

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JULY 6, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 32

SENATE

WEDNESDAY, July 6, 2022

The Senate met at 6 p.m., Eastern Daylight Saving Time.

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

PRAYER

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

Let us pray.

Good and gracious Lord, tonight we ask for Your blessings as we come together here in our Senate Chamber, working towards the end-goal of a budget for our great Commonwealth. In that endeavor, we humbly ask for Your blessings. We ask You to bless us with wisdom and discernment as we make these important decisions for all the people of Pennsylvania. We ask You to fill us with a collaborative spirit, so that we are willing to work together and to find common ground. We ask You to bless us with patience and tolerance, so that we respect one another's views and perspectives, despite our differences. Help us, Lord, to always remember the privilege it is to serve the good people of our great Commonwealth. Help us to honor You, and them, in all we do and say tonight. Amen.

PLEDGE OF ALLEGIANCE

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

GENERAL COMMUNICATION

RECALL OF REGULAR SESSION

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

SENATE OF PENNSYLVANIA

July 5, 2022

TO: President and All Members of the Senate

FROM: Senator JAKE CORMAN
President Pro Tempore

RE: Recall to Session
Wednesday, July 6, 2022

Consistent with the recess motion made on June 30, 2022, the Senate is recalled for session tomorrow, Wednesday, July 6, 2022, at 6:00 p.m. for the purpose of a voting session.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

July 6, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Miriam Woods, Maple Glen, whose term expired.

TOM WOLF
Governor

SECRETARY OF THE COMMONWEALTH

July 6, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of the Commonwealth, to serve at the pleasure of the Governor, vice Kathy Boockvar, Doylestown, resigned.

TOM WOLF
Governor

SECRETARY OF CORRECTIONS

July 6, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Corrections, to serve until January 17, 2023, and until the successor is appointed and qualified, vice John Wetzel, Mechanicsburg, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA MINORITY
BUSINESS DEVELOPMENT AUTHORITY

July 6, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2027, and until the successor is appointed and qualified, vice Jenine Diaz, Harrisburg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

July 6, 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, Rebecca Dombrowsky, 6466 Heatherfield Way, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Davis Haire, Meshoppen, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

July 6, 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, Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve

for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Carl Urbanski, Mountain Top, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

July 6, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Randy Litman, Lansdale, whose term expired.

TOM WOLF
Governor

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

July 6, 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, Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice George Mermon, Nesquehoning, whose term expired

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

July 6, 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, Rebecca Dombrowsky, 6466 Heatherfield Way, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Beaver, Magisterial District 36-3-02, to serve until the first Monday of January 2024, vice the Honorable C. Douglas Loughner, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

July 6, 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, Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Bucks, Magisterial District 07-1-08, to serve until the first Monday of January 2024, vice the Honorable John Kelly, Jr., resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

July 6, 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, Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-3-06, to serve until the first Monday of January 2024, vice the Honorable Michael Cabry, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

July 6, 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, Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-1-22, to serve until the first Monday of January 2024, vice the Honorable Spencer B. Seaton, Jr., resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

July 6, 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, Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of

York, Magisterial District 19-1-03, to serve until the first Monday of January 2024, vice the Honorable Dwayne A. Dubs, deceased.

TOM WOLF
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 331, HB 1598, HB 1665, HB 2039, HB 2097** and **HB 2157**.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 251** and **SB 1183**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

RESOLUTION INTRODUCED AND REFERRED

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

July 5, 2022

Senators REGAN, BAKER, BROWNE, BROOKS, COMITTA, LAUGHLIN, KANE, PHILLIPS-HILL, COSTA, MARTIN, BARTOLOTTA, PITTMAN, DILLON, ROBINSON, STREET, MENSCH, MUTH and MASTRIANO presented to the Chair **SR 322**, entitled:

A Resolution recognizing the 50th anniversary of the graduation of the Pennsylvania State Police 31st Cadet Class.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, July 5, 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:

July 5, 2022

HB 2293 -- Committee on Health and Human Services.

HB 2367 -- Committee on Environmental Resources and Energy.

HB 2709 -- Committee on Urban Affairs and Housing.

**GENERAL COMMUNICATION
REPORT ON TAX-EXEMPT BOND
ALLOCATION FOR MID-YEAR 2022**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

July 5, 2022

Megan Martin
Secretary of Senate [sic]
Office of the Secretary of the Senate
462 Main Capitol Building
Harrisburg, PA 17120

Dear Ms. Martin:

As required by the Job Enhancement Act of 1996, (P.L. 434, No 67), Act 113, Section 2706, as amended, I am providing a report on tax-exempt bond allocation for the mid-year of 2022.

This report includes a summary of volume cap allocation usage for small issue, exempt facility, housing, and education bonds.

If you have any questions concerning this report, please contact my office.

Sincerely,

NEIL R. WEAVER
Acting Secretary

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

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT pro tempore. The Chair wishes to announce the Minority Leader has made the following appointment:

Senator James Brewster to serve on the School Safety and Security Committee.

BILLS SIGNED

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the presence of the Senate signed the following bills:

HB 331, HB 1598, HB 1665, HB 2039, HB 2097 and HB 2157.

LEGISLATIVE LEAVES

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 Browne, and legislative leaves for Senator Brooks, Senator Gebhard, and Senator DiSanto.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Comitta and Senator Anthony Williams.

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Browne, and legislative leaves for Senator Brooks, Senator Gebhard, and Senator DiSanto.

Senator Costa requests legislative leaves for Senator Comitta and Senator Anthony Williams.

Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

HB 1594 CALLED UP OUT OF ORDER

HB 1594 (Pr. No. 2989) -- Without objection, the bill was called up out of order, from page 5 of the Third Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

BILL REREFERRED

HB 1594 (Pr. No. 2989) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for collection, verification and disclosure of information by online marketplaces to inform consumers.

On the question,

Will the Senate agree to the bill on third consideration?

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

Senator K. WARD. Mr. President, I move that House Bill No. 1594, Printer's No. 2989, be rereferred to the Committee on Appropriations.

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 PRESIDENT pro tempore. The bill will be rereferred to the Committee on Appropriations.

SECOND CONSIDERATION CALENDAR

HB 2644 CALLED UP OUT OF ORDER

HB 2644 (Pr. No. 3187) -- Without objection, the bill was called up out of order, from page 11 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2644 (Pr. No. 3187) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, providing for oil and gas well plugging oversight; in development, further providing for bonding and for well plugging funds; establishing the Oil and Gas Well Plugging Grant Program; and making a related repeal.

Considered the second time and agreed to, Ordered, To be printed on the Calendar for third consideration. Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

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 an off-the-floor meeting of the Committee on Urban Affairs and Housing, followed by a Republican caucus.

The PRESIDENT pro tempore. For purposes of an off-the-floor meeting of the Committee on Urban Affairs and Housing to be held in the Rules room, followed by a Republican caucus to be held in the Majority Caucus Room, 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.

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, followed by a meeting of the Committee on Appropriations.

The PRESIDENT pro tempore. For purposes of two 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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 1, HB 118, SB 137 and SB 145 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 146 (Pr. No. 3329) -- 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 definitions and for parole power.

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 Beaver, Senator Vogel.

Senator VOGEL. Mr. President, House Bill No. 146 is Representative Bernstine's bill from Lawrence County. The bill is named after Markie Mason--it is called Markie's Law--a young 8-year-old boy who was brutally stabbed to death by his mother's boyfriend after he got out of jail for offenses on a very shortened time. This bill provides that, after commission, while incarcerated with a violent offense or an obstruction of justice offense, an individual may not be considered for parole any earlier than 24 months after the expiration of the minimum sentence for the original offense or 24 months after conviction for the subsequent offense.

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-41

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

NAY-9

Cappelletti Comitta Haywood	Hughes Kane	Kearney Saval	Street Williams, Anthony H.
-----------------------------------	----------------	------------------	--------------------------------

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

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

BILL LAID ON THE TABLE

SB 358 (Pr. No. 404) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 9, 2018 (P.L.118, No.24), known as the Maternal Mortality Review Act, further providing for confidentiality and protection of collected data, proceedings and activities.

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

SB 358 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 358, Printer's No. 404, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

SB 457, SB 775 and SB 871 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 940 (Pr. No. 3285) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-32

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

NAY-18

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

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

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

BILL OVER IN ORDER

SB 956 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL AMENDED

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.

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

SANTARSIERO AMENDMENT A5238 AGREED TO

Senator SANTARSIERO offered the following amendment No. A5238:

Amend Bill, page 1, line 2, by inserting after "Statutes," in assault, further providing for definitions; and, Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting:

Section 1. The definitions of "caretaker" and "private care residence" in section 2713(f) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2713. Neglect of care-dependent person.

(f) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Caretaker." Any person who:

(1) is an owner, operator, manager or employee of any of the following licensed or unlicensed entities:

(i) A nursing home, personal care home, assisted living facility[,] or private care residence [or domiciliary care home].

(ii) A community residential facility or intermediate care facility for a person with mental disabilities.

(iii) An adult daily living center.

(iv) A home health service provider.

(v) A health care facility as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act;

(2) provides care to a care-dependent person in the settings described under paragraph (1);

(3) has an obligation to care for a care-dependent person for monetary consideration in the settings described under paragraph (1);

(4) is an adult who resides with a care-dependent person and who has a legal duty to provide care or who has voluntarily assumed an obligation to provide care because of a familial relationship, contract or court order; or

(5) is an adult who does not reside with a care-dependent person but who has a legal duty to provide care or who has affirmatively assumed a responsibility for care, or who has responsibility by contract or court order.

* * *

"Private care residence." A private residence, including a domiciliary care home:

(1) in which the owner of the residence or the legal entity responsible for the operation of the residence, for monetary consideration, provides or assists with or arranges for the provision of food, room, shelter, clothing, personal care or health care in the residence, for a period exceeding 24 hours, to fewer than four care-dependent persons who are not relatives of the owner; and

(2) (i) that is not required to be licensed as a long-term care nursing facility, as defined in section 802.1 of the Health Care Facilities Act; and

(ii) that is not identified in paragraph (1) of the definition of "caretaker."

Section 2. Section 3124.2(a.5) of Title 18 is amended and the section is amended by adding a subsection to read:

Amend Bill, page 4, line 2, 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 gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, this is an agreed to technical amendment that alters the definition of private care home in [Title] 18 Pennsylvania Consolidated Statutes, Section 2713, relating to neglect of a care-dependent person, to make it consistent with the definition of private care home in [Title] 18 Pennsylvania Consolidated Statutes, Section 3124.4, related to institutional sexual assault. The amendment will have no substantive impact on the offenses contained in either of the foregoing sections.

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

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

MUTH AMENDMENT A5227 DEFEATED

Senator MUTH offered the following amendment No. A5227:

Amend Bill, page 1, line 2, by inserting after "offenses," providing for informed consent in pelvic, rectal and prostate examinations and

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting:

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 3108. Informed consent in pelvic, rectal and prostate examinations.

(a) General rule.--A health care provider or student may not knowingly perform any of the following examinations on a patient who is anesthetized or unconscious in a facility that provides health care services if the health care provider or student is participating in a course of professional instruction or clinical training program, unless the patient or the patient's authorized representative provides specific informed consent, in verbal and written form, prior to the examination:

(1) Pelvic examination.

(2) Rectal examination.

(3) Prostate examination.

(b) Exceptions.--Subsection (a) does not apply if:

(1) the examination is within the scope of care ordered for the patient; or

(2) the examination is necessary in the case of a medical emergency for the purpose of diagnosis or treatment and the patient is incapable of providing informed consent or, if the patient is incapable of providing informed consent and has an authorized representative, the authorized representative is unavailable to provide informed consent.

(c) Liability.--A person aggrieved by a violation of this section may bring a civil action in a court of common pleas of requisite jurisdiction. A court may award appropriate relief, including temporary, preliminary and permanent injunctive relief, an award of compensatory and punitive damages and an award of reasonable attorney fees and costs. In lieu of actual damages, the plaintiff may elect at any time prior to final judgment, statutory damages of \$5,000 per violation.

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Health care provider." A primary health care center or a person, including a corporation, university or other educational institution licensed or approved by the Commonwealth to provide health care or professional medical services as a physician, a certified nurse midwife, a podiatrist, hospital, nursing home, birth center and an officer, employee or agent of any of them acting in the course and scope of employment.

"Hospital." An entity licensed as a hospital under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, or the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Patient." A natural person who receives or should have received health care from a health care provider.

Section 2. Section 3124.2(a.5) of Title 18 is amended and the section is amended by adding a subsection to read:

Amend Bill, page 4, line 2, 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 Montgomery, Senator Muth.

Senator MUTH. Mr. President, my amendment would add a section to Title 18 regarding informed consent for any pelvic, rectal, or prostate examination performed under anesthesia by medical students. This amendment prohibits a healthcare provider or a student who is participating in a professional instruction course or clinical training program from performing a pelvic, rectal, or prostate examination without first obtaining the informed consent of the patient. There are exceptions for exams ordered within the scope of care for patients who have medical emergencies when the patient or their representative is unable to provide consent. In the case of a violation, the patient may bring a civil lawsuit for injunctive relief in actual or statutory damages.

This amendment also is a bill that Senator Collett and I share that was voted out of the Senate Committee on Health and Human Services back in September, Senate Bill No. 815. Currently, under Pennsylvania law, medical students may perform rectal, pelvic, or prostate exams on a patient who is under anesthesia for other surgical procedures, and the patient is not given the opportunity and no consent is required currently under law. They may be entirely unaware of what is being done while they are under anesthesia. Mr. President, this is an important amendment that I would hope would receive full Senate support, as it was voted unanimously out of committee. So, I hope that people understand this easy fix to make sure that we are all informed of what is happening to our bodies under anesthesia here in Pennsylvania. I ask for an affirmative vote. Thank you.

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

Senator BAKER. Mr. President, while I appreciate the amendment from my colleague from Montgomery County and would support it, I am asking for a negative vote because I do not believe it is germane to the bill before us, and that it may violate the single subject rule. While placed in this Title 18 bill, there is no criminal penalty, and it only provides for a civil remedy. Therefore, I do not believe it is germane to the bill before us for a vote.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I would just like to respond to the question of germaneness. The addition of Section 3108, which is related to informed consent in pelvic, rectal, and prostate exams, properly belongs in Chapter 31, relating to sexual offenses. Additionally, this amendment adds section 3108 to subchapter A, relating to general provisions of Chapter 31, to separate the provisions from the criminal offenses specified under subchapter B, relating to the definition of offenses. Despite the fact that there is no criminal penalty, the underlying House Bill No. 975 also deals with those who are in charge of providing care to another care-dependent individual who are committing misconduct on another's body without their consent. This amendment was legally reviewed by LRB as well as Democratic Senate legal staff. So, I just wanted to put that on the record. Thank you.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request temporary Capitol leaves for Senator Tomlinson and Senator Kim Ward.

The PRESIDENT pro tempore. Senator Gordner requests temporary Capitol leaves for Senator Tomlinson and Senator Kim Ward. Without objection, the leaves will be granted.

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

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

YEA-21

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

NAY-29

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

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

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

BILLS OVER IN ORDER

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

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1032 (Pr. No. 1340) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for licensing and regulation of agricultural commodity handlers; creating an Agricultural Commodity Indemnity Fund; and providing for penalties and enforcement.

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

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

BILLS OVER IN ORDER

SB 1201 and SB 1203 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1287 (Pr. No. 1814) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, providing for floor space.

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-43

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

NAY-7

Baker	Costa	Hughes	Tartaglione
Bartolotta	Fontana	Robinson	

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

SB 1299, HB 1614, HB 1615 and HB 1660 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1867 (Pr. No. 3325) -- 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 Purple Star School Program.

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 Allegheny, Senator Robinson.

Senator ROBINSON. Mr. President, thank you for bringing House Bill No. 1867, the Purple Star School Program, to the floor for a vote. It has been an honor collaborating with my colleague, Senator Stefano, and his team on behalf of the children of our men and women in uniform. And I am thankful for Representative Boback's work on her bill and the collaborative effort in both Chambers to advance this language. Many have experienced or at least can sympathize with the struggle of often transitioning schools as being part of a military family. The Purple Star School Program is aimed to give these students better ease and consistency in their education, along with enhancing the support and resources to improve their social and emotional welfare. These

families already sacrifice so much when they serve our country, and we are so grateful. Prioritizing support for these students during times of change and uncertainty is one important way we can repay their families for their service to our country. I am eager to see this program come to fruition within our Commonwealth and for the children of our military personnel to succeed in all aspects of their lives.

Thank you, Mr. President, and our colleagues on both sides of the aisle, for recognizing the importance of this bill and putting this on the right track to making the Purple Star School Program a reality for our Commonwealth. And thank you, again, to Senator Stefano and Representative Boback for your diligence in working with us to make this happen for our military families and the children of Pennsylvania. Thank you.

LEGISLATIVE LEAVE

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

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Laughlin.

The PRESIDENT pro tempore. Senator Gordner requests a temporary Capitol leave for Senator Laughlin. 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-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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 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.

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

MUTH AMENDMENT A5344 DEFEATED

Senator MUTH offered the following amendment No. A5344:

Amend Bill, page 1, line 6, by inserting after "for":
definitions and for

Amend Bill, page 1, lines 10 through 13, by striking out all of said lines and inserting:

Section 1. The definition of "SART" in section 2 of the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, is amended and the section is amended by adding a definition to read:

Section 2. Definitions.

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

* * *

["SART." The Sexual Assault Response Team.]

* * *

"Sexual assault nurse examiner" or "SANE." A registered professional nurse who has completed a sexual assault nurse examiner training program and successfully passed an exam that meets the Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses and operates as a member of the sexual assault response team.

"Sexual assault response team" or "SART." A health care practitioner who is certified as a sexual assault forensic examiner or sexual assault nurse examiner, local law enforcement agency or public or private agency responsible for coordinating or performing a medical forensic examination or delivery of subsequent medical or legal services to a victim.

* * *

Section 2. Section 3(c.1) of the act is amended by adding a paragraph and the section is amended by adding a subsection to read:

Amend Bill, page 2, by inserting between lines 5 and 6:

(c.2) Tracking system.--No later than one year from the effective date of this subsection, the department, in conjunction with the recommendations of the Statewide Sexual Assault Evidence Collection Kit Tracking System advisory committee under paragraph (6), shall launch a Statewide tracking system for the purpose of electronically tracking all sexual assault evidence collection kits collected under this section. The following shall apply:

(1) The tracking system may be the system utilized in other states or may be a system developed by the Pennsylvania State Police. The tracking system shall be administered and funded jointly by the department and the Pennsylvania State Police, each having designated system administrators as needed to meet the demands of the system and the individuals using the system. All technical onboarding, assistance and maintenance of the tracking system shall be provided by the Pennsylvania State Police. The department shall consider the following system aspects when choosing a tracking system to utilize:

(i) The tracking system shall be an online accessible database capable of receiving, maintaining, storing and preserving records related to all sexual assault evidence collection kits collected under subsection (c) and this subsection.

(ii) The tracking system shall have a publicly accessible Internet website, which shall include information and referral services for victims, including crime victim rights, local rape crisis centers, behavioral health, law enforcement, district attorneys and medical providers.

(iii) The tracking system shall be accessible by victims and authorized users as determined by the department and the Pennsylvania State Police.

(iv) The tracking system shall permit victims to anonymously access the system, and no personally identifiable information or medical records shall be entered into the system.

(v) The tracking system shall be capable of providing various reports.

(vi) The tracking system shall be capable of modifications and adjustments as may be recommended by the Statewide Sexual Assault Evidence Collection Kit Tracking System advisory committee.

(2) All medical providers, law enforcement agencies, forensic laboratories or other persons or entities having use or custody of any sexual assault evidence collection kits in this Commonwealth shall participate in the tracking system and comply with the established rules, protocols and guidelines established by the department.

(3) All sexual assault evidence collection kits purchased or distributed on or after the launch of the system shall be trackable and comply with the requirements of the system.

(4) Each victim shall be able to track the location and status of the victim's sexual assault evidence collection kit and be able to determine whether the forensic testing of the kit has been completed.

(5) The department, in conjunction with the recommendations of the Statewide Sexual Assault Evidence Collection Kit Tracking System advisory committee, shall adopt rules, guidelines and protocols for the function and administration of the system, which shall address the following:

(i) The best options for maintaining the tracking system and ensuring ease of use and online access by entities and individuals, including developing instructions on how to use and access the database.

(ii) The best practices for ensuring victim privacy, confidentiality and safety.

(iii) The best practices for record retention within the tracking system.

(iv) Tracking kits of minor victims.

(v) Identifying and defining roles of entities and individuals who must have access to the tracking system.

(vi) Monitoring compliance of entities and individuals required to participate in the tracking system.

(vii) Streamlining the current kit inventory reporting requirements under subsection (d) by using reports generated by the tracking system.

(viii) Permitting partnerships between local law enforcement agencies for purposes of designating system users and contact resources for smaller law enforcement agencies.

(ix) Any other aspect of the tracking system's function, use or administration as may be required over time to ensure that the system meets the needs of those using and accessing the system.

(6) For the purpose of providing recommendations to the department regarding the implementation, utilization and optimization of a Statewide tracking system, the secretary shall convene a Statewide Sexual Assault Evidence Collection Kit Tracking System advisory committee consisting of volunteer members representing the following:

(i) The Pennsylvania State Police.

(ii) The Office of Attorney General.

(iii) The Pennsylvania District Attorneys Association.

(iv) The Pennsylvania Chiefs of Police.

(v) The Office of the Victim Advocate.

(vi) The Pennsylvania Coalition Against Rape.

(vii) The International Association of Forensic Nurses.

(viii) The Hospital and Healthsystem Association.

(ix) A local sexual assault response team.

(x) A sexual assault nurse examiner.

(xi) A child advocacy center.

(xii) Any other entity or individual having knowledge and experience relevant to the purpose of the advisory committee.

Amend Bill, page 2, lines 7 through 30; page 3, lines 1 through 24; by striking out all of said lines on said pages

On the question,

Will the Senate agree to the amendment?

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

Senator MUTH. Mr. President, my amendment would amend the Sexual Assault Testing and Evidence Collection Act to

establish a statewide rape kit tracking system here in our Commonwealth. Every sexual assault or rape kit is more than just a number, it is the face of an individual who lived through bloody hell and deserves justice. My amendment, which mirrors the language to Senate Bill No. 860 and House Bill No. 1848, which is prime sponsored by Leader McClinton, would empower victims, increase transparency, and give victims timely access to their evidence and updates on their cases. The amendment would also convene an advisory committee to come up with best practices in creating and maintaining the tracking system. My amendment would remove language from the current House bill, as drafted, that only requires, currently, a study and a report regarding the possible implementation of a rape kit tracking system. The first rape kit tracking law was implemented in Michigan in 2014. Since then, more than 30 States have either implemented or are in the process of implementing rape kit tracking systems--not studies--actually implementing a system that tracks where these rape kits are at in the testing of evidence process.

In April, I joined House Democratic Leader, Joanna McClinton; advocates from the Pennsylvania Coalition Against Rape and Philadelphia Center Against Sexual Violence; and survivors of sexual assault who still are waiting on the results and status of their rape kit. After surviving a violent crime of rape and going through a very intense forensic medical exam to gather evidence, at the very least, victims deserve the right to access information concerning that evidence in a timely manner. The stories we heard from survivors at our press conference and those that have been shared with us since are utterly heartbreaking and horrifying. When you think about not being able to get a simple blood test result back from your physician, or test results read to you from an MRI from a shoulder surgery, or cardiac testing, and not getting timely answers on what the results are, that is frustrating. But what is devastating is to have this forensic exam done to gather evidence about a crime that was done to a victim, and we have rape kits that we do not even know where they are, or what shelf they are on, or if they have ever been sent to a lab. The untested rape kit backlog has decreased in recent years, but every untested kit is still a victim who was waiting months and even years to hear about the status of this evidence. If we are serious about reducing sexual assault in Pennsylvania and hopefully one day ending it and empowering victims who have already suffered harm, we need a system, not a study. We need a tracking system to ensure victims justice and access to information. My amendment has bipartisan support as a stand-alone bill in both the Senate and the House, and this is an opportunity for the Senate to really make a difference and support all victims of sexual assault by actually implementing a system to track rape kits, instead of just studying what we already know.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, I appreciate the comments of the Senator on a very serious and important matter, and it is something that I hope we can continue to look at. In regard to House Bill No. 2032, we have a commitment to run this bill and to get it to the Governor at this time. So, for that reason, while I certainly appreciate the comments and the passion and the advocacy that the Senator made, I ask that we vote "no" on the

amendment and allow House Bill No. 2032 to get to the Governor at this time.

Thank you, Mr. President.

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

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

YEA-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			

NAY-29

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

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

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

On the question,
Shall the bill pass finally?

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

YEA-50

Argall	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

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 third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-1

Saval

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

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

BILL OVER IN ORDER

HB 2419 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL REVERTED TO PRIOR PRINTER'S No.,
OVER IN ORDER

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.

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

MOTION TO REVERT TO PRIOR PRINTER'S No. 3206

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

Senator GORDNER. Mr. President, I move to revert to prior Printer's No. 3206 on House Bill No. 2526.

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

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

The PRESIDENT pro tempore. The Senate now has before it House Bill No. 2526, Printer's No. 3206.

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

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

HB 140, SB 152, SB 167, HB 223, HB 397, SB 485 and SB 527 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

SB 692 (Pr. No. 771) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for erosion and sediment control requirements.

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

SB 692 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 692, Printer's No. 771, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

SB 749, HB 803, SB 895, SB 965, SB 1018, HB 1103 and SB 1130 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 1135 (Pr. No. 1790) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for funding to address habitability concerns in owner-occupied and rental units, measures to improve energy or water efficiency and make units accessible for individuals with disabilities, and removing barriers to affordability of homeownership; establishing the Whole-Home Repairs and Homeownership Affordability Program, the Student Housing Repurpose Program, the Whole-Home Repairs and Homeownership Affordability Fund and the Housing Stabilization

Initiative Fund; and imposing duties on the Department of Community and Economic Development and the Commonwealth Financing Authority.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 1160 and **SB 1161** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1180 (Pr. No. 1538) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 2004 (P.L. 1270, No. 153), referred to as the Pennsylvania Amber Alert System Law, establishing the Pennsylvania Silver Alert System; and further providing for immunity.

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

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

BILLS OVER IN ORDER

HB 1186 and **SB 1249** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1251 (Pr. No. 1710) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in benefits, providing for supplemental annuities for certain State Police officers commencing 2022.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

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

BILL ON SECOND CONSIDERATION

HB 1312 (Pr. No. 3334) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 45676, carrying Pennsylvania Route 26 over Yellow Creek in Hopewell Township, Bedford County, as the PFC James E. Williams Memorial Bridge; designating a bridge, identified as Bridge Key 55863, carrying Pennsylvania Route 26 over Bloody Run in Everett Borough, Bedford County, as the Colonel Joseph M. Stine Memorial Bridge; and designating a portion of Harvey Run Road between State Route 2018 in New Sewickley Township to State Route 1065 in Freedom Borough, Beaver County, as the Army Sergeant Joshua James Rimer Memorial Road; and making related repeals.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

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

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 2075 (Pr. No. 2529) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the procedure relating to the suspension of the Pennsylvania Heavy-Duty Diesel Emissions Control Program and for the applicability of Federal standards.

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

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

BILL ON SECOND CONSIDERATION

HB 2125 (Pr. No. 2476) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in public indecency, further providing for the offense of prostitution and related offenses and for obscene and other sexual materials and performances.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 2148 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2214 (Pr. No. 3065) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 67 (Public Welfare) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for miscellaneous provisions; 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 GORDNER, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

HB 2265 and HB 2485 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2702 (Pr. No. 3322) -- The Senate proceeded to consideration of the bill, entitled:

An Act 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 GORDNER, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF HB 2271

BILL ON FINAL PASSAGE

HB 2271 (Pr. No. 2634) -- Senator COSTA. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2271, Printer's No. 2634, passed finally.

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

And the question recurring, Shall the bill pass finally?

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

YEA-48

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

NAY-2

Saval	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 without amendments.

BILLS REPORTED FROM COMMITTEES

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

SB 676 (Pr. No. 747) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for request for lower limits of coverage, for coverages in excess of required amounts, for stacking of uninsured and underinsured benefits and option to waive, for notice of available benefits and limits and for availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles.

HB 324 (Pr. No. 298) (Rereported)

An Act amending the act of May 30, 1984 (P.L.345, No.69), known as the First Class City Business Tax Reform Act, further providing for definitions.

HB 430 (Pr. No. 2274) (Rereported)

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for effect of failure to receive tax notice.

HB 581 (Pr. No. 2900) (Rereported)

An Act authorizing local taxing authorities to provide for tax exemptions for improvements to deteriorated areas and dwellings to incentivize the creation and improvement of affordable housing units.

HB 773 (Pr. No. 1022) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

HB 1410 (Pr. No. 2613) (Rereported)

An Act establishing the Weigh Station Preclearance Program; and providing for criteria for preclearance system and devices and for data access.

HB 1594 (Pr. No. 2989) (Rereported)

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for collection, verification and disclosure of information by online marketplaces to inform consumers.

HB 2464 (Pr. No. 3326) (Rereported)

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; in crime victims, further providing for rights, for responsibilities of victims of crime under basic bill of rights, for responsibilities of State and local law enforcement agencies, for responsibilities of prosecutor's office, for responsibilities of department, local correctional facilities and board and for responsibilities of juvenile probation office and providing for legal standing; in administration, further providing for office, for powers and duties of victim advocate and for powers and duties of Office of Victims' Services; in compensation,

further providing for persons eligible for compensation, providing for counseling services for victims of sexual abuse and further providing for filing of claims for compensation, for minimum allowable claim, for determination of claims, for emergency awards, for awards and for confidentiality of records; in services, further providing for eligibility of victims; in financial matters, further providing for costs and for costs for offender supervision programs; in enforcement, further providing for subrogation and for revictimization relief; transferring money from the Crime Victim's Compensation Fund; providing for applicability; and making a related repeal.

HB 2644 (Pr. No. 3187) (Rereported)

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, providing for oil and gas well plugging oversight; in development, further providing for bonding and for well plugging funds; establishing the Oil and Gas Well Plugging Grant Program; and making a related repeal.

HB 2679 (Pr. No. 3252) (Rereported)

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.

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

SB 251 (Pr. No. 1842) (Rereported) (*Concurrence*)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; in seed, further providing for disposition of funds; establishing the Agronomic Regulatory Account within the General Fund; imposing duties on the Department of Agriculture; and making conforming amendments.

SB 382 (Pr. No. 1849) (Amended) (Rereported) (*Concurrence*)

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in public-private transportation partnerships, further providing for definitions, for duties of board, for operation of board, for selection of development entities, for public-private transportation partnerships agreement and for taxation of development entity and providing for prohibition on mandatory user fees; and rescinding, in part, a resolution of the Public-Private Transportation Partnership Board.

SB 764 (Pr. No. 1780) (Rereported) (*Concurrence*)

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 State and its departmental administrative board, further providing for powers and duties in general.

SB 814 (Pr. No. 1822) (Rereported) (*Concurrence*)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for the offense of evading arrest or detention on foot and for the offense of harming a police animal while evading arrest or detention.

SB 818 (Pr. No. 1833) (Rereported) (*Concurrence*)

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,

providing for ambulatory surgical facility permitted surgical procedures; and abrogating regulations.

SB 1094 (Pr. No. 1806) (Rereported) (*Concurrence*)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for apportioned registration renewal; in commercial drivers, further providing for commercial driver's license; in miscellaneous provisions, repealing provisions relating to snow and ice dislodged or falling from moving vehicle and providing for snow and ice; and, in motor carrier safety, repealing provisions relating to findings and declaration of policy and further providing for definitions and for Motor Carrier Safety Advisory Committee.

SB 1183 (Pr. No. 1841) (Rereported) (*Concurrence*)

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in forfeiture of assets, further providing for asset forfeiture; in miscellaneous provisions, providing for off-road vehicles in urban municipalities; and, in snowmobiles and all-terrain vehicles, further providing for definitions.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 430 (Pr. No. 2274) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for effect of failure to receive tax notice.

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 Jefferson, Senator Dush.

Senator DUSH. Mr. President, House Bill No. 430 amends the Local Tax Collection Law to provide a waiver of additional charges for real estate taxes within the first year of ownership if the tax notice was not received. It does not happen often, but it does happen that the person does not get the tax notice. It was reported unanimously out of the Committee on Local Government, and I want to thank the stakeholders who worked with us on the amendment that we did that helped the tax collectors, CCAP, the [Pennsylvania State] Tax Collectors' Association, and the Pennsylvania Manufactured Housing Association.

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 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.

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator GORDNER. Mr. President, I move the Senate proceed to consider House Bill No. 975, 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.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 975 (Pr. No. 3363) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEA-48

Argall	Costa	Kearney	Scavello
Aument	Dillon	Langerhole	Schwank
Baker	DiSanto	Laughlin	Stefano
Bartolotta	Dush	Martin	Tartaglione

Boscola	Flynn	Mastriano	Tomlinson
Brewster	Fontana	Mensch	Vogel
Brooks	Gebhard	Muth	Ward, Judy
Browne	Gordner	Phillips-Hill	Ward, Kim
Cappelletti	Haywood	Pittman	Williams, Anthony H.
Collett	Hughes	Regan	Williams, Lindsey
Comitta	Hutchinson	Robinson	Yaw
Corman	Kane	Santarsiero	Yudichak

NAY-2

Saval 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.

HB 2464 (Pr. No. 3326) -- The Senate proceeded to consideration of the bill, entitled:

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

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 am pleased to stand in support of House Bill No. 2464, legislation sponsored by Representative Sheryl Delozier, who co-chairs the criminal justice reform caucus with me, along with Senator Haywood and Representative Jordan Harris. House Bill No. 2464 expands Pennsylvania's crime victims bill of rights to ensure that victims would have the ability to stand in court and assert their own rights. This would be accomplished via court orders directing that their rights be honored, as intended by the law. The bill does not change the rights that the victims have; it gives them recourse when their rights are ignored. Currently, crime victims are beholden to the prosecutors handling their cases or the agencies supervising their

offenders. It is up to these people to honor the victims' protections.

House Bill No. 2464 also includes language from a measure I have sponsored with Senator Hughes and Senator Haywood, which is part of the Justice Reinvestment Initiative, a bipartisan package of criminal justice reform bills intended to reduce prison and probation costs, better protect crime victims, and strengthen public safety. This represents the final piece of a two-part, three-bill package. The other two bills were completed last Session and signed into law. Language in this bill will provide information and compensation to crime victims. It will reinvest savings generated through the companion legislation into victim services and will help streamline the entire process and make certain more victims receive the help that they need. Providing for the needs of crime victims is an essential part of the criminal justice system, but in too many cases, victims feel left out of the entire process. This legislation will ensure every victim understands their important role in the system and receives any compensation that they are owed. I urge this Chamber for an affirmative vote on House Bill No. 2464.

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-49

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

NAY-1

Saval

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 251 (Pr. No. 1842) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; in seed, further providing for disposition of funds; establishing the Agronomic Regulatory Account within the General Fund; imposing duties on the Department of Agriculture; and making conforming amendments.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 251?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 251.

On the question,

Will the Senate agree to the motion?

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

YEA-49

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	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholz	Scavello	Yudichak
Costa			

NAY-1

Hutchinson

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 814 (Pr. No. 1822) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for the offense of evading arrest or detention on foot and for the offense of harming a police animal while evading arrest or detention.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 814?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 814.

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

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, I rise to ask my Senate colleagues for an affirmative concurrence vote on Senate Bill No. 814, the Officer John Wilding Law, legislation that I have worked on with my good friend, the Democratic Senator from Lackawanna County. Senate Bill No. 814 will create a new offense of intentionally and recklessly evading arrest or detention by foot. On July 12, 2015, Scranton police Officer John Wilding died from injuries sustained in the pursuit of three armed suspects who recklessly evaded arrest by foot. We are just 6 days away from the 7th anniversary of Officer Wilding's tragic death. I find it fitting and just, on the somber anniversary of John Wilding's death, that this General Assembly will finally heed the words of Mary Wilding, Officer Wilding's mother, and give John the full justice he deserved. As Mary Wilding put it so eloquently and passionately, "This law is John's last chance to back up his fellow officers. He deserved better. All of our officers do." Yes, every police officer and every member of law enforcement, who puts their lives on the line to serve our communities, deserves the full protection of the law. I want to thank the chairs of the Senate and House Committees on Judiciary for their assistance in moving Senate Bill No. 814 through the legislative process, and I want to acknowledge the broad bipartisan coalition of legislators, including my friend from Lackawanna County, who have been so supportive of the bill. And finally, I want to extend and express my heartfelt appreciation to Mary Wilding and Don Williams from the Voices of JOE organization, who have been great champions and advocates for Senate Bill No. 814. I urge an affirmative vote on Senate Bill No. 814, the Officer John Wilding Law.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I certainly honor the service of all of our men and women in blue who put their lives on the line, and we respect that, but this bill goes a little further than just protecting people. It not only criminalizes running from human officers, but it criminalizes running from police dogs. I have risen and spoken on this issue again. It should not be here. The issues associated with running from a human officer are completely and totally different than running from a police dog. Police dogs have been used--and we have seen in videos going back to the Civil Rights Movement to today where police dogs have been used--on people who are protesters, and they are particularly disproportionately used on people of color. Under this bill, if a police dog were to pursue you and you were to run from the dog, and the dog became injured while it was pursuing you--people who have not been convicted of a crime, people who are not being pursued by a person, but an animal that will attack them if they do not run--if those folks move to evade and protect themselves, not attacking, but evading; it criminalizes potentially their behavior. The addition of prohibitions on running from a police dog should not

be in this bill. They muddy up the waters on what would otherwise be good legislation. But I cannot, in good conscience, vote for or ask other people to stand there and be bitten by dogs because this bill was amended to include those provisions. For those reasons, I ask for a "no" vote on this bill.

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

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

YEA-35

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

NAY-15

Cappelletti	Fontana	Muth	Tartaglione
Collett	Haywood	Saval	Williams, Anthony H.
Comitta	Hughes	Schwank	Williams, Lindsey
Costa	Kearney	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 inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1094 (Pr. No. 1806) -- 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 apportioned registration renewal; in commercial drivers, further providing for commercial driver's license; in miscellaneous provisions, repealing provisions relating to snow and ice dislodged or falling from moving vehicle and providing for snow and ice; and, in motor carrier safety, repealing provisions relating to findings and declaration of policy and further providing for definitions and for Motor Carrier Safety Advisory Committee.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 1094?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1094.

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

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

Senator BOSCOLA. Mr. President, a lot of you in this room have heard me talk about snow and ice--snow and ice--for many, many years now. It is July, 82 degrees out, but I am going to talk about it for the very last time as I rise to call for swift passage of Christine's Law. Christine's Law has been amended into Senate Bill No. 1094, requiring drivers to remove snow and ice from their rooftops before entering our roadways, allowing police officers the discretion of pulling them over if they pose a danger to other drivers on our highways. I want to thank my colleagues from both sides of the aisle who have voted for this legislation year after year after year. I thank you so much.

I first introduced the legislation in response to a tragedy that occurred to a Lehigh Valley family almost 17 years ago. On Christmas Day 2005, Christine Lambert and her husband and son were driving through Carbon County to visit her parents on Christmas Day. Tragically, she never made it because an 8-inch chunk of ice--which I call an icy missile--became dislodged from the tractor trailer traveling toward her vehicle, flew through the air, smashed through the window, struck and killed her instantly. The truck driver never stopped; likely never even knew what happened. I would be remiss if I did not mention the advocacy of the Lambert family over these many years. Christine's Law is not only a tribute to the tragedy that occurred to Mrs. Lambert, but it is also a testament to the dedication her family put forth to ensure these types of accidents and deaths do not occur in the future. Finally, Mr. President, it brings me a great sense of joy--it really does--that Christine's Law will be finally signed by the Governor, and I thank my colleagues again so much for your continued support over the years. It is my hope that the Governor will sign this and I can bring the Lamberts down to the bill signing.

Thank you, Mr. President.

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

The yeas and nays were required by Senator GORDNER 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.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1183 (Pr. No. 1841) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in forfeiture of assets, further providing for asset forfeiture; in miscellaneous provisions, providing for off-road vehicles in urban municipalities; and, in snowmobiles and all-terrain vehicles, further providing for definitions.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 1183?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1183.

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

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

YEA-48

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

NAY-2

Brooks	Saval
--------	-------

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

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

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

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

SHERIFF, CARBON COUNTY

June 24, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 7, 2022, of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Sheriff, in and for the County of Carbon, to serve until the first Monday of January 2024, vice Anthony Harvilla, resigned.

TOM WOLF
Governor

NOMINATION RETURNED TO THE GOVERNOR

Senator AUMENT. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT pro tempore. The nomination will be returned to the Governor.

**REPORT 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 GAME COMMISSION

March 18, 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, Todd Pride (District 8), 432 Sawmill Road, Cochranville 19330, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Brian Hoover, Glenolden, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 13, 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, Robert Schwalm (District 9), 508 Norway Place, Bethlehem 18015, Lehigh County, Eighteenth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years, and until the successor is appointed

and qualified, but not longer than six months beyond that period, vice new position created by Act 3 of 2022.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF NURSING

June 7, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Tina Siegel, 266 Heritage Lane, Tionesta 16353, Clarion County, Twenty-first Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Suzanne Hendricks, Quakertown, 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 PRESIDENT pro tempore. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS***EXECUTIVE SESSION***

Motion was made by Senator AUMENT,

That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

March 18, 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, Todd Pride (District 8), 432 Sawmill Road, Cochranville 19330, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Brian Hoover, Glenolden, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 13, 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, Robert Schwalm (District 9), 508 Norway Place, Bethlehem 18015, Lehigh County, Eighteenth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 3 of 2022.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF NURSING

June 7, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Tina Siegel, 266 Heritage Lane, Tionesta 16353, Clarion County, Twenty-first Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Suzanne Hendricks, Quakertown, whose term expired.

TOM WOLF
Governor

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

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

Senator COLLETT. Mr. President, I rise to offer remarks in support of the nomination of Todd A. Pride to the Pennsylvania Game Commission. My colleague, the gentleman from Philadelphia County, Senator Anthony Williams, had planned to offer remarks as well, as Mr. Pride and his family were longtime neighbors of the Senator. Though I am sure he could have shared many stories from their childhoods, you will have to settle for me tonight. As we all know, Mr. Pride has been awaiting this vote for months, and I am honored to get the opportunity to support his appointment to the Game Commission. While I am certain that the historic nature of tonight's vote for the first African American appointed to the Game Commission is not lost on any of us, I want to focus my comments on the brief conversation I had with Mr. Pride yesterday in anticipation of today's vote. He indicated that he understood this process could be a long and challenging one, and he was eager to put the nomination process behind him and get down to the business of serving Pennsylvanians. Mr. Pride spoke passionately about the opportunities he sees in expanding the reach of fishing and hunting across our Commonwealth to populations that may not have had the exposure to those sports, and I am pleased that we are appointing such an outstanding candidate to the commission. Mr. Pride is not only well-qualified, but he also represents the best of our Commonwealth, and I, for one, cannot wait to vote in his favor for his appointment

to the Game Commission. I urge a "yes" vote from my Senate colleagues.

Thank you, Mr. President.

And the question recurring,
Will the Senate advise and consent to the nominations?

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

YEA-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 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
BILL REPORTED FROM COMMITTEE**

Senator PITTMAN, from the Committee on Urban Affairs and Housing, reported the following bill:

HB 2709 (Pr. No. 3309)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for definitions, for lessee's right to acquire ownership and for advertising and display of property.

BILL ON FIRST CONSIDERATION

Senator J. WARD. 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:

HB 2709.

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, 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
	CANCELLED	

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 129, 589, 1123 and 1135; and House Bills No. 1342, 1420, 2426, 2604 and 2702)	Senate Chamber (LIVE STREAMED)
---------------	--	-----------------------------------

Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 106, 982, 1093, 1100, 1171, 1222 and 1284; House Bills No. 1421 and 1642; and certain Executive Nominations)	Senate Chamber (LIVE STREAMED)
---------------	--	-----------------------------------

TUESDAY, JULY 19, 2022

2:00 P.M.	GAME AND FISHERIES (public hearing on the Fishery of Lake Erie and its economic impact on the region)	H.O. Hirt Aud. Blasco Mem. Library, Erie
-----------	---	--

PETITIONS AND REMONSTRANCES

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I rise because today marks 5,841 days since this Commonwealth's legislature last passed an increase in minimum wage, nearly 16 years. Mr. President, if Senate Bill No. 1090, the legislation that last increased Pennsylvania's minimum wage, was a human, we would be prepared to take it and get its learner's permit. It would be a rising junior in high school. It would be just 2 years away from being an adult, entering the military, or buying the guns our Republican friends are so concerned about. That is to say, Mr. President, we have failed a generation of workers. Workers who potentially began their adult lives as minimum wage earners earning \$7.15 and now are only earning \$7.25 after the Federal government stepped in and raised the country's minimum wage. Mr. President, I do not believe that anyone in this Chamber believes a Pennsylvanian can survive off a minimum wage job. The Federal government says a single parent with 1 child working for \$7.25 an hour for 40 hours a week annually makes almost \$3,000 under the Federal poverty level. Mr. President, this Chamber has failed to move and pass plenty of legislation, I believe, that would benefit the Commonwealth and its people. But Mr. President, I cannot think of a single piece of legislation since I was first elected that would have a more profound impact on our Commonwealth and our workers than Senate Bill No. 12 in raising Pennsylvania's minimum wage. We have the potential to pump nearly \$6 billion directly into the hands of Pennsylvanians who need it the most, and, in turn, raise the minimum wage for Pennsylvanians. Let us take action and finally pass Senate Bill No. 12, so that 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 442**, **SB 1093** and **SB 1284** with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 275**, **SB 588**, **SB 1105** and **SB 1235** with the information the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the presence of the Senate signed the following bills:

SB 251, **SB 275**, **SB 588**, **SB 814**, **SB 1094**, **SB 1105**, **SB 1183** and **SB 1235**.

RECESS

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

Senator GORDNER. Mr. President, I move that the Senate do now recess until Thursday, July 7, 2022, at 9 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 9:44 p.m., Eastern Daylight Saving Time.