

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, JUNE 29, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 30

**SENATE**

WEDNESDAY, June 29, 2022

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

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

**PRAYER**

The Chaplain, Reverend BETH LOCKARD, of Christ the King Deaf Church, West Chester, offered the following prayer:

(Interpreted from American Sign Language by Mr. Bill Lockhard:)

Good morning.

First, I would like to thank Senator Carolyn Comitta for her kind introduction for us to come today. We have been neighbors for a long time, then she became Mayor of West Chester; then State Representative; and now, Senator. So, it is an honor for me to be here today representing the approximately 1.5 million citizens in the Commonwealth who are deaf, hard of hearing, or deafblind. My church serves some of those individuals who use American Sign Language. So, during my prayer, please keep your eyes open and your hearts; and look at me as I sign; and at the end, we will do Amen together.

Gracious God, we thank You for the gift of a new day, for favorable weather, and for the friendships amongst colleagues. We pray for a showering of Your wisdom, integrity, fairness, and empathy on the decisions and debates that are occurring in these Chambers for the citizens of the great State of Pennsylvania. We pray for a spirit of cooperation between parties for the common good of all. You have been selected leaders and serve members all around the State and the diversity of these peoples and their work; the communities and cities in which they inhabit; the workplaces and schools; and places of worship. It is our job to do justice, to show mercy, and to walk humbly with our Gods. Amen.

The PRESIDING OFFICER. The Chair thanks Pastor Lockhard and her husband, Bill, who are the guests today of Senator Comitta.

**PLEDGE OF ALLEGIANCE**

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

**BILLS INTRODUCED AND REFERRED**

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

June 29, 2022

Senators KANE, KEARNEY, FONTANA, HAYWOOD, CAPPELLETTI, SANTARSIERO, COSTA and MUTH presented to the Chair **SB 1302**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for identification required for purchase of firearm ammunition.

Which was committed to the Committee on JUDICIARY, June 29, 2022.

Senators SANTARSIERO, COLLETT, BREWSTER, COMMITTA, FONTANA, COSTA, KEARNEY, CAPPELLETTI and MUTH presented to the Chair **SB 1303**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, establishing the Disaster Emergency Fund.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 29, 2022.

**HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

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

June 29, 2022

**HB 711** -- Committee on State Government.

**HB 1988** -- Committee on Law and Justice.

**HB 2057** -- Committee on Finance.

**HB 2357** -- Committee on Health and Human Services.

**LEGISLATIVE LEAVES**

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

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Browne and Senator Mastriano, and legislative leaves for Senator Corman, Senator Gordner, and Senator Yaw.

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

Senator COSTA. Mr. President, no leaves.

The PRESIDING OFFICER. Senator Kim Ward requests temporary Capitol leaves for Senator Browne and Senator Mastriano, and legislative leaves for Senator Corman, Senator Gordner, and Senator Yaw. Without objection, the leaves will be granted.

**JOURNAL APPROVED**

The PRESIDING OFFICER. The Journal of the Session of April 11, 2022, is now in print.

The Clerk proceeded to read the Journal of the Session of April 11, 2022.

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

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

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

**YEA-50**

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

**NAY-0**

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

The PRESIDING OFFICER. The Journal is approved.

**GUESTS OF SENATOR CAROLYN T. COMITTA PRESENTED TO THE SENATE**

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

(Interpreted to American Sign Language by Mr. Bill Lockhard.)

Senator COMITTA. Mr. President, I rise to welcome today's guest Chaplain, Reverend Beth Lockard, pastor and executive director of Christ the King Deaf Church in West Chester, and her husband, Bill Lockard. The Reverend Lockard has a very unique and inspiring story. When the Lockards moved to West Chester many years ago, the only deaf church was in Philadelphia. So, they would attend Calvary Lutheran Church, with Bill signing sermons to his wife. Slowly, they invited other deaf and hearing-impaired friends to join them, and the group grew, and grew, and grew. In response, the Lockards helped establish Christ the King Deaf Church and for several years, ran its day-to-day operations. When the church lost its pastor in the mid-90s, the congregation called on Beth to attend the Lutheran Theological Seminary at Philadelphia and fill the role. It was a calling she originally felt

years earlier as an undergrad at Concordia Lutheran College in Portland, Oregon, but back then, women could not be pastors. Today, The Reverend Lockard continues to serve as pastor of Christ the King Deaf Church, leading the congregation for more than 2 decades. She and Bill run DeafCAN!, a social services program that serves deafblind individuals, deaf refugees and immigrants, deaf inmates and returning citizens, and other vulnerable populations within the deaf community. Together, the Lockards are dedicating their lives to bringing together deaf and hearing-impaired people and ensuring everyone feels connected as part of the larger community. Pastor Lockard, thank you for opening this Session with a prayer, and many thanks for your love, your leadership, and your service to our community. Please join me in welcoming Pastor Beth Lockard to the Pennsylvania Senate.

The PRESIDING OFFICER. Would the guests of Senator Comitta please rise.

("Jazz hands" sign language applause.)

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

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

Senator SCAVELLO. Mr. President, I rise to introduce Gabryella Corricelli, a summer intern within our Senate Republican Caucus' Policy Development and Research office. This is Gaby's second year as one of our interns, and we are so fortunate to have her back. Gaby graduated in May from the University of New Hampshire with two bachelor of liberal arts degrees, one in justice studies and the other in political science, with minors in psychology and forensics. She excelled in her studies, making the dean's list repeatedly and becoming a member of Pi Sigma Alpha, the National Political Science Honor Society. Gaby was active on the UNH campus serving in the student Senate.

She also used her time in college to grow her heart for community service as a member of Alpha Phi Omega, a service organization through which she spent one of her spring breaks traveling to Houston, Texas, where she joined other students in rebuilding homes for people still impacted by the devastation caused by Hurricane Harvey. Besides serving as an intern here in the Senate, Gaby also held internships during her college years within the New Hampshire Public Defender office and the Dauphin County District Attorney's office. All her internships will serve her well as Gaby heads to law school this fall at Liberty University in Virginia. Her future plans, besides practicing law, include having lots of dogs. When not at school, Gaby lives in Palmyra, Lebanon County, with her family and is a constituent of Senator Gebhard, in whose Capitol office Gaby's brother, Joe, is also working as an intern this summer. Mr. President, I ask the Members of the Senate to please join me in offering Gaby our usual warm welcome to the Senate.

The PRESIDING OFFICER. Would the guest of Senator Scavello please rise so the Senate may give you its usual warm welcome.

(Applause.)

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Gebhard.

Senator GEBHARD. Mr. President, I rise today to introduce my summer intern, Joseph Corricelli. Joseph is entering his junior year at the Indiana University of Pennsylvania, where he has a split major in criminology and prelaw with a minor in forensic bioscience. He belongs to the Kappa Sigma fraternity and also plays as a midfielder for IUP's men's club lacrosse team. Following graduation, he plans to continue his schooling, pursuing his master's degree, then a law degree, ultimately hoping for a career in corporate law or as a Federal prosecutor. Joey has been a fantastic addition to our Harrisburg office this summer. So, please help me give a warm Senate welcome to Joey Corricelli.

The PRESIDING OFFICER. Would the guest of Senator Gebhard please rise so the Senate may give you its usual warm welcome.

(Applause.)

**GUEST OF SENATOR ARTHUR L. HAYWOOD  
PRESENTED TO THE SENATE**

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

Senator HAYWOOD. Mr. President, I rise today to introduce Sarah Miller, an intern in my office. Sarah is a resident of Mount Airy in Northwest Philadelphia and is one of my constituents. She is a graduate of Jack Barrack Hebrew Academy, a college preparatory high school in Bryn Mawr, where she earned the highest GPA in her graduating class. This fall, Sarah will enter her sophomore year at George Washington University in Washington, D.C. She has a major in both political science and economics. During her freshman year, she made the dean's list and became a presidential scholar. In September, *The George Washington Law Review* accepted Sarah as a writer on politics, law, ethics, and philosophy. Sarah also serves as an executive board member at-large of the George Washington Parliamentary Debate Society, where she competes in intercollegiate debate tournaments with the American Parliamentary Debate Association. Sarah played basketball in high school and is an avid fan of the Philadelphia 76ers. Sarah looks forward to seeing how local and State politics work, and she is inspired to help her neighbors and her community. I am pleased to welcome Sarah Miller as an intern in our office and ask for a warm Senate welcome.

The PRESIDING OFFICER. Would the guest of Senator Haywood please rise so we may give you our usual warm welcome.

(Applause.)

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

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

Senator CAPPELLETTI. Mr. President, I rise to welcome my summer constituent services intern, Jesse Conen, to the Senate Chamber. Jesse joined my team only a week ago but has hit the

ground running. In the past week, he has already tackled a handful of constituent cases, assembled care packages for senior citizens, and conducted vendor outreach for my upcoming kids' fair in August. To say the least, he has already proven a valuable addition to my team.

As a resident of the 17th Senatorial District, Jesse also graduated from Radnor High School in June of 2021 and boasted an array of extracurricular activities, including vice president of Model United Nations; sports section editor of the student news website, *Radnorite*; captain of the High-Q academic quiz team; captain of varsity track and field; varsity soccer; and even elected homecoming king. But it is exceptional to note that his former position as student representative to Radnor's board of curriculum has proven to be the most impressive, and I have heard from many of the school board members just how impressed they were with him personally. I hope that much of what he learns through my office this summer proves to be useful and informative as he continues his political science studies at Duke University this fall, where he will be a sophomore. He certainly joined my team at the right time to gain as much experience as possible and knowledge as we enter this budget season. Please join me in welcoming Jesse Conen to the Senate Chamber.

The PRESIDING OFFICER. Would the guest of Senator Cappelletti please rise so the Senate may give you its usual warm welcome.

(Applause.)

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**HB 1614 CALLED UP OUT OF ORDER**

**HB 1614 (Pr. No. 2938)** -- Without objection, the bill was called up out of order, from page 8 of the Third Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

**BILL REREFERRED**

**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.

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

**HB 2157 CALLED UP OUT OF ORDER**

**HB 2157 (Pr. No. 3277)** -- Without objection, the bill was called up out of order, from page 8 of the Third Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

**BILL REREFERRED**

**HB 2157 (Pr. No. 3277)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for fireworks; and making a related repeal.

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

**SECOND CONSIDERATION CALENDAR**

**HB 1935 CALLED UP OUT OF ORDER**

**HB 1935 (Pr. No. 2210)** -- Without objection, the bill was called up out of order, from page 14 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**HB 1935 (Pr. No. 2210)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, in general provisions, further providing for purpose and legislative intent, for legislative findings and for definitions; in Pennsylvania Intergovernmental Cooperation Authority, further providing for powers and duties, for term of existence of authority, for financial plan of an assisted city, for powers and duties of authority with respect to financial plans and for limitation on authority and on assisted cities to file petition for relief under Federal bankruptcy law; in bonds and funds of authority, further providing for bonds, for final date for issuance of bonds and for city payment of authority bonds; in Pennsylvania Intergovernmental Cooperation Authority tax, further providing for duration of tax; in miscellaneous provisions, providing for applicability of other law; and making related repeals.

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.

**HB 2032 CALLED UP OUT OF ORDER**

**HB 2032 (Pr. No. 3148)** -- Without objection, the bill was called up out of order, from page 15 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**HB 2032 (Pr. No. 3148)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program.

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.

**HB 2526 CALLED UP OUT OF ORDER**

**HB 2526 (Pr. No. 3316)** -- Without objection, the bill was called up out of order, from page 16 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**HB 2526 (Pr. No. 3316)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing additional State and local bridge projects; and providing for the highway capital budget project itemization for the fiscal year 2022-2023 to be financed from current revenue or by the incurring of debt.

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

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Health and Human Services to be held in the Rules room, followed by a Republican caucus.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Health and Human Services, Senate Democrats will meet in the rear of the Chamber for a caucus.

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

**AFTER RECESS**

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

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

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT pro tempore. Senator Corman and Senator Yaw have returned, and their legislative leaves are cancelled.

**RECESS**

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

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations and a meeting of the Committee on Appropriations.

The PRESIDENT pro tempore. For purposes of off-the-floor committee meetings to be held here on the Senate floor, starting with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT pro tempore. Senator Browne has returned, and his temporary Capitol leave is cancelled.

**CONSIDERATION OF CALENDAR RESUMED**

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 477 (Pr. No. 1783)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in alteration of territory or corporate entity and dissolution, providing for municipal boundary change; in consolidated county assessment, further providing for definitions, for changes in assessed valuation and for abstracts of building and demolition permits to be forwarded to the county assessment office; and making related repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No 477?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 477.

On the question,

Will the Senate agree to the motion?

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

**YEA-50**

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

Corman	Kearney	Scavello	Yudichak
Costa	Langerholc		

**NAY-0**

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**THIRD CONSIDERATION CALENDAR RESUMED**

**PREFERRED APPROPRIATION BILLS OVER IN ORDER**

**HB 2653, HB 2654, HB 2655, HB 2656, HB 2657, HB 2658, HB 2659, HB 2661 and HB 2662** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL OVER IN ORDER**

**SB 1** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

**BILL LAID ON THE TABLE**

**HB 118 (Pr. No. 2521)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the final disposition of fetal remains; and imposing penalties.

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

**HB 118 TAKEN FROM THE TABLE**

Senator K. WARD. Mr. President, I move that House Bill No. 118, Printer's No. 2521, be taken from the table and placed on the Calendar.

On the question,

Will the Senate agree to the motion?

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

Senator A.H. WILLIAMS. Mr. President, we ask for a roll call vote.

And the question recurring,

Will the Senate agree to the motion?

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

**YEA-29**

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

Corman	Martin	Scavello	Yudichak
DiSanto			

NAY-21

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

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 129 (Pr. No. 2718)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in determination of compensation, appeals, reviews and procedure, further providing for rules of procedure and for place of hearing.

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

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I rise to add just a few comments about House Bill No. 129 and remove any misconceptions. House Bill No. 129, sponsored by Representative Jim Cox, would require the Unemployment Compensation Board of Review to revise their rules to modernize unemployment compensation hearings. This issue has been a priority for the business community for many years. The modernization will require a shift from in-person hearings to hearings primarily by video conference with telephone as an option where videoconference is not available. I want to be clear that this bill was amended in committee to allow parties to hearings, whether claimants or businesses, to request an in-person hearing for any reason, and it may not be denied. I just wanted to clear up that misconception that this does not make it a matter of course to always have these hearings via virtual or telephone--it is an option--and any party on either side can request an in-person hearing, and it must be accepted.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Mastriano has returned, and his temporary Capitol leave is cancelled.

And the question recurring,  
Shall the bill pass finally?

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

YEA-27

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

NAY-23

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

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

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

BILLS OVER IN ORDER

**SB 137** and **SB 145** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL AMENDED

**HB 146 (Pr. No. 915)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for parole power.

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

BAKER AMENDMENT A5152 AGREED TO

Senator BAKER offered the following amendment No. A5152:

Amend Bill, page 1, line 3, by inserting after "for":  
definitions and for  
Amend Bill, page 1, lines 6 through 8, by striking out all of said lines and inserting:

Section 1. Section 6101 of Title 61 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:  
§ 6101. 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:

\*\*\*

"Obstruction of justice offense." An act, conspiracy or solicitation to commit any of the following offenses under 18 Pa.C.S. (relating to crimes and offenses):

Section 4952 (relating to intimidation of witnesses or victims).

Section 4953 (relating to retaliation against witness, victim or party).

Section 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).

Section 5121 (relating to escape).

Section 5122 (relating to weapons or implements for escape).

Section 5123(a), (a.2) or (c) (relating to contraband).

\* \* \*

"Violent offense." An act, conspiracy or solicitation to commit any of the following offenses under 18 Pa.C.S.:

Section 2501 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Section 2702.1 (relating to assault of law enforcement officer).

Section 2703 (relating to assault by prisoner).

Section 2703.1 (relating to aggravated harassment by prisoner).

Section 2718 (relating to strangulation).

Section 3121 (relating to rape).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 3126 (relating to indecent assault).

Section 3301 (relating to arson and related offenses).

Section 5501 (relating to riot).

Section 2. Section 6137 of Title 61 is amended by adding a subsection to read:

Amend Bill, page 1, line 14, by striking out "imprisonment" and inserting:

incarceration

Amend Bill, page 1, line 15, by inserting after "court":

with respect to the underlying offense for which the person was originally convicted

Amend Bill, page 1, line 15, by inserting after "conviction":

for the violent offense

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

incarceration

Amend Bill, page 2, line 4, by inserting after "court":

with respect to the underlying offense for which the person was originally convicted

Amend Bill, page 2, line 5, by inserting after "conviction":

for the obstruction of justice offense

Amend Bill, page 2, lines 7 through 30; page 3, lines 1 through 17; by striking out all of said lines on said pages

Amend Bill, page 3, line 18, by striking out "2" where it occurs the first time and inserting:

3

Amend Bill, page 3, line 21, by striking out "3" and inserting:

4

Amend Bill, page 3, line 24, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

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

Senator BAKER. Mr. President, the amendment makes several technical definition changes to the bill and also clarifies that parole may not be granted for 24 months following the expiration of a minimum term for the original offense or 24 months following the conviction for a subsequent violent offense. This underlying bill is named Markie's Law for Markie Mason, a young boy from Lawrence County who lost his life because of an offense by an individual who had a violent conviction while still in prison, yet he was released at his minimum sentence date. So, the amendment makes several clarifications.

Thank you, Mr. President.

And the question recurring,

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 K. WARD.

BILL REREFERRED

**HB 220 (Pr. No. 187)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL AMENDED

**SB 225 (Pr. No. 1809)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality health care accountability and protection, further providing for definitions, for responsibilities of managed care plans, for financial incentives prohibition, for medical gag clause prohibition, for emergency services, for continuity of care, providing for medication assisted treatment, further providing for procedures, for confidentiality, for required disclosure, providing for medical policy and clinical review criteria adopted by insurer, MCO or contractor, further providing for internal complaint process, for appeal of complaint, for complaint resolution, for certification, for operational standards, providing for step therapy considerations, for prior authorization review and for provider portal, further providing for internal grievances process, for records, for external grievance process, for prompt payment of claims, for health care provider and managed care plan, for departmental powers and duties, for penalties and sanctions, for compliance with National Accrediting Standards; and making editorial changes.

On the question,

Will the Senate agree to the bill on third consideration?

PHILLIPS-HILL AMENDMENT A5208 AGREED TO

Senator PHILLIPS-HILL offered the following amendment No. A5208:

Amend Bill, page 28, line 28, by inserting after "INSURER":

, MCO or contractor

Amend Bill, page 35, lines 3 through 12, by striking out all of said lines and inserting:

"Urgent health care service." A covered health care service subject to prior authorization that is delivered on an expedited basis for the treatment of an acute condition with symptoms of sufficient severity pursuant to a determination by a duly licensed and board-certified treating physician, operating within the individual's scope of practice and professional expertise, that the absence of such significant medical intervention is likely to result in serious, long-term health complications or a material deterioration in the enrollee's condition and prognosis.

Amend Bill, page 40, line 16, by striking out the bracket before "EMERGENCY"

Amend Bill, page 40, line 16, by striking out the bracket after "EMERGENCY"

Amend Bill, page 40, line 18, by striking out the bracket before "EMERGENCY"

Amend Bill, page 40, line 18, by striking out the bracket after "EMERGENCY"

Amend Bill, page 60, line 15, by inserting after "A":

complete

Amend Bill, page 61, by inserting between lines 6 and 7:

(4) Upon receipt of a submission of a prior authorization request, an insurer, MCO or contractor shall notify the health care provider of any missing or other supporting information necessary to make it a complete prior authorization request in accordance with subsection (h).

Amend Bill, page 61, line 7, by striking out "(1)"

Amend Bill, page 61, lines 22 through 24, by striking out all of said lines

Amend Bill, page 73, lines 10 through 12, by striking out all of said lines and inserting:

Section 11. This act shall take effect as follows:

(1) This section shall take effect immediately.

(2) The addition of section 2155 of the act shall take effect January 1, 2023.

(3) The remainder of this act shall take effect January 1, 2024.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from York, Senator Phillips-Hill.

Senator PHILLIPS-HILL. Mr. President, this amendment makes changes to timelines for prior authorization requests as well as several technical changes.

Thank you, Mr. President.

And the question recurring,

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 AUMENT.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 331 (Pr. No. 3324)** -- 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 and incentive-based savings program; and imposing a penalty.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator DiSANTO. Mr. President, I rise in support of House Bill No. 331. The addition of the SAFE Cannabis Banking Act, as offered by myself and Senator Street, only strengthens this bill's impact on Pennsylvania. Improving access to financial insurance services for the State's medical cannabis industry removes the public safety risk for an industry regulated to transporting piles of cash in armored trucks, so often across State lines. It will also allow these deposits and business activities to stay

local and grow our economy further. I ask Members for an affirmative vote.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I join my colleague, Senator DiSanto, in encouraging an affirmative vote. The provisions of cannabis banking are incredibly important. As was stated, it does provide additional safety, but moreover, in the long run, allowing traditional banking opens up markets to allow smaller and more diverse businesspeople to become involved in the cannabis industry. The current provisions that prohibit traditional banking make it financially difficult for small businesspeople, whether it be people of color or even small farmers, to get engaged in this industry. We want to take the appropriate steps, so when the Federal government moves forward, we, in Pennsylvania, are well positioned to have a diverse industry that maximizes the impact on the lives of Pennsylvanians. Therefore, I also join my colleague in urging an affirmative vote.

And the question recurring,

Shall the bill pass finally?

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

YEA-46

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

NAY-4

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

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

BILLS OVER IN ORDER

**SB 358, SB 457, SB 676, SB 775, SB 871 and SB 956** -- Without objection, the bills were passed over in their order at the request of Senator AUMENT.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 972 (Pr. No. 2886)** -- The Senate proceeded to consideration of the bill, 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 harms suffered by designation.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator L. WILLIAMS. Mr. President, I rise in opposition to this bill, and every single one like it, for the fourth time. It is clear that the priority of this Chamber is to traumatize LGBTQ kids, their families and friends, and everyone who supports them. What other issue is getting this much attention? I would love it if we could spend our time focusing on the issues that affect every student--things like smaller class sizes, access to career and tech education, and mental health supports for students and educators, just to name a few. Instead, we are focused on traumatizing kids and privatizing our entire education system.

Pennsylvanians are asking for a lot of things right now. They are asking to be able to afford to live. There are bills that we could pass right now that would give people a fighting chance to do just that: put money in their pockets, reign in corporate greed, and get small businesses back on track. But that is not the priority of the Calendar-controlling Majority. They would rather focus on harming our kids by continuing to bring up bills like this. I am a "no" vote, and I encourage my colleagues to do the same. I hope that one day soon we can focus on improving the mental health of our students, teachers, and their families instead of harming it. Thank you.

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

Senator CAPPELLETTI. Mr. President, I rise in disgust that we are continuing to target the LGBTQ community in the middle of Pride Month. Not that there is ever a good time to attack marginalized communities like the LGBTQ community, but it feels especially egregious to do it during this month. I would like to remind you, by reading my past testimony, what students are actually concerned about. The Senate Democratic Policy hearing that we held was unique in its testifiers and audience. We held that at the beginning of this month; it was entitled "Student Voices in Education," and it allowed student testifiers, in front of an audience of their peers, to talk about what issues are pervasive in their school districts today. It gave us as lawmakers the opportunity to engage directly with student leaders to learn about what solutions they needed from us here in Harrisburg.

These eight student testifiers of diverse backgrounds highlighted the challenges of student equity, mental health, and student belonging. The majority of students concluded that there was a lack of community in their school districts that leads to the further marginalization of vulnerable individuals. They wanted to see this dynamic change so every student feels welcomed, included, and seen in their schools. Not one of them talked about the need for legislation like House Bill No. 972, because it does the exact opposite of what they were asking of us; because House Bill No. 972 is trying to solve a problem that does not exist. The

problem that does exist is the clear lack of inclusivity and the lack of understanding of marginalized communities.

Transgender Pennsylvanians are simply trying to do what I, as a cisgender woman, and all Members of this Chamber, as cisgender individuals, try to do every day: live as our most authentic and best selves. We should be doing more to encourage Pennsylvanians to be exactly who they are throughout their entire lives without the fear of being marginalized or othered. The decision to push this piece of legislation forward while so many other solutions to real problems sit in committee demonstrates that we are more concerned with politicizing social issues and bullying transgender kids rather than solving the problems and issues that our constituents rely on us to tackle. I will be voting "no" on House Bill No. 972 and encourage anyone in this Chamber who believes themselves to be a feminist to do so.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Collett.

Senator COLLETT. Mr. President, I rise today to express my grave concerns about House Bill No. 972, misleadingly entitled, protecting women's sports, and my profound disappointment with the fact that a bill like this one, which does nothing to move the ball forward for women and girls in Pennsylvania, has been brought up for a floor vote while so many pieces of legislation that would help women and families languish away. Yet again, I find myself here, begging my colleagues to stop wasting time and taxpayer money fast-tracking partisan, headline-grabbing bills that you know will be vetoed. We are a diverse Commonwealth, and each of us in this room has sworn to represent the voices of and make laws to improve the lives of all Pennsylvanians. I for one will not kowtow to hate and fear-mongering extremists, who want nothing more than to divide us, who are using some of Pennsylvania's most vulnerable citizens, LGBTQ children, as pawns in an ugly political game they did not ask to play. My constituents demand that I be better than that. Pennsylvanians demand that we, as a body, be better than that.

Pennsylvania is at a critical precipice. Women, in particular, do need our help. They need it in the form of affordable childcare, paid family leave, a living wage, student loan relief, and protection of their abortion rights. They need the people in this room to work together to get people back into the workforce, families back on their feet, and small businesses back up and running. They need us to make sure they have access to affordable healthcare and are able to age with dignity. They need us to make sure their kids are getting a quality education, and they need us to protect the environment and economy we will be leaving to them. Those are the issues I think we should be talking about. But, since we are talking about House Bill No. 972--and the other shameful bills the Majority scheduled today to attack the existence, rights, and liberties of the LGBTQ population in this Commonwealth--I will simply say that House Bill No. 972 is a radical solution in search of a nonexistent problem. There are many biological, genetic, and other factors that influence an individual's athletic ability, and there is no evidence that trans, intersex, and other children who would be affected by this legislation have competitive advantages. So, instead of diving down this rabbit hole, let us focus on what we do know. We know transgender youth are 25 percent more likely to be bullied in school. They are 4 times more likely to suffer from mental health issues and 22 percent more likely to

attempt suicide. There have been a number of bills introduced in both the House and this Chamber aimed at improving mental health services for students. If we really want to talk about protecting kids, let us pass those.

Thank you, Mr. President.

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

Senator MASTRIANO. Mr. President, I rise in strong support of House Bill No. 972. Women have only had the right to vote for 102 years in America. There was a lot of hard work for women's suffrage rights just a century ago. And as far as sports, it took a long time--only 50 years since Title IX was passed, 50 years ago--and only recently have female sports achieved equal opportunities, scholarships, and excellence after 50 years of Title IX. After all this hard work and sacrifice of so many incredible ladies across the centuries, now we are going to roll it back with biological males dominating female sports. I mean, this is a bad scene out of *Star Trek*, "beam me up, Scotty." There is no sign of intelligent life anywhere. That we would set back years and years of work and opportunity for biological males?

Follow the science, I was told for the past 2 years here in our debates regarding the reaction to COVID-19. So, let us do just that. "Facts are stubborn things," John Adams said. Every cell in your body determines whether you are a male or female. That is demonstrable, that is science. Let us follow the science. Biological males are born larger. Okay, let us talk about swimming. We saw Thomas go from the male team, rated 467 [internationally], joined the female team, number 1. With all the advantages of being a male, bigger hands, bigger feet--which help in swimming--bigger lungs, bigger heart, bigger bones, more strength, and nothing can change that fact. So, all those incredible female athletes who have worked so hard across their lives for opportunities and for scholarships are being rolled back by biological males.

My good colleague from Lancaster County pointed out that one of the fastest women in the world, she can be beat by male athletes on high school teams. I mean, that is--follow the science. It is incredible that here I stand sounding more like a feminist than the so-called feminists do. I am here to defend female rights, female athletes, and their right to be able to compete without being disadvantaged by biological, scientifically proven men, who want to go on a girls' team so they can be number one. That is a big problem for me. I do not even know how anyone could think that is just or right. It is not fair. It is not right. We need to stand up for women.

When I was in high school, I was an athlete. You might debate that today, but I watched the women's track team and how hard so many of those ladies worked to compete. But, on the men's team there, obviously, the times and the distances were a lot further and faster because of their biological differences. That I even have to repeat this defies reason. It is time for logic and reason to prevail. Women deserve the right to have the same opportunities and not to be dominated, once again, by a patriarchal, male-dominated society, where stronger men are going to roll over them and take away their opportunities, their scholarships, and all their sacrifice over the years. It is time that we stand with women. It is time we stand with the female athletes and not snatch away with this awful decision to allow male athletes to compete in female sports.

Thank you, Mr. President.

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

Senator COMITTA. Mr. President, I will be voting "no" on this bill. I could go into all the reasons why it is wrong and harmful, and my colleagues are doing a very good job of that. I could list all of the organizations that are opposed to it: Department of Education, PSEA, AFT, Education Law Center, 23 we have in the list. But the bottom line is, we are now a day away from the budget deadline, and we are debating a bill that the Governor already said he intends to veto. I hope we can put aside these distractions and focus on the issues that really impact all Pennsylvanians, like investing in education, increasing economic opportunity, protecting our environment, and addressing rising consumer costs and gas prices.

We have significant resources on hand. With a \$9 billion budget surplus, we can do all of that and more. We can provide more certainty, more stability and opportunity for Pennsylvanians, while saving and planning for the future. But we need to start doing the real work of government. I am voting "no" on this bill. It does not help Pennsylvanians. It hurts our children. It does not help at a time when there are plenty of ways that we can and should help them. Let us move in that direction. Thank you.

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

Senator MUTH. Mr. President, I was not going to speak on this bill because I spoke on the Senate version. Again, here we are in a repeat, from another Chamber, just another piece of hateful, waste-of-time legislation that we are voting on--as my colleague just said, in the midst of a budget--that does nothing, nothing to defend women's rights. Nothing. I am appalled that anyone would stand on the Senate floor as a public servant and state that they are defending female rights when, clearly, there is an attack happening on LGBTQ. There is an attack happening on women across the country right now with the recent overturn of *Roe v. Wade*. Please, for the public's awareness, I rise today to state the truth that a true feminist fights for all female and women's rights and everyone's rights. Everyone. Not cherry pick to pick a narrative, and I am appalled that the Senate floor has become the place for a platform for attack ads for people on the ballot in November by running waste-of-time bills that do nothing to help Pennsylvanians, and then a platform for some to spew out a hateful agenda that does nothing but cause harm. I urge a "no" vote on this legislation.

Thank you, Mr. President.

The PRESIDENT pro tempore. I would remind all Members of the Senate that speaking about motivations of other Members or other sides of the aisle is not permitted by our rules, and I would ask everyone to steer away from talking about motivations.

The Chair recognizes the gentlewoman from Blair, Senator Judy Ward.

Senator J. WARD. Mr. President, I just looked, there is a news article today on a 29-year-old biological male who came in first place at a New York women's skateboarding competition. This person is a father of three, a combat veteran, and he was previously rejected by the Olympics for too much testosterone. Who thinks this is okay? Who is advocating for the 13-year-old young lady who competed against him? I think this proves our point.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes, for the second time, the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, who advocates for that? Me, I stand for that. Thank you. I stand with trans women and trans girls because they are women, and they are girls. Do not use this as a guise of protecting women. I stand with Senator Muth and so many other people, acknowledging that, right now, there is an assault on me, as a human being. Who I am, as a human being, is being assaulted. Decisions that I get to make about what it looks like for me to start a family is being assaulted but, no, let us protect girls--

#### POINT OF ORDER

Senator AUMENT. Mr. President, a point of order.

The PRESIDENT pro tempore. The gentlewoman will cease. What is your point of order?

Senator AUMENT. I have listened to the debate and have given, I think, Members a great deal of leeway, a lot of flexibility. But I believe we are, again, getting to the point where we are challenging Members' motives.

The PRESIDENT pro tempore. The Chair thanks the gentleman. The point of order is well taken. Again, I would remind all Members that speaking on motivations of other Members in this Chamber is not permitted within our rules. I ask the gentlewoman and all Members to try to steer away from that line of discussion.

Senator CAPPELLETTI. Mr. President, this is--

#### POINT OF ORDER

Senator A.H. WILLIAMS. Mr. President, thank you for that instruction. I would remind--

The PRESIDENT pro tempore. Senator Anthony Williams, for what reason do you rise?

Senator A.H. WILLIAMS. For perspective on the point of order.

The PRESIDENT pro tempore. Senator Cappelletti has the floor. Do you have a point of order?

Senator A.H. WILLIAMS. I do.

The PRESIDENT pro tempore. Please state your point of order.

Senator A.H. WILLIAMS. Mr. President, to gain further perspective on the guidelines and guardrails. We are mindful and our Members are mindful, on this side of the aisle, of being respectful of the rules. I would also be reminding all of us in the Senate, when we stand and make comments about individuals and who is fighting for whose rights, that is also a perspective of motivation. I think all advice to all Members need to be instructed in that manner, and if we are going to have other Members instruct to them in that advice, then I think it has to be universal with regard to that.

Thank you, Mr. President.

The PRESIDENT pro tempore. I believe I did instruct all Members, not just Democrat Members or Republicans. All Members of the Senate, we follow the Senate rules, and the Senate rules are we do not speak on motivations of another Member on the floor. I am just cautioning Members to please stick within those rules. Thank you.

Senator A.H. WILLIAMS. Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes, again, continually, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, it is not a question of motivation, to be honest. There are so many more things that we can do that would actually protect women, that would actually protect childbearing individuals. This does not provide any protections; this does not support us in any way. It does not help us get childcare when we need it. It does not give us a living wage. It does not give us access to healthcare, so if we choose to start a family, it is not ungodly expensive or dangerous to give birth to that child. So, no, saying you are doing this under the guise of protecting or supporting women is just flatly wrong, and it is not a question of motivation, it is a statement of fact.

Thank you, Mr. President.

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

Senator BROOKS. Mr. President, it is unfortunate that this conversation has been hijacked by soundbites of hate, implying that the folks who are trying to stand up for all those little girls--

#### POINT OF ORDER

Senator A.H. WILLIAMS. Mr. President--

The PRESIDENT pro tempore. Will the gentlewoman cease?

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

What is your reason--

Senator A.H. WILLIAMS. Point of order, Mr. President.

The PRESIDENT pro tempore. Point of order? What is your point of order?

Senator A.H. WILLIAMS. You gave us instructions that we were mindful of and that the gentlewoman who preceded followed. Now we are talking about hate? If that is not a comment on motivation, I am not quite sure what is. If the Member desires to speak about the legislation, do so, but we are all going to follow the same rules.

Thank you, Mr. President.

The PRESIDENT pro tempore. I would just continue to provide the same caution for all the Members of the Senate to be careful of the tone and the motivations of other Members.

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

Senator BROOKS. Mr. President, groups are out there saying this legislation is about hate, you can read about it; they are talking about it; and they are not talking about, truly, what this legislation does. This legislation protects all those little girls who dream of competing in women's sports, their sports, dreaming of going to the Olympics one day and competing against folks and girls who, genetically, are the same as they are. It is about genetics. It is not about feeling one way or the other; it is about genetics. Genetically, men's hearts are different. Genetically, men's lungs are different. Genetically, most men are built differently. Genetically, most men have larger hands, larger feet. It is about genetics. And really, truly, I think what sums this whole conversation up--Caitlyn Jenner, a transgender woman, has come out and said that it is unfair for transgender people to compete in women's sports if they were biologically born or genetically a man. Caitlyn Jenner, who I think all of us in this Chamber admired and think was one of the best athletes of all time, feels that

genetically born men should not compete in women's sports. It is about genetics; that is all this is about. It is wanting women to be able to compete in the sport and have fairness and equality in that sport.

Thank you, Mr. President.

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

Senator MARTIN. Mr. President, I rise in support of this House bill. Since the last time that we actually engaged in debate on a prior Senate version related to that, there actually was the conclusion of a 2-year process where FINA, the international body that governs aquatic sports over the International Olympic Committee and the International Federation of Swimming, after 2 years of research, has come back with some exact findings and how it is going to steer how they handle this competitiveness issue moving forward. Ironically, what they are recommending, based on their study about when transitioning happens—before or after puberty—and what that impact is before or after puberty, definitely creates a difference. What we have that was reflected in the Senate bill that was passed, and now in the House bill that is now here before us, is actually the exact same thing as the conclusion that FINA came to.

Now, we talked about last time that this whole idea should be really focused on opportunities and safety. And the whole concept of opportunity and safety is nothing that is new in terms of talking about sports on any level, whether it is down to the youth football level or all the way up to those who are competing internationally on the Olympic level. Even within the same gender we tend to move to a position where we are finding that we have to break apart, due to safety and to protect opportunities for all, and to divide things into different weight classes in boxing and wrestling. I can certainly assure you that if you ever had to watch me, as a heavyweight, have to compete against someone that weighs 106 pounds, that it would not be a very pretty picture, and there is a reason why we keep that separated. The same thing applies why you would never see a Mike Tyson fight a Sugar Ray Leonard. We break things apart because of safety.

Now, some people may say that this is not about the girls. I will tell you, as someone who has been an advocate for opportunities for young ladies, this is absolutely critical. Here we are, in Pennsylvania, fighting to sanction PA to grow the sport of women's wrestling, one of the fastest-growing sports in the entire country right now. Yet, we have places where we have young men who are now transitioning to be women, who are winning and competing in State wrestling championships in different States in the United States. We now have scenarios where we have young men who are now competing in the women's division in other States and winning State track and field championships. And for anyone who has not been through the process to say that where you finish on a podium does not absolutely impact your ability to be recruited and what kind of potential scholarship opportunities you have, I have news for you: it absolutely does.

So, to see the concern of young women, whether on the high school level; or those who are on the college level, who are looking to earn sponsorships to potentially compete in the Olympics; or a high school athlete looking to, hopefully, get a Division I scholarship; or what it might be. To simply brush it aside as, well, you have just got to put up with it because it is a matter of fairness, is not acceptable. It is not fair to the girls. It is not fair to the

spirit of what Title IX is to begin with. It is okay to talk about protecting opportunities; it is okay to talk about safety because it happens in most every single sport, and it happens even within male/female divisions. I could sit here, Mr. President, and list out example after example after example where this becomes a growing problem; some of them pretty horrific, where a biological female athlete had her skull cracked open by a transgender woman who transitioned post-puberty in an MMA fight. I can list tons of those examples, but we need to be focused on the fact that the two most important things are opportunity and safety. This bill, just like the Senate bill that came before that, is taking the same considerations that international competitive bodies have come to the conclusion of after 2 years of analyzing science.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, it was not my intent to speak about this, but certain comments have caused me to stand. I am not going to debate the science. I am not even going to debate that Caitlyn Jenner is one human being who does not represent all transgender folks. What I will say to you is this: we are the General Assembly of Pennsylvania, 2 days before we have not even solved the budget yet, and we are spending 2 hours talking about something that governing bodies do. The NCAA board of governors on Wednesday, today, voted in support of a sport-by-sport approach to transgender participation that preserves opportunities for transgender student athletes while balancing fairness, inclusion, and the hallmark of safety for all who compete. The new policy, effective immediately, aligns transgender student athlete participation for college sports with recent policy changes from the United States Olympic, Paralympic, and International Olympic Committees. Understand, for everyone who wants to stand on this Senate floor and debate about safety, or science, or women, or girls, the last time I checked, we have something called the PIAA in Pennsylvania, which we regulate to oversee sports and athletics in Pennsylvania, which we have given them the right and responsibility to do. Are we going to regulate every baseball game, every negative outcome of a football game, every time we do not want a certain township playing another township? That is what we have the PIAA for.

So, to stand on this floor and debate this as if it is not about more than simply protecting one and safety, I suggest that is hypocritical, which I guess is the Majority's right to do such. But if one is truly concerned about fairness and safety, then why would we not follow the instructions of the highest-ranking regulatory entity that we have in the United States as it relates to sports? Because it is not going to do what we want it to do, so, therefore, we are going to overwrite it and do something specific as it relates to this space. All I can suggest to you is when we do that, then we are rewriting the rules, flying the plane, designing the plane, and crashing the plane all at the same time. Most importantly, to our student athletes—to our student athletes—which after every game we are going to say, stand up and shake the hand of the other person; follow the rules. We just threw them out the window because we are going to make up the rules because we have a political point to stand upon. The NCAA and PIAA are the sanctioning bodies that should be involved in this conversation or this debate, and we should follow those regulations.

Thank you, Mr. President.

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

Senator DUSH. Mr. President, I had not planned on getting up and speaking, but some of the debate today has caused me to feel like I have to. I swam in high school and college. I swam for SunAquatics Senior National Team. I was not a top-tier swimmer, but I will tell you that if I had made the decision that I wanted to compete as a woman and had been given the opportunity to do that--thank God I did not have people saying I could do that back then--wow, the difference. There are literally hundreds of people in the national rankings, men, who are ranked higher because of the genetics, the physical attributes between a man and a woman. If all those people who are not top-tier swimmers in the male category decided at once to be transgender or identify as a woman, all of a sudden, all those women who have worked so hard--I have had the privilege of coaching young girls in swimming. I have had the privilege of swimming next to top-tier athletes, and to see all that work just thrown out the window because organizations like the NCAA and the PIAA allow this type of activity, I think it is appalling.

The work that goes into that, the hours. We never saw daylight. We used to call ourselves the never-see-daylight team because we would be getting up--we would be in the pool at 6 o'clock in the morning and we would be in the pool in the evening. Thousands of hours, thousands of miles swum trying to get the chance to stand on that podium, and to wipe it all out just because somebody decides they are going to go a different route, because of a decision that puts them competing against someone who does not have the physical attributes, I think it is just horrendous. And the safety issues are a significant issue, and when the PIAA and the NCAA do not take those actions, it is incumbent on us to protect those young women and young girls from the dangers that are inherent in wrestling and other sports. Protecting those young women from the type of physical damage that comes as a result of competing against boys.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from [Philadelphia], Senator Haywood.

Senator HAYWOOD. Mr. President, a Member seemed to indicate that a decision to move from one sport to another could be made at the time that the individual was involved in the sport. We know that the transition process is not a process that a person can undertake in their junior year, when they have realized they are not competitive in the sport, and then fully transition so that in their senior year they would be. So, I am very concerned about the characterization that an individual would make a decision to transition solely for the motivation of improving their position in sports. This is not a characterization that can withstand any kind of scrutiny when looking at the decision to transition, as well as the process of transition. Transition is in no way, of any experience that I have talked to any individuals, connected with merely trying to change their position in a sporting contest, and it is offensive to hear such a characterization of individuals making this core decision about their lives and characterizing that decision as motivated by sports.

Thank you, Mr. President.

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

Senator MENSCH. Mr. President, as so often happens in this Chamber, we are getting lost in a lot of different definitions and interpretations of the reality. If a transgender female wants to identify as a female, that is fine. That is their choice, one I would not make, but I can understand that someone might. But they are not a woman. Whether I am a man or a woman is decided at conception. It is decided by genes. It is decided by the chromosomes that establish in the egg of the female. When we are born, we are born only as one sex or the other in almost every case--there are some recorded abnormalities. But, to suggest that a transgender woman possesses the same genetic makeup as a true woman is just not an accurate definition.

So, what we are debating here, Mr. President, is what is fair? We are talking about sports. Father, daughter, many of us in this room probably have daughters. Do they compete? Have they competed in a sport? What is fair for that genetic female competing against a genetically established male who is, in their mind, identifying as a female? We have an apples and oranges comparison here, Mr. President. We do not have two females who are competing. In Lia Thomas' first meet as a transgender female, it was a 400-meter swim; she won that swim by 36 seconds. Mr. President, that is not fair. That is a male competing against a female, genetically, and is overwhelming the competition. It is interesting to note that at her meets, if she wins, the crowd does not even applaud. They wait until the first biological female touches the wall before the crowd even recognizes that someone has won.

Now, I swam. I swam for many years competitively. I can tell you that a 3.6 second victory is huge in competitive swimming. To imagine a 36 second victory is, I mean, it is just not accurate. It is not a reflection of what we, America, our sports, we have come to understand as fairness in sports. I am really glad that the previous speaker from Lancaster County brought up the FINA decision. It was released about a week after we had our previous debate on this same subject, and it has said that transgender females will not be allowed to compete, internationally, in competitive swimming. They are setting up a separate transgender competitive category so that transgender people can now compete against equally genetically established individuals. Mr. President, this is about a true female being able to compete against other true females. It is not about an imagined--or someone who wants to identify mentally as a female competing against other less physically advantaged, genetically established females. So, Mr. President, we need this bill. It is supported by science. It is supported by the most recent definition by the international body for competitive swimming, FINA.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-30

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Tomlinson
Baker	Gebhard	Phillips-Hill	Vogel
Bartolotta	Gordner	Pittman	Ward, Judy
Boscola	Hutchinson	Regan	Ward, Kim
Brooks	Langerhole	Robinson	Yaw

Browne Corman	Laughlin Martin	Scavello	Yudichak
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NAY-20

Brewster Cappelletti Collett Comitta Costa	Dillon Flynn Fontana Haywood Hughes	Kane Kearney Muth Santarsiero Saval	Schwank Street Tartaglione Williams, Anthony H. Williams, Lindsey
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

#### BILLS OVER IN ORDER

**SB 993, HB 996 and SB 1032** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1147 (Pr. No. 1673)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 5, 2012 (P.L.1086, No.127), known as the Public Works Employment Verification Act, further providing for verification form and for enforcement and sanctions; and establishing the Public Works Employment Verification Account.

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

On the question,  
Shall the bill pass finally?

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

Senator MUTH. Mr. President, I rise to ask the maker of the bill to stand for just a brief interrogation.

The PRESIDENT pro tempore. Senator Muth asks that the maker of the bill stand for interrogation. Does the maker of the bill agree to stand for interrogation? Senator Robinson indicates that he does. I would remind both participants that all questions go to the Chair, who will then repeat them to the Member.

The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, I am trying to seek clarity on a portion of the bill that does not exist, but wondering how the process works relative to how employee, individual, names would be shared under the employer that is being fined or audited through the process of this enforcement.

Senator ROBINSON. Mr. President, the Department of General Services, being a procurement agency, does not have a database of any individual persons. DGS audits the employer, and the employer only, to make sure they run new employees through the E-Verify system. This is simply a procurement requirement that

construction contractors use the E-Verify system and impose fines for negligence.

Senator MUTH. Mr. President, one follow-up question would be, it is my understanding that the payroll records are matched to see that--and that is the verification process through DGS--to make sure that the employer is filing through the E-Verify Federal program. So, I am just seeking clarity on how that payroll--is it an aggregate number, or is it broken down by the employee who is being paid in their individual capacity? Again, my true concern of the legislation is that names of undocumented workers could potentially be shared with other government agencies.

The PRESIDENT pro tempore. Would you let Senator Robinson--

Senator MUTH. Oh sure, yea.

The PRESIDENT pro tempore. --answer the question and then you can go back--

Senator MUTH. I just wanted to clarify the--

The PRESIDENT pro tempore. --and comment on the bill.

Senator MUTH. --that is fine. Thank you.

Senator ROBINSON. Mr. President, there is no database with the Department of General Services. They will not be collecting names.

The PRESIDENT pro tempore. Further on interrogation, or have you concluded?

Senator MUTH. I can just make a concluding statement. I do not think it is really a question. Thank you.

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

Senator MUTH. Mr. President, I just wanted to state that because I am not able to get clarity on the process--and I have never worked for DGS or for E-Verify programming--and how the names of employees are put into the system. While I know there is a Federal program involvement that those names--there is nothing in the bill that states explicitly that that data, regarding any individual employee, would not be shared with any other entity. So, I do not challenge the maker of the bill's intent, by any means. I think it is just lacking something that ensures that families are not separated, although they may be undocumented, and an immigration debate is probably for another day. But the actual critical role that these workers provide in our community is not just within one industry, it is across many. And to separate families--I understand the need to enforce. Many of these employers, likely, are not paying their workers fairly and may have working conditions that are unsafe, I think those two things can be addressed differently. So, I appreciate that the maker of the bill was willing to answer my questions.

Thank you, Mr. President.

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

Senator ROBINSON. Mr. President, the E-Verify system, administered by the U.S. Department of Homeland Security, determines the eligibility of employees, both U.S. and foreign citizens, to work in the United States. Since the Public Works Employment Verification Act of 2012 took effect, the law, which requires all public construction contractors and their subcontractors to use the Federal E-Verify system, has been subject to consistent, often futile, enforcement. Senate Bill No. 1147, sponsored by Senator Gebhard and myself, simply strengthens the law to ensure those who have been awarded public bids are fully complying with the

law. Specifically, our bill will increase existing nominal fines and penalties to meaningful levels. This legislation also provides revenue to the Department of General Services to fund enforcement, streamlining the system and reduces the need for time-consuming audits by requiring enrollment in E-Verify upfront.

Mr. President, the companies with strong business ethics should have every opportunity to participate in public construction jobs. And enforcing the E-Verify system ensures the contractor employees are eligible and authorized to work in the United States. I appreciate the bipartisan support Senate Bill No. 1147 has received from my colleagues in this Chamber and stakeholders that include the laborers, western Pennsylvania electrical contractors, and the union contractor associates. I am proud to have worked together with Senator Gebhard to sponsor legislation that will result in better business practices and a level playing field to create a fairer construction industry, and I respectfully ask my colleagues for an affirmative vote.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-44

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

NAY-6

Cappelletti	Kearney	Phillips-Hill	Saval
DiSanto	Muth		

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

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

**SB 1152 (Pr. No. 1834)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Overdose Mapping System; providing for implementation and for use; and conferring powers and imposing duties on the Pennsylvania State Police.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

Senator MASTRIANO. Mr. President, Senate Bill No. 1152 will drastically improve how our Commonwealth tracks and responds to overdoses in our communities. I would like to thank my good friend, the gentleman from Berks and Schuylkill Counties, Senator Argall, for cosponsoring this legislation with me.

We have a problem in Pennsylvania. We are looking at 4,500 overdoses annually, now, in our State; that is a 15 percent increase over the previous year. One hundred thousand overdoses, largely linked to fentanyl, in the United States of America. We had a rally a few days ago to talk about this legislation. It was heartbreaking seeing the moms, family members, and survivors losing so many beautiful loved ones here, and it is a tragedy. Senate Bill No. 1152 will require law enforcement and emergency medical services report all overdose incidents within 3 days--72 hours--to the statewide Overdose Information Network, also known as ODIN, or any other platform preapproved in Pennsylvania by the State Police. The ODIN system was established by the State Police of Pennsylvania in 2018 as a data entry system to collect and track overdose incidents across the State. The legislation will be used, of course, to look for spikes and activity across the State where response could be put together to prevent further deaths, tragedies, and major outbreaks of overdoses by bad batches of drugs and what have you. This legislation requires a progress report be sent to the General Assembly 6 months, 12 months, and 30 months after the effective date.

Why is this bill necessary? The legislation is especially timely as we are in the midst of this nationwide overdose crisis that I referred to previously and, once again, we are looking at 100,000 fentanyl and opiate deaths nationwide with about 4,400 in Pennsylvania in the last data that we collected. Heroin and opiate overdose are the leading causes of accidental death in Pennsylvania, even killing more individuals than dying in fatal car accidents. The ODIN system's reporting requirement will help State and county governments to address, react, and respond to spikes in activity in any particular community. From a law enforcement perspective, a more complete picture of real-time overdose data is a must. Finally, real-time data sharing will help county and local officials develop response plans where there is a spike in activity, and this will also be used in the interstate activity as well.

I would like to thank the Pennsylvania State Police, the Liberty Mid-Atlantic High Intensity Drug Trafficking Area, and the White House Office of National Drug Control Policy for their support in drafting this legislation. The bottom line is that Senate Bill No. 1152 will improve how we track, map, and respond to overdose incidents in our community and our State. I respectfully ask for an affirmative vote.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-50

Argall	Dillon	Laughlin	Schwank
Aument	DiSanto	Martin	Stefano

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

NAY-0

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

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

BILL OVER IN ORDER

**SB 1201** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1277 (Pr. No. 1832)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for parental notification relating to instructional materials and books containing sexually explicit content.

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

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Mr. President, I rise today to speak in support of Senate Bill No. 1277. And I first want to acknowledge and thank the gentlewoman from Northampton for the substantive amendment that she offered and was unanimously adopted on the floor of the Senate yesterday to make clear that this legislation is about limiting explicit sexual content in Pennsylvania schools. I want to be clear, right from the outset of my remarks, that the content we are trying to address in this bill is in multiple Pennsylvania schools in all regions of the State, and the more I speak about this proposal, the more I hear from families who provide additional examples. It is available to children without parental knowledge or consent, and it is extremely sexually explicit. That is not up for debate; those are the facts.

The graphic nature of the images in these books is so extreme that adults would be prohibited from viewing it in the workplace. In fact, we have had a conversation with our legal staff over the last number of weeks to determine how we can share this content, these examples, with those who are seeking to see the content or making such requests, says a lot. And yet, opponents of this bill

continue to defend these books, saying that they reflect the full, multicultural nature of the world, and that they are inclusive and affirming to our kids. Last I checked, providing pornography to elementary school children is not inclusive. It is disgusting, and it is wrong. In fact, I challenge any Member or staff in this Chamber to review these images and affirm that you think 6-year-olds should have unrestricted access to them in schools without their parents even knowing.

If a student drew images that were this explicit, they would be suspended. If a student brought in a book from a home with these explicit images, they would be reprimanded. School computers have strict content filters in place that prevent students from accessing sensitive materials or web pages. Children's iPads have parental control options. TVs have parental control options. Movies and TV shows have ratings to warn viewers of any explicit content. Virtually all forms of media have options for blocking or filtering mature content, but, unbelievably, opponents of this bill think books in elementary school libraries with pornographic images should not require parental consent. Schools would not be allowed to show a movie with sexually explicit images, but yet books with these same images are somehow okay. As much as I personally question the educational value of including these books in our school libraries or curriculum at all, what opponents seem to misunderstand about this bill is that it is not a book ban. It has never been a book ban, and it is not intended to be a book ban. The language of the bill does not have the effect of a book ban.

Senate Bill No. 1277 is not a book ban. Senate Bill No. 1277 allows parents to decide what content, sexually explicit content, their own children are exposed to in school; that is it. And if you and I stopped to listen, you will hear parents begging to be empowered in this way. Under this proposal, no parent will be able to dictate what content any other child has access to. They will only be able to control what content their own child has [content] to. This is how it should be; parents should have the final say. Parents should be empowered above teachers to make vital decisions regarding their own child's development. Parents want to be involved in their child's education, and Senate Bill No. 1277 gives them that opportunity. While we may not agree on what moral, ideological, and religious values to teach or not to teach our children, we can certainly agree that it should be up to a parent to decide, not the government.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, I would like to start my remarks on this book ban bill by taking a step back and talking about: what is the purpose is of our school library? All libraries are supposed to be forums for ideas and information. The American Library Association's bill of rights states that, quote, "Libraries should provide material[s] and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." When I was first presented with this bill, I was struggling to understand the implication. So, I turned to one of my local school librarians for help. She did what librarians do; she pointed me towards a resource. (*Reading:*)

In 1990, Dr. Rudine Sims Bishop published an essay about the importance of providing young readers with diverse books that reflect the



"multicultural nature of the world" in which we live. In the essay, Dr. Bishop coined the phrase "Windows, Mirrors and Sliding Glass Doors" to explain how children see themselves in books and how they can also learn about the lives of others through literature. Dr. Bishop makes the point that it's crucial for children from marginalized groups to view themselves in the books they read. When books don't serve as mirrors to children, Bishop says, "they learn a powerful lesson about how they are devalued in society."...When students read books where they see characters like themselves who are valued in the world, they feel a sense of belonging....In addition to acting as mirrors, books can also serve as windows that give readers a glimpse into the lives and experiences of others....Bishop goes on to explain that windows help us develop understandings about the wider world. Students need to learn about how other people conduct themselves in the world in order to understand how they might fit in....Sliding glass doors further expand[s] on the concept of windows. Instead of just viewing another person's culture or experience, glass doors allow readers to walk into a story and become part of [that] world....Literature is a powerful tool for building empathy, understanding, and compassion in our students. As Dr. Bishop explains, "When there are enough books available that can act as both [windows and mirrors] for all our children, they will see that we can celebrate both our differences and our similarities."...It is critical to understand that students cannot truly learn about themselves unless they learn about others as well.

How do the trained professional educators choose the books that are in our libraries, you may ask? It varies slightly from school to school, but books and materials purchased for use by children and adolescents in classrooms and libraries are selected by educators, librarians, and administrators trained in child development and pedagogy, using standards outlined in written policies approved by school and library boards and aligned age-appropriate State standards. Educators, including school librarians, work with parents who are interested in guiding their child's reading. A parent's right to control their own child's reading, however, does not include a right to restrict what other children read. A parent's right to control their own child's reading, however, does not include a right to restrict what other children read. School districts already have policies and processes in place that allow a parent to seek alternate reading or instructional materials for their child and to seek reconsideration of materials included in classroom or library collections.

So, let us be clear, this is a bill to ban books. No matter how hard some of its supporters claim otherwise, this is a bill that is part of a groundswell effort, driven by White nationalist groups, including the Proud Boys. And I want to speak to the ridiculous assertion that it is not--

The PRESIDENT pro tempore. The gentlewomen will cease. No groans when someone is speaking. The gentlewoman will keep her remarks to the issue before us.

Senator L. WILLIAMS. Mr. President, I am. I want to speak to the ridiculous assertion that this is not an attack on LGBTQ people, even with yesterday's amendment. The context of this vote is important. This bill is not being run on its own in a vacuum; this is part of a package of bills. We just voted on a bill to ban trans girls from playing sports from kindergarten to college for the second time on the floor. We are running Pennsylvania's "Don't Say Gay" bill immediately after this. The makers of this bill claim this is not an attack on the LGBTQ community and, yet, this Chamber is sitting on House Bill No. 2125, a bill that would remove homosexuality from the Crimes Code, that was passed unanimously from the House. If the bill is not to harm the

LGBTQ community, why did it choose to reference an outdated Crimes Code in the first place? Why did it not use a definition of pornography that already exists in law? Why does this bill not amend the Children's Internet Protection Act, which is specifically about preventing students from accessing obscene material and child pornography in schools? Why does the bill still ban books with nudity with no exception for health, science, or art class? Does that mean all books educating young girls on menstruation? What happens when a girl gets her period early and is embarrassed to ask questions? She will not be able to walk into the library and browse a book about what is happening to her body. Can an art teacher not teach about the statue of David or show a photo of the statues in the front of this very building?

And lastly, why does this bill not apply to private schools? In the Senate Committee on Education, we considered this bill on the same day we voted on a bill that creates a new tuition voucher program that takes billions of dollars directly from school districts. Because this bill lives squarely within the larger attack on public education, this bill is intended to stoke fear and give the appearance that there is porn in public schools. There is not, and the fact that this bill does not apply to all schools, including private schools, is telling. Senate Bill No. 1277 creates an absolutely impossible and unworkable requirement for schools, and it is a book ban on anything that is inclusive and affirming to kids. There is no practical way to implement this legislation. For example, one librarian explained to me that she has more than 14,000 physical books in her library. How is she supposed to flag any potentially objectionable content based on this entirely subjective, vague, and overly broad definition in all of these books by the start of the school year? How does she flag them? Does she put stickers on the books? Does she put all those books behind an old-school red Blockbuster curtain? Because under this bill, a child cannot even browse the book, let alone check it out. Is she supposed to, off the top of her head, know exactly what every kid who walks in is not supposed to see and stop them from walking down a particular aisle in the library? Also, the opposite could occur. What child is not going to want to go behind that red curtain? This burden will result in schools pulling books from the shelves in an effort to avoid policing their library. This bill is framed like we are trying to keep pornography and *Hustler* magazines out of the school library, neither of which are in our school buildings or will ever be. Nonetheless, this vote will be used against those of us who are standing with kids who should have the freedom to be themselves, no matter the color of their skin, how they worship, or their genders and protecting their constitutional rights in school.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I will be a "yes" on this bill, with the amendment that I sponsored yesterday, to make clear that the use of the Crimes Code definition was not an attempt to somehow call out the LGBTQ individual community. And for the record, Mr. President, I believe it is high time we take out references in our Crimes Code that criminalizes homosexuality; it is very hurtful. While I am pleased that we were able to rewrite the definition to take the reference of homosexuality out in Senate Bill No. 1277, we should also move House Bill No. 2125, by Representative Stephens, that just came over from the

House with unanimous support, to remove the references to homosexuality from the Crimes Code completely.

As for this bill, Mr. President, I believe the most difficult job on the planet right now is being a parent. It does not matter the age of your child; parents are on edge. All of us in this Chamber understand the access that kids have to information and content. There is literally nothing a child cannot access in the palm of their hands or at the fingertips of any device they have. So, I think this bill can help parents. It does not ban a single book when you read the legislation. This bill merely requires that school districts create a policy after at least one public forum to inform parents about potentially sexually explicit content available to kids and give parents the opportunity to have a say in whether they want their children to be able to see it. The definitions are clear, and I would doubt any schools in our Commonwealth make such material available to our kids. This bill does not even say you remove the material; it gives the parent the option to keep it away from their child.

Mr. President, heck, every app, device, and streaming channel known to man has parental controls allowing a parent to control content. We even rate movies for content. So, I think this exercise may help strengthen the faith between our parents, our school districts, and our schools. I believe this bill, kind of is more of a belt and suspenders--the parent notification of the books available to their kids and their chance to allow them to view it. There is no right to sue in this bill, just an opportunity to engage parents.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Collett.

Senator COLLETT. Mr. President, I rise today to share my deep concerns about Senate Bill No. 1277 and its far-reaching implications for Pennsylvania students, teachers, and schools. Mr. President, it feels like we have gone back in time. While we are stuck debating the moral quandaries of centuries past, the ones so many of us thought we had evolved beyond, the majority of Pennsylvanians are concerned with the very real problems of 2022, like consumer prices, staffing shortages, stagnant wages, and underfunded schools. Those are the issues we should be discussing and voting on today. Since we are wasting the taxpayers' time discussing a bill the Governor has pledged to veto, I want to speak about how this issue has already touched my district.

The Central Bucks school board recently considered a very similar policy change that would give residents the ability to seek removal of books and materials based on allegedly explicit or implied, quote, sexualized content. It is disappointing, though unsurprising, that most of the books used as examples to be removed, both in Central Bucks and in conversations about this statewide bill, feature LGBTQ protagonists and relationships. If Senate Bill No. 1277 was about all sexual content in literature, we would be hearing calls to pull any book with sexual content off the shelves, including classics like *Romeo and Juliet*, *Catcher in the Rye*, and *Dracula*. Even Anne Frank and the Bible contain discussions and depictions of sex, but that is not what we are talking about. We are talking about targeted, uneven partisan censorship.

Deborah Caldwell-Stone, the director of the American Library Association's Office for Intellectual Freedom, explained that policies like these risk excluding material with the lived experiences of persons who are gay, transgender, or queer and may even

provide an opportunity to remove books that have been previously found to be appropriate for the library in the past, like the beloved classics that have been part of the curriculum since we were in school. Take, for example, this quote from J.D. Salinger's *Catcher in the Rye*: "Most guys at Pencey just talked about having sexual intercourse with girls all the time--like Ackley, for instance--but old Stradlater really did it. I was personally acquainted with at least two girls he gave the time to. That's the truth." My goodness, with language like that, have we been indoctrinating our children into heterosexuality for years, decades? Have our teachers and librarians groomed generations of heterosexual individuals by providing access to these beloved literary works? Of course not. Make no mistake, despite repeated denials, homophobia and transphobia are at the heart of this legislation, and a targeted attack on LGBTQ censored books in an attempt to erase LGBTQ people will occur if this passes. We are hearing dog whistles in coded language like indoctrination and grooming, both of which have a long and shameful history of being used to imply that gay and trans people are inherently predatory. Using these extreme terms in this context is not only disingenuous, it is offensive to actual survivors of childhood sexual abuse, not incidentally a group this legislature has also failed.

In addition to concerns about targeting LGBTQ materials, there are legitimate First Amendment concerns with this legislation. Witold Walczak, the legal director of the ACLU of Pennsylvania, called Central Bucks proposed policy's vague language--which, again, is strikingly similar to the legislation we are considering today--"legally problematic," raising "serious First Amendment concerns." The ACLU put out a statement online saying, "It's not just wrong, it's probably illegal. [And] once the books start coming off the shelves, we'll see you in court." In practice, requiring school librarians to notify parents of any book or material containing sexual content is a legal and logistical minefield. School district libraries have tens of thousands of books. We are asking our already overworked and underpaid school staff to do what, read through every book in the library in its entirety? How would a school navigate the process of denying certain students certain books if their parents opt them out? Would any book containing sexual content be cordoned off, stored in the back room like an old video store, or would they simply be removed from the shelves and lesson plans altogether to avoid potential liability and added workload? This legislation does not provide any funding for schools to set this convoluted system into place, nor has this legislature worked to provide the funding to schools to have a trained, skilled, and certified librarian in every school of the Commonwealth to support our children's education in the first place.

Once again, Republicans are pushing extreme, Orwellian policies to nonexistent problems when they deprive us all the resources and liberty of self-government. When COVID-19 struck our Commonwealth, my colleagues in the Majority fought tooth and nail to allow individual school districts to make their own decisions on policies that worked best for their communities. Where are the freedom rallies now? Where are the calls to end cancel culture and limit the reach of government? Instead, we are clutching our pearls and turning back the clock with this unpopular, potentially illegal legislation to allow the censorship of books, largely LGBTQ books, deemed inappropriate by a handful of parents and legislators. I urge a "no" vote.

Thank you, Mr. President.

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

Senator SAVAL. Mr. President, I rise today to speak in opposition to Senate Bill No. 1277, a bill that I object to on several levels, though I will today focus on one. As a former academic with a doctorate in English literature, as well as a former journalist who covered art and design, I am impressed by how much of the work--literary and art historical--that I studied, taught to students, and wrote about could fall under the needlessly expansive rubric of this legislation. Moreover, I object to this bill as the parent of young children, indeed, children under the school age specified by this legislation. For one thing, I often have the pleasure of taking them to the Philadelphia Museum of Art, one of the greatest cultural assets of this Commonwealth. But this bill could forbid or block representation in a book in a library of the painting and sculpture contained at that museum. Why? There are, alas, nudes in the museum. Under the category of "visual depictions of nudity" that this bill presents as potentially objectionable, the legislation, if adopted, can compel librarians to block a student from viewing virtually the entire corpus of Renaissance, Baroque, and Realist European painting.

The greatest works of our greatest painters, Titian, Rembrandt, Manet, to speak not all of modern masters, such as Alice Neel and Lucian Freud, could be objected to. Virtually all of classical Greek and Roman sculpture, all of South Asian sculpture, in which many of the subjects are partially or fully unclothed, could be hidden from view. Moreover, much of the corpus of English literature that I studied, that students are introduced to, could be subject to obstruction. What would happen, as we have already heard discussed, to *Romeo and Juliet*, with its body innuendos and the fact that the two titular protagonists consummate their relationship? Would the objection of a parent to Shakespeare's Sonnet 129--which begins famously, "the expense of spirit in a waste of shame is lust in action," and is an explicit depiction of the facts of sexual intercourse--would the objection of a parent to that material compel removing Shakespeare's sonnets from instructional material and blocking access in the library? Indeed, under that rubric, could we remove many of the plays of Shakespeare and most of his contemporaries? Here, let us just name some other books, foundational classics of Western literature, that contain explicit references to sexual conduct: Homer's *Iliad* and *Odyssey*; *The Dialogues of Plato*; Saint Augustine's *Confessions*; Dante's *Divine Comedy*; John Milton's *Paradise Lost*. I was glad to read several of these books within the age range specified by this bill, indeed, taught some of them in school. All of these books were in the libraries of the Founding Fathers of this country, but, under this bill, they could be blocked from being read in the libraries of this country's schools.

It might be objected that these are not the principal targets of this legislation, but the point is, not only does this legislation not fundamentally discern among kinds of works--the language of depiction, the manner of reference, the very richness and breath of cultural life--indeed, the breath of a life as it is lived does not make such discernments. Saint Augustine, who I brought up earlier, the author of the first spiritual autobiography in European literature, described pleading, very famously, to God to grant him, quote, "chastity and continence, but not yet." But to get to that period of sexual renunciation that is described in that book,

he had to describe, indeed, sexual desire that he felt and conduct that he experienced among figures of many genders. Even in the works of the highest spiritual authority, works of sexual renunciation, there is language that this bill, in principle, could remove from instruction. Our books, our artworks, like our lives, are full of these complications that this bill would subject to potential occlusion. To learn of such complications is in no small part what education is, and to block children from access is to block them, therefore, from education. This bill will not protect children, and it will not empower parents. It simply, under the spurious guise of such protection and such empowerment, attacks education. It will eliminate the culture that it purports to save. I urge a "no" vote.

Thank you, Mr. President.

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

Senator MASTRIANO. Mr. President, as a doctor of history with four master's degrees; as a professor at the Army War College, who has taught down to the elementary level, up to the post-grad level; as an award-winning author, I stand in support of Senate Bill No. 1277. Ecclesiastes 3:1 tells us in the Old Testament, "There is a time for everything, and a season for every activity under the heavens." Senate Bill No. 1277 is a commonsense piece of legislation that puts the decision on exposing kids to very sexually explicit material in the hands of their parents, where it belongs; not in the hands of a bureaucrat, or State worker, or somebody in the school, but in the parents. We are talking about elementary kids 10 and under.

I think having a debate on this here is kind of interesting. The parents should have the last word. That I even have to say that in Pennsylvania in 2022 is a bit hard for me. We are talking about very sexually explicit material. We are not talking about a line out of *Catcher in the Rye* or a line out of any book that has been semi-controversial in the past. We are talking about very graphic pictures; and I know this because a mom came to my office last week, and she had a placard with these pictures, and they are very explicit, very graphic, very inappropriate, and embarrassing. You are talking about a 30-year Army vet; I had to avert my eyes looking at that. It was just not something that even I wanted to look at, depicting kids doing things, and I do believe that would be illegal as well. Those graphics were taken from a book publicly available in an elementary school. This is nonsense, common sense must prevail.

This is commonsense legislation. It is really not that controversial. It is hyperbolic and, perhaps, even a logical fallacy to say it has anything to do with a book banning and what have you. It has nothing to do with that. It is actually empowering parents. The books will stay in the library, but the parents have the last say on what their kids should be exposed to. That is their decision, and they should have the last word. So, with that, I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, my colleagues, the gentleman from Philadelphia County and the gentlewoman from Montgomery County, very eloquently painted the picture of what this type of legislation could mean to some of the classic literature and art in our history, which most of us, I would say, as

students--whether in the secondary level or later--were exposed to. But, as broad as this bill is and as undeniable as it is that those works would fall under the breath of this bill, we have to remember that this is not being proposed and this is not being considered today in a vacuum. Because as the gentlewoman from Montgomery County noted earlier, in places like the Central Bucks School District--which she and I both represent--there is already an orchestrated attack going on at the local level to weed out anything that has to do with the LGBTQ community.

It is in that backdrop that we have to consider this legislation, because what is going on at the local level in that school district and many others across this Commonwealth and across the country is a concerted effort, a concerted effort to marginalize that community. When you realize that that effort is being focused on children, on adolescents in most cases, who are in the process of coming to terms with their sexuality--many times in hostile environments, not just in school, but sadly, sometimes at home as well--you recognize just how harmful that reaction is. And it is premised on a fallacy that somehow that material--some of these classic works, for example--is somehow going to corrupt the mind of a high school student, for example.

But, the truth of the matter is, what is happening is these young people are being further marginalized and, in many cases, targeted and bullied. It is our obligation as policymakers, as elected officials, and as representatives of the people, to stand up for the least among us, not put more fuel on the fire. Societies that have attempted to ban books, societies that have attempted to control thought, they have, for the long sweep of history, all been swept aside by the march of progress. This is 2022. This is the time when we should actually be investing in our schools, not having a debate over a piece of legislation like this. This is a time when we should be giving our children access to greater educational opportunities, whether it is in the arts, whether it is in the sciences, or the humanities. This is a time when we should be giving every Pennsylvanian child a leg up in being able to compete with kids from other States and kids from around the world, and not wasting our time on a debate like this. This is an attempt to find a problem that does not exist. It is something that simply, as I said before, adding fuel to the fire of what is going on locally in so many of these communities, and it is something that we should reject as our State legislature. Thank you.

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

Senator CAPPELLETTI. Mr. President, I rise today to speak against the untenable and gross overreach piece of legislation that is Senate Bill No. 1277. Let us begin by recognizing that we are in the middle of negotiating a budget. We have record revenues. What we should be doing is working toward the goal of fully and equitably funding our Commonwealth. Instead, we are sitting here debating legislation that amounts to a book ban, which, in case you missed it, they have never historically ended well.

The past 2 1/2 years have not been kind to our schools, nor have we been kind to them. We historically approved the bare minimum in funding for our schools, which leaves them with toxic and dilapidated buildings, outdated resources, poverty wages for our teachers, and often sky-high property taxes for our constituents. Add on the stress of the pandemic, which saw many of our teachers reach their breaking point and school board members receive attacks and death threats because of mask mandates.

The Pennsylvania Code states that school entities shall have a process in place for parents and guardians to gain "access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques"; allow "a process for the review of instructional materials"; and reserve "the right to have their children excused from specific instruction that conflicts with their religious beliefs, upon receipt by the school entity of a written request from the parent or guardians." But now we are debating a bill requiring schools to disclose sexually explicit content to parents, a task that seems redundant given Title 22 of the Pennsylvania Code, [Chapter] 4.4, as I just recited. Not only will this legislation place a bigger burden and strain on our schools that are already being held together by a thread, but we are also giving the voice of one parent in the district the opportunity to speak for what all children should have open access to in the library. I am certain you would not want to live in a world where I get to make the decisions about what literature your children have access to, nor do I want to live in a world where you determine that for my family.

As a child, the library was my happy place. Books took me to places and times I never dreamed existed. I learned about different places and cultures that my family could never travel to experience. I began reading Judy Blume books all through early elementary school, *The Giver* in fourth grade, *The Diary of Anne Frank* in fifth grade, all of my own accord. I discovered them while perusing the library on my own, all books that would be pulled from school library shelves for sexually explicit content. This bill and those who would vote for it would deny a voracious little reader of the opportunity to grow and learn, and not because their parents did not want them reading certain books, but because a parent from another part of town had stricken them from public access in the school library. The kid will never find them on the shelves, stunting their growth, their reading comprehension, and their critical thinking skills. Perhaps most stunning, though, is the impact on curriculum. I was in 8th grade when I read *Gone with the Wind* as required reading, in 9th grade when we studied Greek mythology and the story of Odysseus, in 10th grade when we read *Romeo and Juliet*, 11th grade when we read *Hamlet*, and the books that were required for AP English, *Tess of the d'Urbervilles*, *The Golden Compass*, *The Color Purple*, *The Great Gatsby*, *I Know Why the Caged Bird Sings*. What this bill does is hold our young people back. They will be behind as they move from high school to college. Bright young people interested in literature will be denied the ability to take AP English classes, because, I am sorry, what alternatives exist to understanding and critically thinking about the great classical and historical pieces of literature? My summer intern, who I introduced earlier today, he advised me that he took a film analysis class, and we would bar juniors and seniors in high school from watching films like *The Godfather*, *Titanic*, or *Gone with the Wind*. Would we bar them from learning about arts expression and critical thinking?

But, Mr. President, make no mistake, what this bill really is, is one piece of many anti-LGBTQIA propaganda being offered today. By restricting any learning resources at a young age, we are preventing students from learning about basic societal norms and encouraging hateful behavior at a young age. In fact, sexually explicit content--that is entirely subjective. Is the story of two heterosexuals--that is to say, a boy and a girl--experiencing their first kiss sexually explicit? Now, what if that was a same-sex couple?

If your answer changed between those two options, then this was always about marginalizing and silencing the LGBTQIA+ community. No matter how much you try, that community cannot and will not be treated as if they do not exist. Our government should not have the final say in how our students are educated. Yet, we are going to dictate what schools need to disclose to parents when the Pennsylvania Code states that that curriculum information is already available to them on demand. No, this bill is inherently anti-growth, anti-learning, anti-education, and anti-knowledge. We should be opening doors, Mr. President, and fostering environments that satiate a student's curiosity for knowledge and learning, not enacting draconian measures to silence that curiosity. I will be a "no" vote on this frivolous bill, and I encourage my colleagues to vote the same so we can get back to discussing what we should be doing right now: adequately funding our public schools. Thank you.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, some of the comments from our colleagues on the other side of the aisle make me wonder if they really have seen any of these very, very graphic depictions, stories, language, cartoons, drawings, that we are talking about here. They are easily available, highly censored, for a very good reason, on a web page that is available to our Caucus and the Democrat Caucus. We are not talking about, you know, coming of age, wonderful teen novels, and things like that. We all know what innuendo is. We know a lot of that, and that is not what we are talking about. Some comments were made earlier about some very old and wonderful, great literature. I mean, I read *The Iliad*, *The Odyssey*, all those things. But we are talking about, if we want to talk about that period of time, the story of, oh, *Lady Chatterley's Lover*, *Lolita*. How about having *Fifty Shades of Grey* in your elementary school library, but with pictures? Or, I mean, what is next, *Hustler* or *Penthouse*? Just saying, this is what we are teaching our children, and everybody should just feel free to learn and explore. That is not what young children should be exposed to.

This is the issue of this particular bill. No one is saying go into these libraries and pull them off the shelves and have a bonfire in the backyard. That is not what we are talking about. We are talking about engaging parents and letting parents be the ones to say what their child is emotionally ready for or not. We are talking about images in graphic novels, in children's libraries, that are depicting oral sex. We are talking about very, very explicit language with words that you would not say in front of your child. And these are readily available and have been found on the library shelves in elementary schools; that cannot be okay with any parent in this Chamber; it just cannot be. We are not talking about suppressing poetic language, wonderful stories of growing up, and great experiences of young love; that is not what we are talking about. We are talking about extremely explicit drawings, and this is not homosexual-, trans-focused. There are pictures of heterosexual sex and oral sex that I do not think young children should be looking at when they go into the library in the fifth grade. That is what we are talking about here. It is very specific, and it lets parents be the guide. So, I urge all of our colleagues: take a look at what this is really pertaining to. It is really about sexualizing young children, and parents need to be the ones to put the brakes on that for their children. They are growing up way too

fast right now. The things that they see on television, online, right in their hands with cellphones, it is too much, and it is time that parents are the ones who can put the brakes on this and try to preserve the innocence of our young children.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I just want to make some clarifying points about this legislation and the materials that have been cited as to the reason that this legislation is allegedly needed. The materials that have been brought forth with the concerning images--I am not a Member of, but I attended the Senate Committee on Education meeting last week when two of these bills were voted on, including the one we are discussing now--and I was an audience member, and I watched, and there were materials distributed to committee Members during the meeting. And as someone who likes to be fully prepared for all things--the legislative Session--I know what it felt like to not have the materials in advance notice to be able to review, and I thought that that was odd, and I had never seen images be distributed, but some Members had them, some did not already. One of the committee Members mentioned that they had not seen the material that was being held up by another Member of the committee and asked if they could because they had not seen it ahead of actually voting on this bill in committee. So, that is a process piece and, I think, a credibility piece that could have been alleviated had those materials been appropriately submitted in advance as Senate committee materials that are cited and sourced.

So, to the credit of the maker of the bill, I reached out trying to understand where these images had sourced from. As mentioned, there is some website that went live yesterday with examples of these images, but, again, when we are writing policy and legislation, it should be based on facts, data, and how many people is this helping. Is this a problem? So, our public schools--which, again, to a previous speaker's point--find it odd and interesting and troubling that this bill only applies to our public school libraries. So, I just take that to remind the public that this legislation is not for all school settings, and where did these come from? I am not saying they are not credible. I am saying, if I am presenting an issue, I say here is where it is from; here is the person or entity that discovered it. Was it inside of a library book? Was it printed out? Did somebody bring the book to school? These are really serious things that we are talking about here, that are allegedly proposed to eliminate in this legislation, but I am very, very, very uncomfortable and disappointed that the maker of the bill stated that anyone who did not support this bill would be advocating for some sort of pornographic materials in our public school libraries.

So, I want to state that for the public record, that that is not an accurate description and should not have been said. I imagine that will be circulated on some sort of mailer at some point as we head into November, but I want the public to know that that is a horribly wrong and inaccurate mischaracterization of someone who opposes this legislation that is actually already done in our public schools. Every school district has to screen and filter and plan for age-appropriate curriculum and materials. That is already happening. So, if there was a book or a printout of something--whatever is being circulated in these images--then, yes, there were examples of school districts listed--which I did actually email some

of them to ask if they actually came from them because I do not know. And I have yet to get responses, probably because it is summer vacation, and I will continue to ask until I get the answer. Because I think it is important to know where those pictures and images came from because it is a bill we are about to vote on to become a law. So, if those sources are not appropriately cited and submitted as committee material, and here we are on the floor voting on, yet again, another bill that--yes, it did target; it was a homophobic bill; it still is, but you removed the, we removed language--

The PRESIDENT pro tempore. The gentlewoman will cease. The Senate will be at ease.

(The Senate was at ease.)

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

Senator MUTH. Mr. President, I will retract my last statement to not be in violation of the Senate rules to imply intent of anyone who was involved with this legislation. So, I will remove my remark relative to homophobic, but will point out the amendment that was passed yesterday to remove language in this bill that was targeting a specific, mentioning a specific group of people that is now not in the bill, but still has these ramifications, and I want to go back to the process piece. If our public schools already do this, parents have a mechanism of complaining to their school district, it is called a school board meeting. We have seen a lot of action at those lately, and some of the school districts mentioned on the website that was provided by the maker of the bill have taken up these issues, have voted on them, have said to parents that these things are not in our schools. But this legislation is not empowering parents; it is enabling the ability of one person to make a complaint, remove books from just public school libraries that they deem to be morally or socially unworthy for whatever reason they feel. We already have teachers and trained educators who screen curriculum.

So, again, I really, really think that this legislation is just a pile-on to other bills that do not help people, that target public schools, that target our LGBTQ community. It creates a hostile school environment for kids when they do not feel like things that they identify with may not be in their own library. This trend of book banning started last year. We heard about it in other States, banning books on Holocaust, banning books written by Black authors about Black people's lives, even though it was said to be in CRT--that was in Kansas, and Tennessee with the Holocaust book. These are other States going through similar legislation here. So, let us trust the people who make curriculum and screen curriculum, and, yes, parents can have input, but this bill is unnecessary. Again, if it is so necessary, apply it to all the schools, and show us the sources of where these harmful materials are coming from.

Thank you, Mr. President.

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

Senator MARTIN. Mr. President, sitting back and watching this debate, I have heard several references to the transparency of school curriculum, and I will admit that many school districts across the Commonwealth do hold themselves to a standard where they are very transparent and work with the families. And as many people in this body might remember, we actually passed the bill on curriculum transparency to get the rest of them to abide

by it, which was vetoed by the Governor last fall. Now, other comments that I heard--that I found to be very interesting, and I do not disagree with--in relation to, you know, these books are in prominent people's libraries or the Founding Fathers, that still does not answer the question of whether or not, were those books available to the Founding Fathers' children? Because in this debate, we are not talking about our kids who are at a university learning and what is at that library. Matter of fact, people can say it a million times until they are blue in the face, but there is not one thing listed in this bill that requires any book to be removed.

Now, what I am hearing is that people believe that parents should not have the ability to have a say as to what is appropriate content. And I find that to be amazing because unless we are going to have people arguing that maybe the schools should remove their filters on all their internets--filters to the point where if you look up "naked image" or look up "porn," guess what? The principal is getting notified; the parents are then getting notified by the principal. You know, we had a great reference the other day that some of us who grew up in the era--back when we had the Committee on Education meeting--we talked about the Blockbuster curtain. People remember going to the video store, and there was a curtain, usually in the back, where more of the adult-related titles were listed. Why? To be in compliance with our laws? Has anyone gone to a bookstore and seen magazines that had a cover lifted over the top of it? Does anyone know why that is there? So kids are not exposed to it. Now, if we want to have a debate about a bill which is not before us related to banning books--this certainly is not it--let us truly have the discussion surrounding what this bill truly does, and that is allowing parents to be notified and be able to prevent their child from being exposed to certain images or words.

This is also a fascinating conversation because over the last, probably, 12 to 18 months, I have been sent links to school board meetings where families have been going to these school boards to hold up the images of two minor children giving each other oral sex, or reading the graphic pornographic detail by detail of a sexual experience, to have a school board stop them saying it was not appropriate to show the images or read those citations. So, if it is not appropriate amongst the adults, why cannot a parent say whether or not it is appropriate for their children? In today's day and age and with technology, we have been given an incredible ability as parents--and I speak as a parent of those kinds of kids at that age--where I can set their phone to what is appropriate that I want them looking up. I can even set it to turn off when I want them to go to bed. I can set my Comcast system. We can set web filters. But, for someone to tell me that I do not have a right to not have my kids look at some of these images, if I choose; I do not care what people call that, their growth or that it is 2022. That does not matter to me. That is my child. And if I believe that my child should not be exposed to certain things or images, that is my right as a parent to say that. And if it is not impacting another parent's right to make the opposite decision if they want, what is wrong with that? It is very important that when we are having debate on a topic like this that we actually refer to the bill and what it actually does, and banning books is certainly not listed any single place in this legislation, and I encourage my colleagues to pass it.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-30

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

NAY-20

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

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

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

**LEGISLATIVE LEAVE**

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

Senator K. WARD. Mr. President, I request a temporary Capitol leave for Senator Regan.

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Regan. Without objection, the leave will be granted.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1278 (Pr. No. 1739)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for student well-being.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator MARTIN. Mr. President, Senate Bill No. 1278 is a response to concerns we have heard from parents across the Commonwealth who worry their children are being exposed to inappropriate conversations about sexual preferences and gender transitioning at a young age, and oftentimes without the parent's

knowledge or consent. So, out of the gate, let me be clear about what Senate Bill No. 1278 is. Senate Bill No. 1278 is about making sure parents are included and informed about what is going on with their child at school and not intentionally being kept in the dark. Senate Bill No. 1278 is about providing parents with an opportunity to view any surveys or questionnaires in advance and opting their child out, if they wish. Senate Bill No. 1278 is about saying it is not appropriate to seek out the opportunity to teach young children between the ages of pre-K and 5th grade about sexual orientation or gender identity in the classroom, especially without the parent's knowledge.

Now, if a student is having questions or concerns about their own identity or orientation and initiates the conversation with school personnel, they are not prohibited from having that conversation and getting the student the relevant services. But, again, the parents need to be informed. Somewhere along the line, Mr. President, someone began to think that all parents may not be understanding or that, somehow, the parents would not have their child's best interest in mind. And I firmly believe that the vast majority of parents love and support their children and want to be involved in getting them whatever help they may need. But, in the event that there is a serious concern about parental abuse or abandonment of a child, the school is exempt from providing that notification. And frankly, if the school is that concerned about the child's well-being, they should absolutely contact child protective services.

Mr. President, over the last 18 months, we have been provided examples from all across the Commonwealth that even though the educational standards for sexual education begin in the sixth grade in Pennsylvania, that we have lessons focused on gender dysphoria being presented to first grade classrooms. We have other classrooms that are being made to watch gender transitioning videos, both of which without parental consent and also currently involved in litigation in western Pennsylvania.

Mr. President, like the prior bill that just passed before us, we want our parents to feel like the sensitive topics in life, that they will know when their children are faced with difficult issues, when their children are faced with difficult problems, and that their needs are being met. Our parents want to be involved, they deserve to be notified, and anything else is not acceptable. And most importantly, Mr. President, what that educational value is, even though our standards do not call it until sixth grade, to even engage our children between pre-kindergarten and fifth grade on matters that are best left to the family to discuss, to me is unacceptable. I ask the Members for an affirmative vote on Senate Bill No. 1278 to empower parents, to increase transparency and communication between parents and schools, and ensure parents have the opportunity to be involved in their child's education.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, this is not Florida's "Don't Say Gay" bill. It is worse. This bill is not, quote, preventing government endorsement, or, quote, protecting our children. It is saying that being gay, having trans parents, or having a lesbian friend is wrong, is less than, is something to be ashamed of. If you do not fit the, quote, normal, or, quote, default, mold of straight/cisgender, that you do not get to talk about your experience. Go back in the closet, sit quietly, do not make anyone

uncomfortable. Requiring schools and educators to adopt a position of, quote, neutrality, on sexual orientation and gender identity does not change the fact that gay, trans, and non-binary people exist in this world. But it will do an enormous amount of damage to young people by invalidating their experience. Neutrality is not neutrality, it is erasure.

Studies in our own Pennsylvania Safe2Say system tell us that students are reporting alarming rates of self-harm, suicide ideation, and completed suicides. These numbers are significantly higher for our LGBTQ students. According to The Trevor Project, "45% of LGBTQ youth seriously considered attempting suicide in the past year," 45 percent. And this bill will make it worse for them because that study also tells us that LGBTQ youth are not inherently prone to suicide risk because of their sexual orientation or gender identity, but rather placed at a higher risk because of how they are mistreated and stigmatized in society. "LGBTQ youth who found their schools to be LGBTQ-affirming reported lower rates of attempting suicide." The same goes for those who lived in accepting communities. This bill does not create an accepting school or community. This bill tells our LGBTQ students and their families to leave their identities at the door, which is impossible. This bill bans all classroom instruction and library books involving sexual orientation or gender identity from pre-K through fifth grade.

What supporters of this bill seem to not understand is that everyone has a sexual orientation and gender identity, whether that is straight or gay, transgender or cisgender, and any mention of liking someone or being tied to a specific gender would be banned under this bill. Meaning that an act as simple as students lining up for the bathroom could be an expression of gender identity and subject to limitations in this bill. Also, what could be banned is if a student--what happens if a student draws a photo of their trans parent, or of their two moms? Would that drawing be banned from being hung in the school next to the other children's artwork? Another example of something that could be banned under this legislation is this wonderful book that my nephew has called, *Dolls and Trucks Are for Everyone*, written by Robb Pearlman. It is an empowering book that shows gender does not define who you are or what you want to be. It says things like, "Capes and scrubs are for heroes: girls, boys, and everyone who wants to help." I personally do not see anything objectionable about this book, and many people would agree with me. But, under this legislation, a parent could complain that it is encouraging non-neutral gender roles and sue a kindergarten teacher for reading it to students; the school librarian for having it in the library; and the school principal, assistant principal, the superintendent, the entire school board, and the district for allowing the law to be violated.

Quote, student-initiated communication, is also left undefined. When questioned in committee, the maker of the bill responded that it means, quote, if a student has begun a conversation or is wanting to talk about any of these topics. But what happens if a teacher overhears one student bullying another about a gay parent? Can that teacher respond? The maker stated that schools should address bullying, but how? What happens if one kid has a signed parental permission slip? Does that teacher have to go check to see who can be talked to before correcting behavior in the hallway? While the teacher is seeking formal paperwork, that

abused student is left alone and suffering. All these questions remain unanswered by this legislation.

Similarly, questions remain about the bill's establishment of a, quote, reasonably prudent person standard to opt out of talking to a student's parent if, quote, "based on the documented testimony of the student or a history of documented incidents, that disclosure would result in child abuse, or the child being abandoned." What does that mean? According to the maker, it means that the teacher in, quote, dealing with the family, knows of an abusive history or that the child has severe worry that can be proven that the child would be abandoned. What if the teacher does not know about an abusive history? What if the student simply says that they are scared of their parent's reaction? What if they are concerned about mental abuse and not being abandoned? I agree with the maker of the bill when he says that many parents would want to know if their child were in need of mental health services, but I also believe that in cases where a child is experiencing anxieties or questions about LGBTQ issues and has fears about their home life that an educator or school counselor cannot corroborate, we should not require them to out that student to their family. Singling out LGBTQ students completely disregards those civil rights and clearly violates Federal law.

The cause of action section in this legislation is also extremely broad, much broader than the process set forth in Florida's "Don't Say Gay" bill. This bill allows parents to sue individual school personnel and school board members, as well as the school entity, for alleged violations of the law. The teacher shortage we are facing will only be worse if this bill becomes law. LGBTQ educators across Pennsylvania will have to choose between going back in the closet to keep their jobs, or simply leaving the profession like so many of their colleagues. The legislature should be spending its time combating this educator crisis, perhaps taking up bills like I have sponsored to recruit and retain school-based mental health professionals. Instead, legislation like this will push more of our educators out the door, leaving students in understaffed, unsafe school environments. Each school district across Pennsylvania is going to have to create and adopt new policies to comply with the law before next school year starts in August. Mind you, with no additional resources.

So, you know what they are going to do to avoid liability, to keep their teachers safe, to keep their school counselors safe? They are going to ban all conversations about gender or sexuality, no matter who initiates them. Of course, as written, this bill also bans conversations of images of, quote, normal cisgender families with heterosexual married parents. But we know that, in practice, that is not what is going to happen. Instead, any mention of homosexuality or queerness will be banned. There will be, quote, othering, a reminder that those families and experiences are not, quote, normal. In response to my question about the time crunch for school districts to enact these policies, the maker of the bill said, quote, schools will do what they did in the pandemic and react quickly. Rules adapted quickly to save kid's lives, now they are going to be asked to act quickly to increase the likelihood that kids will kill themselves.

Bills like this have been absolutely devastating for LGBTQ youth. Another survey from The Trevor Project found that 85 percent, 85 percent, of transgender and non-binary youth have said that their mental health has been negatively impacted by these types of legislative attacks. Legislation like this serves to bully



our children. Teachers will now have to turn their focus away from educating our children, from taking teachable moments to show kids to be kind to those who may not be like them, to worrying about being sued. The worry that being kind to the queer kid or a child's lesbian parents will result in them losing their jobs. But, worst of all, this bill stands to further ostracize LGBTQ kids, opening them up to even more bullying, self-harm, or even suicide. That is why I encourage my colleagues to vote "no" on this hateful and dangerous bill.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Collett.

Senator COLLETT. Mr. President, I rise today in opposition to Senate Bill No. 1278, Pennsylvania's version of "Don't Say Gay." When constituents ask me why certain bills move forward and others do not, I tell them about our legislative process: how bills must be voted on in their respective committees, as determined by the committee chairperson, then brought to a vote on the Senate floor, as determined by Senate Leadership in the Majority party, before heading to the House. The legislative process can be frustrating and slow at times, and popular bipartisan bills have languished in committee for months and months without consideration: bills to fix aging school infrastructure; boost mental health services; better support for our teachers; prevent gun violence. Yet, this bill, Senate Bill No. 1278, a controversial, veto-destined piece of legislation impacting LGBTQ children, parents, and teachers, was rushed to the Senate floor in less than 3 weeks. Why is that? What does it say about the legislative priorities of this body, particularly when the overwhelming majority of parents, regardless of political affiliation, are satisfied with their children's schools and curriculum? Let us be clear, Senate Bill No. 1278 is a thinly veiled attempt to remove LGBTQ-inclusive education, both in curriculum and conversation, from Pennsylvania schools.

The makers of this bill can spin it however they want. They can say whatever they want about what they think this bill should do, but we all know this legislation is strikingly similar to Florida's "Don't Say Gay" law and, in some respects, is even worse. Saying this is about parental rights is homophobic, and it validates and encourages the ignorant ideas that merely talking about gay or transgender people can, quote, make someone gay or transgender, and that sexual orientations and gender identities that fall outside the norm are inherently and entirely sexualized. My colleagues on the other side of the aisle say they care about students' mental health. In fact, it is often their singular answer to school shootings. And yet, here we are, debating a proposal that does nothing but further ostracize and silence LGBTQ educators, LGBTQ youth--who are already 4 times more likely to commit suicide than their peers--and the children of LGBTQ parents. Senate Bill No. 1278 tells these children and their families: your very existence is abhorrent, wrong, unspeakable. In fact, it is telling that in the remarks offered by the maker of this bill, he stated that kids questioning their gender identity need, quote, help.

In reviewing the bill author's webpage purporting to explain Senate Bill No. 1278, I was struck by the example selected to illustrate the current problem. One example was from Lancaster County, where, quote, an elementary school librarian prominently displayed gender identity books. A kindergarten student then brought home a book called, *It Feels Good to be Yourself*,

because the cover looked pretty. This is what we are legislating against? Pennsylvania's elementary school students are not being exposed to sexually explicit subject matter; they are learning in age-appropriate ways about the many types of families and people who make up our communities, *Sesame Street* types of lessons: empathy; respect; tolerance; self-expression; resiliency. This is what our public schools are built to do. We should be investing in our teachers, investing in our schools, not muzzling them to play into divisive culture wars. This body often wonders how to address teacher shortages and encourage more students to go into the field. This is how not to do that. This is how to drive teachers out of the Commonwealth and into neighboring States where they will not be in constant fear of prosecution or persecution.

As we near the deadline of our Commonwealth's budget this week, legislators, constituents, and stakeholders are having critical discussions about our priorities. How can we make sure Pennsylvania's businesses and families can thrive? How can we use our historic budget surplus and Federal aid funds to address our most pressing issues, from gas prices to livable wages; from food, housing, and healthcare, including mental healthcare; access to childcare affordability? Instead of tackling any one of those issues, we are considering backwards, anti-LGBTQ legislation to play into a harmful narrative peddled by special interest groups and extremist right-wing media outlets.

Mr. President, I urge a "no" vote on Senate Bill No. 1278 and every bill seeking to marginalize LGBTQ Pennsylvanians that Senate Leadership insists on bringing to the floor. I am grateful to have Governor Wolf's commitment to veto this bill and others like it, but the rights of Pennsylvania's LGBTQ residents, especially children, should not depend on the stroke of a pen.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, to be frank, this legislative proposal is abhorrent. Not only is it a gross misuse of time when Pennsylvanians are waiting on us to deliver a budget, but it actively seeks to marginalize and ostracize people for who they are and how their families are made up. I will say for the third time today, we need to be using our time in Harrisburg to pass policies that will make lives better for the people of Pennsylvania who we represent. This is not it. What is it, is passing legislation to make our Commonwealth a more accepting and understanding home that does not look to discriminate against people for who they are. Instead, we are watching a political agenda play out under the guise of something that proponents of this bill seem to know nothing about. When in committee, the maker of this bill could barely provide sufficient answers to questions such as: what is the definition of gender identity? Do you include the definition of gender expression in gender identity? What does "initiated communication" mean? The lack of clarification on these terms does not provide universal standards for schools to follow, and when we include subjective language like this, it is sure to cause disagreements across the Commonwealth. This bill does not empower parents to control their children's education; it empowers them to push their personal ideologies on others. This bill would create a hostile environment for LGBTQ+ youth and the children of LGBTQ+ parents.

Regardless of whether you like it or not, our society is changing, and the LGBTQ+ community is a part of it. This bill would forbid any acknowledgement of gay or transgender students or their LGBTQ+ families up to sixth grade. Please, explain to me how that is not damaging to children of LGBTQ+ parents or to LGBTQ+ teachers, let alone students who are indeed members of the LGBTQ+ community at any age. No, this bill protects absolutely no one and only seeks to explicitly harm already marginalized people. You have heard some of my colleagues talk about this already, but I will repeat it. This bill would have detrimental legal ramifications for teachers at a time when teachers are leaving our field en masse due to harassment and stress from the pandemic, lack of quality pay, and awful treatment by parents who seem to think their children can do no wrong, and so much more. We are now going to add the possibility of legal action should a teacher discuss anything referring to gender identity?

Mr. President, children are curious by nature. They tend to seek answers from their teachers because they are an adult that children tend to trust most. None of this is about sex education, as my colleagues across the aisle claim. Students, teacher, and parents, they are protected by the freedom of speech and freedom of expression under the First Amendment, and while not everyone is going to enjoy what others have to say or do, it would be a violation of the First Amendment to restrict others from discussing social norms, talking about their LGBTQ+ family members, or just living as their authentic selves. I will be a "no" vote on this harmful bill, and I encourage my colleagues to do the same.

Thank you, Mr. President.

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

Senator MASTRIANO. Mr. President, I rise in support of Senate Bill No. 1278. Once again, this is commonsense legislation to protect minors--we are looking at kids from 4 to 10 years old here--from sexually charged, sexually explicit conversations. And this is something that is between the parents and their kids. Not to support this legislation strips away parental rights and could lead to some confusion on gender topics and what have you. Like I said before, in Ecclesiastes 3:1, "There is a time [and place] for everything, and a season for every activity under the heavens." And clearly, sexually charged discussions with young kids, with little kids, is not appropriate in public schools. And as somebody, once again, with a Ph.D., a doctor of history, four master's degrees--I have taught from the elementary level all the way up to postgrad, up to the master's level; and I can think of no occasion where I have had conversations with my students on sexually charged topics in any of those levels of education.

Perhaps this is why we are doing so poor in our education status in Pennsylvania. According to the National Education Association 2020 report, pre-COVID-19--so I imagine the next report is going to have us in some pretty dire straits--we are the 12th most expensive spending on education in the nation, with \$30 billion from all sources, producing in 2020--pre-COVID-19--28th quality students. So, we are in the bottom tier. We are in the top tier for spending but getting little bang for the buck. Perhaps because we lost our way: allowing discussions in schools and access to materials that are inappropriate for that season of life. Clearly, clearly, we need to get back to basics because we are failing the kids. We are failing the kids across the State here by not educating them in things that are necessary to succeed. Not cultural ideas,

or gender confusion, or topics completely inappropriate for somebody outside the fold of the family, outside of a parent or guardian to have a conversation with. So, I fully support this bill because it empowers the parents. The power should always be with the parents. Their decision to talk about these topics is solely in their hands and not somebody outside the family.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I, too, rise to speak against the passage of Senate Bill No. 1278. But my colleagues have done an outstanding job of outlining all the reasons why I agree with them that this bill is not fit to be passed here today. But I would rather speak from the expertise of someone who wrote a letter to me. I received an email from a pediatrician in Berks County, Dr. Jo Kelly. She is an expert. She has real credentials in terms of children's mental health. Because we have worked together on many issues regarding mental health, I have consulted with her on legislation regarding children and mental health. She is a fierce advocate, and she often reaches out to me. And immediately, when a story broke in our local newspaper regarding these two bills, she sent this email to me, and I quote: The front-page story in today's paper will hurt gay kids, please talk to your colleagues. I see kids from the LGBTQ community, and these bills push their mental health into dangerous realms. We do not need laws like this. People can deal with it, case by case. The harm far outweighs the benefits. It is pandering to a few vocal people at the expense of many vulnerable young people. My husband is a teacher in an elementary school. He says it is a non-issue. Let the principals handle it. I called the two sponsors mentioned; hopefully, they will call me back. These "Don't Say Gay" laws are very harmful.

Her words hold sway with me, and I would hope they would with my colleagues as well. She has the experience of dealing with youth, not necessarily just in the classroom, but sees them when they really are at the point when they do need to be treated.

While I recognize that this bill likely will be vetoed by the Governor, it saddens me that under the guise of protecting parents' rights--which parents do have, but let us acknowledge not all parents are the same. Not every child has the benefit of parents who are actively engaged in their schooling. Yet, teachers often see students at their most vulnerable moments as well. We are tying their hands in terms of talking to kids and at least referring them to the experts who could possibly help them. I think that is wrong. And it does, it saddens me, and it disappoints me that we would use legislation like this under the guise, again, of supporting parents' rights that it ultimately will diminish the lives of our children.

It has been said before, and on these three bills that we are considering here today, I am speaking, specifically, again, about Senate Bill No. 1278, but I think we are on the wrong side of history. I am obviously a "no" vote. I do not think it is the role of the legislature to step into this realm. I truly think that this is the role, yes, of parents and school boards, teachers, school administrators, physicians, mental health counselors, school counselors. We have real experts who should be talking to us about these issues. And I feel, quite frankly, that when we talk about things like this, when we have so many important issues to talk about, as my colleagues again outlined, we are all tarnished. We are tarnished

as a legislative body by not truly doing the work we should be doing.

Thank you, Mr. President.

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

Senator DUSH. Mr. President, in listening to the debate on the last two bills, the other side of the aisle keeps bringing up arguments that seem to indicate that the children belong to the State. The children do not belong to the State, they belong to the parents. You know, the arguments on the other side sound like George Orwell and Aldous Huxley.

#### POINT OF ORDER

Senator COSTA. Mr. President, point of order, sir.

The PRESIDENT pro tempore. Will the gentleman cease. The Chair recognizes the gentleman for a point of order.

Senator COSTA. There are multiple references to what this side of the aisle believes to be the case as it relates to this legislation and as it relates to the body of the legislation that we have heard here today.

The PRESIDENT pro tempore. The gentleman is correct. You need to keep away from the intent of other Members here in the body. So, I would ask the gentleman to stick to the legislation that is before us.

Senator COSTA. Thank you, Mr. President.

Senator DUSH. Thank you. Aldous Huxley, in his *Brave New World*, described a scene, and I think it was the place where the children were sent was called the hive or something similar to it. The children were not with the parents, they were being raised by the State. There is a scene in there where they are describing two children that are engaged in sexual play, and while the scene was progressing, and this was something that was encouraged by the State, and another two children run out--

#### POINT OF ORDER

Senator COSTA. Mr. President, again, a point of order.

The PRESIDENT pro tempore. The gentleman will cease. State your point of order.

Senator COSTA. The statement that the State, meaning all of us, are encouraging the viewing of whatever film or whatever he is referring to, I do not get the connection to the legislation at hand. Let us stick to the legislation at hand, not to movies or videos--or whatever the heck he is referring to--that implies that we were engaged in, and appalling; it is unauthorized and needs to be done. Thank you, sir.

The PRESIDENT pro tempore. The gentleman's point of order is understood, but at the same time we have given latitude to all Members to go a little bit afield from the legislation to talk about books and so forth that illustrated their point. So, I will allow it for now to continue as long as he keeps it to reference to the legislation ultimately.

Senator COSTA. That is a fair point, Mr. President, but part of my objection--and I recognize that, and I respect that decision--but part of my objection is the fact that it is implied or stated that the State authorized or permitted this to be done. I do not know whether that is a factual statement or not. That was a piece of my objection, but I understand your ruling. Thank you.

The PRESIDENT pro tempore. The gentleman can continue.

Senator DUSH. Thank you, Mr. President. I was referring to the way that it was portrayed in that piece of literature, which is Aldous Huxley's *Brave New World*. And again, one young child comes running out with his teacher and a little girl, and they are talking about sending this child to a psychologist or some sort of a reeducation center simply because he refuses to be participating in the type of activities the State, the teachers, were putting onto these children.

Now, we have evidence in this Commonwealth of pornographic material that would be offensive in this Chamber, it was found to be offensive in the school board meetings. We have instructional material that parents have been finding offensive because it is trying to normalize something and call something a social norm which, for hundreds of years--

#### POINT OF ORDER

Senator COSTA. Mr. President.

The PRESIDENT pro tempore. The gentleman will cease.

Senator COSTA. Another point of order. I am sorry.

The PRESIDENT pro tempore. Senator Costa, your point of order.

Senator COSTA. I am sorry, Mr. President. It is honestly as if the Member is discussing the previous legislation. It is my understanding that this legislation makes no reference to book banning or whatever the case or other pornographic materials. I think we should stick to the nature of the particular piece of legislation before us.

The PRESIDENT pro tempore. The Chair thanks the gentleman. Please speak to the legislation, the bill before us, not the one that was previously before us. So, if you speak to the issues dealing with the legislation before us.

Senator DUSH. Thank you. It had been done a number of times, and I was just saying that the normative aspects of what these schoolteachers are trying to do in normalizing something that the parents find objectionable and also does not fall within the cultural norms of over 200 years of this nation being in existence, that is an issue. Frédéric Bastiat, in his book *The State*, gives excellent examples, but you will find Huxley and Orwell give excellent examples of the culture that we are living in here right now, where active people within the State are trying to indoctrinate children. These pieces of legislation, including this one that we are discussing now, are meant to do what the State is supposed to do and put a stop to that, and allow the parents to be the parents and tell the State that the State does not own the children.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I do see both sides of the aisle and what they are saying on this bill. Many of my own colleagues have pointed out concerns about this bill, and I am not going to be repetitive because they made some really good points. Simply, for me, I am naming this bill the "enriching lawyers act." This bill creates two new opportunities for lawyers to line their pockets at taxpayers' expense. This bill creates two new causes of action that allow plaintiffs to sue school districts and collect attorney fees, which we all know are paid for by taxpayers. Our local school property taxes are high to begin with, and this is just going to add to it. Schools are already heavily regulated.

Legislation creating new avenues for parents, frustrated by disagreements, to seek monetary damages and then have their attorney fees covered is bad policy. So, for some of the reasons raised and my concern about taxpayer funds being jeopardized by legal actions, I will be a "no" on this vote.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I am rising in opposition to this legislation and concur with many of my colleagues on their concerns. My husband is from Florida, and we often read the headlines, and he often says, what is happening to my home State? When Florida's "Don't Say Gay" law passed, that was one of those moments. And here we are in Pennsylvania, and we are about to vote on a piece of legislation that is more restrictive than Florida's "Don't Say Gay" law. Senate Bill No. 1278 "falsely equates discussions of sexual orientation and gender identity with sex education and would effectively forbid any acknowledgment of gay or transgender students or LGBTQ families until the sixth grade." This is not my opinion, I am reading directly from a document from the Education Law Center, which provided this information as a stakeholder, giving their opposition to this legislation. It further says that Senate Bill No. 1278 "contends that sexual orientation and gender identity are only ideas, ignoring that gay and transgender students are real people, and in doing so the bill erases and dehumanizes children and their parents." You may not know someone who has two moms or two dads. You may not even realize you might actually know someone who has one transgender parent, and you cannot tell the difference. To not be able to talk about your own family at school, I cannot comprehend that. Also: *(Reading)*

The bill would severely limit students' First Amendment rights as well as the right to be free from discrimination based on sex. The U.S. Supreme Court and many other Federal courts, including in Pennsylvania, have consistently recognized and affirmed that discrimination on the basis of sexual orientation, transgender status, gender identity, or gender expression is unlawful discrimination "on the basis of sex" and is prohibited by law. This protection encompasses the right of students to be addressed by the name and pronouns [that] they use, even if they haven't legally changed their name or gender. Purposefully and persistently misgendering a student has been found to constitute harassment or discrimination and may harm the mental and emotional health of students.

At a time when so many students are still coming out of recovering from changes throughout the last several years: dealing with in-and-out-of-classroom life, parents who may have lost their jobs; dealing with their own families; dealing with figuring out who they are; trying to learn how to fit in; trying to learn in general and be a part of this world. I do not know what benefit, if any whatsoever, comes out of legislation that would only put the mental health of our students at further risk.

Again, this is not all. I concur with the Education Law Center, so they are providing these points. Also, does this legislation mean that teachers could be sued personally for answering a student's question or responding to a student's cry for help? Our teachers take on a lot, and they consider their kids their own family, and this legislation opens up a harmful window of unnecessary litigation that, as mentioned, would be very costly to our school districts; school districts that have already been underfunded; school districts that have had to pay out millions and millions of dollars to cyber charter schools, to charter schools. And I

do not see a mechanism within this legislation that would provide any kind of appropriation to help cover these increased costs, whether it be for litigation or the insurance, because liability insurance would also increase. "Section 1407-C [of this legislation] will increase the liability exposure for public schools which will also result in increases to the liability insurance rates paid by public schools." This is from the Pennsylvania School Board Association. These are all very valid concerns, and this bill falls in line on a long agenda of many bills that have been voted on in this Chamber over the past several weeks that have no true purpose; that do not help people; that actually just harm people; make people feel unwanted; make people feel that they are not safe; and that their own government is out to eliminate them from dialogue.

So, as said before, I would hope that we were taking up bills that pulled Pennsylvania out of the ranking of 44th in the country in terms of State funding; that actually uplifted our students, gave them mental health resources, that helped our families, and also made everybody feel welcome. One of the most newly tracked polling on students in schools is "belonging." Do you feel like you belong in your school? If you cannot even talk about who your family is or talk about these things in just your classroom, it is kind of hard to feel like you belong. I urge a "no" vote on this legislation, Mr. President, and I hope that this Chamber comes back tomorrow and has an awakening to bring up bills that are sitting on the Calendar or in committee that truly could help Pennsylvanians and not harm them. Thank you.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from [Philadelphia], Senator Haywood.

Senator HAYWOOD. Mr. President, I am not going to repeat all the arguments to vote "no"; they are clear. This legislation is both wrong and will not work. This should be better entitled, "the silencing of families in education bill." But I want to describe, briefly, why this legislation will not work, as my colleagues have already described why it is wrong.

First, we still have the First Amendment to the United States Constitution. The First Amendment will permit the speech that we are trying to end in this legislation. The First Amendment will protect all the speakers, whether they be children, or parents, or teachers. Any efforts to restrict this free speech will be knocked down, and all litigation against the restriction of this speech will be unsuccessful. Legislation cannot stand against the First Amendment to the United States Constitution. That is the first reason that this legislation will not work. The second reason is even more immediate, Mr. President. Governor Wolf has determined to veto it. Any legislation that is vetoed clearly will not work because it will not be in effect.

The third reason that this legislation will not work, Mr. President, is our nation, and even Pennsylvania, is well along the way of acceptance and recognition of the human rights of all our neighbors--whether gay, transgender, LGBTQ+--our citizens are on the way to acceptance. Recognition of their human rights and their belonging in our day-to-day communities. This fact that our community is well along the way is part of our tragic history of efforts to exclude and deny people based upon identity. As an African American, I am well aware of the history of segregation, where even in this State there were efforts to exclude and deny African Americans their identity, their justice, their freedom. This is just one more effort of denial that will fall even as segregation fell. It was during times of segregation that some White parents

said that they had the individual parental right to exclude their children from being in classrooms with African American students, very aware of this claim that parent rights trump community. It fell in the past; it will fall again.

For these reasons I encourage all my colleagues to get on the right side of history, and that history in America is the long history of inclusion: inclusion of African Americans; inclusion of women; inclusion of those with varying sexual orientation. This is the path forward for our nation; we should not deny it with this foolish action.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

Senator K. WARD. Mr. President, I request a temporary Capitol leave for Senator Gebhard.

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Gebhard. Without objection, the leave will be granted.

And the question recurring,  
Shall the bill pass finally?

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

YEA-29

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

NAY-21

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

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

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

BILLS OVER IN ORDER

**HB 1598, HB 1660 and HB 1665** -- 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 2039 (Pr. No. 3323)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for rights.

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

On the question,  
Shall the bill pass finally?

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

YEA-46

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

NAY-4

Cappelletti	Saval	Street	Williams, Lindsey
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

BILLS OVER IN ORDER

**HB 2097, HB 2412 and HB 2419** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

**SB 152, SB 167 and HB 223** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

**SB 297 (Pr. No. 306)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for appeals by taxing districts and providing for standards of redress in appeals.

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

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

#### BILLS OVER IN ORDER

**HB 397** and **SB 485** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 488 (Pr. No. 1826)** -- The Senate proceeded to consideration of the bill, entitled:

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

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.

#### BILLS OVER IN ORDER

**SB 527, SB 692, SB 749, HB 803** and **SB 895** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL ON SECOND CONSIDERATION

**HB 975 (Pr. No. 3318)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### BILLS OVER IN ORDER

**SB 1018, HB 1103, SB 1123, SB 1130, SB 1135, SB 1160, SB 1161, SB 1180** and **HB 1186** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 1205 (Pr. No. 1610)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in waterfront development tax credit, further providing for limitations.

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.

**SB 1226 (Pr. No. 1639)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for juvenile records; and, in juvenile matters, further providing for powers and duties of probation officers, for informal adjustment, for consent decree, for adjudication, for disposition of delinquent child and for powers and duties.

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.

**SB 1227 (Pr. No. 1756)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in children and youth, providing for purpose.

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.

**SB 1228 (Pr. No. 1640)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for limitation on and change in place of commitment.

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.

#### BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

**SB 1229 (Pr. No. 1645)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in children and youth, further providing for payments to counties for services to children.

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

**BAKER AMENDMENT A4533 AGREED TO**

Senator BAKER offered the following amendment No. A4533:

Amend Bill, page 1, line 5, by inserting after "children":  
and for review of county submissions  
Amend Bill, page 1, line 8, by striking out "Section 704.1(a)" and inserting:

Sections 704.1(a) and 709.2(b)  
Amend Bill, page 1, line 9, by striking out "is" and inserting:  
are

Amend Bill, page 3, by inserting between lines 27 and 28:

The intent of the reimbursements authorized under subclauses (iii) and (iv) is to attempt to supplement, and not supplant, necessary funding for required juvenile counsel. Counties shall include in their needs-based budgets required by section 709.1 the purposes for which the funds to be reimbursed to the counties pursuant to subclauses (iii) and (iv) shall be used. The counties shall prioritize expenditures of these funds in ways that are designed to maintain, enhance or improve the quantity or quality of legal services provided to juveniles.

Amend Bill, page 4, by inserting between lines 13 and 14:

Section 709.2. Review of county submissions.--\* \* \*

(b) The department determination shall consider whether the county's budget is reasonable in relation to past costs, projected cost increases, number of children in the county and the number of children served, service level trends and projections of other sources of revenue. The department determination shall also consider whether the county's budget prioritizes expenditures of the funds reimbursed to the county pursuant to section 704.1(a)(5)(iii) and (iv) in a reasonable attempt to supplement, and not supplant, necessary county funding for required juvenile counsel in ways that are designed to maintain, enhance or improve the quantity or quality of legal services provided to juveniles.

\* \* \*

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

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

It was 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, as amended, was rereferred to the Committee on Appropriations.

**BILLS OVER IN ORDER**

**SB 1249** and **SB 1251** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 1265 (Pr. No. 1703)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for curriculum and training.

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.

**BILLS OVER IN ORDER**

**SB 1281, SB 1282** and **SB 1286** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL ON SECOND CONSIDERATION**

**SB 1299 (Pr. No. 1818)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 8536, carrying Locust Street (Pennsylvania Route 869) over Topper Run, located in Adams Township, Cambria County, as the Corporal William T. Costlow, Sr., Memorial Bridge.

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

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**HB 1486 (Pr. No. 3315)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Blue Star Family plate.

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.

**BILLS OVER IN ORDER**

**HB 1500** and **HB 1594** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**HB 1947 (Pr. No. 2223)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for restrictions on utility services prohibited.

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.

BILL OVER IN ORDER

**HB 2075** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 2115 (Pr. No. 2454)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for departmental administrative boards, commissions and offices and for advisory boards and commissions; in organization of departmental administrative boards and commissions and of advisory boards and commissions, repealing provisions relating to State Art Commission and further providing for advisory boards and commissions; and, in powers and duties of the Department of Public Welfare and its departmental administrative and advisory boards and commissions, repealing provisions relating to powers and duties of the State Board of Public Welfare and further providing for the powers and duties of advisory committees.

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.

BILLS OVER IN ORDER

**HB 2116, HB 2148 and HB 2214** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 2219 (Pr. No. 3314)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in temporary regulatory flexibility authority, further providing for COVID-19 regulatory flexibility authority; and making an editorial change.

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.

BILL OVER IN ORDER

**HB 2265** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION

**HB 2271 (Pr. No. 2634)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 2447 (Pr. No. 2909)** -- The Senate proceeded to consideration of the bill, 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.

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.

BILL OVER IN ORDER

**HB 2485** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 2679 (Pr. No. 3252)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for authority to administer injectable medications, biologicals and immunizations; and abrogating inconsistent regulations.

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.

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

**MOTION NOTWITHSTANDING SENATE RULE 12**

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move the Senate proceed to consider Senate Bill No. 225, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

On the question,  
Will the Senate agree to the motion?  
A voice vote having been taken, the question was determined in the affirmative.



BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 225 (Pr. No. 1837)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality health care accountability and protection, further providing for definitions, for responsibilities of managed care plans, for financial incentives prohibition, for medical gag clause prohibition, for emergency services, for continuity of care, providing for medication assisted treatment, further providing for procedures, for confidentiality, for required disclosure, providing for medical policy and clinical review criteria adopted by insurer, MCO or contractor, further providing for internal complaint process, for appeal of complaint, for complaint resolution, for certification, for operational standards, providing for step therapy considerations, for prior authorization review and for provider portal, further providing for internal grievances process, for records, for external grievance process, for prompt payment of claims, for health care provider and managed care plan, for departmental powers and duties, for penalties and sanctions, for compliance with National Accrediting Standards; and making editorial changes.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from York, Senator Phillips-Hill.

Senator PHILLIPS-HILL. Mr. President, I rise in support of Senate Bill No. 225, a critical improvement to healthcare efficiencies and patient outcomes. Senate Bill No. 225 would reform and streamline the prior authorization process between insurers and providers in order for patients to obtain a procedure or service. Prior authorization refers to the process that healthcare providers must take to obtain advanced approval from an insurance provider before a specific procedure, service, or treatment is delivered to the patient to qualify for coverage. The process can often be slow and tedious for all parties involved. We all have a prior authorization story, whether it is personally, from a friend, a family member, or from our constituents, who are frustrated with the status quo. By modernizing the process through Senate Bill No. 225, we can improve patient outcomes, and improve efficiencies, and the collaboration between healthcare providers and insurers.

This legislation will require greater transparency from insurers by requiring them to post their clinical review criteria on their website and requires them to establish a portal by which providers can easily submit prior authorization requests. The legislation also updates step therapy and prior authorization processes so that they are similar, and this bill cuts through the existing, lengthy delays that frustrate so many patients when prior authorization requests between healthcare providers and insurers go through a review process. This bill standardizes that process to ensure that patients get healthcare services approved by their insurer in a timely fashion.

Mr. President, we have worked on this legislation for over a year and a half. We have engaged all interested stakeholders, from the 71-member patient provider coalition, to the insurer community, to the Governor's office, and the Insurance Department, since before last June. All groups have been at the table and

worked diligently to come up with this language to drastically improve healthcare throughout our Commonwealth. It was no easy task, but my friends and colleagues, the good Senator from Lebanon County, and the good Senator from Indiana County tasked me at a Committee on Banking and Insurance meeting to work through this process, to weigh all sides. I want to thank them for their challenge and believe we have delivered. I also want to give credit to the staff behind the scenes. I thank my legislative director, Chloe Mandara; the executive director of the Committee on Banking and Insurance, Jonathan Humma; and deputy counsel to the Majority Leader, Carlton Logue, for their tedious and sometimes grueling work over this past year on this measure. I respectfully ask my colleagues to cast an affirmative vote on Senate Bill No. 225.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Blair, Senator Judy Ward.

Senator J. WARD. Mr. President, as a nurse and healthcare provider myself, I have witnessed and truly understand the frustrations that other medical providers and patients alike have with prior authorization practices in Pennsylvania. I understand why patients and providers have turned to us for a solution to their frustrations. Prior authorization and step therapy can undermine a physician's ability to effectively treat patients and can lower the quality of care. Removing barriers to affordable care is critical to ensure that everyone receives the care they need. This bill does just that by standardizing defined terms in the prior authorization process, clearly stating timeframe expectations, and forming an electronic portal for information to be shared quickly and effectively. This bill is the result of many years of effort, which culminated in an intense stakeholder process since last June, where patients, providers, insurers, advocates, and our own staff worked tirelessly to get this right. This bill is good public policy. It is good for all Pennsylvanians, and we cannot overstate the importance of the prior authorization reforms offered by my good friend, the gentlewoman from York County. I also ask for a "yes" vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from [Delaware], Senator Kane.

Senator KANE. Mr. President, I rise today in support of Senate Bill No. 225 and ask for a "yes" vote. I want to thank the gentlewoman from York County for introducing this bill, and I am proud to join her as a cosponsor in the effort to bring better care to patients and to put minds at ease in the process. This bill ensures that doctors make medical decisions for their patients, not insurance companies. That is the type of good work I came here to do. I try not to speak on everything that comes before this Chamber, but if I have a personal experience with something, it normally catches my attention, and I feel obligated.

You normally hear me talk about being a plumber, but today I will tell you about a time when I was a cancer patient. See, during a scheduled check-up about 3 years ago, my oncologist noticed that I was losing weight and other issues. So, he wanted me to get another MRI and a PET scan. About 3 months later, it was scheduled. When I got there, during the pandemic, I was told I was denied. I went and I saw the doctor that day; the insurance company happened to call him while I was there. The doctor took the phone call and spoke to the insurance company in my presence, fighting to get me another MRI and a PET scan, pleading with

him about my weight loss, my hearing loss, my high blood pressure, my thyroid issues, my loss of my saliva glands, and possibly the spread of cancer. After hearing that, I was visibly shaken up again because I thought I had cancer. The doctor apologized, and he said that I was okay, but this is what he had to do to fight the insurance companies time and time again. He claimed this is a common thing. Well, I was given a second MRI and a PET scan, and I was okay, thank God. I am asking for a "yes" vote to prevent stories like mine from happening.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Mr. President, I too rise in support of this legislation, but I would like to focus a little more on the process. The gentlewoman from York County alluded to the process that was undertaken to get to this point today, and I think it underscores the process matters. The process matters, and this should serve as an example for all of us as to how we get to a place where we solve real problems for real Pennsylvanians. Mr. President, today has been a long and difficult day on the floor of this Chamber, and many of the things that have been said on other issues will grab the headlines, but I hope that what we have accomplished here today with this legislation is not lost in the mix. And I hope it is a unanimous vote, and it underscores that how we in this Chamber can come together to do good things for real Pennsylvanians. And I want to thank my colleague from York County for the work and diligence that she undertook to make this happen and to make it happen in the right way, and I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator K. WARD. Mr. President, this bill is huge. It is huge for patients and patient care. I too had gone through a cancer diagnosis and all the tests. I was turned down four times in four months. My doctors had to go fight, and I had to go fight. And as I was on the trail, I heard from other cancer patients, because as my colleague across the aisle might know, once they know you have had it, everybody talks to you about it. They were talking about how they could not get their scans; they could not get the tests that they needed; and they kept getting turned down. This bill is so big. We do a lot of good work--a lot of good work--in this Chamber. But this bill gets me just so, so proud of what we do in this Chamber. So, I thank my friend here and ask for an affirmative vote.

And the question recurring,  
Shall the bill pass finally?

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

YEA-50

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

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

NAY-0

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

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

(Applause.)

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

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

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

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, John Daneri, 1509 Pasadena Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Mark Koch, Hazleton, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, Theodore Johnson, 2060 Palm Avenue, Pittsburgh 15235, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, Linda Rosenberg, 113 Telegraph Road, Perkasio 18944, Bucks County, Tenth Senatorial District, for reappointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

April 14, 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, Sean Logan, 1135 Balkan Drive, Pittsburgh 15239, Allegheny County, Forty-fifth 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

**NOMINATIONS LAID ON THE TABLE**

Senator AUMENT. Mr. President, I move that the nominations just read by the Clerk be laid on the table.

The PRESIDING OFFICER. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator AUMENT,  
That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator AUMENT. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, John Daneri, 1509 Pasadena Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer

than ninety days beyond that period, vice Mark Koch, Hazleton, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, Theodore Johnson, 2060 Palm Avenue, Pittsburgh 15235, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA PAROLE BOARD

June 16, 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, Linda Rosenberg, 113 Telegraph Road, Perkasio 18944, Bucks County, Tenth Senatorial District, for reappointment as a member of the Pennsylvania Parole Board, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

**NOMINATION TAKEN FROM THE TABLE**

Senator AUMENT. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

April 14, 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, Sean Logan, 1135 Balkan Drive, Pittsburgh 15239, Allegheny County, Forty-fifth 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

On the question,  
Will the Senate advise and consent to the nomination?

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator AUMENT. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

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

**SB 1203 (Pr. No. 1810) (Rereported)**

An Act preventing the Commonwealth from dealing with persons associated with the Government of Russia or the Government of Belarus; and imposing duties on the Treasury Department and the Attorney General.

**HB 940 (Pr. No. 3285) (Rereported)**

An Act amending Titles 18 (Crimes and Offenses), 35 (Health and Safety), 42 (Judiciary and Judiciary Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for definitions, for the offense of burglary and for the offense of criminal trespass; in cruelty to animals, further providing for police animals; in emergency medical services system, providing for injured police animals; in immunities generally, further providing for emergency response provider and bystander good Samaritan civil immunity; and, in employees, providing for canine training standards for police officers.

**HB 1561 (Pr. No. 2317) (Rereported)**

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in general provisions, further providing for definitions and for confidentiality of records.

**HB 1563 (Pr. No. 2318) (Rereported)**

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for definitions and for confidentiality of records.

**HB 1614 (Pr. No. 2938) (Rereported)**

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

**HB 1615 (Pr. No. 2990) (Rereported)**

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for breweries.

**HB 1867 (Pr. No. 3325) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Purple Star School Program.

**HB 1935 (Pr. No. 2210) (Rereported)**

An Act amending the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, in general provisions, further providing for purpose and legislative intent, for legislative findings and for definitions; in Pennsylvania Intergovernmental Cooperation Authority, further providing for powers and duties, for term of existence of authority, for financial plan of an assisted city, for powers and duties of authority with respect to financial plans and for limitation on authority and on assisted cities to file petition for relief under Federal bankruptcy law; in bonds and funds of authority, further providing for bonds, for final date for issuance of bonds and for city payment of authority bonds; in Pennsylvania Intergovernmental Cooperation Authority tax, further providing for duration of tax; in miscellaneous provisions, providing for applicability of other law; and making related repeals.

**HB 1952 (Pr. No. 3164)** (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in United States Semiquincentennial, providing for infrastructure improvements and projects.

**HB 2032 (Pr. No. 3148)** (Rereported)

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program.

**HB 2157 (Pr. No. 3277)** (Rereported)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for fireworks; and making a related repeal.

**HB 2401 (Pr. No. 2969)** (Rereported)

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for licensure.

**HB 2526 (Pr. No. 3316)** (Rereported)

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing additional State and local bridge projects; and providing for the highway capital budget project itemization for the fiscal year 2022-2023 to be financed from current revenue or by the incurring of debt.

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

**SB 129 (Pr. No. 105)**

An Act providing standards for carbon monoxide alarms in child care facilities; and imposing penalties.

Senator K. WARD, from the Committee on Rules and Executive Nominations, reported the following bills:

**SB 849 (Pr. No. 1824)** (Rereported) (*Concurrence*)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' preference, further providing for definitions; and, in voluntary veterans' preference in private employment, further providing for definitions.

**SB 1047 (Pr. No. 1775)** (Rereported) (*Concurrence*)

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

**BILL ON FIRST CONSIDERATION**

Senator STEFANO. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.

The bill was as follows:

**SB 129.**

And said bill 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

THURSDAY, JUNE 30, 2022

10:00 A.M.	TRANSPORTATION (to consider Senate Bill No. 965; and House Bills No. 140, 1312 and 2702)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 1287)	Senate Chamber (LIVE STREAMED)
Off the Floor	ENVIRONMENTAL RESOURCES AND ENERGY (to consider House Bill No. 2644)	Rules Cmte. Conf. Rm.
Off the Floor	JUDICIARY (to consider House Bill No. 2125)	Rules Cmte. Conf. Rm.

THURSDAY, JULY 7, 2022

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY and LABOR AND INDUSTRY (joint public hearing on Importance of Pennsylvania Waterways to Energy and Economic Development)	Point Park University Lawrence Rm. 201 Wood St. Pittsburgh
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**PETITIONS AND REMONSTRANCES**

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

Senator COSTA. Mr. President, I rise and offer remarks, on behalf of Senator Tartaglione, regarding increasing the minimum wage. Thank you.

The PRESIDING OFFICER. The remarks will be spread upon the record.

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

Mr. President, I rise because today marks 5,834 days since this Commonwealth's legislature last passed an increase in Pennsylvania's minimum wage. Mr. President, Friday marks a few different things. It is the beginning of the new fiscal year; it is the day after our Commonwealth's budget should be passed; and it is the day our friends northeast of us in

Connecticut will see their minimum wage increase to \$13 an hour. Mr. President, 3 years ago, Connecticut passed a series of increases in their minimum wage over the following 5 years. I think Connecticut's Governor Ned Lamont says it very well when discussing why it was so important for Connecticut to raise their minimum wage:

"For too long, while the nation's economy grew, the income of the lowest earning workers has stayed flat, making already existing pay disparities even worse and preventing hardworking families from obtaining financial security. This is a fair, gradual increase for workers who will invest the money right back into our economy and continue supporting local businesses in their communities."

The same economic factors that necessitated Connecticut's minimum wage being subjected to a stepped increase are present here in Pennsylvania. Pennsylvanians are also struggling. Pennsylvanians also need help. But Pennsylvanians need to know that there are also Members of Pennsylvania's legislature who are fighting for them and working to ensure our embarrassingly low minimum wage is raised. Every one of my Democratic colleagues has cosponsored my legislation, Senate Bill No. 12, legislation that will put Pennsylvania's minimum-wage workers on the path to \$15 an hour and remove the sub-minimum tipped wage. We have the chance, Mr. President, to rise to the occasion and pass meaningful, life-changing legislation. Let us meet the moment and pass Senate Bill No. 12 and ensure all Pennsylvanians earn a livable wage.

Thank you, Mr. President.

## HOUSE MESSAGES

### SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 764**, **SB 818** and **SB 1094** with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

### BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Jacob D. Corman III) in the presence of the Senate:

**SB 477** and **HB 2420**.

### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Thursday, June 30, 2022, at 9:30 a.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 6:19 p.m., Eastern Daylight Saving Time.