully acknowledge Your resurrection this Easter Sunday morning. I am also grateful, Lord, for these moments of pause, before these leaders before me attend to the vital business of this State. Lord, in this pause, in this prayer, we acknowledge our need for wisdom. In this pause, we ask for Your strength of character to govern with integrity; and in this pause, Lord, we humble ourselves before Your throne. We need You, Lord, and it is in Your name, Jesus, that we pray all of these things. Amen.

The PRESIDENT. The Chair thanks Pastor Bowser, who is the guest today of Senator Mastriano.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**RECALL COMMUNICATIONS  
REFERRED TO COMMITTEE**

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

SECRETARY OF THE COMMONWEALTH

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 10, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of the Commonwealth, to serve at the pleasure of the Governor, vice Kathy Boockvar, Doylestown, resigned.

TOM WOLF  
Governor

SECRETARY OF CORRECTIONS

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 10, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Corrections, to serve until January 17, 2023, and until the successor is appointed and qualified, vice John Wetzel, Mechanicsburg, resigned.

TOM WOLF  
Governor

JUDGE, COURT OF COMMON PLEAS,  
PHILADELPHIA COUNTY

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia

County, to serve until the first Monday of January 2024, vice the Honorable Shelley Robins New, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2022, and until the successor is appointed and qualified, vice Jenine Diaz, Harrisburg, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until February 5, 2022, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Davis Haire, Meshoppen, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 2022, of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 78 of 2021.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
PAROLE BOARD

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Parole Board, to serve until February 5, 2024, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Maureen Barden, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
TURNPIKE COMMISSION

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 2022, of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice John Wozniak, Johnstown, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice George Mermon, Nesquehoning, whose term expired.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Beaver, Magisterial District 36-3-02, to serve until the first Monday of January 2024, vice the Honorable C. Douglas Loughner, resigned.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 15, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Bucks, Magisterial District 07-1-08, to serve until the first Monday of January 2024, vice the Honorable John Kelly, Jr., resigned.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-3-06, to serve until the first Monday of January 2024, vice the Honorable Michael Cabry, resigned.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-1-22, to serve until the first Monday of January 2024, vice the Honorable Spencer B. Seaton, Jr., resigned.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 29, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Monroe, Magisterial District 43-4-04, to serve until the first Monday of January 2024, vice the Honorable Richard Claypool, resigned.

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

April 7, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-1-03, to serve until the first Monday of January 2024, vice the Honorable Dwayne A. Dubs, deceased.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

April 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 14, 2022, of Thomas J. Yablonski, Jr. (Public Member), 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Miriam Woods, Maple Glen, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

April 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 14, 2022, of Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Carl Urbanski, Mountaintop, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE

April 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 14, 2022, of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until the successor is

appointed and qualified, but not longer than six months beyond that period, vice Randy Litman, Lansdale, whose term expired.

TOM WOLF  
Governor

### NOMINATION REFERRED TO COMMITTEE

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

SHERIFF, CARBON COUNTY

April 7, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Sheriff, in and for the County of Carbon, to serve until the first Monday of January 2024, vice Anthony Harvilla, resigned.

TOM WOLF  
Governor

### BILLS INTRODUCED AND REFERRED

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

April 8, 2022

Senators KANE, CAPPELLETTI, SAVAL, COLLETT, KEARNEY, COSTA, STREET and COMITTA presented to the Chair **SB 1168**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for unlawful discriminatory practices.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, April 8, 2022.

Senators ARGALL, SCAVELLO, MENSCH, J. WARD and YUDICHAK presented to the Chair **SB 1182**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the selection of the chairman of the Legislative Reapportionment Commission.

Which was committed to the Committee on STATE GOVERNMENT, April 8, 2022.

Senators STREET, ROBINSON, COLLETT, COSTA, MENSCH, BOSCOLA, FONTANA, STEFANO, KANE, COMITTA, MASTRIANO, SCHWANK and KEARNEY presented to the Chair **SB 1184**, entitled:

An Act providing for divestiture by the State Treasurer, the State Employees' Retirement System, the Public School Employees' Retirement System and the Pennsylvania Municipal Retirement System of investments in assets relating to Russia and Belarus.

Which was committed to the Committee on FINANCE, April 8, 2022.

Senators COLLETT, HUGHES, FONTANA, KANE, STREET, SANTARSIERO, CAPPELLETTI, SCHWANK, COSTA and L. WILLIAMS presented to the Chair **SB 1187**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for ARPA property tax and rent rebate one-time supplemental rebate; and making an appropriation.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, April 8, 2022.

Senators BROOKS, SANTARSIERO, HUTCHINSON, GORDNER, PITTMAN and BREWSTER presented to the Chair **SB 1189**, 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 reimbursement payment for certification as emergency medical services personnel and establishing the Emergency Medical Services Certification Program.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 8, 2022.

Senators KANE, KEARNEY, COSTA, SCHWANK and BREWSTER presented to the Chair **SB 1190**, entitled:

An Act amending the act of July 2, 2019 (P.L.366, No.56), known as the Sports Raffle Charities Act, providing for Internet-based athletic event drawing and for compulsive and problem gambling information.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 8, 2022.

Senators J. WARD, PHILLIPS-HILL, BROOKS, MASTRIANO, GORDNER, HUTCHINSON, MARTIN, K. WARD, AUMENT, SCAVELLO, LANGERHOLC, MENSCH, CORMAN, PITTMAN and STEFANO presented to the Chair **SB 1191**, entitled:

An Act providing for sport activities in public institutions of higher education and public school entities to be expressly designated male, female or coed; and creating causes of action for harm suffered by designation.

Which was committed to the Committee on EDUCATION, April 8, 2022.

April 9, 2022

Senators DUSH, AUMENT, K. WARD, CORMAN, PHILLIPS-HILL, ROBINSON, BROOKS, HUTCHINSON, STEFANO, GORDNER, MARTIN, ARGALL, J. WARD, BROWNE, BAKER, GEBHARD, BARTOLOTTA, MENSCH, YAW, SCAVELLO, REGAN, PITTMAN, YUDICHAK, LAUGHLIN, VOGEL, MASTRIANO and LANGERHOLC presented to the Chair **SB 1200**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in county boards of elections, further providing for expenses of county boards and of primaries and elections to be paid by county, expenses of special elections and boards to be provided with offices; in voting by qualified absentee elec-

tors, further providing for date of application for absentee ballot and for voting by absentee electors; and, in voting by qualified mail-in electors, further providing for voting by mail-in electors.

Which was committed to the Committee on STATE GOVERNMENT, April 9, 2022.

April 11, 2022

Senators MENSCH, ROBINSON, MASTRIANO, J. WARD and COSTA presented to the Chair **SB 1194**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in military educational programs, establishing the Military College Educational Assistance Program; and making editorial changes.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 11, 2022.

Senators MARTIN, COLLETT, J. WARD, LAUGHLIN, MENSCH, PITTMAN and STEFANO presented to the Chair **SB 1196**, entitled:

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, providing for barber training through career and technical center.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 11, 2022.

Senators MARTIN, J. WARD, LAUGHLIN, COLLETT, MENSCH, PITTMAN and STEFANO presented to the Chair **SB 1197**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, providing for cosmetology training through career and technical center.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 11, 2022.

**RESOLUTIONS INTRODUCED AND REFERRED**

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

April 8, 2022

Senators CAPPELLETTI, SAVAL, STREET, KEARNEY, KANE, FONTANA, BREWSTER and COSTA presented to the Chair **SR 262**, entitled:

A Resolution recognizing the month of April 2022 as "National Fair Housing Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 8, 2022.

Senators SANTARSIERO, BROWNE, HUGHES, PHILLIPS-HILL, MARTIN, SCAVELLO, COMITTA, BARTOLOTTA, LAUGHLIN, FONTANA, CAPPELLETTI, STREET, MENSCH, SCHWANK, BOSCOLA, COSTA, J. WARD and STEFANO presented to the Chair **SR 263**, entitled:

A Resolution designating May 2022 as "Skin Cancer Detection and Prevention Month" and further designating the first Monday in May 2022 as "Melanoma Monday" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 8, 2022.

Senators COLLETT, STREET, KEARNEY, BROWNE, MARTIN, PHILLIPS-HILL, COSTA, FONTANA, SCHWANK, J. WARD, MENSCH and KANE presented to the Chair **SR 264**, entitled:

A Resolution designating the week of May 1 through May 7, 2022, as "Tardive Dyskinesia Awareness Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 8, 2022.

Senators HUGHES, KEARNEY, BROWNE, BROOKS, FONTANA, BREWSTER, KANE, COLLETT, HUTCHINSON, SANTARSIERO, COMITTA, STREET, PHILLIPS-HILL, COSTA, ROBINSON, J. WARD, BARTOLOTTA and BAKER presented to the Chair **SR 265**, entitled:

A Resolution recognizing the month of May 2022 as "Blue Star Mothers of America Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 8, 2022.

Senators MENSCH, K. WARD, BROWNE, BARTOLOTTA, BROOKS, MARTIN, MASTRIANO, PHILLIPS-HILL, PITTMAN, VOGEL, J. WARD, YUDICHAK, COSTA, HUGHES, CAPPELLETTI, FONTANA, SCHWANK, TARTAGLIONE and STEFANO presented to the Chair **SR 266**, entitled:

A Resolution designating the month of March 2022 as "Triple-Negative Breast Cancer Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 8, 2022.

April 11, 2022

Senators HAYWOOD, HUGHES, STREET, BOSCOLA, KEARNEY, SANTARSIERO, FONTANA, MARTIN, COSTA, ROBINSON and KANE presented to the Chair **SR 268**, entitled:

A Resolution recognizing April 9, 2022, as "Appomattox Day" in Pennsylvania, in honor of the historic Confederate surrender in Appomattox, Virginia, which led to full emancipation in the United States and signaled the end of the American Civil War, and urging the designation of "Appomattox Day" as a legal holiday in this Commonwealth.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 11, 2022.

Senators YAW, VOGEL, BROWNE, BARTOLOTTA, HUGHES, BROOKS, BREWSTER, BAKER, COMITTA, HUTCHINSON, COSTA, J. WARD, MUTH and STEFANO presented to the Chair **SR 269**, entitled:

A Resolution designating the week of April 10 through 16, 2022, as "Conservation District Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 11, 2022.

Senators MENSCH, GEBHARD, GORDNER, BARTOLOTTA, MARTIN, PHILLIPS-HILL, ROBINSON, J. WARD, COSTA, BREWSTER, CAPPELLETTI, FONTANA, STREET, SCHWANK and STEFANO presented to the Chair **SR 270**, entitled:

A Resolution recognizing the month of April 2022 as "Financial Literacy Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 11, 2022.

**GENERAL COMMUNICATION**

**2021 ANNUAL REPORT OF THE PENNSYLVANIA AUTOMOBILE THEFT PREVENTION AUTHORITY**

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

COMMONWEALTH OF PENNSYLVANIA  
Auto Theft Prevention Authority  
5 Kacey Court, Suite 201  
Mechanicsburg, PA 17055

April 1, 2022

Donnetta M. D'Innocenzo  
Chief Clerk of the Senate  
Senate Box 203052  
Harrisburg, PA 17120-3052

RE: Automobile Theft Prevention Act, Section 5 (12).

Dear Chief Clerk D'Innocenzo

The Pennsylvania Automobile Theft Prevention Authority is required pursuant to the provisions of the Automobile Theft Prevent [sic] Act referenced above to "Report annually on or before the first of April...to the Governor and the General Assembly on the authority's activities for the preceding period."

In prior years we have provided a printed document to satisfy this reporting requirement. However, this year and going forward, we are providing that report in electronic form. This is due both to the substantially increased cost of printing that document, and our desire to provide a "green" alternative to a paper report.

Therefore, our 2021 Annual Report can be found on our website at:

[https://watchyourcar.org/wp-content/uploads/2022/03/ATPA-2021\\_AnnualReport.pdf](https://watchyourcar.org/wp-content/uploads/2022/03/ATPA-2021_AnnualReport.pdf)

We are providing this information in compliance with the reporting requirement and would ask that you circulate this to the membership of the Senate.

In addition, this electronic posting complies with the statutory requirement that our Annual Report be publicly available.

Thank you for your courtesy and please contact me with any questions or concerns.

Sincerely,

STEVEN R. WHEELER  
Executive Director

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

**LEGISLATIVE LEAVES**

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

Senator K. WARD. Mr. President, I request legislative leaves for Senator Baker and Senator Pittman.

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

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

The PRESIDENT. Senator Kim Ward requests legislative leaves for Senator Baker and Senator Pittman.

Senator Costa requests a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**SENATE CONCURRENT RESOLUTION**

**WEEKLY RECESS**

Senator K. WARD offered the following resolution, which was read as follows:

In the Senate, April 11, 2022

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 the week of Monday, May 23, 2022, 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, April 25, 2022, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of April 25, 2022, it reconvene the week of Monday, May 23, 2022, 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-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	Hughes	Regan	Ward, Kim
Cappelletti	Hutchinson	Robinson	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerhole	Scavello	Yudichak

**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.

### GUEST OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Mr. President, I rise today to introduce a very special guest and a special friend of mine. We frequently welcome distinguished athletes here to the Senate floor, those who have accomplished great things, but not very often do we get to be joined by a collegiate and NFL superstar. LaVar Arrington is widely recognized as one of the greatest players in a long, storied history of Penn State football. His accomplishments on the gridiron earned him honors as a two-time All-American, the Butkus Award winner as the nation's top linebacker in 1999, and the Bednarik Award winner as the nation's top defensive player in 1999. But what truly brings him here today is that, earlier this year, he earned one final great honor for his accomplishments at Penn State when he was named to the College Football Hall of Fame Class of 2022. Now, those of you who know LaVar's college career, his greatest achievement was something referred to as "The LaVar Leap." Now, when you get something named after you, you know it is something very special, and those Steelers' fans may remember Troy Polamalu occasionally jumping over the line of scrimmage on 4th and 1 play and stopping it. Well, he stole that move from LaVar and he did not do it anywhere nearly as impressive as LaVar did. But it is something that is in Penn State's storied history. On 4th and 1 against Illinois, they tried to do a quarterback sneak, and LaVar literally jumped over the line of scrimmage and stopped the quarterback and it will live in the history of Penn State football.

He had a great NFL career as well, playing for the Washington then-Redskins, now the Commanders, as well as the New York Giants and made several Pro Bowls. But really what makes LaVar great, not only is his career and being named to the Pro Bowl, but he cares about kids. He is spearheading a groundbreaking collaboration called Complete Athlete and Up On Game that offers young athletes in middle school an opportunity to experience a day in the life of a college athlete at Penn State before their freshman year. The event includes a tour of the campus and sports facilities, skill challenges, as well as a chance to meet the coaches and players prior to attending Penn State's Blue-White Game. It is a terrific program for young people, and I appreciate LaVar's efforts to help the next generation. It is great to be successful, but LaVar is someone who is interested in giving back and helping young people, and that is what makes him truly a special person.

Mr. President, it has been my honor to call LaVar a friend, but, more importantly, to introduce him to the Senate as the class of 2022 College Football Hall of Fame. Not many people get to go in the Hall of Fame, and he is someone who is truly deserving. Congratulations, and I ask the Senate to give him its usual warm welcome.

The PRESIDENT. Would the guest of Senator Corman please rise to be welcomed by the Senate.

(Applause.)

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

Senator A.H. WILLIAMS. Mr. President, thank you to my colleague for bringing LaVar to all of us. I did want to say something on behalf of folks who come from a particular community. For those who do not know LaVar's background, it would not shock you that he did not necessarily come from money, privilege, or prestige. The wonderful thing about LaVar is that he has never lost his roots or understanding of where he comes from and those he wants to support. My selfishness is born in the fact that both of my parents went to Penn State, so it is not in my district, it is not necessarily indigenous to me, but the fact that LaVar--and by the way I do want to say this, I have not seen LaVar in years, so I do notice that he has a little gray around his hair, I also noticed that he has--I was acknowledging that I have not seen you for years--a little gray around his hair, but, more importantly, he sort of lost the locks that he was known for for a long time. I want to thank you, though.

I do want to take this moment to thank you publicly for the fact that you have not lost who you are. You went to Penn State with a pretty rigid coach, and for all of us who remember how free-spirited you were, that was a period of time that many of us crossed our fingers that you would not either punch him in his mouth or leave. So, you did both quite well. But more importantly, the conduct, the character of the quality of who you are, how you carried yourself after football, how you have invested in another generation that does not necessarily have the benefit of all the things that you may experience, how you supported all of us. So from all of us in the Senate, I want to make sure that you knew that we appreciate what you are doing today and continue in the future. We look forward to seeing the more wonderful things you are doing for all of us. God bless you. Congratulations.

Thank you, Senator Corman.

(Applause.)

The PRESIDENT. The Senate will go at ease.

(The Senate was at ease.)

### GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, today I am pleased to welcome a group of individuals from the Southwestern Pennsylvania Commission here to the Senate in our gallery and more importantly to the Capitol. The commission is made up of more than 60 members, all working together on the goals of transportation, planning, development, and information systems in my region of the State. The regional planning work directs the use of State and Federal resources on economic development projects to the benefit of all of us across the ten-county region. Our region is unique, Mr. President, and diverse, and we have a rich history. We also have a bright and exciting future, and I cannot describe it any better than the folks at the SPC, what they have done on their website, and they describe it, our region, as: "Our expansive riverfronts, eclectic neighborhoods joined by bountiful bridges, quaint countrysides and buzzing metropolitan areas [that] tell the story of our rich history and dynamic vision for the future." We have many robust industries right now thriving in our region of the Commonwealth, including energy, manufacturing, and also

high technology. Regional planning, Mr. President, is critical to our collective success.

I want to take a moment and ask my colleagues to join me in thanking those individuals who came here to Harrisburg today to explain not only the work the SPC does, but also recognizing some of the challenges that we face collectively. I hope their meetings were valuable and that they had the opportunity to meet with many folks from across the State. Mr. President, today's group includes members from the executive committee, and those members are as follows: SPC chair and Butler County Commission chair, Leslie Osche; SPC vice chair and Fayette County Commissioner, Vince Vicites; SPC Secretary/Treasurer and Armstrong County Commissioner, Patrick Fabian; Pittsburgh Mayor Ed Gainey, who joined us here in the Senate today; and Allegheny County Executive, Rich Fitzgerald. Mr. President, I ask my colleagues to join me and welcome these individuals and thank them for their advocacy here today in Harrisburg. Thank you.

The PRESIDENT. Would the guests of Senator Costa please rise to be welcomed by the Senate.

(Applause.)

#### **GUESTS OF SENATOR JOHN M. DiSANTO PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I rise today to introduce an outstanding group of athletes from the Upper Dauphin School District. In March, the Upper Dauphin High School Archery Team claimed the 2022 Pennsylvania National Archery in the Schools Program State title in the High School Division. This team, under coaches Lee Kopp, Terry Kohler, Todd Shaffer, Adam Kravatz, and Adrian Fulkroad, demonstrated superior sportsmanship and remarkable athletic skill. The Trojans' roster includes Nathaniel Baker, Lennon Beck, Cole Byerly, Koen Deibert, Aidan Fulkroad, Gabe Gehring, Desteny Keiser, Gracie Kohler, Scott Liddick, Jr., Casey Long, Dakota Miller, Bryson Pell, Brittany Shaffer, Dakota Shaffer, Alyssa Smeltz, Avery Snyder, Kenny Snyder, Jr., Ben Spangler, Madison Spangler, Grace Tomlinson, Peyton Wertz, Ryan Wertz, Ian Whitcomb, Zachary Woodward, Raquel Koppenhaver, and Shelby-Jo Klinger. From this roster, Dakota Shaffer was also recognized as the top individual scorer in the Boys' High School Division. In addition to the State champion Upper Dauphin High School Archery Team, I would like to introduce Austin Heim of Upper Dauphin Middle School, who earned first place in the Boys' Middle School Division at the Pennsylvania National Archery in the Schools Program championship. The high school team and Austin join us in the gallery today. Please help me in welcoming these archery champions.

The PRESIDENT. Would the guests of Senator DiSanto please rise to be welcomed by the Senate.

(Applause.)

#### **LEGISLATIVE LEAVE CANCELLED**

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

#### **GUESTS OF SENATOR DOUGLAS V. MASTRIANO PRESENTED TO THE SENATE**

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

Senator MASTRIANO. Mr. President, it is my honor to introduce today's Chaplain, Dr. Jody Bowser, and his wife, Karen. He serves as a Senior Pastor at King Street United Brethren Church in Chambersburg, Pennsylvania. He did his undergraduate work at Judson University, holds a master's from Fuller Theological Seminary, and a doctorate from Gordon-Conwell Theological Seminary. That is amazing. Jody and his wife have six children, two daughters-in-law, one grandson, and one granddaughter, who is due in October, congratulations. Pastor Jody's personal mission in life is that others will know and love Jesus more by having known and been loved by Him. Please join me in welcoming our Chaplain today. Thank you.

The PRESIDENT. Would the guests of Senator Mastriano please rise to be welcomed by the Senate.

(Applause.)

#### **GUESTS OF SENATOR CRIS DUSH PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, today it is my distinct pleasure and honor to welcome Randall Coleman here, who is being honored for his retirement from the Pennsylvania Department of Transportation with over 31 years of dedicated service. Randy began his career with the Pennsylvania Game Commission before he transitioned to the Department of Transportation in 1992. He worked in multiple locations until 2001, when he was named driver license supervisor in Punxsutawney, the position from which he is now retiring.

Over the past 7 years that I have been in office in the House and the Senate, my team has come to know Randy personally. Working closely together with my team, Randy has been instrumental in helping countless constituents with everything from renewing a driver's license, checking the status of an interlock license, to helping my team and me with our senior expos, where he and his team have helped countless folks with their questions and issues. He has embodied the customer service ideal and worked to ensure that attitude is embodied in his team. It has been comforting to know that when my office reached out to Randy or his team, my team would know the information they were given was accurate, regardless of whether it was something that people liked or not. But when it was not something that somebody liked, if there was a way to help, Randy and his team were willing to help and express those possibilities where they could.

Randy's dedication to public service has made him easy to know and work with. He has become a friend to my team, and he will be missed. Randy has with him in the gallery today, Michael Coleman, Jr., and Elizabeth Coleman, his grandchildren; and James Rinfrette and Barry Bacha, both from the Department of Transportation as well. I want to make special mention of Harold and Judy Coleman, Randy's parents, who, although they could not make it, are actually watching right now on PCN. Please join



me in congratulating Randy and in offering him and his guests a warm Senate welcome.

The PRESIDENT. Would the guests of Senator Dush please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR  
CHRISTOPHER M. GEBHARD  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Gebhard.

Senator GEBHARD. Mr. President, I rise today to introduce you to a wonderful young woman who is shadowing me for today, Ms. Sophia Medzoyan. Sophia is a junior at Cedar Crest High School in Lebanon and is an outstanding student. She is a member of the National Honor Society and the high school United Nations club. She is the recipient of the Cedar Crest High School Booster Club certificate of academic merit and the Woodmen American History Award. In addition to being an exceptional academic, Sophia spends her free time tutoring fellow students, volunteering at the Lebanon Bicycle Recycle program, and practicing clarinet, piano, and dance. Sophia has a passion for advocating for human rights and studying law after she graduates from high school. Mr. President, colleagues, will you please join me in giving a warm Senate welcome to Sophia Medzoyan, who is here with us in the Senate gallery today.

The PRESIDENT. Would the guest of Senator Gebhard please rise to be welcomed by the Senate.

(Applause.)

Senator GEBHARD. Mr. President, I also have the honor to rise today to introduce the 12-and-under and 10-and-under Northern Lebanon Little League teams that are visiting the Capitol and are here in the Senate gallery. Both teams captured first place in the 2021 Pennsylvania District 6 Little League championships. Under the guidance of their coaches, the teams had a stellar season, leading to multiple achievements. It is the first time in their history that both teams won the district championship and went on to the State tournament. It was also the first time they won the 12U district championship, even receiving recognition by the Harrisburg Senators at their home game. Part of the roster for the 12U team was honorary player Jackson Call, who tragically died in a car accident early in the season. The team took his jersey to every game and hung it in his honor in their dugout. It was truly an emotional year for the kids, and I am honored to have them here with us today. Mr. President, colleagues, will you please join me in giving a warm Senate welcome to the Northern Lebanon Little League teams.

The PRESIDENT. Would the guests of Senator Gebhard please rise to be welcomed by the Senate.

(Applause.)

**GUEST OF SENATOR  
AMANDA M. CAPPELLETTI  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, today I rise to welcome Valeria Sanchez to the Pennsylvania Senate Chamber.

Valeria has served as constituent services advisor in my office since I was first elected to the Senate, and during that time, Valeria has been an invaluable member of the team. She has aided my office in connecting with the community and has been a strategic asset when planning events and translating materials into Spanish so that the Spanish-speaking members of our community and in our district can engage with us, too. Today, I am proud to welcome Valeria to the Senate before she leaves us for basic training to serve as a member of the Pennsylvania National Guard. This summer, Valeria will be completing 17 weeks of basic training and job training, and my team will miss her very much. My sincere thank you, Valeria, for all of the work that you have done as part of my team, and my best wishes to you on this next challenge. I know that you will face this next chapter with fierce determination. I could not be more proud, and I cannot wait to welcome you back to the office. Please join me in giving Valeria a warm Senate welcome.

The PRESIDENT. Would the guest of Senator Cappelletti please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR LINDSEY M. WILLIAMS  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Lindsey Williams.

Senator L. WILLIAMS. Mr. President, I rise today to recognize two of my district staff members who are in the Capitol with me today, Caiden Fratangelo and Ronnie Lopez. Both Caiden and Ronnie are constituent relations specialists in my office who are directly serving our constituents. Every Member here knows the tremendous toll the last few years have taken on our staff, especially those who have helped the thousands of constituents navigate the unemployment compensation system and connect people with the vaccine, on top of helping seniors with property tax, rent rebates, license plates, and handicapped placards. I must say, though, my staff consistently goes above and beyond their call of duty as public servants. In the last few months, Caiden directly helped residents in my district be connected with services to literally get them a new roof over their heads. Ronnie helped a constituent afford access to their life preservation medication. I am so immensely proud to employ public servants like Ronnie and Caiden. I ask that you all rise and afford them a warm Senate welcome.

The PRESIDENT. Would the guests of Senator Lindsey Williams please rise to be welcomed by the Senate.

(Applause.)

**CALENDAR**

**SECOND CONSIDERATION CALENDAR**

**SB 1167 CALLED UP OUT OF ORDER**

**SB 1167 (Pr. No. 1551)** -- Without objection, the bill was called up out of order, from page 11 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1167 (Pr. No. 1551) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for legitimate cannabis-related business.

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

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

RECESS

The PRESIDENT. 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 off-the-floor meetings of the Committee on Education and the Committee on State Government, followed by a Republican caucus to be held in the Majority Caucus Room and on Zoom.

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

Senator COSTA. Mr. President, at the conclusion of the two meetings, Senate Democrats will meet in the rear of the Chamber for a caucus as well. Thank you.

The PRESIDENT. For purposes of a series of off-the-floor meetings of the Committee on Education and the Committee on State Government, followed by Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEAVE CANCELLED

The PRESIDING OFFICER. Senator Haywood has returned, and his personal leave is cancelled.

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 the purpose of a meeting of the Committee on Appropriations to be held here on the floor.

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on Appropriations to be held here on the floor, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Kim Ward requests a legislative leave for Senator DiSanto. Without objection, the leave will be granted.

LEAVE CHANGED

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

Senator COSTA. Mr. President, I request that Senator Tartaglione's leave be changed from a legislative leave to a personal leave.

The PRESIDENT. Senator Costa requests that Senator Tartaglione's leave be changed from a legislative leave to a personal leave. Without objection, the leave will be changed.

CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1 and SB 137 -- 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 221 (Pr. No. 188) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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-46

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Costa, Dush, Flynn, Fontana, Gebhard, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Schwank, Stefano, Street, Tomlinson, Vogel.

Brewster	Gordner	Pittman	Ward, Judy
Brooks	Haywood	Regan	Ward, Kim
Browne	Hughes	Robinson	Williams, Anthony H.
Cappelletti	Hutchinson	Santarsiero	Williams, Lindsey
Collett	Kane	Saval	Yaw
Comitta	Kearney	Scavello	Yudichak
Corman	Langerholc		

NAY-2

DiSanto Laughlin

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

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

BILL AMENDED AND REREFERRED

SB 284 (Pr. No. 904) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental protection, providing for bonding for alternative energy production projects; and, in special programs, providing for solar forced labor prevention.

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

YAW AMENDMENT A3939

Senator YAW offered the following amendment No. A3939:

Amend Bill, page 1, lines 3 through 5, by striking out "bonding for alternative energy production projects; AND," in line 3, all of line 4 and "PREVENTION" in line 5 and inserting:  
decommissioning of solar energy facilities

Amend Bill, page 1, lines 8 through 19; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 29; by striking out all of said lines on said pages and inserting:

Section 1. Title 27 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 43  
DECOMMISSIONING OF SOLAR ENERGY FACILITIES

- Sec.
- 4301. Definitions.
- 4302. Decommissioning requirements in solar energy facility agreements.
- 4303. Financial assurance requirements in solar energy facility agreements.
- 4304. Form and content of decommissioning plans.
- 4305. Prevention of forced labor.
- 4306. Preemption of local ordinances and regulations.
- 4307. Applicability.
- § 4301. Definitions.

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

"Commencement of construction." The moment when a grantee issues a full notice to proceed order to the construction contractor.

"Decommissioning plan." A document on file with the county recorder of deeds detailing the steps that will be taken to decommission a solar energy facility and the amount, form and timing of financial assurance.

"Department." The Department of Environmental Protection of the Commonwealth.

"Grantee." The owner of a solar energy facility on leased property.

"Professional engineer." As defined in section 2(e) of the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law.

"Solar energy facility." The development or construction of a facility that utilizes solar energy to produce or distribute energy.

"Solar energy facility agreement." A lease agreement between a grantee and a surface property owner that authorizes the grantee to operate a solar energy facility on leased property.

§ 4302. Decommissioning requirements in solar energy facility agreements.

A solar energy facility agreement executed after the effective date of this section shall provide that the grantee is responsible for decommissioning the grantee's solar energy facility on the surface property owner's property in accordance with this chapter no later than 18 months after the facility has ceased producing electricity, except for an instance when the grantee is actively working to recommence production of electricity, including an instance after the occurrence of a force majeure or similar event.

§ 4303. Financial assurance requirements in solar energy facility agreements.

(a) Proof of financial assurance.--A grantee who executes a solar energy facility agreement on or after the effective date of this section shall provide a decommissioning plan, submit proof of financial assurance to the county recorder of deeds and provide notice to the surface property owner party to the solar energy facility agreement. The financial assurance shall conform to the requirements of this chapter to secure the performance of the grantee's obligation to decommission the grantee's solar energy facility. If the grantee does not fulfill the grantee's obligation to decommission the solar energy facility, the financial assurance shall be made payable to the surface property owner.

(b) Amount of financial assurance.--The amount of financial assurance shall be equal to the estimated cost to decommission the solar energy facility. The amount of financial assurance shall be calculated and updated every five years by a third-party professional engineer retained by the grantee from a list of professional engineers compiled by the department and published on the department's publicly accessible Internet website.

(c) Delivery.--A grantee shall deliver a decommissioning plan and proof of financial assurance to the county recorder of deeds in accordance with the following:

(1) No later than 30 days before the commencement of construction of the solar energy facility, the grantee shall provide the decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 10% of the estimated cost of decommissioning as determined by a third-party professional engineer.

(2) On or before the fifth anniversary of the commencement of construction of the solar energy facility, the grantee shall provide an updated decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 10% of the estimated cost of decommissioning as determined by a third-party professional engineer.

(3) On or before the 10th anniversary of the commencement of construction of the solar energy facility, the grantee shall provide an updated decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 40% of the estimated cost of decommissioning, less the facility's salvage value, except that the required proof of financial assurance shall not be less than 25% of the total estimated cost of decommissioning as determined by a third-party professional engineer.

(4) On or before the 15th anniversary of the commencement of construction of the solar energy facility, the grantee shall provide an updated decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 60% of the estimated cost of decommissioning, less the facility's salvage value, except that the required proof of financial assurance shall not be less than 40% of the total estimated cost of decommissioning, as determined by a third-party professional engineer.

(5) On or before the 20th anniversary of the commencement of construction of the solar energy facility, the grantee shall provide an updated decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 80% of the estimated cost of decommissioning, less the facility's salvage value, except that the required proof of financial assurance shall not

be less than 60% of the total estimated cost of decommissioning, as determined by a third-party professional engineer.

(6) On or before the 25th anniversary of the commencement of construction of the solar energy facility, the grantee shall provide an updated decommissioning plan and proof of financial assurance to the county recorder of deeds in an amount equal to 100% of the estimated cost of decommissioning, less the facility's salvage value, except that the required proof of financial assurance shall not be less than 70% of the total estimated cost of decommissioning, as determined by a third-party professional engineer.

(7) The calculation of the salvage value of a solar energy facility by a third-party professional engineer shall be limited to salvageable steel, aluminum and copper.

(d) Forms of financial assurance.--Any of the following shall be an acceptable form of financial assurance:

(1) An escrow account.

(2) A certificate of deposit or an automatically renewable, irrevocable letter of credit from a financial institution chartered or authorized to do business in this Commonwealth and regulated and examined by a Federal agency or the Commonwealth.

(3) A bond executed between the grantee and a corporate surety licensed to do business in this Commonwealth.

(4) A negotiable bond of the Federal Government, the Commonwealth or a municipality within this Commonwealth.

(e) Transferability.--A decommissioning plan, the associated financial assurance and the salvage value of a solar energy facility to reduce the financial assurance may not be separated from the solar energy facility through a change in grantee ownership. The new grantee shall submit proof of financial assurance in accordance with subsection (a). The prior grantee may not release or revoke the prior grantee's financial assurance until the new grantee's proof of financial assurance is filed with the county recorder of deeds and notice is provided to the surface property owner party to the solar energy facility agreement.

§ 4304. Form and content of decommissioning plans.

(a) Development of form.--

(1) Within 180 days of the effective date of this section, the department shall, by regulation and in consultation with the solar energy industry, develop a provisional standard form for a decommissioning plan and financial assurance to be filed with the county recorder of deeds in accordance with this chapter. In order to facilitate the prompt implementation of this chapter, regulations promulgated to develop a provisional standard form under this paragraph shall be deemed temporary regulations. Temporary regulations promulgated under this paragraph shall not be subject to any of the following:

(i) Section 612 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(ii) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(iii) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(iv) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(2) After the promulgation of the temporary regulations under paragraph (1), the department shall, by regulation and in consultation with the solar energy industry, develop a final standard form for a decommissioning plan and financial assurance to be filed with the county recorder of deeds in accordance with this chapter. The temporary regulations under paragraph (1) shall expire upon the promulgation of the final regulations under this paragraph, or two years after the effective date of this section, whichever is later.

(b) Contents.--The provisional standard form and final standard form under subsection (a) shall include all of the following provisions:

(1) Unless the surface property owner and grantee mutually agree in writing on an alternative condition for restoring the property, the grantee's decommissioning plan shall include all of the following:

(i) The removal of all non-utility-owned equipment, conduits, structures, fencing and foundations to a depth of at least three feet below grade. The grantee shall not be required to remove equipment and materials that the public utility requires to remain on site.

(ii) The removal of graveled areas and access roads, unless the surface property owner requests in writing for graveled areas and access roads to stay in place.

(iii) The restoration of the property to a condition reasonably similar to the property's condition before the commencement of construction, including the replacement of top soil removed or eroded on previously productive agricultural land.

(iv) The reseeded of a cleared area, unless requested in writing by the surface property owner to not reseed due to plans for agricultural planting.

(2) The required financial assurance under section 4303 (relating to financial assurance requirements in solar energy facility agreements).

(3) The grantee's attestation required under section 4305 (relating to prevention of forced labor).

§ 4305. Prevention of forced labor.

The grantee of a solar energy facility commenced on or after the effective date of this section shall attest to the grantee's compliance with the Uyghur Forced Labor Prevention Act (Public Law 117-78, 135 Stat. 1525) or any other Federal law, rule or regulation that restricts the import or use of goods, wares, articles or merchandise mined, produced or manufactured wholly or in part with forced labor.

§ 4306. Preemption of local ordinances and regulations.

The regulation of the decommissioning of solar energy facilities is a matter of general Statewide interest that requires uniform Statewide regulation. This chapter and the regulations promulgated under this chapter constitute a comprehensive plan with respect to all aspects of solar energy facility agreements, financial assurance and decommissioning plans associated with solar energy facilities within this Commonwealth. Any county, municipal or other local government ordinance or regulation that materially impedes the purposes of this chapter shall be preempted and shall be without force and effect.

§ 4307. Applicability.

The requirements under this chapter shall not apply to any of the following:

(1) A solar energy facility with a nameplate capacity of two megawatts AC or less.

(2) A customer-generator as defined in section 2 of the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act.

(3) An owner or operator of a normal agricultural operation as defined in section 2 of the act of June 10, 1982 (P.L.454, No.133), referred to as the Right-to-Farm Law, who owns and operates a solar energy facility on the normal agricultural operation premises, regardless of the location or consumption of the energy generated. Section 2. This act shall take effect as follows:

(1) The following shall take effect immediately:

(i) The addition of 27 Pa.C.S. § 4304.

(ii) This section.

(2) The remainder of this act shall take effect in 180 days.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, this amendment was created in consultation with and support from the Pennsylvania Farm Bureau, the Solar Energy Industries Association, and the Mid-Atlantic Renewable Energy Coalition. The original bill included all forms of alternative energy. This amendment, however, strictly addresses the solar installations, and to be very honest, Mr. President, we found that considering all forms of alternative energy and trying to make a one-size-fits-all decision on that just did not work. Solar energy is the most critical one right now for open-land farmers; it is a major concern. This amendment establishes a decommissioning procedure and financial assurances to surface owners in the event their property is leased for solar generation. The amendment includes a graduated phase-in process for finan-

cial assurances, setting up a 5-year benchmark using third-party professional engineers to assess and calculate fair market value of the project and the cost to decommission it. The phase-in approach provides a better financial structure for solar generation facilities that fully fund the projects up front. The amendment provides uniformity and certainty statewide for solar generation facilities and landowners who are multi-generational. The amendment includes a forced labor prevention provision which requires a solar generation entity to attest to the compliance with Federal law relating to imports using forced labor. I ask for its immediate adoption.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Chester, Senator Comitta.

Senator COMMITTA. Mr. President, I rise in support of the amendment to Senate Bill No. 284. I had initially expressed concerns regarding the bill and its potential impact on renewables. This amendment resolves my concerns and those of many environmental groups and clean energy supporters. It is the result of a collaborative process with input from many stakeholders. I appreciate all of them coming to the table and working together to get the agreed-upon amendment. I ask for a "yes" vote. I also want to note that it is important that we consider proper bonding for all energy sources, including the conventional drilling industry, as we already have a major problem with orphaned and abandoned wells.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Boscola.

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

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

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

YEA-47

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

NAY-1

Laughlin

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

On the question,

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

MUTH AMENDMENT A3899 OFFERED

Senator MUTH offered the following amendment No. A3899:

Amend Bill, page 1, line 3, by inserting after "projects":  
and for bonding for conventional and unconventional wells  
Amend Bill, page 4, by inserting between lines 26 and 27:

CHAPTER 45  
BONDING FOR CONVENTIONAL  
AND UNCONVENTIONAL WELLS

Sec.

4501. Definitions.

4502. Bonding.

4503. Separate bond.

4504. Amount of bond.

4505. Duration of liability for bond.

§ 4501. Definitions.

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

"Board." The Environmental Quality Board established under section 1920-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

"Department." The Department of Environmental Protection of the Commonwealth.

"Operator." A well operator.

"Owner." A person who owns, manages, leases, controls or possesses a well or coal property. The term does not apply to orphan wells, except if the department determines a prior owner or operator benefited from the well as provided in 58 Pa.C.S. § 3220(a) (relating to plugging requirements).

"Unconventional formation." A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

"Unconventional well." A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

§ 4502. Bonding.

Upon filing an application on or after the effective date of this section for a well permit and before continuing to operate an oil or gas well, the owner or operator of a conventional or unconventional well shall post a bond with the department on a form prescribed by the department. The bond shall be payable to the Commonwealth.

§ 4503. Separate bond.

The owner or operator of a conventional or unconventional well who posts a bond sufficient to comply with this chapter may be required to post a separate bond for the permitted area under other laws of this Commonwealth. Nothing in this section shall be construed to prohibit the board from requiring additional bond amounts for the permitted area in accordance with the regulations promulgated under section 4504(a) (relating to amount of bond).

§ 4504. Amount of bond.

(a) Regulations.--The board shall promulgate regulations establishing or revising the bonding requirements for an owner or operator of a conventional or unconventional well.

(b) Amount.--

(1) The board may determine the amount of the bond required under this chapter based on the total estimated cost to the Commonwealth related to any of the following:

(i) Potential hazardous liabilities.

- (ii) Decommissioning the permitted area.
- (iii) Completing a reclamation plan for the affected site.
- (iv) The proper recycling or disposal of waste accumulated.

(v) Any other factor as determined by the board.

(2) The amount required for plugging a conventional or unconventional well shall be an amount reflective of the actual cost for plugging each well operated or owned as follows:

(i) A conventional well shall be determined to be an amount no less than \$30,000 per well.

(ii) An unconventional well shall be determined to be an amount no less than \$80,000 per well.

(iii) The board may design tiered bond amounts per well for an unconventional well if the tiered amount is based on the length of the well bore and no tier is an amount less than the base amount in subparagraph (ii).

(iv) In each successive year in which there is a positive percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics, immediately prior to the date the adjustment is due to take effect, the positive percentage change shall be multiplied by each base amount and the products shall be added to the base amounts, respectively, and the amounts shall be preliminary adjusted amounts. The preliminary amounts shall be rounded to the nearest \$100 to determine the new final adjusted base amount. Within 20 days of the date that the determination is made, the board shall transmit the new final adjusted base amount to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

(c) Criteria.--In determining the amount of the bond required under this chapter in accordance with subsection (b), the board may use any of the following:

(1) A statement of the estimated cost incurred by an owner or operator of a conventional or unconventional well to remove potential hazardous liabilities.

(2) A statement of the actual cost incurred by the owner or operator of a conventional or unconventional well to plug another well similar to the well subject to the permit application.

(3) An inspection of the permit documentation submitted to the department by an owner or operator of a conventional or unconventional well.

(4) An inspection of the affected site.

(5) The probable difficulty of reclamation for the affected site.

(6) Any other factors as determined by the board.

§ 4505. Duration of liability for bond.

Liability for a bond under this chapter shall continue until a reclamation plan is completed in accordance with the laws of this Commonwealth, the well has been properly plugged in accordance with the laws of this Commonwealth and for a period of one year after filing of the certificate of plugging with the department.

Amend Bill, page 6, by inserting between lines 24 and 25:

Section 3. The following shall apply:

(1) Any promulgated regulation is abrogated insofar as it is inconsistent with the addition of 27 Pa.C.S. Ch. 45. Abrogation of any regulation shall occur upon publication of the established revised final-form regulation in the Pennsylvania Bulletin.

(2) Any provision of 58 Pa.C.S. is repealed insofar as it is inconsistent with the addition of 27 Pa.C.S. Ch. 45.

Amend Bill, page 6, line 25, by striking out "3" and inserting:

4

Amend Bill, page 6, line 26, by striking out "CH. 43" and inserting: Chs. 43 and 45

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, my amendment would increase the current bonding requirements prescribed by the Environmental Quality Board for the oil and gas industry so that the amounts are reflective of the actual cost for plugging each conventional and unconventional well here in our Commonwealth. My amendment will require a bond of no less than \$30,000 per conventional well and a bond of no less than \$80,000 per unconventional well. The amendment would also require the Environmental Quality Board to increase the minimum bond requirements any year that the CPI-U is increased. The amendment also adds the same bonding requirements on the conventional and unconventional wells as those bonding requirements that Senate Bill No. 284 provides for the renewable energy projects.

Mr. President, the currently required bond amounts for the oil and gas industry do not cover the cost of cleaning up the well site at the end of its lifespan. Bonds act as a form of insurance by requiring oil and gas companies to demonstrate that they can afford to plug their wells before they start drilling, and by protecting the State from the cleanup costs if they fail. These bonds are also meant to ensure that companies have an incentive to plug their wells, rather than letting their wells sit unplugged leaking methane into our air. When companies are not required to put an adequate amount of funds aside for bonding, taxpayer dollars make up the difference to clean up the mess. We have seen this with the legacy pollution left behind by the coal industry.

According to statistics, the actual cost to plug a conventional well is \$38,000. Current bond amounts require only \$2,500 per well, or \$25,000 max per company. The numbers are even more jarring for unconventional wells used for hydraulic fracturing. The actual cost of plugging a well is \$83,000 a year; the current bonding requirements are \$4,000 for wells less than 6,000 feet, and \$10,000 per unconventional wells that are drilled at a depth greater than 6,000 feet. It is estimated that it would cost \$12.2 billion to plug all of the wells here in the Commonwealth of Pennsylvania. That same study indicates that the Commonwealth has only \$47.2 million in bonding available to plug these wells, 0.4 percent of the total money needed to close and plug all of these wells that were permitted here in Pennsylvania.

Mr. President, the current bonding requirements for the oil and gas industry are so incredibly low that companies are actually incentivized to go out of business and declare bankruptcy through pass-through companies, leaving the mess behind instead of actually doing their part and cleaning up their mess, as they should. We need to legislate protections for the people of this Commonwealth, our natural resources, and to preserve what is left of our clean water, air, and land. The corporate polluters, if they want to be good business partners here in Pennsylvania, should put the bond up to clean up after their mess. Otherwise, one could question their financial sustainability and how they actually impact our economy here in Pennsylvania. It is imperative that we take this step to implement full-cost bonding to ensure that oil and gas companies are responsible for their own cleanup and taxpayers do not get stuck with the bill. I ask the Senate for an affirmative vote on this amendment.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I respectfully ask for a negative vote on this amendment. The issues which are the subject of this amendment are currently under consideration by the Department

of Environmental Protection. With it, eventually, a recommendation which may come before the Environmental Quality Board. Given that set of circumstances and the status, I ask for a negative vote.

The PRESIDENT. The Chair recognizes, for the second time, the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, I just want to take a moment to acknowledge, while there is a meeting on April 25 for the DEP's Oil and Gas Technical Advisory Board to convene, and one of the agenda items is to discuss the cost of bonding, that wells have been permitted here for over 10-15 years--at least for unconventional and the start of the shale boom--and there has not been a single consideration to change the bonding requirement since then. So the slow pace of change to adequately fund bonding is why we now have abandoned wells from the conventional industry, and soon to be unconventional, if this is not changed with urgency.

Thank you, Mr. President.

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-19

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

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.

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

BILL LAID ON THE TABLE

**SB 322 (Pr. No. 330)** -- 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, in voting by qualified absentee electors, further providing for canvassing of official absentee ballots and mail-in ballots.

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

SB 322 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 322, Printer's No. 330, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

**SB 358, SB 457 and SB 573** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL AMENDED

**SB 597 (Pr. No. 801)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for water and wastewater asset management plans.

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

STEFANO AMENDMENT A3946

Senator STEFANO offered the following amendment No. A3946:

Amend Bill, page 1, line 4, by striking out "AMENDING TITLE 66 (PUBLIC UTILITIES)" and inserting:

Amending Title 27 (Environmental Resources)

Amend Bill, page 11, line 24, by striking out "66" and inserting:  
27

Amend Bill, page 11, line 26, by striking out "37" and inserting:  
67

Amend Bill, page 11, line 29, by striking out "3701" and inserting:  
6701

Amend Bill, page 11, line 30, by striking out "3702" and inserting:  
6702

Amend Bill, page 12, line 1, by striking out "3703" and inserting:  
6703

Amend Bill, page 12, line 2, by striking out "3704" and inserting:  
6704

Amend Bill, page 12, line 4, by striking out "3705" and inserting:  
6705

Amend Bill, page 12, line 5, by striking out "3706" and inserting:  
6706

Amend Bill, page 12, line 6, by striking out "3707" and inserting:  
6707

Amend Bill, page 12, lines 7 and 8, by striking out all of line 7 and "3709" in line 8 and inserting:  
6708

Amend Bill, page 12, line 9, by striking out "3710" and inserting:  
6709

Amend Bill, page 12, line 10, by striking out "3711. COMMIS-  
SION" and inserting:  
6710. Department

Amend Bill, page 12, line 11, by striking out "3701" and inserting:  
6701

Amend Bill, page 12, line 14, by striking out "3702" and inserting:  
6702

Amend Bill, page 12, line 25, by striking out "COMMISSION" and inserting:  
Pennsylvania Public Utility Commission

Amend Bill, page 12, line 26, by striking out "SECTION" and inserting:

66 Pa.C.S. §

Amend Bill, page 13, line 1, by striking out "COMMISSION" and inserting:

Pennsylvania Public Utility Commission

Amend Bill, page 13, line 1, by striking out "SECTION" and inserting:

66 Pa.C.S. §

Amend Bill, page 13, by inserting between lines 13 and 14:

"Department." The Department of Environmental Protection of the Commonwealth.

Amend Bill, page 13, line 22, by striking out "3703" and inserting:

Amend Bill, page 13, line 24, by striking out "12" and inserting:

18

Amend Bill, page 13, line 27, by striking out "COMMISSION" where it occurs the first time and inserting:

department

Amend Bill, page 13, line 27, by striking out "COMMISSION" where it occurs the second time and inserting:

department

Amend Bill, page 15, line 3, by striking out "3704" and inserting:

6704

Amend Bill, page 15, line 7, by striking out "3705" and inserting:

6705

Amend Bill, page 15, line 11, by striking out the period after "system" and inserting:

, in accordance with the Environmental Protection Agency's Lead and Copper Rule, the department and the Pennsylvania Public Utility Commission, as appropriate.

Amend Bill, page 15, line 15, by striking out "3706" and inserting:

6706

Amend Bill, page 15, line 18, by striking out "12" and inserting:

18

Amend Bill, page 15, line 21, by striking out "COMMISSION" where it occurs the first time and inserting:

department

Amend Bill, page 15, line 21, by striking out "COMMISSION" where it occurs the second time and inserting:

department

Amend Bill, page 16, lines 24 through 26, by striking out all of lines 24 and 25 and "(9)" in line 26 and inserting:

(8)

Amend Bill, page 16, line 27, by striking out "3706" and inserting:

6706

Amend Bill, page 17, by inserting between lines 1 and 2:

(d) Review of plans.--A plan required under this section shall be due and updated according to a schedule established by the department and shall be submitted to and reviewed and subject to enforcement by the department.

Amend Bill, page 17, line 2, by striking out "3704" and inserting:

Amend Bill, page 17, line 21, by striking out "ASSESSMENT" and inserting:

asset

Amend Bill, page 18, line 15, by striking out "3705" and inserting:

Amend Bill, page 18, lines 16 through 30; page 19, lines 1 through 18; by striking out all of said lines on said pages and inserting:

(a) Allowable error.--A water provider must set an allowable error rate and develop a testing protocol as part of an asset management plan.

Amend Bill, page 19, line 19, by striking out "(C)" and inserting:

(b)

Amend Bill, page 20, line 10, by striking out "(D)" and inserting:

(c)

Amend Bill, page 20, line 28, by striking out "3706" and inserting:

Amend Bill, page 20, line 29, by inserting after "OPERATOR":

with cyber infrastructure

Amend Bill, page 21, line 4, by inserting after "ACTIVITIES":

, including any data on a network

Amend Bill, page 21, line 9, by striking out "3707" and inserting:

6707

Amend Bill, page 21, line 12, by striking out "COMMISSION" and inserting:

department

Amend Bill, page 21, lines 13 through 28, by striking out all of said lines

Amend Bill, page 21, line 29, by striking out "3709" and inserting:

6708

Amend Bill, page 22, line 6, by striking out "3710" and inserting:

6709

Amend Bill, page 22, lines 7 through 11, by striking out all of said lines and inserting:

For a water system operator or wastewater system operator specified under section 6703(d) (relating to asset management plans), the department shall issue an order, enter into a consent order, assess a civil penalty or take any other action necessary to enforce compliance with this chapter that the department is authorized to take for violations under any of the following:

(1) The act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law.

(2) The act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act.

(3) The act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act.

(4) Chapter 31 (relating to water resources planning).

Amend Bill, page 22, line 12, by striking out "3711" and inserting:

6710. Department

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

department

Amend Bill, page 22, line 15, by striking out "COMMISSION'S" and inserting:

department's

Amend Bill, page 22, lines 17 through 26, by striking out "IN ACCORDANCE WITH SECTION" in line 17, all of lines 18 through 25 and "SERVICE" in line 26

Amend Bill, page 22, line 28, by striking out "COMMISSION" and inserting:

department

Amend Bill, page 23, line 4, by striking out "66" and inserting:

27

Amend Bill, page 23, line 4, by striking out "3710" and inserting:

6709

Amend Bill, page 23, line 4, by striking out "3711" and inserting:

6710

On the question,

Will the Senate agree to the amendment?

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

Senator STEFANO. Mr. President, this amendment is a product of lengthy discussions to ensure the requirements of Senate Bill No. 597 are reasonable without weakening the intent of the legislation. The intent of this legislation is for water systems in Pennsylvania to develop and submit an asset management plan showcasing their efforts to inspect, maintain, repair, and/or replace their system's infrastructure. This amendment does a couple of things. First, it shifts oversight and enforcement of these asset management plans from the Public Utility Commission to the Department of Environmental Protection. Second, it provides water and wastewater systems with the flexibility to tailor their asset management plans to their unique needs. For instance, the underlying bill requires a cyber security program. Consider the increased level of cyberattacks on water systems, like what occurred in Florida last year. While it was fortunate that a diligent system operator noticed and stopped what otherwise could have been a deadly occurrence, it is clear that our critical infrastruc-



ture needs to be protected. However, not every system has cyber infrastructure. Recognizing that cyber security is expensive, this amendment will only require a cyber security program for those systems that do not have cyber capabilities. I believe in limited government, however, one of the core tenets of our government is protecting our individual rights. Water systems have an obligation to provide clean, safe water, while wastewater systems are responsible for protecting our environment. This amendment and the underlying bill will help protect water quality so every Pennsylvanian can feel safe knowing their water and wastewater systems are being responsible. I urge a "yes" vote.

Thank you, Mr. President.

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

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

YEA-38

Argall	DiSanto	Martin	Stefano
Aument	Dush	Mastriano	Street
Baker	Flynn	Mensch	Tomlinson
Bartolotta	Gebhard	Phillips-Hill	Vogel
Boscola	Gordner	Pittman	Ward, Judy
Brewster	Haywood	Regan	Ward, Kim
Browne	Hughes	Santarsiero	Williams, Anthony H.
Collett	Hutchinson	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

NAY-10

Brooks	Fontana	Muth	Schwank
Cappelletti	Kane	Robinson	Williams, Lindsey
Comitta	Kearney		

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

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

STEFANO AMENDMENT A3975

Senator STEFANO offered the following amendment No. A3975:

Amend Bill, page 12, line 7, by striking out "REGULATIONS." and inserting:  
(Reserved).

Amend Bill, page 12, by inserting between lines 10 and 11:  
3712. Regulations.

Amend Bill, page 21, lines 13 through 28, by striking out "REGULATIONS." in line 13 and all of lines 14 through 28 and inserting:  
(Reserved).

Amend Bill, page 22, by inserting between lines 29 and 30:  
§ 3712. Regulations.

The commission shall promulgate regulations to implement and administer this chapter.

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

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

Senator STEFANO. Mr. President, this amendment requires DEP to promulgate regulations in order to implement and administer Senate Bill No. 597. I ask for an affirmative vote.

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

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

YEA-34

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

NAY-14

Brooks	Haywood	Muth	Street
Cappelletti	Hughes	Robinson	Williams, Anthony H.
Comitta	Kane	Schwank	Williams, Lindsey
Fontana	Kearney		

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

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

LEAVE OF ABSENCE

Senator GORDNER asked and obtained a leave of absence for Senator K. WARD, for the remainder of today's Session, for personal reasons.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

**SB 676, HB 723, SB 745, SB 775, SB 862, HB 889, SB 934, SB 935 and SB 962** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

**SB 967 (Pr. No. 1266)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Women, Infants and Children State Advisory Board.

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

**SB 967 TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that Senate Bill No. 967, Printer's No. 1266, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILL OVER IN ORDER**

**SB 991** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

**BILL OVER IN ORDER AND LAID ON THE TABLE**

**SB 992 (Pr. No. 1267)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the adoption of a population data set certified by the Legislative Reapportionment Commission and providing for use requirement in congressional redistricting legislation.

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

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

**BILL OVER IN ORDER**

**HB 995** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

**BILL LAID ON THE TABLE**

**HB 996 (Pr. No. 1617)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for access to long-term care facilities for members of the clergy, for additional safety requirements for residents, for suspension of access for members of the clergy and for personal protective equipment for members of the clergy.

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

**HB 996 TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that House Bill No. 996, Printer's No. 1617, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILLS OVER IN ORDER**

**SB 1043, HB 1660, HB 1849 and HB 2051** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

**SECOND CONSIDERATION CALENDAR RESUMED****BILLS OVER IN ORDER**

**SB 24, HB 118, SB 145, SB 152, SB 225, SB 297, SB 471, SB 527, HB 581, SB 750, SB 815, SB 845, SB 892, SB 907, HB 951, SB 956 and SB 959** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**SB 960 (Pr. No. 1249)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for frozen dessert safety; and making a related repeal.

Considered the second time and agreed to,

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

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

**BILLS OVER IN ORDER**

**SB 965, HB 987 and SB 993** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**SB 1016 (Pr. No. 1320)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards.

Considered the second time and agreed to,

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

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

**BILLS OVER IN ORDER**

**SB 1018, SB 1027, SB 1031, SB 1032, SB 1038, SB 1051, SB 1053, SB 1057 and SB 1083** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**SB 1094 (Pr. No. 1419)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in motor carrier safety, repealing provisions relating to findings and declaration of policy and further providing for definitions and for Motor Carrier Safety Advisory Committee.

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

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

#### BILL OVER IN ORDER

**SB 1122** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 1162 (Pr. No. 1518)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the PennSERVE Office within the Department of Labor and Industry; creating the PennSERVE Advisory Board; providing for coordination of Commonwealth community service programs; and making a related repeal.

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

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

#### BILLS OVER IN ORDER

**SB 1166** and **SB 1180** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 1181 (Pr. No. 1537)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the provision or sale of Pennsylvania milk in Pennsylvania schools.

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

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

**SB 1186 (Pr. No. 1544)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration plates, further providing for USA

semiquincentennial registration plates and establishing the Semiquincentennial Restricted Account.

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

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

#### BILL OVER IN ORDER

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

#### BILL ON SECOND CONSIDERATION

**HB 1614 (Pr. No. 2938)** -- 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, in ballots, further providing for number of ballots to be printed and specimen ballots.

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

#### BILL OVER IN ORDER

**HB 1665** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

#### BILLS REPORTED FROM COMMITTEE

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

#### **SB 118 (Pr. No. 89)** (Rereported)

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

#### **SB 848 (Pr. No. 1277)** (Rereported)

An Act amending the act of April 27, 1905 (P.L.312, No.218), entitled "An act creating a Department of Health, and defining its powers and duties," further providing for the administrative structure of the Department of Health, establishing the office of Chief Nursing Officer of the Commonwealth and providing for the powers and duties of the Chief Nursing Officer of the Commonwealth.

#### **SB 871 (Pr. No. 1079)** (Rereported)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for mandatory reporting and postmortem investigation of deaths, for establishment of Statewide database, for access to information in Statewide database, for information in Statewide database, for disposition and expunction of unfounded reports and general protective services reports, for disposition of founded and indicated reports, for expunction of information of perpetrator who was under 18 years of age when child abuse was committed and for release of information in con-

fidential reports, providing for exchange of information for placement, further providing for amendment or expunction of information, for investigating performance of county agency, for employees having contact with children and adoptive and foster parents, for audits by Attorney General, for reports to Governor and General Assembly, for penalties, for services for prevention, investigation and treatment of child abuse, for reports to department and coroner, for investigation of reports, for voluntary or court-ordered services and findings of child abuse and for evidence in court proceedings; and making editorial changes.

**SB 1040 (Pr. No. 1356) (Rereported)**

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for responsibilities of State and local law enforcement agencies.

**SB 1047 (Pr. No. 1375) (Rereported)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in State Armory Board, repealing provisions relating to composition and general functions, providing for definitions and for composition and general functions, further providing for erection of armories and for management of armories, providing for management of buildings and structures at Fort Indiantown Gap, further providing for purchase or lease of ground for armories, for donation of land by political subdivisions, for donation of property and services by political subdivisions, for sale of unusable armories and land and sale or lease of timber and mineral rights, for payment of armory rentals by Commonwealth and for rental of armories, providing for rental and lease at Fort Indiantown Gap and further providing for property in armories of units in Federal service, for State Treasury Armory Fund and for maintenance, construction and repairs.

**SB 1167 (Pr. No. 1551) (Rereported)**

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for legitimate cannabis-related business.

**SB 1172 (Pr. No. 1549) (Rereported)**

An Act providing for access to treatment for sexual assault survivors and for duties of the Department of Health.

**SB 1179 (Pr. No. 1530) (Rereported)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in domestic and sexual violence victim address confidentiality, further providing for definitions, for persons eligible to apply and for application and certification process.

**HB 2058 (Pr. No. 2365) (Rereported)**

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for declaration and payment of income taxes.

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

**BILL AMENDED**

**SB 1179 (Pr. No. 1530)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in domestic and sexual violence victim address confidentiality, further providing for definitions, for persons eligible to apply and for application and certification process.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BAKER offered the following amendment No. A3982:

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting:

Section 1. The definition of "victim of sexual assault" in section 6702 of Title 23 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding definitions to read:

Amend Bill, page 1, lines 15 through 19, by striking out all of said lines

Amend Bill, page 2, by inserting between lines 3 and 4:

"Victim of kidnapping." A victim of an offense that is enumerated in 18 Pa.C.S. § 2901 (relating to kidnapping).

"Victim of sexual assault." A victim of an offense enumerated in 18 Pa.C.S. §§ 3121 (relating to rape), 3133 (relating to sexual extortion), 4302 (relating to incest), 6312 (relating to sexual abuse of children), 6318 (relating to unlawful contact with minor) and 6320 (relating to sexual exploitation of children).

Amend Bill, page 2, lines 11 through 18, by striking out all of said lines and inserting:

(6) A victim of kidnapping who files an affidavit with the Office of Victim Advocate describing the perpetrator's conduct toward the affiant meeting the criteria enumerated in 18 Pa.C.S. § 2901 (relating to kidnapping) and further stating that the affiant fears future violent acts by the perpetrator of the kidnapping.

Amend Bill, page 3, lines 12 and 13, by striking out "child abduction" and inserting:

kidnapping

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**UNFINISHED BUSINESS**

**BILLS REPORTED FROM COMMITTEES**

Senator MARTIN, from the Committee on Education, reported the following bill:

**SB 1191 (Pr. No. 1562)**

An Act providing for sport activities in public institutions of higher education and public school entities to be expressly designated male, female or coed; and creating causes of action for harm suffered by designation.

Senator ARGALL, from the Committee on State Government, reported the following bills:

**SB 982 (Pr. No. 1264)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, providing for public funding of elections.

**SB 1200 (Pr. No. 1576)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in county boards of elections, further providing for expenses of county boards and of primaries and elections to be paid by county, expenses of special elections and boards to be provided with offices; in voting by qualified absentee electors, further providing for date of application for absentee ballot and for voting by absentee electors; and, in voting by qualified mail-in electors, further providing for voting by mail-in electors.

**HB 2044 (Pr. No. 2352)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in the Secretary of the Commonwealth, further providing for powers and duties of the Secretary of the Commonwealth; and, in county boards of elections, further providing for powers and duties of county boards.

**BILLS ON FIRST CONSIDERATION**

Senator SAVAL. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.  
The bills were as follows:

**SB 982, SB 1191, SB 1200 and HB 2044.**

And said bills having been considered for the first time,  
Ordered, To be printed on the Calendar for second consideration.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, APRIL 12, 2022

10:30 A.M.	AGING AND YOUTH (public hearing on potential impact on children and youth of legalizing adult-use marijuana in the Commonwealth)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
10:30 A.M.	HEALTH AND HUMAN SERVICES (to consider Senate Bills No. 749, 1121, 1124 and 1188)	Room 461 Main Capitol
12:00 P.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider Senate Bill No. 1163)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 284, 597, 982, 1016, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114 and 1200)	Senate Chamber (LIVE STREAMED)

WEDNESDAY, APRIL 13, 2022

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS and GAME AND FISHERIES (joint public hearing on Chronic Wasting Disease (CWD))	Hrg. Rm. 1 North Off. (LIVE STREAMED)
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10:00 A.M.	FINANCE (to consider Senate Bill No. 771; and House Bills No. 199, 324 and 333)	Room 8E-A East Wing (LIVE STREAMED)
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10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 895, 1173, 1196 and 1197; and House Bills No. 1103 and 1594)	Room 461 Main Capitol
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THURSDAY, APRIL 14, 2022

10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on housing issues)	Living Water Church 629 Woodward Avenue Kittanning
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WEDNESDAY, APRIL 20, 2022

10:00 A.M.	FINANCE (public hearing on Pennsylvania Film Tax Credit Program)	Omni Wm. Penn Hotel 530 William Penn Pl. Pittsburgh
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**PETITIONS AND REMONSTRANCES**

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

Senator SANTARSIERO. Mr. President, I rise to recognize the month of April 2022 as Limb Loss Awareness Month. Each day, more than 500 Americans--men and women of all ages and races--lose a limb. It is a lifelong condition largely misunderstood by the general public. Amputees face emotional, financial, and physical challenges unique to their condition. Limb loss can arise from several factors, including medical conditions, congenital defects, accidents, and those who made a sacrifice in the line of duty.

Regardless of the origin, individuals afflicted with limb loss face hurdles of physical accessibility, prosthetic costs, and the emotional difficulties that go largely unseen. I stand here today with my colleague, Senator Fontana, in support of Limb Loss Awareness Month and to acknowledge and draw attention to those who have lost limbs and the silent strength that they exhibit every day in their lives. Their fortitude and perseverance is nothing short of admirable and deserving of our recognition.

Thank you, Mr. President.

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

Senator FONTANA. Mr. President, I also stand here today to recognize April 2022 as Limb Loss Awareness Month. What many may find surprising is that limb loss is not as uncommon as you may think and, in fact, is becoming less uncommon every day. Limb loss affects every generation from young to old and people from all walks of life. Currently, there are approximately 2.1 million people in the United States living with limb loss or limb difference, and that number is expected to continue to grow. As Senator Santarsiero has mentioned, there are a variety of reasons one may lose their limbs.

Today, I want to highlight my brave and strong granddaughter, Gabby. In October 2016, Gabby was diagnosed with a rare and aggressive form of childhood cancer. Unfortunately, as a result of the cancer, Gabby, at the age of 3, lost her right leg.

Gabby is now 8 and doing well. I am hopeful that this month will bring awareness to the strong individuals who continue leading productive lives while navigating the physical and emotional challenges of living without a limb.

Thank you, Mr. President.

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

Senator SCAVELLO. Mr. President, I rise to speak regarding a very important issue that should be concerning to all of us: litter. This morning I held a press conference along with my friend and colleague in the House of Representatives, Representative Rosemary Brown, to encourage everyone in the building to work with their local governments and stakeholders to address litter in their areas in the Commonwealth. As you may know, in 2018, I prime sponsored legislation, now Act 62, which strengthened Pennsylvania's litter and illegal dumping laws. Without the support of my colleagues in both the Senate and the House, as well as the support of stakeholders such as Keep Pennsylvania Beautiful, the Monroe County Waste Authority, and Pocono Mountains Visitors Bureau, Act 62 would not have been signed into law.

Litter is an issue that affects rural and urban areas alike and must continue to be a priority statewide. Pennsylvania is a beautiful, scenic State, but you do not have to look far to see that we have a littering problem. It is costly for taxpayers and poses a threat to the environment. If we band together through local cleanup campaigns, we can make a difference. Thankfully, with the stewardship of the Pocono Mountains Visitors Bureau creating a partnership with Monroe County Waste Authority, Pocono Mountains United Way, and Street2Feet to identify homeless individuals and pick up trash on Route 80; the workers get paid same day, and they love it. The visitors bureau also created an online database for municipalities to sign up for cleanup days. Act 62 takes us one step closer to a cleaner and more beautiful Pennsylvania. There is always more to be done. You must continue to seek out new and innovative ideas to address the ever-increasing issue of litter in the Commonwealth, especially after 2 months of snow and the snow melts and you can see the sins from the past few months.

In the press conference held this morning, I highlighted the very successful Pick Up the Poconos program. Pick Up the Poconos offers volunteers technical assistance, cleanup supplies, and trash disposal. In 2021, Keep Pennsylvania Beautiful reported that there were 76,399 volunteers who collected more than 3.8 million pounds of trash and planted 106,322 trees, flowers, and shrubs. It is also important to note that Pick Up the Poconos was the model of the broader, statewide program Pick Up Pennsylvania.

As we continue into the spring and summer seasons and people are spending more and more time outdoors, it is important to continue efforts to bring awareness to this critical issue that impacts residents, businesses, and visitors to our State. As we highlighted the important efforts of the Pocono Mountains Visitors Bureau with implementation of Pick Up the Poconos, I would like to encourage all of you, as well as my colleagues in the House, to bring this information back to your districts and to adopt similar programs. Most importantly, I encourage collective efforts of legislators, departments, and stakeholders to combat litter and keep Pennsylvania clean and beautiful. Shortly after passage of Act 62, the Pocono Mountains Visitors Bureau started

a successful campaign to Pick Up the Poconos. Together, we can continue to make it a real statewide success with Pick Up Pennsylvania. Thank you to Keep Pennsylvania Beautiful for their leadership efforts on this broader initiative. In closing, a special thank you to Representative Rosemary Brown; Chris Barrett from the Pocono Mountain Visitors Bureau; Jim Lambert from Monroe County Waste Authority; and Phoebe Coles from Keep Pennsylvania Beautiful. We participated in the press conference with them this morning.

Thank you very much, Mr. President.

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

Senator MARTIN. Mr. President, I rise today to highlight my resolution that would designate April 2022 as Testicular Cancer Awareness Month in Pennsylvania. Testicular cancer is a disease that overwhelmingly affects young and middle-aged men around the world, with approximately 1 in every 250 males developing testicular cancer during their lifetime. According to the American Cancer Society, there will be 10,000 newly diagnosed cases of testicular cancer in the United States this year alone. In fact, it happens to be the most common cancer among men between the ages of 20 and 40, with the average being 33 years old, with cases continuing to rise for all age groups over the decades. Studies done by various organizations believe that this is because men are less likely to schedule regular health examinations that would test for various diseases. It is my hope that by designating April as Testicular Cancer Awareness Month, we will continue to bring attention to this issue and encourage greater education and participation in the active checking of our own health. As with most cancers, early detection is critical in increasing one's chances of survival.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, today I rise to recognize April 9, 2022, as Appomattox Day in Pennsylvania. April 9, 1865, marks the day that the Confederate Army of Northern Virginia, led by General Robert E. Lee, surrendered to Union General Ulysses S. Grant at Appomattox, Virginia. That surrender ended the American Civil War and the attempts to expand enslavement and end the Republic. Disgraced General Lee is noted as saying, in defense of the Confederacy, "There is nothing left for me to do but go and see General Grant, and I would rather die a thousand deaths." General Lee later surrendered to Union General Ulysses S. Grant in the front parlor of the home of Wilmer McLean in Appomattox. General Grant then created lenient terms of surrender, which allowed 28,000 Confederate soldiers to go home.

This year marks the 157th anniversary of the surrender at Appomattox. It is important for us to reflect on historical events such as this, because they remind us of our nation's capacity to persevere through times of extreme division. This day signifies the resilience of our nation and its people. The surrender at Appomattox led to the Reconstruction of those States that rebelled against the end of enslavement of African Americans. But by remembering this event, we recognize our country's ongoing struggle to improve itself and speak with one voice.

Frederick Douglass reflected on the surrender in a speech at Arlington National Cemetery in 1871. There he stated:

"We are sometimes asked, in the name of patriotism, to forget the merits of this fearful struggle, and to remember with equal admiration those who struck at the nation's life and those who struck to save it, those who fought for slavery and those who fought for liberty and justice....But we are not here to applaud manly courage, save as it has been displayed in a noble cause. We must never forget that victory to the rebellion meant death to the republic."

Please join me in recognizing this important day.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, I rise today to recognize April as National Fair Housing Month. The Fair Housing Act was passed in Congress 54 years ago today in 1968. This monumental piece of legislation forbids discrimination in buying, renting, selling, and financing based on color, race, and even gender. The goal of the Fair Housing Act has been mainly to prohibit discrimination, but to also build prosperous communities and promote affordable housing. However, in the years since the Fair Housing Act was passed, homelessness has been on the rise. We as legislators have continued to fail our constituents on various accounts. In Pennsylvania, housing has become significantly less affordable with the rise in rents being a leading factor.

In addition to this factor, several other things have contributed to it, such as the COVID-19 pandemic and severe weather events, further exasperating this issue. For example, last September, Hurricane Ida caused destruction across our Commonwealth, and I witnessed this destruction firsthand as residents of my district were displaced from their homes. To this day, several of my constituents are in hotels, unable to secure affordable housing that fits their low monthly budget. What happens to them when they are unable to remain in these hotels that have provided a roof over their head for months? As legislators, we have the power to invest in our communities. Many of today's issues are intersectional, and if we invest in one of them, we can improve the lives of our constituents and invest in healthier communities. We have the power to raise the minimum wage, strengthen rent control, and implement an equitable tax structure. In doing so, we improve the lives of thousands of Pennsylvanians, because, Mr. President, housing is a right and not a privilege. Please join me and Senator Saval in recognizing April as National Fair Housing Month, and then let us get to work to ensure that there is indeed fair and equitable housing all across this Commonwealth.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I ask that the remarks submitted by Senator Tartaglione be entered into the record under Petitions and Remonstrances.

The PRESIDENT. Without objection, Senator Tartaglione's 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, on behalf of the gentlewoman from Philadelphia, Senator TARTAGLIONE:)*

Mr. President, today marks 5,755 days since the Pennsylvania legislature last raised the minimum wage. That is more than 15 years, and it is far too long.

I would like to take a moment to remind everyone that our fight to raise the minimum wage is taking place not only here in Harrisburg, but in our nation's capital. Our counterparts in Washington, D.C., are hard at work pushing legislation that would provide a much-needed financial lifeline to nearly 32 million American workers. Last year, leading Members of the U.S. House introduced the Raise the Wage Act of 2021. Leading U.S. Senators endorsed the proposal. Despite the barriers and roadblocks that the legislation faced in previous legislative Sessions, Congressional leaders must pass the Raise the Wage Act of 2021 immediately. For the record, the Raise the Wage Act of 2021 proposes to increase the Federal minimum wage from \$7.25 an hour to \$15 over the next 5 years. After that, it would index the minimum wage to the nation's median wage, so that the wage floor rises in proportion with overall wage growth. Further, the Federal legislation would gradually eliminate the sub-minimum wage for tip-earners. However, we cannot and should not relent in our push for \$15 on the State level.

The provisions of the Federal bill are very similar to my own minimum wage legislation, Senate Bill No. 12, that I introduced this Session. We must not stop fighting for the other key provisions in my minimum wage legislation, including the repeal of preemption. I think folks on both sides of the minimum wage debate agree that economic conditions can vary significantly from one part of the Commonwealth to the next. Therefore, it makes good sense to allow local authorities to raise the minimum wage to accommodate the needs of the workforce and employers in their areas. It will also be very important on the State level to move forward with the wage protection provisions that are found in Senate Bill No. 12.

Several years ago, the Sheller Center for Social Justice at Temple University studied the issue of wage theft and found that on any given work week, Pennsylvania employers deprive workers of \$19 million to \$32 million in earned wages. The same research also concluded that Pennsylvania families lost an average of 15 percent of their annual income to wage theft. In this environment, raising the minimum wage is just a start. We also must strengthen the Department of Labor and Industry's wage enforcement powers, and we must enhance the punishments for those who violate wage laws. My legislation, Senate Bill No. 12, would achieve these objectives. I urge my Senate colleagues to support it.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, a few weeks back, I sent letters to the chairs of the Committee on Education, Committee on Judiciary, and the Committee on Law and Justice asking for consideration, discussion, and even a hearing on a package of bills that were introduced in the previous Session, and also this Session as well, that relate to hate crimes in this Commonwealth. The package of bills were put together by me, Representative Dan Frankel, and then-Representative Ed Gainey, who is now Mayor of the city of Pittsburgh.

Mr. President, I am disappointed that we have not had an opportunity last Session or this Session to have any type of conversation or hearing on those measures. My hope is that we have the opportunity to be able to do that. I stand today asking my colleagues to join me in looking to have a conversation about those measures over the course of the coming weeks before we come back, either late May or sometime in June, so we have an opportunity to address them here in the Senate. Mr. President, because we waited too long, and as we continue to get on this path with respect to hate crimes, we lose the opportunity to put these measures into place that would do a number of things as it relates to identifying and understanding more about what is taking place in this Commonwealth.

What we do know, Mr. President, is that the Southern Poverty Law Center reports that there were 30 groups in Pennsylvania organized exclusively for the purpose of spreading hate and, more importantly, acting on it. We are seeing a rise in hate crimes according to data maintained by the Pennsylvania State Police. Two hundred fifty-five hate crimes were reported last year, 255--more than any other year since the cases were first recognized and first tracked since 1997. The 255 is nearly 3 times as many in the last year than the 3 years combined. That is a significant statement. I believe we have an obligation to do something about it. My colleagues and I, as I mentioned, Representative Frankel, Gainey, and a few others, and many on this side of the aisle, joined me in developing this package of legislation nearly 4 years ago when a hate crime devastated the community that I grew up in and in the community I continue to represent. An individual went into a synagogue in Squirrel Hill, after posting radical, anti-Semitic materials online. He ended 11 lives and, more importantly, forever changed our community in the Pittsburgh region and our Commonwealth, quite frankly, I believe.

I know that there is no piece of legislation that is going to be able to end hate, eradicate hate, but what we do have is the opportunity to do something. Doing nothing really should not be an option. We need to put into place tools to assist our law enforcement folks in monitoring hate groups, deterring hate crimes, and properly punishing them when they do happen. I believe that the legislation that we put together does that. More specifically, the legislation we would like to adopt, and advanced for two Sessions now, provides the Attorney General with concurrent jurisdiction in crimes involving ethnic intimidation. It would require hate crime offenders to complete diversity classes and allow community impact statements as part of that discussion; mandate that MPOETC, the Municipal Police Officers' Education and Training Act, provide training on investigating, identifying, and reporting crimes of ethnic intimidation. It would also create a private right of action, or private cause of action, for civil rights violations. It will also institute a reporting system for postsecondary institutions. As someone who represents the Oakland section of the city of Pittsburgh and the tremendous diversity of the four campuses located within a very small number of square miles--Pitt, CMU, Carlow, and Chatham--we know that there are a significant number of international students there who have been subject to ethnic intimidation and even hate crimes, and they need to be recognized. It is incumbent upon our postsecondary institutions to collect data along those lines as well. Finally, working with the municipal law enforcement agencies and the Attorney General across the Commonwealth to begin to have a hate group database so we know who these bad actors are. The local law enforcement agencies can work with one another, identifying and sharing information, and have an essential place they can go and address those types of groups that are existing in our Commonwealth and share that information.

These are the types of things that I think are necessary, and I am respectfully asking my colleagues and the respective chairs of those committees to work with me, others, and House Members to be able to advance these measures out of the Senate and over to the Governor's Office after we have had an opportunity to have discussions along those lines.

Thank you, Mr. President, for the opportunity to provide these remarks. Thank you.

### RESOLUTION INTRODUCED AND REFERRED

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

April 11, 2022

Senators CAPPELLETTI, KANE, FONTANA, PHILLIPS-HILL, STREET, HUTCHINSON, COSTA and MASTRIANO presented to the Chair **SR 271**, entitled:

A Resolution designating April 24, 2022, as "Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915-1923."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 11, 2022.

### RECESS

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

Senator MARTIN. Mr. President, I move that the Senate do now recess until Tuesday, April 12, 2022, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:44 p.m., Eastern Daylight Saving Time.