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THURSDAY, JULY 7, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 33

SENATE

THURSDAY, July 7, 2022

The Senate met at 9 a.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.

When I was looking for inspiration for today's prayer, I turned to the words of Mother Teresa, which I will share with all of you. "Be kind and merciful. Let no one ever come to you without coming away better and happier. Be a living expression of God's kindness." What simple, yet profound words for us to reflect upon today and every day.

Good and gracious Lord, we ask that You help us today and all days to be a living expression of Your kindness through our actions and our example. Let us treat one another here in this Chamber, and all of the people we meet, with dignity, respect, and kindness. Help us to be apostles of peace, not only as we work together here in the Senate for the people of our great Commonwealth, but also in our homes for our families, and in our communities for our neighbors. All this we ask in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Browne and Senator Mastriano, and legislative leaves for Senator Brooks, Senator Gebhard, and Senator DiSanto.

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

Senator COSTA. No leaves, Mr. President.

The PRESIDENT pro tempore. Senator Kim Ward requests temporary Capitol leaves for Senator Browne and Senator Mastriano, and legislative leaves for Senator Brooks, Senator Gebhard, and Senator DiSanto. Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of April 13, 2022, is now in print.

The Clerk proceeded to read the Journal of the Session of April 13, 2022.

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

**GUEST OF SENATOR MARIA COLLETT
PRESENTED TO THE SENATE**

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

Senator COLLETT. Mr. President, today is a bittersweet one for me and my staff. After nearly 4 years with my office, my district director, Joshua Arsenaault, is relocating to another Commonwealth, that of Massachusetts. Josh and his husband, Uli, are heading to Boston where Josh has already secured a position at one of the nation's top LGBTQ advocacy organizations, GLAAD, as their assistant director of development. I like to brag that I have the best staff in the Senate, and while I am sure some of you would bear to disagree, I know in my heart it is true; and it is something I am told repeatedly over the years by constituents, community members, even some of my region's former

legislators. Josh has been a part of my team since day one. Before joining our team, Josh worked at the Montgomery County non-profit Mitzvah Circle Foundation, an organization dedicated to helping struggling families from falling further into poverty by providing items that government assistance does not; items like diapers, clothing, and personal hygiene products, including menstrual products. Josh now sits on Mitzvah Circle's board of directors, demonstrating exactly the kind of person he is, one who spends every day helping people solve problems, and then goes home and does even more for even more people. Under Josh's leadership, our constituent services team has closed more than 6,000 cases since I took office in 2019, including nearly 1,500 unemployment cases during COVID-19 alone. Josh has been a major part of our success in serving the people of Bucks and Montgomery Counties, and we will feel his loss immensely, but our loss is GLAAD's gain. I would wish Josh luck, but he does not need it. I am confident Josh will continue to make the world a kinder, fairer, and more equitable place. While we hoped to have Josh joining us today in the Chamber, he was unable to come to Harrisburg due to illness, but he is watching our Session today from home. So, please join me in giving my district director, Joshua Arsenault, a huge round of applause in appreciation for his service to the people of Pennsylvania.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guest of Senator Collett please rise so the Senate can give you our usual warm welcome.

(Applause.)

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Permission has been granted for the Committee on Rules and Executive Nominations to add to its agenda today the consideration of Senate Bill No. 382.

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus.

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

Senator COSTA. Mr. President, same thing, a Democratic caucus in the rear of the Chamber starting immediately.

The PRESIDENT pro tempore. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

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

Senator COSTA. No further leaves, sir.

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

BILL RECOMMITTED

SB 382 (Pr. No. 1849) -- The Senate proceeded to consideration of the bill, entitled:

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 partnership 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.

Upon motion of Senator K. WARD, and agreed to by voice vote, the bill was recommitted to the Committee on Rules and Executive Nominations.

RECESS

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

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

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

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

Senator COSTA. No leaves, sir.

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

**CONSIDERATION OF CALENDAR RESUMED
BILLS ON CONCURRENCE IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 764 (Pr. No. 1780) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of State and its departmental administrative board, further providing for powers and duties in general.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 764?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 764.

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

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

YEA-50

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 818 (Pr. No. 1833) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 818?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 818.

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

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

YEA-50

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

NAY-0

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

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

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1, HB 118, SB 137, SB 145, HB 324 and SB 358 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 457 (Pr. No. 488) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for qualifications of Governor, Lieutenant Governor and Attorney General and for disqualification for offices of Governor, Lieutenant Governor and Attorney General.

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 581 (Pr. No. 2900) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

On the question, Shall the bill pass finally?

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

YEA-50

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa; Dillon, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholc; Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Santarsiero, Saval, Scavello; Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

NAY-0

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

Ordered, That the Secretary of the Senate 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 TEMPORARILY

SB 676 -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 773 (Pr. No. 1022) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator MENSCH. Mr. President, I would like to take a little bit of time to talk about House Bill No. 773, which we have titled Deana's Law, and before I do, I want to recognize some guests in the gallery. First are Deana's parents, Roseann and Richard DeRosa. They are joined by the prime sponsor of the House Bill, Representative Quinn, also a family friend of the DeRosas, Alex Rahn. Mr. President, last Session our former colleague, Senator Tom Killion, introduced Senate Bill No. 773 to further protect our families from the heinous actions of repeat DUI offenders. Today, House Bill No. 773 is before us for final passage and gives us an opportunity to save lives and prevent future tragedies like the one that has led to this bill.

On February 16, 2019, the life of Deana Eckman was tragically cut short while she and her husband were driving home from a family event. It is probably important to note, Mr. President, that this month, July, she would be 49 years old. Her birthday was July 22, 1973. On the evening that she was struck, their car was hit by a highly intoxicated driver in a very violent crash. The driver had previously been convicted of five--that is five, Mr. President--DUI offenses. And after this horrific accident and death, the driver was charged with his sixth DUI. Mr. President, five DUIs did not stop him, I doubt seriously that the sixth would stop him as well. Deana Eckman's death has brought unbearable pain to her husband, parents, siblings, and other family members and friends. So, hoping to save lives and spare other families the heartbreak they are suffering, her family has remained steadfastly determined to change laws that are permitting a revolving door system for the most serious DUI offenders in Pennsylvania. Focusing on the very worst DUI offenders, Deana's Law takes action to remove drunk drivers from the road who pose the most danger to all of us and have no business being behind the wheel in that condition. Organizations that support this bill, Mr. President, include the Pennsylvania District Attorneys Association, the Pennsylvania State Police, the [Pennsylvania] State Troopers Association, the FOP, PennDOT, AOPC, National Association of Drug Court Professionals, National Safety Council, MADD, Pennsylvania DUI Association, the Pennsylvania Parents Against Impaired Driving, and also AAA. I want to thank, once again, Mr. President, the parents, who, as I mentioned before, have joined us today. They have been steadfast in their attempt to have this law passed. It was originally introduced by Senator Killion, and it is a shame we did not get it across last year, but now we have an excellent opportunity to correct the right in this gap, if you will, in the drunk driving laws in Pennsylvania. So, Mr. President, I encourage a positive vote. Thank you very much.

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

Senator KANE. Mr. President, I rise to urge a "yes" vote on House Bill No. 773. I also want the Senate to remember the person who the bill was named after, Deana Eckman. On the night of February 16, 2019, Deana and her husband were driving home from a night with their family when their vehicle was struck by an intoxicated driver. The driver lived, but their irresponsible actions resulted in major injuries to Deana's husband, while it tragically took the life of Deana. The driver of that vehicle had five previous DUIs, as you just heard, but still got behind the wheel of a car under the influence and ultimately took the life of Deana.

As horrific and as tragic as the story is, I am afraid that stories similar to Deana's happen far too often. We are losing beautiful lives due to reckless and irresponsible individuals driving under the influence.

Serving on the Senate Committee on Transportation, it is my responsibility to help make our roads safer for our drivers. This legislation will make our roadways safer by getting reckless, negligent, and foolish, repeat DUI offenders off our roadways. And let me be clear in saying: this law is in no way an attack on those who are addicted to drugs and alcohol. See, in 1983, I was found guilty of a DUI, and I am a proud member of the recovery community for over 38 years. In that battle, sometimes you get to the point where you need other people to save you from yourself. I have been there. I needed that help, so I did not cause more pain to those around me. Our constituents sent us here to protect our communities, and that extends to our roadways and drivers, too. Those who are driving home from work, who are dropping their kids off for school, and the folks who know how to have a responsible night on the town and call for a ride home. I would be remiss if I did not thank Senator Tom Killion for his efforts in the past; and the gentleman from Montgomery County for his efforts on getting this bill passed; and also my other colleagues who are joining us here today. And to Deana's parents, Roseann and Richard, thank you for pursuing justice to stop this from ever happening again. We owe it to everyone we have lost from drunk drivers, and we definitely owe it to Deana.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,
Shall the bill pass finally?

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

YEA-46

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

NAY-4

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

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

(Applause.)

BILLS OVER IN ORDER

SB 775, SB 871, SB 956, SB 993 and HB 996 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1201 (Pr. No. 1769) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for refill of prescription eye drops.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILL OVER IN ORDER

SB 1203 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

POINT OF ORDER

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise to request a ruling pursuant to Senate Rule 20 on Senate Bill No. 1299. This bill designates a bridge for a local war hero in my district who is the deceased grandfather of my wife. He passed away in 2006 and is being honored posthumously for his military service during the Korean War, where he was wounded in action, returned to fighting, and became a POW for 33 months. There is no pecuniary benefit to myself or anyone from this designation created by the legislation. I request a ruling.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair thanks the gentleman for his inquiry about a conflict of interest of the factual situation just given. The Chair would rule that there is no conflict of interest, and that, in accordance with Senate Rule 20(c), you must vote on Senate Bill No. 1299. Senate precedent fully supports that a Member does not have a conflict of interest voting on a bill where there is no direct benefit to the Member, which is precisely the case here. You have no pecuniary interest in the bridge designation. As a result, there is no direct benefit to you and, thus, no conflict to bar you from voting. Further, Senate precedent also supports that a Senator has no conflict when a family member could be impacted by the vote. Here, your deceased grandfather-in-law is being honored for his military service to our country through this bridge designation legislation. There is no direct pecuniary benefit to you or anyone else for voting on this bill. All the residents of your community and the people traveling through it will benefit by the passage of legislation in that they will be reminded of the service to our country when they drive on or see the name of the bridge. This honor and remembrance benefit is not pecuniary, does not disqualify you from voting on this bill, and places you in a class with all of those of your community who will see this bridge designation.

And the question recurring,
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Bill 1299. It designates the Corporal William T. Costlow, Sr., Memorial Bridge in Cambria County. Corporal Costlow was born October 12, 1928. He enlisted in the U.S. Army in January of 1948 at the Johnstown Recruiting Station and completed his basic training at Fort Knox, Kentucky, before going to Fort Lewis, Washington, for armored forces advanced

training. Following the completion of training, he was sent overseas in June of 1950 from Camp Stoneman, California.

In September of 1950, Corporal Costlow was wounded in action. On November 1, 1950, he was captured by North Korean forces 2 weeks after returning from his injury in the line of duty. When captured, Corporal Costlow was serving within the 24th Division. While captured, he lived on a near-starvation diet consisting of millet, barley, old cabbage, and soybean soups. Corporal Costlow was held at Prison Camp 3, Puckony, North Korea, for 33 months as a prisoner of war.

After his release was negotiated, he returned home to St. Michael, Cambria County. For his service to the United States, Corporal Costlow received the Good Conduct Medal, the Korean Service Medal, three Bronze Service Stars, the United Nations Service Medal, the National Defense Service Medal, the Distinguished Unit Emblem, the Combat Infantryman Badge, the Marksman Badge, and a Purple Heart. Corporal Costlow passed away December 7, 2006.

Mr. President, I would ask for an affirmative vote on Senate Bill No. 1299, honoring Corporal William T. Costlow. Thank you.

LEGISLATIVE LEAVE

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

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

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

Senator COSTA. No more leaves, Mr. President.

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Mensch. 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 present said bill to the House of Representatives for concurrence.

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

On the question,
Shall the bill pass finally?

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

YEA-50

Argall	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 1410 (Pr. No. 2613) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-1

Brewster

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

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

BILL AMENDED

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?

TOMLINSON AMENDMENT A4176 AGREED TO

Senator TOMLINSON offered the following amendment No. A4176:

Amend Bill, page 6, line 4, by inserting after "~~purchaser~~":
of the consumer who purchased the consumer product from the high-volume third-party seller via the online marketplace

Amend Bill, page 6, line 7, by striking out "(j)" and inserting:

(k)

Amend Bill, page 7, line 19, by striking out "(J)" and inserting:

(i)

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

It was agreed to.

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

BILL OVER IN ORDER TEMPORARILY

HB 1614 -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

BILL AMENDED

HB 1615 (Pr. No. 2990) -- The Senate proceeded to consideration of the bill, entitled:

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

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

PHILLIPS-HILL AMENDMENT A5285 AGREED TO

Senator PHILLIPS-HILL offered the following amendment No. A5285:

Amend Bill, page 1, line 18, by inserting after "breweries":
and for renewal of licenses and temporary provisions for licensees in armed service and for rights of municipalities preserved
Amend Bill, page 4, lines 25 and 26, by striking out all of said lines and inserting:

Section 2. Section 470(a)(1) of the act is amended to read:

Section 470. Renewal of Licenses; Temporary Provisions for Licensees in Armed Service.--(a) (1) All applications for validation or renewal of licenses under the provisions of this article shall be filed at least sixty days before the expiration date of same, along with tax clearance from the Department of Revenue and the Department of Labor and Industry, the requisite license and filing fees, and, except as provided under paragraph (2), shall include an application surcharge of seven hundred dollars (\$700.00): Provided, however, That the board, in its discretion, may accept nunc pro tunc a renewal application filed less than sixty days before the expiration date of the license with the required fees, upon reasonable cause shown and the payment of an additional filing fee of one hundred dollars (\$100.00) for late filing: And provided further, That except where the failure to file a renewal application on or before the expiration date has created a license quota vacancy after said expiration date which has been filled by the issuance of a new license, after such expiration date, but before the board has received a renewal application nunc pro tunc within the time prescribed herein the board, in its discretion, may, after hearing, accept a renewal application filed within two years after the expiration date of the license with the required fees upon the payment of an additional filing fee of two hundred fifty dollars (\$250.00) for late filing. Where any such renewal application is filed less than sixty days before the expiration date, or subsequent to the expiration date, no license shall issue upon the filing of the renewal application until the matter is finally determined by the board and if an appeal is taken from the board's action the courts shall not order the issuance of the renewal license until final determination of the matter by the courts. The board may enter into an agreement with the applicant concerning additional restrictions on the license in question. If the board and the applicant enter into such an agreement, such agreement shall be binding on the applicant. Failure by the applicant to adhere to the agreement will be sufficient cause to form the basis for a citation under section 471 and for the non-renewal of the license under this section. A renewal application will not be considered filed unless accompanied by the requisite filing and license fees and any additional filing fee required by this section. Unless the board shall have given ten days' previous notice to the applicant of objections to the renewal of his license, based upon violation by the licensee or his servants, agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture, transportation, use, storage, importation, possession or sale of liquors, alcohol or malt or brewed beverages, or the conduct of a licensed establishment, or unless the applicant has by his own act become a person of ill repute, or unless the premises do not meet the requirements of this act or the regulations of the board, the license of a licensee shall be renewed. Notwithstanding any other provision of this act, a noise violation shall not be the sole basis for objection by the board to the renewal of a license unless the licensee has received [six] three prior adjudicated noise citations within a twenty-four-month period.

Section 3. Section 493.1(e)(1) and (2) of the act are amended and the subsection is amended by adding a paragraph to read:

Section 493.1. Rights of Municipalities Preserved.--***

(e) (1) Notwithstanding any other provision of law to the contrary except as provided under paragraph (3), the holder of a [limited winery] license under this act that is located in a class 2A through 8 county may use or permit to be used inside or outside of the licensed premises a loud-speaker or similar device whereby the sound of music or other entertainment, or the advertisement thereof, does not exceed 75 decibels beyond the licensee's property line.

(2) The provisions of [subsection (a)] paragraph (1) shall only apply:

(i) From ten o'clock antemeridian until [eight] nine o'clock postmeridian on every day except Fridays and Saturdays; and

(ii) From ten o'clock antemeridian until [ten] twelve o'clock [postmeridian] antemeridian on Fridays or Saturdays.

(4) The Bureau of Liquor Control Enforcement of the Pennsylvania State Police shall enforce the provisions of this subsection.

Section 4. This act shall take effect immediately.

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

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

Senator PHILLIPS-HILL. Mr. President, this amendment would simply include my legislation, Senate Bill No. 1212, which passed this body unanimously last month, into House Bill No. 1615. Currently, wineries in counties classes 2A through 8 may have amplified sound up to 75 decibels at the property line of the venue during certain hours. This amendment would merely extend that provision to all licensees in our Commonwealth, including restaurants, bars, taverns, breweries, clubs, and hotels. Amplified sound may only occur at designated days and times, and the amendment would reduce the number of noise violations for a potential non-renewal of a liquor license from six down to three, to ensure that licensees follow the law and respect their neighbors. This amendment has the support of the Pennsylvania Restaurant and Lodging Association.

Thank you, Mr. President.

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

It was agreed to.

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

BILL OVER IN ORDER

HB 1660 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 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 third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator COLLETT. Mr. President, I would like to extend my support for this legislation introduced by my State Representative, Todd Stephens of Montgomery County. Removing references to homosexuality from our Crimes Code is long overdue, and I am encouraged that it has garnered such broad bipartisan support. Updating our Crimes Code is one of the many things this legislature needs to do to right the wrongs done to LGBTQ Pennsylvanians, and I am proud to support it. While the Supreme Court's conservative majority appears eager to overturn precedents like *Obergefell v. Hodges* and *Lawrence v. Texas*, which legalized gay marriage and decriminalized non-heterosexual intimacy, respectively, I am pleased that we are taking this step today. And we know that there are many other steps we must take to make sure that our Commonwealth, the birthplace of freedom, is committed to equality before the law and equality among its people.

We should also be moving legislation that prohibits housing, employment, and other discrimination based on sexual orientation and gender identity; that puts an end to dangerous, so-called conversion therapy; and that eliminates the so-called gay panic defense of criminal behavior. So, while we are correcting wrongs and righting the record, I would like to present some facts for the public to keep in mind, particularly that while this bill had bipartisan support and received a unanimous vote in the House, its Senate companion, Senate Bill No. 609, introduced by Senator Kearney last year, has been sitting in committee without consideration since May of last year. And in the time since its introduction, not a single Member of the Senate Republican Caucus has signed on as a cosponsor. Do not get me wrong, I am glad that this bill is being brought up for a vote and seems positioned to pass. LGBTQ Pennsylvanians deserve nothing less. In fact, they deserve much, much more. Given some of the ignorant tropes and stereotypes raised during the debate of House Bill No. 972, Senate Bill No. 1277, and Senate Bill No. 1278, three bills with dangerous implications for the LGBT community, I would encourage every Member of this body to take this moment in history to open their minds to better understand the lived experiences of the LGBTQ population.

Organizations like GLAAD, glaad.org, and the American Psychological Association, apa.org, have websites with information for people of all levels of understanding. Our own Human Relations [Council] offers training on a variety of topics pertaining to the LGBTQ experience right here in Pennsylvania. I am sure they would leap at the opportunity to meet with anyone seeking to expand their knowledge. They can be reached at phrc.pa.gov. Finally, books such as *Queer: A Graphic History* by Meg-John Barker--Dr. Meg-John Barker--and Julia Scheele; *Am I Blue?: Coming Out from the Silence* by Marion Dane Bauer; or *Luna* by Julie Anne Peters are also good places to start. But you better hurry to get them before they disappear from the shelves of your local library. I urge an affirmative vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, I rise today to support the passage of House Bill No. 2125, and I applaud Senator Baker and the Committee on Judiciary for acting quickly after this bill's passage from the House to bring it to the floor. House Bill No. 2125 is a long overdue change to the Pennsylvania Criminal Code, that is why I was proud to introduce the Senate companion of this legislation, Senate Bill No. 609. It is time that the Commonwealth move itself forward and remove homosexuality from the Criminal Code.

So, thank you, Mr. President. I encourage my colleagues to vote "yes" on House Bill No. 2125.

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

Senator SANTARSIERO. Mr. President, I too rise in support of this legislation. I want to thank my counterpart on the Committee on Judiciary, Senator Baker, for bringing it up and getting it to the floor as quickly as we did. As I said in the Committee on Judiciary--I will repeat, again, here on the floor--just a couple of weeks ago, I would have thought that this legislation, while a good change in our law and one that should have been done years ago, was largely mooted by the U.S. Supreme Court and the decisions it had rendered with respect to the statutes at issue here and likely in other States. But, with the Court's recent decision in the *Dobbs* case and Justice Thomas' concurring opinion in that case--calling into question a variety of rights that had been established under court precedent on the grounds of privacy under the 14th Amendment of the United States Constitution, specifically the Due Process Clause--we are now living in a world where it is possible--in fact, some may say likely--that many of these privacy rights that we have come to take for granted as Americans over the course of the last 60 years, since the decisions of the previous Warren Court, are now at risk. I think we should reflect on that as we, hopefully, pass this bill unanimously today, because a host of these privacy rights, whether it is the right to marry the person you love regardless of your sexual orientation, identification; your race, your ethnicity, your religion; whether it is the right to be free to use contraceptives; whether it is the right to be able to be in control of your own reproductive freedom. These things that we as Americans have come to take for granted are now under assault, and I would hope, until there is a change in the U.S. Supreme Court, that this General Assembly will act with haste in enshrining these rights--

POINT OF ORDER

Senator K. WARD. Point of order, Mr. President. The gentleman needs to stick to the bill.

The PRESIDENT pro tempore. I would ask the gentleman to stick to the content of the legislation.

Senator SANTARSIERO. Mr. President, I am happy to do that. I was wrapping up as it was. I would hope, however, that we could visit these issues moving forward as well and enshrine them in our State Constitution, if not in our statutes. Thank you very much.

LEGISLATIVE LEAVE CANCELLED

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Yudichak. 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	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 without amendments.

BILL OVER IN ORDER TEMPORARILY

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2526 (Pr. No. 3206) -- 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.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-50

Argall	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 without amendments.

BILL AMENDED

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.

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

YAW AMENDMENT A5366 ADOPTED

Senator YAW offered the following amendment No. A5366:

Amend Bill, page 11, line 22, by striking out "The" and inserting: For 10 years following the effective date of this subparagraph, the

Amend Bill, page 11, line 22, by inserting after "Board": and the department

Amend Bill, page 12, line 9, by striking out "the" and inserting: that

Amend Bill, page 12, lines 22 through 24, by striking out all of said lines and inserting:

(E) For 10 years following the effective date of this clause, the bond amounts for wells that are not unconventional wells may only be revised by the General Assembly. The Environmental Quality Board and the department shall have no authority to adjust bond amounts related to wells that are not unconventional wells during that time period.

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

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

YEA-30

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

NAY-20

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

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

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

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

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

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

CAPPELLETTI AMENDMENT A5245 DEFEATED

Senator CAPPELLETTI offered the following amendment No. A5245:

Amend Bill, page 2, line 6, by striking out the period after "administration" and inserting:
, unless the act of February 13, 1970 (P.L.19, No.10), entitled "An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances," is applicable.

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

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

Senator CAPPELLETTI. Mr. President, my amendment is simply a cross reference to current Pennsylvania minor consent laws, which clearly state any minor who is 18 years or older, has graduated from high school, has married, or has been pregnant

may give effective consent to medical, dental, and health services for themselves, and the consent of no other person shall be necessary. By adding this cross reference, we eliminate a discrepancy that could lead to the judiciary branch interpreting our intent. This makes the bill better and ensures that we are not leaving our intent up to judges across this Commonwealth to decide, and I ask for its immediate adoption.

Thank you, Mr. President.

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

Senator K. WARD. I ask for a negative vote on the amendment.

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

The yeas and nays were required by Senator K. WARD 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-46

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

NAY-4

Brooks Gebhard Mastriano Phillips-Hill

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

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

SECOND CONSIDERATION CALENDAR**BILLS OVER IN ORDER**

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

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 527 (Pr. No. 1329) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

BILLS OVER IN ORDER

SB 692, SB 749, HB 803, SB 895 and SB 965 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1018 (Pr. No. 1555) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in registration system, further providing for SURE system; in voter registration, further providing for approval of registration applications; in changes in records, further providing for death of registrant; in provisions contingent on Federal law, further providing for removal of electors; and making a related repeal.

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

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

BILLS OVER IN ORDER

HB 1103, SB 1130, SB 1160, SB 1161, HB 1186, SB 1249, SB 1281, SB 1282, SB 1286, HB 1500, HB 2148, HB 2265 and HB 2485 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

HB 2709 (Pr. No. 3309) -- The Senate proceeded to consideration of the bill, entitled:

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.

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.

THIRD CONSIDERATION CALENDAR RESUMED**SB 676 CALLED UP**

SB 676 (Pr. No. 747) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator K. WARD.

BILL AMENDED

SB 676 (Pr. No. 747) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate agree to the bill on third consideration?

LAUGHLIN AMENDMENT A5338 ADOPTED

Senator LAUGHLIN offered the following amendment No. A5338:

Amend Bill, page 1, line 2, by inserting after "for":

definitions, for availability, scope and amount of coverage, for

Amend Bill, page 1, line 4, by striking out ", AND"

Amend Bill, page 1, line 5, by striking out "PROVIDING FOR EXCLUSION FROM COVERAGE AND FURTHER PROVIDING" and inserting:

and

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

Section 1. The definition of "financial responsibility" in section 1702 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1702. Definitions.

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

* * *

"Financial responsibility." The ability to respond in damages for liability on account of accidents arising out of the maintenance or use of a

motor vehicle in the minimum amount of [\$15,000] \$30,000 because of injury to one person in any one accident, in the amount of [\$30,000] \$60,000 because of injury to two or more persons in any one accident and in the minimum amount of [\$5,000] \$10,000 because of damage to property of others in any one accident. The financial responsibility shall be in a form acceptable to the Department of Transportation.

Section 2. Sections 1731, 1734, 1736, 1738, 1791 and 1792(a) of Title 75 are amended to read:

§ 1731. Availability, scope and amount of coverage.

(a) Mandatory [offering] coverage.--No motor vehicle liability insurance policy shall be delivered or issued for delivery in this Commonwealth, with respect to any motor vehicle registered or principally garaged in this Commonwealth, unless uninsured motorist and underinsured motorist coverages are [offered therein or supplemental thereto in amounts as provided in section 1734 (relating to request for lower limits of coverage). Purchase of uninsured motorist and underinsured motorist coverages is optional.] provided therein or supplemental thereto in at least the amounts set forth in subsections (b) and (c), unless the coverage is otherwise excluded.

(b) Uninsured motorist coverage.--Uninsured motorist coverage shall provide protection for persons who suffer injury arising out of the maintenance or use of a motor vehicle and are legally entitled to recover damages therefor from owners or operators of uninsured motor vehicles. [The named insured shall be informed that he may reject uninsured motorist coverage by signing the following written rejection form:

REJECTION OF UNINSURED MOTORIST PROTECTION

By signing this waiver I am rejecting uninsured motorist coverage under this policy, for myself and all relatives residing in my household. Uninsured coverage protects me and relatives living in my household for losses and damages suffered if injury is caused by the negligence of a driver who does not have any insurance to pay for losses and damages. I knowingly and voluntarily reject this coverage.

.....
Signature of First Named Insured
.....
Date

(b.1) Limitation of rejection.--Uninsured motorist protection may be rejected for the driver and passengers for rental or lease vehicles which are not otherwise common carriers by motor vehicle, but such coverage may only be rejected if the rental or lease agreement is signed by the person renting or leasing the vehicle and contains the following rejection language:

Rejection of Uninsured Motorist Protection

I am rejecting uninsured motorist coverage under this rental or lease agreement, and any policy of insurance or self-insurance issued under this agreement, for myself and all other passengers of this vehicle. Uninsured coverage protects me and other passengers in this vehicle for losses and damages suffered if injury is caused by the negligence of a driver who does not have any insurance to pay for losses and damages.

(b.2) Rejection language change.--The rejection language of subsection (b.1) may only be changed grammatically to reflect a difference in tense in the rental agreement or lease agreement.

(b.3) Vehicle rental services.--The requirements of subsection (b.1) may be met in connection with an expedited vehicle rental service, which service by agreement of the renter does not require the renter's signature for each rental, if a master enrollment or rental agreement contains the rejection language of subsection (b.1) and such agreement is signed by the renter.] Such coverage shall be in the minimum amount of \$30,000 because of injury to one person in any one accident, and in the minimum amount of \$60,000 because of injury to two or more persons in any one accident.

(c) Underinsured motorist coverage.--Underinsured motorist coverage shall provide protection for persons who suffer injury arising out of the maintenance or use of a motor vehicle and are legally entitled to recover damages therefor from owners or operators of underinsured motor vehicles. [The named insured shall be informed that he may reject underinsured motorist coverage by signing the following written rejection form:

REJECTION OF UNDERINSURED MOTORIST PROTECTION

By signing this waiver I am rejecting underinsured motorist coverage under this policy, for myself and all relatives residing in my household. Underinsured coverage protects me and relatives living in my household for losses and damages suffered if injury is caused by the negligence of a driver who does not have enough insurance to pay for all losses and damages. I knowingly and voluntarily reject this coverage.

.....
Signature of First Named Insured
.....
Date

(c.1) Form of waiver.--Insurers shall print the rejection forms required by subsections (b) and (c) on separate sheets in prominent type and location. The forms must be signed by the first named insured and dated to be valid. The signatures on the forms may be witnessed by an insurance agent or broker. Any rejection form that does not specifically comply with this section is void. If the insurer fails to produce a valid rejection form, uninsured or underinsured coverage, or both, as the case may be, under that policy shall be equal to the bodily injury liability limits. On policies in which either uninsured or underinsured coverage has been rejected, the policy renewals must contain notice in prominent type that the policy does not provide protection against damages caused by uninsured or underinsured motorists. Any person who executes a waiver under subsection (b) or (c) shall be precluded from claiming liability of any person based upon inadequate information.] Such coverage shall be in the minimum amount of \$30,000 because of injury to one person in any one accident, and in the minimum amount of \$60,000 because of injury to two or more persons in any one accident.

(d) Limitation on recovery.--

(1) A person who recovers damages under uninsured motorist coverage or coverages cannot recover damages under underinsured motorist coverage or coverages for the same accident.

(2) A person precluded from maintaining an action for noneconomic damages under section 1705 (relating to election of tort options) may not recover from uninsured motorist coverage or underinsured motorist coverage for noneconomic damages.

Amend Bill, page 1, line 14, by inserting a bracket before "Request" Amend Bill, page 1, line 14, by striking out the bracket before "lower"

Amend Bill, page 1, line 14, by striking out "] different"

Amend Bill, page 1, line 17, by striking out the bracket before "equal"

Amend Bill, page 1, lines 17 and 18, by striking out "] other than"

Amend Bill, page 1, line 18, by inserting a bracket after "injury."

Amend Bill, page 1, lines 18 through 21; page 2, ; by striking out "A named insured" in line 18, all of lines 19 through 21 on page 1 on page 2 and inserting:

Request for different limits.

(a) General rule.--A named insured may request in writing the issuance of coverages under section 1731 (relating to availability, scope and amount of coverage) in amounts other than the limits of liability for bodily injury, subject to the mandatory coverage set forth in section 1731. A named insured shall be conclusively presumed to have uninsured and underinsured motorist coverage in the same amount of bodily injury liability in the policy, unless another amount is selected or otherwise provided in accordance with this chapter.

(b) Notice of uninsured and underinsured motorist coverage.--

(1) No later than the initial issuance or initial renewal of all motor vehicle policies delivered or issued for delivery in the first year following 180 days after the effective date of this section, each insurer shall provide in writing to the named insured under each policy the following notice with respect to the purchase of uninsured and underinsured motorist coverage:

Uninsured and underinsured motorist coverage is available to provide compensation for injuries caused by persons who either have no automobile insurance or do not have enough automobile insurance to compensate you and your family for your loss. This coverage is important to provide protection for you.

Previously, you were able to reject the purchase of uninsured and underinsured coverage. You are now required to purchase this coverage in the minimum amount of \$30,000 because of injury to one person in any one accident, and in

the minimum amount of \$60,000 because of injury to two or more persons in any one accident.

Previously, you were also able to purchase stacking of uninsured and underinsured motorist coverage. Stacking increases your uninsured and underinsured motorist coverage by adding the limits of this coverage for each vehicle for which the injured person is an insured.

While stacking has been eliminated by law, you still have the right to purchase uninsured and underinsured motorist coverage up to at least four times the amount of your liability coverage. You also retain the right to purchase uninsured and underinsured motorist coverage less than the amount of your liability coverage, provided that it at least equals the \$30,000 and \$60,000 coverage protections noted above.

(2) Each insurer shall certify to the Insurance Department that it has complied with the notice requirement in paragraph (1). An insurer's failure to establish compliance with this notice requirement shall be subject to the department's review and enforcement under the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law.

Amend Bill, page 2, line 5, by striking out the bracket before "but"
Amend Bill, page 2, line 5, by striking out "]" and"

Amend Bill, page 2, line 5, by striking out the bracket before "not"

Amend Bill, page 2, line 5, by striking out the bracket after "not"

Amend Bill, page 2, line 7, by inserting a bracket after "policy."

Amend Bill, page 4, lines 9 through 30; page 5, lines 1 through 7; by striking out all of said lines on said pages and inserting:

(a) General rule.--The limit of liability for uninsured and underinsured motorist coverage applicable to two or more motor vehicles covered under one or more policies delivered or issued for delivery in this Commonwealth shall not be added together to determine the limit of the coverage available to an insured for injuries sustained in an accident.

(b) Persons in noncovered vehicles.--If an insured is injured as an occupant of a vehicle not covered by the policy under which the person is an insured, the insured may recover, unless the coverage is otherwise excluded:

(1) Benefits in accordance with section 1733(a)(1) (relating to priority of recovery).

(2) Benefits under section 1733(a)(2), provided the maximum total recovery under all policies providing benefits in accordance with section 1733(a)(2) shall be the single-highest limit on any one vehicle under any one policy for which the person is an insured.

(3) Notwithstanding any exclusion in a motor vehicle policy subject to this chapter, an insurer may not exclude uninsured and underinsured motorist coverage solely because an insured is injured in a vehicle operated by the insured but not covered by the insured's policy, provided the insured's use of the vehicle is with the permission of the owner of the vehicle and the vehicle is furnished for the regular use of the insured.

(c) Persons in covered vehicles.--If an insured is injured as an occupant of a vehicle covered by the policy under which the person is an insured, unless the coverage is otherwise excluded, the insured may recover only the uninsured or underinsured motorist coverage afforded by the policy covering the vehicle occupied by the insured at the time of the accident. The limitation under this subsection does not apply to guest passengers who may still recover in accordance with the sources of payment provided under section 1733.

(d) Pedestrians.--If an insured is injured as a pedestrian, the maximum total recovery under all policies providing benefits in accordance with section 1733(a)(2) shall be the single-highest limit on any one vehicle for which the person is an insured.

Amend Bill, page 5, line 9, by inserting a bracket before "It"

Amend Bill, page 5, line 9, by inserting after "It":

] Except as otherwise specified by statute, it

Amend Bill, page 6, line 18, by inserting a bracket before "\$5,000"

Amend Bill, page 6, line 18, by inserting after "\$5,000":

] \$10,000

Amend Bill, page 6, lines 20 through 27, by striking out "(7) Uninsured and" in line 20 and all of lines 21 through 27 and inserting:

(7) Uninsured and underinsured motorist coverage up to at least four times the amount of bodily injury liability coverage

that is purchased, except for policies issued under the Assigned Risk Plan.

Amend Bill, page 6, line 30, by inserting a bracket before "However,"

Amend Bill, page 7, line 6, by inserting after "selected.":

] Your signature on this notice evidences your actual knowledge and understanding of the benefits available.

Amend Bill, page 7, line 16, by inserting a bracket before "coverages.--"

Amend Bill, page 7, line 16, by inserting after "coverages.--":

] uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles.--

Amend Bill, page 7, line 19, by inserting after "insurer":

delivering or

Amend Bill, page 7, line 19, by inserting a bracket before "a"

Amend Bill, page 7, line 20, by inserting after "coverage":

] for delivery an automobile policy

Amend Bill, page 7, line 21, by inserting a bracket before "higher"

Amend Bill, page 7, line 21, by inserting a bracket after "higher"

Amend Bill, page 7, lines 28 through 30; page 8, lines 1 through 5; by striking out "An insurer issuing a policy of bodily injury" in line 28, all of lines 29 and 30 on page 7 and all of lines 1 through 5 on page 8 and inserting:

An insurer delivering or issuing for delivery an automobile policy of insurance in this Commonwealth pursuant to this chapter shall make available for purchase limits of uninsured and underinsured motorist coverage up to at least four times the amount of bodily injury coverage that is purchased.

Amend Bill, page 8, line 7, by inserting a bracket before "\$5,000"

Amend Bill, page 8, line 7, by inserting after "\$5,000":

] \$10,000

Amend Bill, page 8, line 12, by striking out "2" and inserting:

3

Amend Bill, page 8, line 12, by inserting after "amendment":
or addition

Amend Bill, page 8, line 12, by inserting after "§§":

1702, 1731,

Amend Bill, page 8, line 13, by inserting after "policies":

delivered or

Amend Bill, page 8, line 13, by inserting after "issued":

for delivery

Amend Bill, page 8, line 14, by inserting after "section.":

Nothing in this act shall be construed to alter the election of tort options in a policy issued or renewed on or after one year after the effective date of this section.

Amend Bill, page 8, line 15, by striking out all of said line and inserting:

Section 4. The following shall apply:

(1) Any change in coverage of an automobile insurance policy delivered, or issued for delivery, in this Commonwealth resulting from the amendments of 75 Pa.C.S. §§ 1702, 1731 and 1734 shall not impact the validity of any waiver, rejection, selection of benefits or amount of benefits in that policy beyond the coverage amounts as a result of those amendments, nor require that new forms be signed by the named insured in the policy.

(2) Any filing approved by the Insurance Department under 75 Pa.C.S. that contains an exclusion for uninsured or underinsured motorist coverage that has not been previously approved by the Insurance Department shall be posted on the Insurance Department's publicly accessible Internet website no later than seven days after approval and shall remain available on that website for one year after the renewal effective date of the filing.

Section 5. This act shall take effect in 180 days.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, this amendment increases auto liability minimums and improves consumer choice

for uninsured and underinsured coverage. The current limits of \$15,000 for bodily injury coverage, \$30,000 per accident, and \$5,000 for property damage were last set in 1974. Pennsylvania is one of the last States to increase their limits, with only Florida behind us. Specifically, this amendment increases the mandatory auto insurance minimums for bodily injury from \$15,000 to \$30,000, and goes from \$30,000 to \$60,000 per accident, with an increased property damage coverage from \$5,000 up to \$10,000 now. If adjusted for inflation, these limits would need to be roughly \$76,000; \$152,000; and \$25,000. So, you can see that we are not even keeping up with inflation, even with this amendment. It also mandates uninsured and underinsured motorist coverage of \$30,000 for bodily injury and \$60,000 per accident. It also requires insurers to notify the insured within 180 days of the new minimums, offer uninsured and underinsured coverage of up to 4 times the bodily injury minimum, and eliminates the regular use exclusion. I think that it is beyond time that Pennsylvania increases the minimum insurance limits, and this amendment will ensure that, no pun intended.

Thank you, Mr. President. I ask my colleagues for an affirmative vote.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Regan and Senator Yudichak have returned, and their temporary Capitol leaves are cancelled.

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

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

Senator STREET. Mr. President, I rise to ask for an affirmative vote on the amendment. The amendment restores many of the negotiated protections that were in the bill before we reverted it to a prior printer's number and makes some additional enhancements.

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

Senator PITTMAN. Mr. President, I rise in support of this amendment. I thank my colleague from Erie County for offering it. I thank my colleague from Philadelphia County for endorsing this amendment. I believe this is an amendment that is pro-consumer; I believe it is an amendment that is pro-transparency; and I believe it is an amendment that is about consumer protections. Our auto insurance laws in this State need to be updated. This amendment goes a long way in that regard. I believe this is for the benefit of the consumers. It is a carefully crafted compromise, and I would ask my colleagues for an affirmative vote.

Thank you, Mr. President.

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

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

YEA-30

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

NAY-20

Brewster	Fontana	Regan	Tartaglione
Cappelletti	Hughes	Santarsiero	Tomlinson
Collett	Kane	Saval	Williams, Anthony H.
Comitta	Kearney	Schwank	Williams, Lindsey
Costa	Muth	Stefano	Yudichak

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

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

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held at 1:40 p.m. in the Majority Caucus Room and via Zoom.

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

Senator COSTA. Mr. President, Senate Democrats will meet at 1:45 p.m. in the caucus room for a brief caucus as well.

The PRESIDENT pro tempore. For purposes of a Senate Republican caucus to be held in the Majority Caucus Room at 1:40 p.m. and a Democratic caucus to be held in the rear of the Chamber at 1:45 p.m., without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Browne and Senator Argall have returned, and their respective leaves are cancelled.

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 430, HB 940, HB 975, HB 1867 and HB 2464.**

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1171**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1642**, in which concurrence of the Senate is requested.

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

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations.

The PRESIDENT pro tempore. For the purpose of an off-the-floor meeting of the Committee on Appropriations to be held here on the Senate floor, 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.

HOUSE MESSAGE

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1421**, in which concurrence of the Senate is requested.

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

RECESS

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

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

The PRESIDENT pro tempore. For the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be held on the floor of the Senate, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVES

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

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

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

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

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

Senator Costa requests a legislative leave for Senator Schwank.

Without objection, the leaves will be granted.

BILLS REPORTED FROM COMMITTEES

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

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

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

SB 589 (Pr. No. 714) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to home rule and optional plan government, further providing for definitions, providing for appointment of government study commission in distressed municipality and further providing for first meeting of commission, for function and duty of commission, for hearings and public forums, for report of findings and recommendations, for limitation on enactment of ordinance or filing of petition and for limitation on municipal powers.

SB 1123 (Pr. No. 1463) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for visual signals on authorized vehicles.

SB 1135 (Pr. No. 1854) (Amended) (Rereported)

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.

HB 1342 (Pr. No. 3370) (Amended) (Rereported)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for exclusions from tax and for licenses; in personal income tax, further providing for classes of income and repealing provisions relating to COVID-19 emergency finance and tax provision; in corporate net income tax, further providing for definitions and for imposition of tax; in insurance premiums tax, further providing for imposition of tax and for credits for assessments paid; in vehicle rental tax, further providing for definitions and for vehicle rental tax; in research and development

tax credit, further providing for limitation on credits; in entertainment production tax credit, further providing for definitions, for credit for qualified film production expenses, for limitations, for reissuance of film production tax credits and for limitations; in Waterfront Development Tax Credit, further providing for limitations; in City Revitalization and Improvement Zones, further providing for reports, for restrictions and for confidentiality; in Innovate in PA tax credit, further providing for duties; in Neighborhood Improvement Zones, further providing for confidentiality; in Keystone Opportunity Zones, Keystone Opportunity Expansion Zones and Keystone Opportunity Improvement Zones, further providing for extension for new job creation or new capital investment and for additional keystone opportunity expansion zones; providing for airport land development zones and for Pennsylvania child and dependent care enhancement program and for tax credit; in inheritance tax, further providing for transfers not subject to tax; in Public Transportation Assistance Fund, further providing for Public Transportation Assistance Fund; in table game taxes, providing for General Fund deposit; in Computer Data Center Equipment Incentive Program, further providing for definitions, for sales and use tax exemption, for eligibility requirements and for revocation of certification; in general provisions, providing for allocation of tax credits; making transfers; and making related repeals.

HB 1420 (Pr. No. 3371) (Amended) (Rereported)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in general powers and duties of the Department of Public Welfare, providing for COVID-19 mental health public awareness campaign; in public assistance, further providing for eligibility and for medical assistance payments for institutional care and providing for resident care and related costs and for pharmacy benefits manager audit and obligations; in the aged, further providing for LIFE program and providing for agency with choice; in children and youth, further providing for limits on reimbursements to counties; in nursing facility assessments, further providing for time periods; in managed care organization assessments, further providing for assessment amount; providing for innovative health care delivery models; abrogating regulations; and making a related repeal.

HB 2426 (Pr. No. 2836) (Rereported)

An Act amending Title 67 (Public Welfare) of the Pennsylvania Consolidated Statutes, providing for resource families; making editorial changes; and making related repeals.

HB 2604 (Pr. No. 3255) (Rereported)

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

HB 2702 (Pr. No. 3372) (Amended) (Rereported)

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.

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

SB 382 (Pr. No. 1850) (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 partnership 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 1093 (Pr. No. 1840) (Rereported) (Concurrence)

An Act amending the act of December 15, 1971 (P.L.596, No.160), known as the Outdoor Advertising Control Act of 1971, further providing for definitions, for control of outdoor advertising, for removal of prohibited advertising devices and for penalties for violation; and imposing a duty on the Secretary of Transportation to notify the Federal Highway Administration.

SB 1171 (Pr. No. 1848) (Rereported) (Concurrence)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for restrictions on use of highways and bridges, for securing loads in vehicles, for width of vehicles and for permit for movement during course of manufacture; and, in powers of department and local authorities, further providing for promulgation of rules and regulations by department.

SB 1284 (Pr. No. 1847) (Rereported) (Concurrence)

An Act providing for funding for State-related universities for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

HB 1642 (Pr. No. 3374) (Rereported) (Concurrence)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements, for special provisions applicable to the Keystone Exams, graduation requirements and alternative competency assessment and for Special Education Funding Commission and providing for Commission on Education and Economic Competitiveness; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in professional employees, providing for locally titled positions; in certification of teachers, providing for out-of-State applicants for career and technical education certification, further providing for program of continuing professional education and for continuing professional education for school or system leaders, providing for teacher support in the Structured Literacy Program, repealing provisions relating to certificates issued by other states and providing for out-of-State applicants for certification and for prekindergarten through grade twelve dance certificate; in pupils and attendance, further providing for definitions, for Home Education Program, for assisting students experiencing education instability, for Nonprofit School Food Program, for exceptional children and education and training and for extended special education enrollment due to COVID-19; in school safety and security, further providing for School Safety and Security Committee, providing for survey of school mental health services, further providing for School Safety and Security Grant Program, for school safety and security coordinator and for school safety and security training and providing for school safety and security grants for 2022-2023 school year, for school mental health grants for 2022-2023 school year, for school safety and security coordinator training, for school safety and security training in educator, administrator and supervisory preparatory programs and for School-based Mental Health Internship Grant Program; in threat assessment, further providing for threat assessment teams; in school health services, further providing for health services; in Drug and Alcohol Recovery High School Pilot Program, further providing for definitions, for establishment of Drug and Alcohol Recovery High School Pilot Program and for scope of program and selection of students, repealing provisions relating to term of Drug and Alcohol Recovery High School Pilot Program and further providing for reporting; in terms and courses of study, further providing for agreements with institutions of higher education; providing for talent recruitment and establishing the Committee on Education Talent Recruitment, the Talent Recruitment Grant Program and the Talent Recruitment Account; providing for educational and professional development online course initiative, establishing the Online

Course Clearinghouse Account and imposing penalties; in charter schools, providing for abolition of rulemaking and further providing for regulations; providing for disability inclusive curriculum and establishing the Disability Inclusive Curriculum Pilot Program; in career and technical education, providing for Cosmetology Training through Career and Technical Center Pilot Program and for Barber Training through Career and Technical Center Pilot Program; in community colleges, further providing for financial program and reimbursement of payments; in rural regional college for underserved counties, further providing for reports; in the State System of Higher Education, further providing for definitions, for establishment of the State System of Higher Education and its institutions, for board of governors and for council of trustees and providing for integrated councils; in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships; in transfers of credits between institutions of higher education, further providing for definitions and for duties of public institutions of higher education; in sexual violence education at institutions of higher education, further providing for scope of article, for definitions and for education program, providing for consent to sexual activity, further providing for follow-up and for report and providing for memorandum of understanding; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission and providing for State-related university performance-based funding model and for prohibition on scholarship displacement at public institutions of higher education; in ready-to-succeed scholarship, further providing for agency; in funding for public libraries, providing for State aid for fiscal year 2022-2023; in reimbursements by Commonwealth and between school districts, further providing for payments on account of pupils enrolled in career and technical curriculums and for student-weighted basic education funding, providing for level-up supplement for 2021-2022 school year and further providing for payments to intermediate units, for special education payments to school districts, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness and for Ready-to-Learn Block Grant; in construction and renovation of buildings by school entities, further providing for applicability; and making editorial changes.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1093 (Pr. No. 1840) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1971 (P.L.596, No.160), known as the Outdoor Advertising Control Act of 1971, further providing for definitions, for control of outdoor advertising, for removal of prohibited advertising devices and for penalties for violation; and imposing a duty on the Secretary of Transportation to notify the Federal Highway Administration.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1093?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1093.

On the question,

Will the Senate agree to the motion?

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

YEA-50

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

NAY-0

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

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

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, I move that the Senate proceed to consider Senate Bill No. 676, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

On the question,

Will the Senate agree to the motion?

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 676 (Pr. No. 1851) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for definitions, for availability, scope and amount of coverage, 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.

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-26

Argall	DiSanto	Martin	Scavello
Aument	Dush	Mensch	Street
Baker	Gebhard	Phillips-Hill	Vogel
Bartolotta	Gordner	Pittman	Ward, Judy
Boscola	Hutchinson	Robinson	Ward, Kim
Browne	Langerhole	Saval	Yaw
Corman	Laughlin		

NAY-24

Brewster	Dillon	Kearney	Stefano
Brooks	Flynn	Mastriano	Tartaglione
Cappelletti	Fontana	Muth	Tomlinson
Collett	Haywood	Regan	Williams, Anthony H.
Comitta	Hughes	Santarsiero	Williams, Lindsey
Costa	Kane	Schwank	Yudichak

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

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

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, I move that the Senate proceed to consider House Bill No. 1594, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1594 (Pr. No. 3373) -- 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.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

Senator K. WARD. Mr. President, I move that the Senate proceed to consider House Bill No. 1615, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1615 (Pr. No. 3365) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for breweries, for renewal of licenses and temporary provisions for licensees in armed service and for rights of municipalities preserved.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

Senator K. WARD. Mr. President, I move that the Senate proceed to consider House Bill No. 2644, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

On the question,

Will the Senate agree to the motion?

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2644 (Pr. No. 3364) -- 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 third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator COMMITTA. Mr. President, I will be voting "no" on House Bill No. 2644. Oil and gas wells are a huge problem, both for our environment and for our taxpayers. They are the 10th largest contributor to methane emissions, a greenhouse gas that is up to 86 times more potent in its warming potential than carbon dioxide. They carry a tremendous liability for taxpayers. The cleanup of existing abandoned oil and gas wells in Pennsylvania could cost an estimated \$5 billion. That is about half of our budget surplus. Current efforts to plug abandoned wells in Pennsylvania may not be sustainable, but this bill makes an untenable situation even worse. It does so by locking in bonding amounts that are already insufficient at the very time that the Environmental Quality Board is looking at increasing those amounts. And while the Federal funds are a significant benefit, this bill is not the way to administer them. If we want to pursue a sustainable plan for plugging Pennsylvania's abandoned oil and gas wells, we need to do the following: we need to take steps to prevent the continued abandonment of wells, which appears to be prevalent in the oil

and gas industry; we need to hold operators accountable with bonding that is more realistic and more in line with the actual costs of plugging; we need to support DEP's efforts with the staff and resources it needs to adequately do its job. This bill goes in the opposite direction. It sets into law bond amounts to better accommodate the oil and gas industry, an industry that has created the very environmental crisis we are facing today. Again, I ask for a "no" vote. We can and should do better when it comes to addressing abandoned oil and gas wells in Pennsylvania.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I rise today also in opposition to House Bill No. 2644, which puts in law a provision exempting oil and gas wells drilled prior to April of 1985 from being required to have any plugging bonding. An overwhelming majority of over 110,000 active oil and gas wells in Pennsylvania were drilled before April of 1985. DEP records show the agency has less than \$15 per well available to plug the over 100,500 active conventional oil and gas wells that now have permits because of woefully inadequate well plugging bonding requirements. The average cost to taxpayers to pay to plug a well is around \$33,000. It would cost taxpayers over \$3.3 billion to plug these inadequately bonded wells if operators walk away, meaning Pennsylvania's laws do not prevent these permitted operators from declaring bankruptcy and getting out of Dodge, leaving taxpayers with the bill to clean up the mess.

In addition, any conventional oil and gas well drilled before April of 1985 would be exempt entirely from the need to post any bond, costing taxpayers over \$1.8 billion to plug these wells. This means that taxpayers are on the hook to pay for over \$5.1 billion in well plugging and cleanup costs because of House Bill No. 2644's poor requirements and structure. Well plugging in Pennsylvania has already been a problem and is a legacy pollution problem, some would argue even greater than the coal legacy pollution problem that we are still cleaning up. Our current bonding amounts for the oil and gas industry are so incredibly low that companies are incentivized to go out of business instead of cleaning up their mess. DEP records show conventional oil and gas companies were issued over 4,270 notices of violation for attempting to abandon oil and gas wells without plugging them between 2016 and 2021 alone. The conventional oil and gas drilling industry, which is responsible for leaving Pennsylvania with over 200,000 abandoned and orphaned wells, continues to walk away from these obligations because of the lack of bonding requirement.

House Bill No. 2644, as written, also risks Pennsylvania from not receiving millions of dollars in Federal funding to plug oil and gas wells that conventional drillers have abandoned under the new well plugging program established in the Federal Bipartisan Infrastructure Act. The Federal program requires States to review their regulations to prevent new wells from becoming abandoned wells, making sure well plugging amounts are adequate to cover the taxpayer cost of plugging them is a big part of the prevention effort. This legislation gets in the way of that requirement requiring this bonding, and further burdens taxpayers to clean up the mess of polluters. My staff and I prepped several amendments to this bill, and as we talked with stakeholders, realized that knowing that they would fail, there was no need. But, I think it is worth

mentioning that some of the improvements that were pretty basic improvements could have been added, such as requiring increased current bonding requirements prescribed by the Environmental Quality Board for the oil and gas industry, so that amounts are reflective of the actual cost for plugging each conventional and unconventional well in the Commonwealth; repeal the language under Title 58 that exempts the oil and gas industry from complying with the provisions of the Solid Waste Management Act, which is actually one of the pieces of legislation myself and Representative Sara Innamorato in the House share, closing the hazardous waste loophole that exists in Pennsylvania's law. Also, implementing the 2016 mandate from the Pennsylvania Supreme Court in creating a long overdue requirement that the DEP must notify the public and private well owners of spills that could affect their water supply was another amendment we discussed. And we also thought about how they could coordinate tracking of these well pluggers, the companies that do it, making sure DEP have the staff to ensure the job was done correctly as well as making sure that these jobs for well plugging actually go to local people and organized labor. This bill prohibits, for 10 years, the EQB taking any action to change bonding requirements. I am troubled that this bill is the final version of the well plugging program when many other States have far exceeded this legislation's guidelines and actually put programs in place so that the mess gets cleaned up responsibly, which is what we should have done. So, I will be a "no" vote on this bill, and I urge everyone else to do the same.

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-29

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

NAY-21

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

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

Ordered, That the Secretary of the Senate 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**

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, notwithstanding the provisions of Senate Rule 12(m)(2), I move that the Senate proceed to consider Senate Bill No. 382 contained on Supplemental Calendar No. 2.

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

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

**SENATE CONCURS IN HOUSE
AMENDMENTS AS AMENDED**

SB 382 (Pr. No. 1850) -- The Senate proceeded to consideration of the bill, entitled:

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 partnership 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.

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments to Senate Bill No. 382, as further amended by the Senate?

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

Senator K. WARD. Mr. President, I move that the Senate do now concur in amendments made by the House to Senate amendments to Senate Bill No. 382, as further amended by the Senate.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Bill No. 382. Today--or rather tonight--is a historic day here in the Pennsylvania Senate. Before you is Senate Bill No. 382. Now this bill is no stranger to those in this Chamber, as it passed the full Senate many months ago, and it passed on deep party lines. And when we received this bill back from the House the first time on a concurrence vote, we were told it would never be signed into law. We were told that there simply was not a chance. Some said we should pass it again on party lines and have a giant press conference and lament that this was vetoed and say that, well, we at least fought the good fight. I refused to take that path. I traded partisan press conferences for board room discussions and bickering and blame for meaningful compromise. The result? What we have here today, as amended, in Senate Bill

No. 382. An amended format that will gain the signature of the Governor, and a bill that holds true to the principles and policy that we have advocated for, for over a year and a half.

This bill will increase transparency by requiring PennDOT to publish a detailed analysis and requiring PennDOT to distribute a copy of any P3 board's resolution. This bill will incorporate public comment by creating a new 30-day public comment period prior to the P3 board's voting meeting. This bill will create checks and balances by reducing the scope of PennDOT's power to optional user fees for new infrastructure and ensuring that the General Assembly has more time to assess any transportation projects passed by the P3 board. This bill will rescind the PennDOT Pathways Major Bridge P3 Initiative; and, Mr. President, we go one step further. We add one more layer to Senate Bill No. 382. We are saving taxpayer dollars by the compromise that we have reached. In the amended form of Senate Bill No. 382, we will save taxpayer dollars by allowing PennDOT to preserve the preliminary designs and engineering plans for those 9 bridges. As I have said ad nauseam in this Chamber, in meetings, in committees, I do not think anyone disagrees that those bridges do need repaired. My issue and the issue with my colleagues was always the mechanism as to how we do repair those bridges, and our belief was that it does not need to occur by tolls. We accomplished that here this evening. And let me be perfectly clear, the Commonwealth Court has agreed with our position that was espoused through transportation hearings, through appropriation hearings, through meetings and public comment, that the P3 bridge tolling initiative was invalid. This bill will make it abundantly clear that today, this scheme ends; today, the P3 statute is clarified and codified; today, the citizens of this Commonwealth win; for today, thou shall not toll, and I would urge an affirmative vote on Senate Bill No. 382.

Thank you, Mr. President.

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

Senator ROBINSON. Mr. President, I rise in enthusiastic support of Senate Bill No. 382, and I thank my colleague, Senator Langerholc, for drafting such legislation, of which I am a proud cosponsor, to rein in the egregious practices by the P3 board. I, along with many colleagues, have been fighting the legality of the P3's bridge tolling proposal for the last year and a half; a proposal that completely circumnavigated the legislature and the people of Pennsylvania and passed quietly when the General Assembly was not even in Session and was not given the opportunity to read it or oppose it, even though the law stated that the legislature was the only body allowed by the Constitution to impose taxes on its citizens. PennDOT tried to get around that language by calling it a "user fee" and that people had to pay for what they would then use. Then, we discovered that the proceeds from the Bridgeville toll, one in my district, would pay for all the repairs and upgrades throughout 3 counties over a 35-year period, regardless of whether people are paying the tolls who use those structures, while people in the neighboring counties use the structures without paying for what they then used. This was unacceptable. PennDOT treated this toll bridge project as its own personal slush fund that contracted with not a local Pennsylvania company, mind you, not even an American company, but a company from Australia that would reap the benefits of charging the hard-working men and women of Bridgeville--a borough of less

than 5,000 people--for a company to profit across the globe. They were supposed to do an impact study on the local traffic and businesses before they started working on the project, but they did not do that either.

That is why the communities of South Fayette, Collier, and Bridgeville had to claim damages of the P3 bridge tolling plan in Commonwealth Court. These three communities saw no other option because their pleas for an audience with PennDOT were constantly ignored. And although they had to foot the bill for the lawsuits themselves, they knew it would be cheaper than making the added repairs to their roads when drivers diverted away from the toll bridge and into their communities; a much better investment than allowing a plight of business development away from their communities and into toll-free communities just another county away. Thankfully, and to the relief of our constituents, this case was put to rest last week, and P3 did not get away with this plan.

With this victory, we must remember, it did not have to be this way. We should not have had to spend valuable time and resources fighting a bad plan for over a year and a half that should have been stopped in its tracks immediately with a proper public comment period, fixed notice requirement, and oversight by the General Assembly. The voices of our Commonwealth have been heard, and proper and right action was taken. Now is the time to ensure this does not happen again. We can do this with Senate Bill No. 382. It reforms the public-private partnership to bring transparency to the process. It will bring back the checks and balances by mandating that any P3 project with a "user fee" be approved by the Governor and General Assembly like our framers intended. Not only does it do all of this, but, most importantly, it will not waste the Assembly's time in the future. It will not waste another community's precious resources to fight tyrannical governments, and it will not waste, most importantly, \$14 million of the taxpayer dollars for a failed plan. So, I applaud my friend and colleague, Senator Langerholc, for drafting Senate Bill No. 382, and I ask the rest of my colleagues for an affirmative vote.

Thank you, Mr. President

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

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

YEA-50

Argall	Dillon	Laughlin	Schwank
Aument	DiSanto	Martin	Stefano
Baker	Dush	Mastriano	Street
Bartolotta	Flynn	Mensch	Tartagliano
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.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1123 (Pr. No. 1463) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for visual signals on authorized vehicles.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Franklin, Senator Mastriano.

Senator MASTRIANO. Mr. President, thank you for the consideration of Senate Bill No. 1123. I would also like to thank the good gentleman from [Somerset] County, Senator Stefano, for cosponsoring this excellent legislation. This legislation will amend Title 75 to allow tow truck operators to use rear facing blue lights while stationary and responding to a disabled vehicle. Under current statute, only flashing or revolving yellow lights are permitted for tow trucks. The inspiration for this bill came from a tow truck operator in Chambersburg, who discovered that operators in other States who used blue lights had lower rates of accidents. This includes a recent study by the Texas Department of Transportation and the University of Michigan, which confirmed this. I believe this legislation will reduce roadside accidents and save lives in Pennsylvania. I respectfully ask for an affirmative vote.

And the question recurring, Shall the bill pass finally?

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

YEA-50

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa, Dillon, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerhol, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Santarsiero, Saval, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

NAY-0

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

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

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, I move that the Senate proceed to consider House Bill No. 1342, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1342 (Pr. No. 3370) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for exclusions from tax and for licenses; in personal income tax, further providing for classes of income and repealing provisions relating to COVID-19 emergency finance and tax provision; in corporate net income tax, further providing for definitions and for imposition of tax; in insurance premiums tax, further providing for imposition of tax and for credits for assessments paid; in vehicle rental tax, further providing for definitions and for vehicle rental tax; in research and development tax credit, further providing for limitation on credits; in entertainment production tax credit, further providing for definitions, for credit for qualified film production expenses, for limitations, for reissuance of film production tax credits and for limitations; in Waterfront Development Tax Credit, further providing for limitations; in City Revitalization and Improvement Zones, further providing for reports, for restrictions and for confidentiality; in Innovate in PA tax credit, further providing for duties; in Neighborhood Improvement Zones, further providing for confidentiality; in Keystone Opportunity Zones, Keystone Opportunity Expansion Zones and Keystone Opportunity Improvement Zones, further providing for extension for new job creation or new capital investment and for additional keystone opportunity expansion zones; providing for airport land development zones and for Pennsylvania child and dependent care enhancement program and for tax credit; in inheritance tax, further providing for transfers not subject to tax; in Public Transportation Assistance Fund, further providing for Public Transportation Assistance Fund; in table game taxes, providing for General Fund deposit; in Computer Data Center Equipment Incentive Program, further providing for definitions, for sales and use tax exemption, for eligibility requirements and for revocation of certification; in general provisions, providing for allocation of tax credits; making transfers; and making related repeals.

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

On the question, Shall the bill pass finally?

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

Senator BOSCOLA. Mr. President, I will be voting for a lot of these code bills and the General Fund budget, but I cannot, cannot, vote for this Tax Code. This bill reneges on a promise we

made to homeowners over a decade ago. In 2010, the General Assembly permitted table games in casinos. We did it to help Pennsylvania's economy recover from a significant economic crisis, and more importantly, to add to property tax relief efforts through gaming when the State's balance sheet improved. When table games were enacted, the tax revenue generated would first go to the General Fund until the Rainy Day Fund reaches \$750 million, then those dollars would go into the property tax relief fund. Last year, an additional \$130 million went into property tax relief because we had more money in the Rainy Day Fund. Last year, we kept our promise. Right now, Pennsylvania has \$2.8 billion in the Rainy Day Fund and is adding another \$2.1 billion this year to the fund.

And yet, here we are breaking our promise to property tax owners by permanently putting table game revenue into the General Fund. That is just wrong. It should go into property tax relief as we promised homeowners it would. I will not support a bill that permanently moves table game money to the General Fund. We made that promise to use gaming money to bring property tax relief, and this bill is a huge step backwards. This Tax Code also falls short on providing relief for our State's business community with a watered-down CNI tax reduction. You know, I did support two proposals offered up by my Republican colleagues in this Chamber. They reduced the CNIT by 3 percent and 4 percent by 2026 across 4 years. The proposal in this Tax Code stretches the reduction over a 9-year period. For me, it is a little late, too little, for Pennsylvania businesses.

But, Mr. President, this bill also gives multimillion-dollar tax credits to music producers, film producers, waterfronts, and a lot of other pet projects. All these pet projects, but we cannot help our American families with their burdensome property tax bills. That is unconscionable, and everybody in this building knows how hard I fight for property tax relief. We are telling our families that we care more about the next *Witness* film or movie being produced here than their property tax bills. I cannot, in good conscience, vote for this legislation when it diverts money. Not just any money, not just any money, this is promised money, promised money, for property tax relief. This legislation went back on our word. This legislature should be a little ashamed of themselves. I will be a proud "no," Mr. President; no, no, no. But I can say, and give my word, to homeowners across Pennsylvania: I will not stop fighting for property tax relief. I will keep my word.

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

Senator TARTAGLIONE. Mr. President, I rise to speak against the tax bill. I have been trying since 2008 to lower the CNI in Pennsylvania. We are doing that right now, but we are not replacing that revenue from the CNI with anything. My bill would have allowed combined reporting. I watched the Committee on Appropriations hearing, and the gentleman on the other side of the aisle said he Googled CNI, and no businesses came up. Well, I know that there is an address at 1209 Orange Street in Wilmington, Delaware, and they had 300,000 businesses in that building, and that was in *Business Insider* on December 27, 2018. There is no reason why we should not do combined reporting; 28 States already do it and the District of Columbia. Seventy percent of our corporations here in Pennsylvania do not pay tax. Folks like eBay, Verizon, Apple, Walmart, and American Airlines. I cannot see giving businesses, once again, a tax break. I think it is

unconscionable because it has been 5,842 days since we raised the minimum wage. So, we are going to give another tax cut to businesses, and the person who is a low-wage earner, once again, does not get a raise in their pay. It is unconscionable. We have to figure out what you are going to replace that money with when you lower the CNI. Combined reporting is the answer. I ask for a negative vote on this code.

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

Senator MUTH. Mr. President, I also rise in opposition to House Bill No. 1342. While I understand the need to lower the CNIT for our in-State businesses that have been paying a high rate at 9.9 percent and have been paying their fair share of taxes to operate in our State--and I support lowering it for these companies--in the absence of combined reporting, this is just a fiscally irresponsible decision that is going to leave our Commonwealth with a massive deficit in revenue. By 2031, we will have close to a \$3 billion deficit from this loss in tax revenue. So, I am incredibly disappointed that we could not come to the agreement of making sure that everyone who does business in Pennsylvania, multi-State and in-State entities, pay their fair share in taxes.

Pennsylvania families, workers, even seniors, we all pay our fair share in taxes to use the same public resources that these multi-State entities, wealthy corporations, use. They use our roads, they use our bridges, they use our water: they are using these public resources at a rate of zero dollars, paying nothing to our State for doing business here. While I understand they employ workers, which increases taxes through income tax, they still do not pay their fair share just to do business here. So sure, we can lower the rate, but when you do not have all entities paying their fair share--as mentioned by my colleagues, over 70 percent of corporations are utilizing tax loopholes to avoid paying these taxes--this puts us in a very fragile fiscal situation moving forward, with no solution as to how this lost revenue will be replaced. And I concur that, to not give Pennsylvania families, workers, and people who are on fixed incomes some kind of relief in the height of all of the inflation that we are seeing because of corporate greed, giving other tax credits to entities that, you know, are allowed to sell them off; we could have utilized our surplus dollars to actually help the people who live here in our Commonwealth, who work hard and pay their fair share in taxes. So, I urge a "no" vote on House Bill No. 1342.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

Senator MARTIN. Mr. President, I request a temporary Capitol leave for Senator Yudichak.

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

Senator COSTA. No leaves, Mr. President.

The PRESIDING OFFICER. Senator Martin requests a temporary Capitol leave for Senator Yudichak. Without objection, the leave will be granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-38

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

NAY-12

Boscola	Haywood	Muth	Tartaglione
Cappelletti	Kane	Saval	Williams, Anthony H.
Collett	Kearney	Street	Williams, Lindsey

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

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

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator MARTIN. Mr. President, I move that the Senate proceed to consider House Bill No. 1420, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1420 (Pr. No. 3371) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in general powers and duties of the Department of Public Welfare, providing for COVID-19 mental health public awareness campaign; in public assistance, further providing for eligibility and for medical assistance payments for institutional care and providing for resident care and related costs and for pharmacy benefits manager audit and obligations; in the aged, further providing for LIFE program and providing for agency with choice; in children and youth, further providing for limits on reimbursements to counties; in nursing facility assessments, further providing for time periods; in managed care organization assessments, further providing for assessment amount; providing for innovative health care delivery models; abrogating regulations; 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 yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-29

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

NAY-21

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

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

Ordered, That the Secretary of the Senate 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.

LEGISLATIVE LEAVES

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

Senator MARTIN. Mr. President, I request a temporary Capitol leave for Senator Laughlin, and a legislative leave for Senator Langerholc.

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

Senator COSTA. No leaves, Mr. President.

The PRESIDING OFFICER. Senator Martin requests a temporary Capitol leave for Senator Laughlin, and a legislative leave for Senator Langerholc. Without objection, the leaves will be granted.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2 RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2604 (Pr. No. 3255) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BOSCOLA. Mr. President, I just quickly want to get on the record that I have heard from the major health systems in my district, St. Luke's University and Lehigh Valley Health Networks. This bill addresses the issues they are facing with the Department of Health's inconsistent and capricious enforcement of employee name badge requirements. Currently, health systems are being cited for badges not reflecting the individual hospital where an employee is working that day rather than accepting the ID badges having the larger health system as the listed employer on the badge. This has become a major expense and administrative burden for our hospital system, and it does nothing to improve patient safety at all. For health systems to come into compliance, they face burdensome costs in supply chain issues with shortages and technology. Practically speaking, it is ridiculous to ask employees who travel to multiple locations in a health network to be required to have up to about 10 or more badges to comply, reflecting each location. Let us get this done so health systems can go back to patient care instead of wasting time and money on these unnecessary badge requirements.

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	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.

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator MARTIN. Mr. President, I move that the Senate proceed to consider House Bill No. 2702, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2702 (Pr. No. 3372) -- 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 third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

Argall	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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

HB 1614 CALLED UP

HB 1614 (Pr. No. 2938) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar, by Senator MARTIN.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1614 (Pr. No. 2938) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEA-50

Argall	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.

The PRESIDING OFFICER (Senator John R. Gordner) in the Chair.

HB 2419 CALLED UP

HB 2419 (Pr. No. 2841) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Third Consideration Calendar, by Senator MARTIN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2419 (Pr. No. 2841) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 2018 (P.L.123, No.25), known as the Outpatient Psychiatric Oversight Act, further providing for definitions and for requirements.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise in strong support of House Bill No. 2419. Living in and representing a district in rural Pennsylvania, I understand the acute need for telehealth and telemedicine options. That is why I am passionate about opening up more telemedicine opportunities for all Pennsylvanians. Last October, the Senate overwhelmingly passed Senate Bill No. 705, comprehensive telemedicine legislation which I authored and legislation that I have been working on for many years. House Bill No. 2419 is a much narrower bill than Senate Bill No. 705. It addresses only the dire need for psychiatric services in Pennsylvania by removing outdated requirements which currently limit telemedicine options for outpatient psychiatric clinics. House Bill No. 2419 would allow more opportunities to use telemedicine to address patients' pressing mental health needs. Passing House Bill No. 2419 is very important, but I want to be clear, the definition of telemedicine in the bill is limited by design. It is specific so the outpatient psychiatric clinics can meet psychiatric supervision time requirements, not the long list of other medical services that are addressed by telemedicine. It does not and is not meant to impact how medical services not covered by the Outpatient Psychiatric Oversight Act are provided. Senate Bill No. 705's definition of telemedicine addresses all of telehealth. It is broad and technology neutral so that healthcare providers may choose the appropriate synchronous or asynchronous remote patient monitoring platforms to deliver healthcare services. The definition of telemedicine in Senate Bill No. 705 is open to embrace new technologies that may become available in the future. It is my hope that the House will soon pass Senate Bill No. 705 so Pennsylvania can have a comprehensive telemedicine law like other States. In the meantime, we need to pass House Bill No. 2419 to provide help to all Pennsylvanians suffering from mental illness.

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	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.

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

LEGISLATIVE LEAVE

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

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

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

Senator COSTA. No leaves, Mr. President.

The PRESIDING OFFICER. Senator Kim Ward requests a temporary Capitol leave for Senator Tomlinson. Without objection, the leave will be granted.

LEGISLATIVE LEAVE CANCELLED

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

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 581**, **HB 1312** and **HB 1410**.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 982** and **SB 1100**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

RECESS

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

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

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate stands in recess.

AFTER RECESS

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

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

BILL REPORTED FROM COMMITTEE

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

SB 982 (Pr. No. 1856) (Amended) (Rereported) (*Concurrence*)

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, providing for public funding of elections; in county boards of elections, further providing for powers and duties of county boards; establishing the Election Integrity Grant Program; and, in penalties, providing for violation of public funding of elections.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 3

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, notwithstanding the provisions of Senate Rule 12(m)(2), I move that the Senate proceed to consider Senate Bill No. 982 contained on Supplemental Calendar No. 3.

On the question,

Will the Senate agree to the motion?

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

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 982 (Pr. No. 1856) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, providing for public funding of elections; in county boards of elections, further providing for powers and duties of county boards; establishing the Election Integrity Grant Program; and, in penalties, providing for violation of public funding of elections.

On the question,

Will the Senate concur in amendments made by the House to Senate Bill No. 982, as further amended by the Senate?

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

Senator K. WARD. Mr. President, I move that the Senate do now concur in amendments made by the House to Senate Bill No. 982, as further amended by the Senate.

On the question,

Will the Senate agree to the motion?

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

Senator BAKER. Mr. President, throughout this legislative Session, ensuring the integrity of our elections is a topic that has been at the forefront of our priority issues. Numerous voters

across Pennsylvania have reached out to their local and statewide elected officials regarding election concerns and the need for reform. As a result, the Special Committee on Election Integrity and Reform was established last year to focus on the review of the 2020 General Election and an examination of the ways we can improve the election process, learning from challenges and concerns. I was pleased to serve on this special committee and would like to take a moment to thank my fellow committee members who played a significant role in helping to shed light on needed changes through this hearing process: chair, Senator Langerholc; Senator Boscola; Senator Gordner; Senator Regan; Senator Santarsiero; Senator Street; Senator Lindsey Williams; and Senator Corman, President pro tempore. As a result of one of the committee hearings and testimony provided, we learned that some counties received private funding for the administration of the 2020 election while other counties received absolutely no private funds. Voters, taxpayers, and citizens alike deserve the most fair and equitable election system. It should be uniform from one county to the next regardless of size, demographics, and wealth. In order to ensure the fairness, I joined my friend and colleague from York County, the gentlewoman Senator Phillips-Hill, in introducing Senate Bill No. 982. When it was initially introduced, Senate Bill No. 982 offered a very direct, straightforward clarification to the Election Code, simply stating what all of us understood to be fact: government should pay for elections, as they are, I believe, a core function of government.

Thanks to extensive discussions and feedback through Senator Kim Ward and our leadership, and as a result of our public hearings, Senate Bill No. 982 was recently amended to encompass meaningful and substantial changes to further safeguard our election process across the Commonwealth. The amendment prohibits the use of private dollars for the administration of elections while establishing the Election Integrity Grant Program with an allocation of \$45 million to be distributed to counties to support a fair funding of elections across the State. Senate Bill No. 982, as amended, now clearly states eligible uses for the grant money, including staffing needs for processing ballots; physical security and transparency for pre-canvassing and canvassing of ballots; secure preparation, transportation, and storage of voting equipment.

In addition, the bill now requires public reporting of how the money is spent and a clawback provision if the county fails to comply. It requires pre-canvassing of ballots, beginning at 7 a.m. on Election Day and continuing until they have all been counted. It declares the number of ballots received by a county by 12:01 a.m. on the day after election. So, protecting our constitutional right for free and fair elections is a topic many voters, county election officials, and others continue to voice. I am proud to stand with my colleagues today as we come together to acknowledge and address the concerns about security and to implement what I believe are real, tangible, and meaningful election reforms. I urge a "yes" vote on Senate Bill No. 982.

Thank you, Mr. President.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Laughlin and Senator Tomlinson have returned, and their temporary Capitol leaves are cancelled.

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

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

YEA-46

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

NAY-4

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 4**

SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS

HB 1642 (Pr. No. 3374) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements, for special provisions applicable to the Keystone Exams, graduation requirements and alternative competency assessment and for Special Education Funding Commission and providing for Commission on Education and Economic Competitiveness; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in professional employees, providing for locally titled positions; in certification of teachers, providing for out-of-State applicants for career and technical education certification, further providing for program of continuing professional education and for continuing professional education for school or system leaders, providing for teacher support in the Structured Literacy Program, repealing provisions relating to certificates issued by other states and providing for out-of-State applicants for certification and for prekindergarten through grade twelve dance certificate; in pupils and attendance, further providing for definitions, for Home Education Program, for assisting students experiencing education instability, for Nonprofit School Food Program, for exceptional children and education and training and for extended special education enrollment due to COVID-19; in school safety and security, further providing for School Safety and Security Committee, providing for survey of school mental health services, further providing for School Safety and Security Grant Program, for school safety and security coordinator and for school safety and security training and providing for school safety and security grants for 2022-2023 school year, for school mental health grants for 2022-2023 school year, for school safety and security coordinator training, for school safety and security training in educator, administrator and supervisory preparatory programs and for School-based Mental Health Internship Grant Program; in threat

assessment, further providing for threat assessment teams; in school health services, further providing for health services; in Drug and Alcohol Recovery High School Pilot Program, further providing for definitions, for establishment of Drug and Alcohol Recovery High School Pilot Program and for scope of program and selection of students, repealing provisions relating to term of Drug and Alcohol Recovery High School Pilot Program and further providing for reporting; in terms and courses of study, further providing for agreements with institutions of higher education; providing for talent recruitment and establishing the Committee on Education Talent Recruitment, the Talent Recruitment Grant Program and the Talent Recruitment Account; providing for educational and professional development online course initiative, establishing the Online Course Clearinghouse Account and imposing penalties; in charter schools, providing for abolition of rulemaking and further providing for regulations; providing for disability inclusive curriculum and establishing the Disability Inclusive Curriculum Pilot Program; in career and technical education, providing for Cosmetology Training through Career and Technical Center Pilot Program and for Barber Training through Career and Technical Center Pilot Program; in community colleges, further providing for financial program and reimbursement of payments; in rural regional college for underserved counties, further providing for reports; in the State System of Higher Education, further providing for definitions, for establishment of the State System of Higher Education and its institutions, for board of governors and for council of trustees and providing for integrated councils; in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships; in transfers of credits between institutions of higher education, further providing for definitions and for duties of public institutions of higher education; in sexual violence education at institutions of higher education, further providing for scope of article, for definitions and for education program, providing for consent to sexual activity, further providing for follow-up and for report and providing for memorandum of understanding; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission and providing for State-related university performance-based funding model and for prohibition on scholarship displacement at public institutions of higher education; in ready-to-succeed scholarship, further providing for agency; in funding for public libraries, providing for State aid for fiscal year 2022-2023; in reimbursements by Commonwealth and between school districts, further providing for payments on account of pupils enrolled in career and technical curriculums and for student-weighted basic education funding, providing for level-up supplement for 2021-2022 school year and further providing for payments to intermediate units, for special education payments to school districts, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness and for Ready-to-Learn Block Grant; in construction and renovation of buildings by school entities, further providing for applicability; and making editorial changes.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1642?

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

Senator K. WARD. Mr. President, I move that the Senate do now concur in House amendments to Senate amendments to House Bill No. 1642.

On the question,

Will the Senate agree to the motion?

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

Senator L. WILLIAMS. Mr. President, I rise today because this School Code bill is a continuation of an effort to undermine,

defund, and privatize public education here in Pennsylvania. Many, including the Governor, will celebrate what we are doing today as a historic increase in education funding. But what they are not saying is that this is the largest increase in school privatization dollars ever. I am angry, because it is our seniors who will foot the bill when their property taxes go up to pay for this. I am angry, because while the adults in this building are the ones giving massive corporate tax credits, it is the 90 percent of students who are educated in our public schools who will pay the price. And I am angry, because I fear this undermining of public education is going unnoticed.

This bill makes enormous increases to the Educational Improvement Tax Credit and the Opportunity Scholarship Tax Credit. The EITC program originated in the 2004-2005 budget, with a \$40.8 million cap. The School Code before us today increases the EITC tax credit to \$340 million, \$300 million more than when the program was created. The OSTC program, which is often described as helping low-income students, is tellingly funded at lower levels, but still increased to \$65 million. While State tax dollars have continued to be funneled to private schools through these programs, especially since this administration took office, this School Code represents the single largest effort to privatize public education that the General Assembly has ever made. This School Code dramatically increases the amount of money diverted from State funds to private schools. There is an additional \$115 million for EITC, a 51 percent increase, and an additional \$10 million for OSTC, an 18 percent increase. The EITC increase is more than double last year's increase, which, at that time, was already the largest in the program's history.

The Independent Fiscal Office reviewed the EITC and OSTC credits this year during their regular review schedule. They were unable to make any meaningful evaluation as to how these tax credits are performing because the State is legally barred from collecting data on these programs. The IFO said, quote, to facilitate a meaningful and thorough evaluation of program effectiveness, the statute should be amended to allow the collection of certain performance data, unquote.

A few of those very minor suggestions were included in this School Code, but they only apply in limited circumstances. Conveniently, the State is still banned from measuring changes in student outcomes or academic achievement after the switch to a private school. The IFO concluded that without that data, it is, quote, not clear if the existence of an excess supply of business contributions that do not qualify for the credit due to program caps can serve as a proxy for the effectiveness of the program, unquote. Let me say this more plainly: we have spent roughly \$2.5 billion--\$2.5 billion--over the past decade diverting public dollars to private schools, and we have zero, zero, quantitative data on whether this, quote, enhances the educational opportunities available to Pennsylvania students.

The IFO also questioned the program's stated intent to provide scholarship opportunities to the neediest students, because the income thresholds for this scholarship program are higher than any other program tied to income and higher than all other States with a limitation. It begs the question: is this scholarship program for the neediest students, or is it another corporate handout pushing students into private schools? Private schools that, I repeat, are not obligated to provide us with information on how students are performing; that are not required to tell us which students they

accept or reject, a tool used to discriminate against students with disabilities, English learners, LGBTQ students and their families, and many others. They do not have publicly elected school boards. They are not subject to Right to Know laws or Sunshine Act requirements. And yet, this General Assembly is poised to provide \$405 million of would-be tax dollars to private institutions while property taxes are rising all across Pennsylvania. That is not just fiscally irresponsible, it is intentional and emblematic of how this legislature continues to violate our constitutional obligation to thoroughly and efficiently fund Pennsylvania's system of public education. Giving away \$405 million in tax credits without providing that this money is helping students is nothing more than a corporate tax handout masquerading as an increase in school funding.

We have heard over and over in the last month that this is a year of historic budget surpluses. Corporations are getting a tax cut in this budget, corporations are getting more tax credits in this budget. What are the Pennsylvanians who have created this surplus with their hard-earned tax dollars getting? Virtually nothing in comparison. I am voting against this School Code even though it includes several pieces of my own legislation. It includes \$100 million for school-based mental health professionals to offset the cost of their in-school training, a bill that I worked across the aisle to accomplish. It directs more funds to mental health supports for students, a priority of mine since I was elected. It is that important to me that we call out what is happening here. It is that important to me that I will vote against my own priority legislation, and I will vote against a governor of my own party again. I said during the Committee on Education hearings that legislation like this is part of a groundswell effort by school privatization groups like StudentsFirst and the Commonwealth Foundation to dismantle, defund, and destroy public education, and today's, quote, compromise, takes us one step further towards that goal. For these reasons, I am a "no" vote, and I urge my colleagues to do the same. Thank you.

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

Senator MUTH. Mr. President, I do not know that I could possibly top the comments just made by my colleague in terms of me trying to summarize my opposition. But she did a phenomenal job discussing how, despite efforts to increase education funding, that we have to be honest about where these dollars are going. And yes, some of our schools are getting increases, long-overdue increases, from 30-some years of underfunding and gutting of our public education dollars. I think knowing that, as mentioned, this is a corporate-centered budget, some of these schools do not have student outcomes that set any student up for success. Poor learning results, poor academic results, they are simply a profit for big money charter schools to rip off taxpayers, put families at risk for their children not succeeding, and draining our public schools of resources. I fully understand that not every child can get all accommodations in a public school setting depending on their individual needs, but if we are going to fund different types of education--again, I am grateful that there are increases. I wish there had been transparency around this, and I think the biggest disappointment, and maybe a smidge of shock, is that the charter regulations that were really basic--low-hanging fruit, not controversial--are now completely off the table and will not be implemented, meaning that our public schools, despite these

historic dollars, are still paying out millions, annually, to these for-profit entities, especially in special education. Those are things that still desperately need addressed in terms of actually having equitable school funding for every student in this Commonwealth. And let me be clear, every student--and I mean that about every Senate district--every student deserves access to a high-quality education where they can learn and thrive, and their individual needs are met. I truly believe that. Handouts to for-profit schools that do not guarantee any kind of student success is not the path to ensuring that all of our students get what they need. I urge a "no" vote, but I want to just say thank you to--I know our Senate staff worked very hard on this, and also to Senator Browne for being a rare gem to care about public education. So, I just wanted to say that for the record.

Thank you, Mr. President.

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

Senator MARTIN. Mr. President, I rise to ask my colleagues for support for this School Code bill, and really point out some very historical items that are part of this. When you talk about \$850 million between the basic education formula and Level Up, which will be going directly to public education across this State. When you think about the fact, as much as people want to talk about the EITC, which is way more than corporations donating, it is small businesses, it is individuals who also contribute to the program, and to think that in the last year alone we had about 70,000 families who wanted the opportunity to move their child to a place that best suited their individualized need, who were declined solely because of an arbitrary cap. This goes to great lengths on meeting the needs of Pennsylvanians. Those families want opportunities for their kids, and this agreement between the General Assembly and the Governor gives that opportunity to those families. As long as we live in a Commonwealth where parents continually are denied from moving their child from an institution that is not right for them, or a school that is consistently failing, or we have lotteries where tens of thousands of families hope to have their name pulled, only to have most of them have their hearts broken--to give them the opportunity--this School Code bill goes a long way to accomplishing that. But it does much more than that.

When I hear people talk about school safety and security--something we have fought to consistently keep in the General Assembly's line item--to help protect our schools and give them resources they need. To think that we have \$95 million with a baseline amount to every school across this Commonwealth and the opportunity for others to do more. And on top of that, to think now we are also creating mental health grants for schools in the amount of \$95 million and getting them to coordinate with their county behavioral health entities, so they can federalize even more money in order to provide services for these kids. This agreement goes on and does dual enrollment to give kids more opportunities. This agreement, jointly, is trying to address the teacher shortage that is out there and an ability for us to go out and convince future young people that teaching is a very noble path and career for people to get in. I actually am very proud. People might find something that they are not happy about with this. And you know what, when you have divided government, sometimes you have that. But, when I look at this School Code that was put together by all the parties, I see government that

works, and I see government that is directly being responsive to the needs of Pennsylvania students and families, and I ask my colleagues to please support it.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

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

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

YEA-46

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

NAY-4

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

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

NONPREFERRED APPROPRIATION
BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 1284 (Pr. No. 1847) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for funding for State-related universities for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1284?

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

Senator K. WARD. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1284.

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-43

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

NAY-7

Brooks	Gebhard	Mastriano	Stefano
Dush	Hutchinson	Phillips-Hill	

A constitutional two-thirds majority of 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.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS TO SENATE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 382**.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1222**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE 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 1342, HB 1420, HB 1594, HB 1614, HB 1615** and **HB 2644**.

BILLS SIGNED

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

SB 382, SB 764, SB 818, SB 1093, SB 1284, HB 430, HB 581, HB 773, HB 940, HB 975, HB 1312, HB 1342, HB 1410,

HB 1420, HB 1594, HB 1614, HB 1615, HB 1867, HB 2032, HB 2125, HB 2271, HB 2419, HB 2464, HB 2526, HB 2604, HB 2644 and HB 2679.

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus.

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

Senator COSTA. Nothing further, Mr. President.

The PRESIDENT pro tempore. For the purpose of a Republican caucus to be held immediately 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.

LEGISLATIVE LEAVE

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

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

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

Senator COSTA. No leaves, Mr. President.

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

MOTION PURSUANT TO SENATE RULE 11

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

Senator K. WARD. Mr. President, as a special order of business, I move that the Senate continue debate beyond 11 p.m. to hold a meeting of the Committee on Rules and Executive Nominations, to receive reports of committee, and to complete unfinished business.

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-43

Table listing names of senators who voted 'YEA' (43 total): Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Collett, Comitta, Corman, Costa, Dillon, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Hughes, Hutchinson, Kane, Langerholc, Laughlin, Martin, Mastriano, Mensch, Phillips-Hill, Pittman, Regan, Robinson, Saval, Scavello, Schwank, Stefano, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Yaw, Yudichak.

NAY-7

Table listing names of senators who voted 'NAY' (7 total): Cappelletti, Haywood, Kearney, Muth, Santarsiero, Street, Williams, Lindsey.

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

RECESS

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

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

The PRESIDENT pro tempore. For the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be held here on the Senate floor, 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.

UNFINISHED BUSINESS ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA COMMITTEE MEETINGS

FRIDAY, JULY 8, 2022

Table with 3 columns: Off the Floor, RULES AND EXECUTIVE NOMINATIONS (to consider House Bill No. 1421; and certain Executive Nominations), Senate Chamber (LIVE STREAMED).

TUESDAY, JULY 19, 2022

Table with 3 columns: 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. Senator Tartaglione has submitted remarks for the record. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator TARTAGLIONE:)

Mr. President, I rise today because today marks 5,842 days since Senate Bill No. 1090 was signed into law by Governor Rendell, marking the last time this Commonwealth's legislature passed an increase in Pennsylvania's minimum wage. According to the American Medical Association, or AMA, 1 in 10 people in the United States live in poverty, and many additional Americans are unable to afford the essentials they require to stay healthy. The AMA also announced that poverty is detrimental to health and is advocating for Federal, State, and local policies regarding minimum wage increases. Mr. President, there are plenty of compelling reasons to want to raise the minimum wage here in

Pennsylvania, but I cannot think of any more succinct way of putting it than AMA Trustee, Dr. David Aizuss, when he said, "simply put, decreasing poverty improves health." Think about that, Mr. President. Decreasing poverty improves health. It feels like common sense. If people are able to meet their most basic needs, they will be healthier and therefore better off. But we still, today, have people who believe \$7.25 is an appropriate minimum wage.

Our current minimum wage of \$7.25 per hour translates to an annual wage of \$15,080 if working 40 hours per week for all 52 weeks of the year. Right now, a minimum wage earner caring for a single child falls well below the Federal poverty line, Mr. President, but it does not need to be like that, Mr. President. Back in 1968, the Federal minimum wage was sufficient to keep a family of three out of poverty. Now, a family of three living on a single minimum-wage job would fall nearly \$8,000 under the poverty line. Mr. President, it is far past time we act and pass substantive legislation that would help lift families out of poverty. Look, this is not some sort of hypothetical exercise, thinking about how the minimum wage affects parents and their children. According to the AMA's recent research, across America, approximately 28 percent of low-wage workers have children, which places many children at risk of living in poverty. The research also found that there would be 2,790 fewer low-birthweight births and 518 fewer post-neonatal deaths annually if all States raised the minimum wage by \$1.

Mr. President, we have been forced to listen to the discussion of pro-life policies and opinions since women had their rights to make their own decisions regarding their bodies and their lives ripped away. But if we really want to support pro-life policies, let us do something that can save hundreds of lives right now. We have the legislation. It is sitting in committee. Let us bring it to the floor and pass some true pro-life policies.

Thank you, Mr. President.

BILLS REPORTED FROM COMMITTEE

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

SB 106 (Pr. No. 1857) (Amended) (Rereported) (*Concurrence*)

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, providing that there is no constitutional right to taxpayer-funded abortion or other right relating to abortion; further providing for action on concurrent orders and resolutions, for Lieutenant Governor and for qualifications of electors; and providing for election audits.

SB 1100 (Pr. No. 1852) (Rereported) (*Concurrence*)

An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2022, to June 30, 2023, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2022; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2022, to June 30, 2023, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2022; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2022, to June 30, 2023, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2022; and to provide for the additional appropriation of Federal and State funds to the Executive and Legislative Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

SB 1222 (Pr. No. 1853) (Rereported) (*Concurrence*)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in insurance holding companies, further providing for definitions, for acquisition of control of or merger or consolidation with domestic insurer and for registration of

insurers, providing for group capital calculation exemptions, further providing for standards and management of an insurer within an insurance holding company system, for group-wide supervision for international insurance groups and for confidential treatment and providing for compliance with group capital calculation and liquidity stress test requirements; and providing for peer-to-peer carsharing.

RECESS

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

Senator K. WARD. Mr. President, I move that the Senate do now recess until Friday, July 8, 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 11:47 p.m., Eastern Daylight Saving Time.