

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JANUARY 11, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 5

SENATE

WEDNESDAY, January 11, 2023

The Senate met at 10 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Kim L. Ward) in the Chair.

PRAYER

The Chaplain, Reverend DAVE BISER, of CrossPoint Church, Harrisburg, offered the following prayer:

We have been given the privilege to stand here on property that was given to us years ago by the founder of this city, defended by troops who dug in along Front Street during the Civil War, and maintained by those who have served our nation and given the ultimate sacrifice. We are privileged people.

Let us bow our heads.

Great and merciful God who governs all things, we ask, O Lord, today, that You would watch over us as we govern the Commonwealth. We are honored to serve in these places and sit in these seats, to be in this room today. Thank You for our families who we have left behind. Care for them and watch over them and all the families of our Commonwealth, especially those whose families are serving in our military. We ask, O Lord, that You would be with those in authority this day. Those in the House, here in the Senate, our judges, our local governments, our national government all across this great nation of ours, that all the decisions today would be ones that are guided by Your direction. We ask, O Lord, that especially this day, You would be with those in need. There are those who are cold and hungry. There are those, Lord, who are in need of work, those who are troubled and desperate, those who are in jail, and those who are struggling. We ask, O Lord, that our thoughts be with them today as we make decisions here on this floor. And we ask, O Lord, that all that we do might live in perpetuity, that those who follow us might know that we did our best and that we followed You and Your direction in our lives. Be with us this day, O Lord, we pray. On behalf of all faiths across our great Commonwealth, and especially my faith, in the name of Jesus Christ, we all pray. Thank you. Amen.

The PRESIDENT. The Chair thanks Pastor Biser, who is the guest today of Senator DiSanto.

PLEDGE OF ALLEGIANCE

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

RESOLUTION INTRODUCED

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

January 11, 2023

Senator PITTMAN presented to the Chair **SR 16**, entitled:
A Resolution proposing a special rule of practice and procedure in the Senate when sitting on impeachment trials.

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

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

Senator Gene Yaw as a member of the Philadelphia LNG Export Task Force.

BILL REPORTED FROM COMMITTEE

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

SB 35 (Pr. No. 13) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, further providing for definitions.

LEGISLATIVE LEAVES

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

Senator PITTMAN. Madam President, I request temporary Capitol leaves for Senator Bartolotta, Senator Argall, Senator Martin, and Senator Regan.

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

Senator COSTA. Madam President, I request legislative leaves for Senator Brewster, Senator Comitta, Senator Haywood, and Senator Anthony Williams.

The PRESIDENT. Senator Pittman requests temporary Capitol leaves for Senator Bartolotta, Senator Argall, Senator Martin, and Senator Regan.

Senator Costa requests legislative leaves for Senator Brewster, Senator Comitta, Senator Haywood, and Senator Anthony Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR

SECOND CONSIDERATION CALENDAR

SB 84 CALLED UP OUT OF ORDER

SB 84 (Pr. No. 10) -- Without objection, the bill was called up out of order, from page 2 of the Second Consideration Calendar, by Senator PITTMAN, as a Special Order of Business.

BILL ON SECOND CONSIDERATION

SB 84 (Pr. No. 10) -- 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 professional employees, repealing provisions relating to religious garb, insignia, etc., prohibited and penalty.

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

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

YEA-48

Argall	Costa	Langerholz	Santarsiero
Aument	Dillon	Laughlin	Saval
Baker	DiSanto	Martin	Schwank
Bartolotta	Dush	Mastriano	Stefano
Boscola	Farry	Miller	Street
Brewster	Flynn	Muth	Tartaglione
Brooks	Fontana	Pennycuik	Vogel
Brown	Gebhard	Phillips-Hill	Ward, Judy
Cappelletti	Haywood	Pittman	Ward, Kim
Coleman	Hughes	Regan	Williams, Anthony H.
Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Rothman	Yaw

NAY-0

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

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

GUESTS OF SENATOR JOHN M. DiSANTO PRESENTED TO THE SENATE

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

Senator DiSANTO. Madam President, it is my pleasure to welcome back and introduce today's guest Chaplain, David Biser, Vision Pastor at CrossPoint Church in the Colonial Park area of Dauphin County, where he has served for more than 25 years. Raised in central Pennsylvania, Dave is a graduate of Cedar Cliff High School, Messiah College, and Eastern Baptist Seminary. He resides in Lower Paxton Township with his wife, Julie, and they have three grown children. Pastor Biser is joined today by Matt

Reichard, Associate Pastor, CrossPoint Church. Please join me in welcoming Pastor Biser and Reichard to the Senate today.

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

[Applause.]

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL REREFERRED

SB 1 (Pr. No. 26) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth, for action on concurrent orders and resolutions and for qualifications of electors.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 96 (Pr. No. 9) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 8537, carrying Pennsylvania Route 869 over a tributary of the Little Conemaugh River in Jackson Township, Cambria County, as the Sergeant Vance Stephan Keslar Memorial Bridge; designating a bridge, identified as Bridge Key 8392, carrying Pennsylvania Route 53 over Bruebaker Run in Dean Township, Cambria County, as the U.S. Army Technical Sergeant Joseph F. Johnston Memorial Bridge; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; and making a repeal.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

Argall	Costa	Langerholz	Santarsiero
Aument	Dillon	Laughlin	Saval
Baker	DiSanto	Martin	Schwank
Bartolotta	Dush	Mastriano	Stefano
Boscola	Farry	Miller	Street
Brewster	Flynn	Muth	Tartaglione
Brooks	Fontana	Pennycuik	Vogel
Brown	Gebhard	Phillips-Hill	Ward, Judy
Cappelletti	Haywood	Pittman	Ward, Kim
Coleman	Hughes	Regan	Williams, Anthony H.
Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Rothman	Yaw

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 REREFERRED

SB 121 (Pr. No. 11) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, providing for restrictions on appropriations; and making a repeal.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 122 (Pr. No. 12) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 45701, carrying Pennsylvania Route 403 over the Conemaugh River between Johnstown City and West Taylor Township, Cambria County, as the Captain Raymond W. Callahan, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 8574, carrying State Route 1021 over Clearfield Creek between Reade Township and White Township, Cambria County, as the CPL Reid Rex Ross 3 BT 26 Marine Reg. Memorial Bridge; designating a bridge, identified as Bridge Key 56008, carrying Pennsylvania Route 403 over Stonycreek River in Johnstown City, Cambria County, as the Sgt. John C. Alaimo Memorial Bridge; designating a bridge, identified as Bridge Key 8444, carrying US Route 219 over Pennsylvania Route 56, also known as Scalp Avenue, in Richland Township, Cambria County, as the PFC Stanley Albert Stys Memorial Bridge; designating a bridge, identified as Bridge Key 8547, located on State Route 1002, Cambria Township, Cambria County, as the PFC Cyril T. Yeckley Memorial Bridge; and making repeals.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

Argall	Costa	Langerhole	Santarsiero
Aument	Dillon	Laughlin	Saval
Baker	DiSanto	Martin	Schwank
Bartolotta	Dush	Mastriano	Stefano
Boscola	Farry	Miller	Street
Brewster	Flynn	Muth	Tartaglione
Brooks	Fontana	Pennycuick	Vogel
Brown	Gebhard	Phillips-Hill	Ward, Judy
Cappelletti	Haywood	Pittman	Ward, Kim
Coleman	Hughes	Regan	Williams, Anthony H.
Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Rothman	Yaw

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 REREFERRED

SB 130 (Pr. No. 15) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for election audits.

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

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 95 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 114 (Pr. No. 18) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for firefighter and emergency service training and establishing the Secondary Education Fire Training Pilot Program and the Fire Training Fund.

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

BILL OVER IN ORDER

SB 126 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 141 (Pr. No. 17) -- The Senate proceeded to consideration of the bill, entitled:

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

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

RECESS

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

Senator PITTMAN. Madam President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Madam President, Senate Democrats will meet in the rear of the Chamber as well for a caucus.

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Bartolotta, Senator Comitta, Senator Argall, Senator Martin, and Senator Regan have returned, and their respective leaves are cancelled.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 4

MOTION NOTWITHSTANDING SENATE RULE 25

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

Senator PITTMAN. Madam President, I call up Supplemental Calendar No. 4, and I move to consider Senate Resolution No. 16 on Supplemental Calendar No. 4, notwithstanding the provisions of Senate Rule 25.

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

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

YEA-28

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Brooks, Brown, Coleman, Dillon, DiSanto, Dush, Farry, Gebhard, Hutchinson, Langerholc, Laughlin, Martin, Mastriano, Pennycuik, Phillips-Hill, Pittman, Regan, Robinson, Rothman, Stefano, Vogel, Ward, Judy, Ward, Kim, Yaw

NAY-20

Table with 4 columns of names: Boscola, Brewster, Cappelletti, Collett, Comitta, Costa, Flynn, Fontana, Haywood, Hughes, Kane, Miller, Muth, Santarsiero, Saval, Schwank, Street, Tartaglione, Williams, Anthony H., Williams, Lindsey

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

SENATE RESOLUTION No. 16, ADOPTED

Senator PITTMAN, without objection, called up from page 1 of Supplemental Calendar No. 4, Senate Resolution No. 16, entitled:

A RESOLUTION

Proposing special rules of practice and procedure in the Senate when sitting on impeachment trials.

RESOLVED, That the Senate of Pennsylvania adopt special rules as follows:

Rules of Practice and Procedure in the Senate When Sitting On Impeachment Trials

Section 1. Reception of managers.

(a) Subject to subsection (b), when the Senate receives notice from the House of Representatives that it has appointed managers to conduct and prosecute an impeachment against an individual and has directed the managers to carry articles of impeachment to the Senate, the Secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the managers for the purpose of exhibiting such articles of impeachment, agreeably to such notice.

(b) If notice under subsection (a) is received when the Senate has adjourned for at least ten days, the President pro tempore shall immediately appoint a committee under section 10.

Section 2. Exhibition of articles of impeachment.

(a) When the managers are introduced at the bar of the Senate and signify that they are ready to exhibit articles of impeachment against an individual, the presiding officer shall direct the Sergeant at Arms to make a proclamation.

(b) The Sergeant at Arms shall, after making the proclamation, repeat the following words: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of Pennsylvania articles of impeachment against . . ."

(c) The articles of impeachment shall be exhibited.

(d) The presiding officer shall inform the managers that the Senate will take proper order on the subject of the impeachment and will give notice to the House of Representatives.

Section 3. Consideration.

(a) Upon presentation of articles of impeachment to the Senate, the Senate shall proceed to consider the articles.

(b) Consideration shall begin:

(1) 1 p.m. on the day following presentation;

(2) if presentation is on a Sunday, at 1 p.m. on the Tuesday following presentation; or

(3) the time and day ordered by the Senate.

(c) After consideration begins, unless the Senate orders otherwise, the Senate shall continue in session every day except Sunday until final judgment is rendered and no further consideration is needed.

(d) Before consideration, the oath or affirmation shall be administered to the presiding officer and by the presiding officer to each Senator then present and to other Senators as they shall appear on the floor. A Senator has the duty to take the oath or make the affirmation. The oath or affirmation must be in the form set forth in section 25(c).

Section 4. Issuance of orders, etc.

The presiding officer may issue orders, writs and precepts authorized by this rule or by the Senate, and may make and enforce other rules and orders in the Senate Chamber as the Senate authorizes.

Section 5. Enforcement.

(a) The Senate has the following powers:

(1) To compel the attendance of witnesses.

(2) To enforce obedience to its orders, mandates, writs, precepts and judgments.

(3) To preserve order and to punish in a summary way contempts of, and disobedience to, its authority, orders, mandates, writs, precepts or judgments.

(4) To issue lawful orders and rules which it deems essential or conducive to the ends of justice.

(b) The Sergeant at Arms, under the directions of the Senate, may employ aid and assistance necessary to execute and enforce the lawful orders, mandates, writs and precepts of the Senate.

Section 6. Preparation and form of proceedings.

- (a) The President pro tempore shall direct:
 - (1) necessary preparations in the Senate Chamber; and
 - (2) the form of proceedings.
- (b) The presiding officer shall rule on all questions of evidence, including relevance, materiality and redundancy of evidence and incidental questions. Except as set forth in subsection (c), a ruling under this subsection shall stand as the judgment of the Senate.
- (c) On a ruling under subsection (b), a vote may be taken as follows:
 - (1) A Senator may request a formal vote on the ruling.
 - (2) The presiding officer may submit the ruling for a vote.
 - (3) Upon request under paragraph (1) or submission under paragraph (2), the vote shall be taken under the Rules of the Senate immediately. Debate is not permitted.
 - (4) The result of the vote shall stand as the judgment of the Senate.

Section 7. Writ of summons.

- (a) Upon presentation of articles of impeachment and the organization for consideration under this rule, a writ of summons shall issue to the individual impeached.
- (b) The writ must contain all of the following:
 - (1) A recitation of the articles.
 - (2) Notice to the individual to:
 - (i) appear, personally or by counsel, before the Senate at a specified time, on a specified date and at a specified location;
 - (ii) file an answer to the articles; and
 - (iii) stand to and abide the orders and judgments of the Senate on the articles.
- (c) All of the following apply to service of the writ:
 - (1) The officer or individual named in the precept of the writ shall execute service.
 - (2) Service must be executed within the advance notice specified in the precept.
 - (3) Service must be executed in one of the following manners:
 - (i) By delivery of an attested copy of the writ to the individual impeached.
 - (ii) If delivery under subparagraph (i) cannot conveniently be done, by leaving an attested copy of the writ in a conspicuous place at the last known place of residence or the usual place of business of the individual impeached.
 - (iii) If the Senate determines that compliance with subparagraphs (i) or (ii) is impracticable, in a manner the Senate deems just.
- (d) Upon compliance with subsection (b)(2), the individual impeached may:
 - (1) Plead guilty. Upon entry of the plea, judgment shall be rendered.
 - (2) Plead not guilty. Upon entry of the plea, trial shall commence.
- (e) Upon noncompliance with subsection (b)(2)(i) or (ii), a plea of not guilty shall be entered. Upon entry of the plea, trial shall commence.

Section 8. Return of summons.

- At 12:30 p.m. on the day appointed for the return of the summons against the individual impeached:
- (1) The legislative and executive business of the Senate shall be suspended.
 - (2) The Secretary of the Senate shall administer an oath or affirmation to the returning officer in the following form:

I, _____, do solemnly swear or affirm that the return made by me upon the process issued on the day of _____, by the Senate of Pennsylvania, against _____, is truly made, and that I have performed such _____ service as therein described: (So help me God).
 - (3) The oath or affirmation shall be entered on the record.

Section 9. Appearances.

The appearance or nonappearance of the individual impeached, either personally or by counsel shall be recorded on the record.

Section 10. Committee.

- (a) In an impeachment trial, unless otherwise ordered by the Senate, the President pro tempore may appoint a committee of Senators, no more than half of whom must be members of the same political party. The President pro tempore shall be an ex officio member and may vote in case of a tie on any question before the committee.

(b) The functions of the committee are to receive evidence and take testimony at times and places determined by the committee. To discharge these functions, unless otherwise ordered by the Senate, the committee and its chairperson have the powers and duties conferred upon the Senate and the President pro tempore or the President of the Senate, respectively, under this rule.

(c) Upon appointment, the President pro tempore shall be responsible for setting the first meeting of the committee. Thereafter, the committee shall meet on such days as the committee chair may decide until the committee has determined that all relevant testimony and evidence has been presented.

(d) A ruling regarding the admissibility of evidence shall be made by the committee chair subject to a right of appeal to the committee. In an appeal, the committee shall vote on the admissibility of the contested evidence.

(e) Unless otherwise ordered by the Senate, this rule shall govern the procedure and practice of the committee so appointed.

(f) The committee shall report to the Senate in writing that it has completed receiving evidence and taking testimony, and the committee shall provide a summary of the evidence and testimony and a certified copy of the transcript of the proceedings and testimony had and given before such committee.

(g) The report under subsection (f) shall be received by the Senate and the evidence received and the testimony taken shall be considered, subject to the right of the Senate to determine competency, relevancy and materiality, as having been received and taken before the Senate.

(h) Nothing in this section shall prevent the Senate from sending for a witness and hearing the witness's testimony in open Senate. The Senate may receive additional evidence and testimony before making its final judgment on the articles of impeachment.

Section 11. Commencement of trial.

Unless otherwise ordered by the Senate, at 12:30 p.m. on the day appointed for the trial of an impeachment:

- (1) the legislative and executive business of the Senate shall be suspended; and

- (2) the Secretary of the Senate shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment in the Senate Chamber.

Section 12. Time of trial.

Unless the Senate orders otherwise, trial of an impeachment shall begin each day at 12 noon. At that time, a proclamation shall be made; and the trial shall proceed. Adjournment of the trial does not operate as an adjournment of the Senate.

Section 13. Record.

The Secretary of the Senate shall record the proceedings in cases of impeachment as in the case of legislative proceedings, and the proceedings shall be reported in the same manner as the legislative proceedings of the Senate.

Section 14. Counsel.

Counsel for the parties shall be admitted to appear and be heard on impeachment. Counsel must be admitted to practice law by a court of record of this Commonwealth.

Section 15. Presentation of questions, etc.

A motion, objection, request or application, whether relating to the procedure of the Senate or relating immediately to the trial, including questions with respect to admission of evidence or other questions arising during the trial, made by the parties or their counsel shall be addressed to the presiding officer only. The presiding officer or a Senator may require a written submission and reading by the Secretary of the Senate.

Section 16. Witnesses.

Witnesses shall be examined by one individual on behalf of the party producing them, and then cross-examined by one individual on the opposing side.

Section 17. Senator as witness.

If a Senator is called as a witness before the full Senate, the Senator shall testify at the Senator's desk on the floor of the Senate.

Section 18. Actions by individual Senators.

- (a) If a Senator wishes a question to be put to a witness, to a manager or to counsel of the individual impeached, or to offer a motion or order, except a motion to adjourn, it must be reduced to writing and shall be put by the presiding officer.

(b) The parties or their counsel may interpose objections to a witness answering a question propounded at the request of a Senator. The merits of the objection may be argued by the parties or their counsel. Ruling on the objection shall be made under section 6(b) and (c).

(c) It is not in order for a Senator to engage in colloquy under this section.

Section 19. Session to be open.

(a) Subject to subsection (b), when the Senate is sitting upon the trial of an impeachment, the doors of the Senate shall be kept open.

(b) The Senate may direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection. If an objection is raised to the motion, the motion shall be voted on without debate by roll call vote, entered on the record.

Section 20. Argument time limits.

Unless the Senate otherwise orders, preliminary or interlocutory questions or a motion, or both, shall be argued for not exceeding one hour on each side.

Section 21. Presentation of case.

(a) The case for impeachment shall be opened by a statement of one manager or counsel for the managers.

(b) The case against impeachment shall be opened by a statement of the individual impeached or one counsel representing the individual.

(c) Unless otherwise ordered by the Senate upon application:

(1) The case against impeachment shall be closed by argument on the merits made by no more than two of the following:

- (i) The individual impeached.
(ii) Counsel for the individual impeached.

(2) The case for impeachment shall be closed by argument on the merits made by no more than two individuals in the following categories:

- (i) The managers.
(ii) Counsel for the managers.

Section 22. Voting on articles of impeachment.

(a) An article of impeachment is not divisible for the purpose of voting on the article during the trial.

(b) Once voting has commenced on an article of impeachment, voting shall be continued until voting has been completed on all articles of impeachment unless the Senate adjourns for a period not to exceed one day or adjourns sine die.

(c) On the final question whether the impeachment is sustained, the vote shall be taken on each article of impeachment separately.

(d) If impeachment upon an article is not sustained by the votes of two-thirds of the Senators present, a judgment of acquittal on that article shall be entered on the record.

(e) If impeachment upon an article is sustained by the votes of two-thirds of the Senators present, the Senate shall proceed to the consideration of other matters determined to be appropriate; and a judgment of conviction on that article shall be entered on the record. A certified copy of the judgment shall be transmitted to the Secretary of the Commonwealth.

(f) A motion to reconsider the vote by which an article of impeachment is sustained or not sustained is not in order.

(g) To put the question on each article of impeachment:

- (1) the presiding officer shall state the question; and
(2) by roll call vote entered on the record, each Senator shall rise in place and answer guilty or not guilty.

Section 23. Votes on orders or decisions.

(a) An order or decision may be acted upon without objection.

(b) If an objection is raised to an order or decision, subject to subsection (c) and section 6(b) and (c), all of the following apply:

(1) Except as set forth in paragraph (2), the motion or decision shall be voted on without debate by roll call vote.

(2) A motion to adjourn may be decided without a roll call vote unless a roll call vote is demanded by one-fifth of the Senators present.

(3) The vote shall be entered on the record.

(c) When the doors of the Senate are closed for deliberation, all of the following apply to an objection to an order or decision:

- (1) Subject to paragraph (2), all of the following apply:
(i) No Senator may speak more than once on one question.
(ii) No Senator may speak for more than ten minutes on a question.

(iii) No Senator may speak for more than 15 minutes on the final question. The 15 minutes allowed under this subparagraph is on the whole deliberation of the final question, and not on the final question on each individual article of impeachment.

(2) A time period under paragraph (1) may be altered if, upon motion and without debate, the Senate consents.

Section 24. Oath or affirmation of witnesses.

(a) A witness must be sworn in the following form:

I, , do swear (or affirm, as the case may be) that the evidence I shall give in the case now pending between the Commonwealth of Pennsylvania and , shall be the truth, the whole truth, and nothing but the truth: (So help me God).

(b) The oath shall be administered by the Secretary of the Senate or another authorized person.

Section 25. Forms.

(a) The following is the form of a subpoena to be issued on the application of a manager or of the individual impeached or the individual's counsel:

To , greeting:
You and each of you are hereby commanded to appear before the Senate of the Commonwealth of Pennsylvania, on the day of , at the Senate Chamber in the city of Harrisburg, then and there to testify your knowledge in the cause which is before the Senate in which the House of Representatives have impeached.....
Fail not.

Witness , and (President or President pro tempore) of the Senate, at the city of Harrisburg, this day of , in the year of our Lord .
(President or President pro tempore of the Senate).

(b) The following is the form of direction for the service of a subpoena under subsection (a):

The Senate of the Commonwealth of Pennsylvania to , greeting:
You are hereby commanded to serve and return the within subpoena according to law.
Dated at Harrisburg, this day of , in the year of our Lord .
Secretary of the Senate.

(c) The following is the form of oath to be administered to the Senators and the President of the Senate sitting in the trial of impeachments:

I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of , now pending, I will do impartial justice according to the Constitution and laws: (So help me God).

(d) The following is the form of summons to be issued and served upon the person impeached:

The Commonwealth of Pennsylvania, ss:
The Senate of Pennsylvania to , greeting:
Whereas the House of Representatives of the Commonwealth of Pennsylvania, did, on the day of , exhibit to the Senate articles of impeachment against you, the said , in the words following:

(insert articles here)
And demand that you, the said , should be put to answer the accusations as set forth in said articles, and that such proceedings, examinations, trials, and judgments might be thereupon had as are agreeable to law and justice.

You, the said , are therefore hereby summoned to be and appear before the Senate of Pennsylvania, at their Chamber in the city of Harrisburg, on the day of , at o'clock , then and there to answer to the said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions and judgments as the Senate of Pennsylvania shall make in the premises according to the Constitution and laws of Pennsylvania.

Hereof you are not to fail.
Witness , and (President or President pro tempore of the said Senate), at the city of Harrisburg, this day of , in the year of our Lord .
(President or President pro tempore of the Senate).

(e) The following is the form of precept to be indorsed on a writ of summons under subsection (d):

The Commonwealth of Pennsylvania, ss:
 The Senate of Pennsylvania to , greeting:
 You are hereby commanded to deliver to and leave with , if conveniently to be found, or if not, to leave at his usual place of abode, or at his usual place of business in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this precept; and in whichever way you perform the service, let it be done at least days before the appearance day mentioned in the said writ of summons.
 Fail not, and made return of this writ of summons and precept, with your proceedings thereon indorsed, on or before the appearance day mentioned in the said writ of summons.
 Witness , and (President or President pro tempore of the Senate), at the city of Harrisburg, this day of , in the year of our Lord

(President or President pro tempore of the Senate).

(f) Unless otherwise ordered by the Senate, process shall be served by the Sergeant at Arms of the Senate.
 Section 26. Other time periods.

If the Senate fails to sit for the consideration of articles of impeachment on the day or hour fixed, the Senate may, by an order adopted without debate, fix a day and hour for resuming consideration.

On the question,
 Will the Senate adopt the resolution?

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

YEA-28

Argall	Dillon	Laughlin	Robinson
Aument	DiSanto	Martin	Rothman
Baker	Dush	Mastriano	Stefano
Bartolotta	Farry	Pennycuik	Vogel
Brooks	Gebhard	Phillips-Hill	Ward, Judy
Brown	Hutchinson	Pittman	Ward, Kim
Coleman	Langerholc	Regan	Yaw

NAY-20

Boscola	Costa	Kane	Schwank
Brewster	Flynn	Miller	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.

The PRESIDENT. The resolution is adopted.

IMPEACHMENT SESSION

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

Senator PITTMAN. Madam President, I move that the Senate resolve itself into Impeachment Session for the purposes of transacting some business.

The PRESIDENT. It has been moved by Senator Pittman that the Senate do now resolve itself into Impeachment Session for the purpose of transacting some business. For the information of the Members, this is a nondebatable motion.

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

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

ADMINISTRATION OF OATH TO IMPEACHMENT TRIAL MEMBERS

The PRESIDENT. The Senate will please come to order, and before proceeding any further, an oath will now be administered to the Members of the Senate sitting on this impeachment trial.

Will all the Members of the Senate please rise at your desks.

[Members stood en masse.]

The PRESIDENT. Please raise your right hand and repeat after me:

I solemnly swear that in all things appertaining to the trial of the impeachment of Lawrence Samuel Krasner, District Attorney of Philadelphia now pending, I will do impartial justice, according to the Constitution and laws, so help me God.

[Members sworn.]

The PRESIDENT. Please be seated.

ADMINISTRATION OF OATH TO PRESIDENT PRO TEMPORE

The PRESIDENT. I would now like to call on the Majority Leader, Senator Pittman, to come to the rostrum to administer the same oath to me, in my capacity as President pro tempore of the Senate.

The PRESIDING OFFICER (Senator Joe Pittman) in the Chair.

The PRESIDING OFFICER. Please raise your right hand and repeat after me:

The PRESIDENT pro tempore. I solemnly swear or affirm that in all things appertaining to the trial of the impeachment of Lawrence Samuel Krasner, District Attorney of Philadelphia now pending, I will do impartial justice, according to the Constitution and laws, so help me God.

[President pro tempore sworn.]

The PRESIDENT (Lieutenant Governor Kim L. Ward) in the Chair.

MOTION TO POSTPONE LAWRENCE SAMUEL KRASNER APPEARANCE DATE

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

Senator PITTMAN. Madam President, I move that the date and time at which District Attorney Lawrence Samuel Krasner is scheduled to appear before the Senate of Pennsylvania, as previously set in the Writ of Summons issued to him, be postponed indefinitely until such date and time as the Senate of Pennsylvania or the Chair of the Impeachment Committee, if one is appointed, shall further direct.

The PRESIDENT. Senator Pittman moves that the date and time at which District Attorney Lawrence Samuel Krasner is scheduled to appear before the Senate of Pennsylvania, as previously set in the Writ of Summons issued to him, be postponed indefinitely until such date and time as the Senate of

Pennsylvania or the Chair of the Impeachment Committee, if one is appointed, shall further direct.

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

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

IMPEACHMENT SESSION RISES

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

Senator PITTMAN. Madam President, I move that the Impeachment Session do now rise.

The motion was agreed to.

RECESS

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

Senator PITTMAN. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held off the floor immediately in the Rules room.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE

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

SB 1 (Pr. No. 26) (Rereported)

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth, for action on concurrent orders and resolutions and for qualifications of electors.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1 (Pr. No. 26) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth, for action on concurrent orders and resolutions and for qualifications of electors.

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

MOTION TO DIVIDE THE QUESTION

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

Senator COSTA. Madam President, before we proceed to final passage of Senate Bill No. 1, I rise pursuant to Senate Rule 32, and I move that we divide Senate Bill No. 1, Printer's No. 26, for the purpose of giving that bill, prior to giving it third consideration and final passage, that we divide the question. As we know, Senate Bill No. 1 provides for three separate, three separate and distinct proposed constitutional amendments, each of these, which will be presented to the voters of Pennsylvania separately on the ballot at some point in time. As a body, I believe the individual Members should have the opportunity to vote on them separately, just as the voters of Pennsylvania will be able to do the same. Specifically, with respect to one provision in this particular bill, Senate Bill No. 1, we ask that the portion dealing with Senate Bill No. 1, page 1, lines 1-17 and also page 2, lines 1-10, that they be voted independent of the other parts of the measure. This individual constitutional amendment deals with providing for a window of victims of childhood sex abuse cases and their claims that have been denied or barred because of the statute of limitations. I ask my colleagues to join me in a "yes" vote on this individual request.

The PRESIDENT. Senator Costa has moved for a division of the question on Senate Bill No. 1. The Senate will be at ease while the Chair considers the motion.

[The Senate was at ease.]

The PRESIDENT. Senator Costa, based on past precedents, the Chair determines that the question is not divisible.

RULING OF THE CHAIR APPEALED

Senator COSTA. Madam President, with respect to your ruling, we vehemently disagree that these amendments are not divisible. As indicated in our conversation, these are clearly three separate and distinct amendments that will be offered to the public in terms of their voting. Our Members are being denied the opportunity to vote them individually and separately, as was designed, I believe, by the framers of our Constitution. These are amendments that need to be voted on by our Members individually. For that reason, I am moving to appeal your ruling and ask my colleagues to join me; and my motion is that we vote in favor of overturning the ruling of the Chair, and I ask for an affirmative vote.

Senator PITTMAN. Madam President, I would request a negative vote to the motion.

The PRESIDENT. Senator Costa has appealed the ruling of the Chair. This question is not debatable and will be submitted to the Senate for decision.

Those voting "aye" will vote to sustain the appeal and thereby overturn the ruling of the Chair; those voting "no" will vote to uphold the ruling of the Chair and declare the appeal not well-taken.

On the question,
Shall the Senate sustain the appeal of the ruling of the Chair?

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

YEA-21

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

NAY-27

Argall	DiSanto	Martin	Rothman
Aument	Dush	Mastriano	Stefano
Baker	Farry	Pennycuick	Vogel
Bartolotta	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman	Laughlin	Robinson	

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

The PRESIDENT. The decision of the Chair is upheld.

And the question recurring,

Will the Senate agree to the bill on third consideration?

BOSCOLA AMENDMENT A0016 OFFERED

Senator BOSCOLA offered the following amendment No. A0016:

Amend Bill, page 1, line 3, by striking out the comma after "COMMONWEALTH" and inserting:

; providing for reproductive freedom; and further providing

Amend Bill, page 2, by inserting between lines 10 and 11:

(2) That Article I be amended by adding a section to read:

§ 30. Reproductive freedom.

The rights of the citizens shall not deny or interfere with another individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to receive an abortion, prenatal care, childbirth, postpartum care, contraception, sterilization, miscarriage management and infertility.

Amend Bill, page 2, line 11, by striking out "(2)" and inserting:

(3)

Amend Bill, page 2, line 23, by striking out "(3)" and inserting:

(4)

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

(iv) Submit the amendment under section 1(4) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

On the question,

Will the Senate agree to the amendment?

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

Senator BOSCOLA. Madam President, this amendment would protect an individual's right to reproductive freedom. Last year, the Supreme Court in the *Dobbs* decision, placed abortion rights in the hands of the States. My amendment will protect this right here in the Commonwealth. This amendment protects reproductive freedom, including the right to an abortion, prenatal care, childbirth, postpartum care, contraception, sterilization, miscarriage management, and infertility. Depending on the situation, citizens of this Commonwealth, they do face reproductive

choices, sometimes alone or with the support of family and friends. Under this amendment, an individual making these decisions will not have our legislature making it for them. Last year, States including California, Michigan, and Vermont placed direct ballot initiatives protecting an individual's right to an abortion. We do not have direct ballot initiative here in Pennsylvania. I have been fighting for that--for my constituents to have that right--for a long time now, and I will continue to fight for them. If we are going to continue to place decisions into the hands of our voters, let us place a decision in front of them that will undoubtedly garner a lot of support. The people of Pennsylvania want reproductive rights protected. That was clearly evident this past November here in Pennsylvania and across this country. I offer this is amendment and hope for an affirmative vote.

BOSCOLA AMENDMENT A0016 TABLED

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

Senator PHILLIPS-HILL. Madam President, I move to lay the amendment on the table.

The PRESIDENT. Senator Phillips-Hill moves that the amendment be laid upon the table, and this motion is not debatable.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator PHILLIPS-HILL and were as follows, viz:

YEA-27

Argall	DiSanto	Martin	Rothman
Aument	Dush	Mastriano	Stefano
Baker	Farry	Pennycuick	Vogel
Bartolotta	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman	Laughlin	Robinson	

NAY-21

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

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

The PRESIDENT. The amendment is laid upon the table.

And the question recurring,

Will the Senate agree to the bill on third consideration?

BOSCOLA AMENDMENT A0017 OFFERED

Senator BOSCOLA offered the following amendment No. A0017:

Amend Bill, page 1, line 5, by striking out the period after "electors" and inserting: ; and providing for expiration of authority to levy or collect real property taxes on homesteads and farmsteads.

Amend Bill, page 3, by inserting between lines 25 and 26:

(4) That Article VIII be amended by adding a section to read:

§ 18. Expiration of authority to levy or collect real property taxes on homesteads and farmsteads.

(a) No school district may levy a real property tax on a homestead or farmstead after June 30, 2028. This subsection shall not prohibit a school district from collecting a tax levied prior to June 30, 2028.

(b) The Legislature shall, by general law, provide annually each school district with maintenance and support in an amount at least equal to the real property tax collected by the school district on homesteads and farmsteads during the fiscal year ending June 30, 2028, less the annual debt service legally obligated to be paid by the school district during the fiscal year ending June 30, 2028. The maintenance and support of school districts may include, but need not be limited to:

(1) A State tax on each separate sale at retail of tangible personal property or services in this Commonwealth.

(2) A State tax on the receipt of income by every resident individual, estate or trust.

(3) A local tax on the receipt of income by every resident individual, estate or trust.

(4) A local tax on earned income and net profits.

(c) Under no circumstances may the General Assembly provide, by general, local or special law, for a real property tax on a homestead or farmstead.

(d) Except for taxes imposed under subsection (b)(3) and (4), all proceeds from other taxes imposed under subsection (b), shall be deposited into a separate fund in the State Treasury, to be known as the Stabilization of Education Fund, and shall be used for the purpose of the maintenance and support of school districts required under subsection (a). The money in the fund may not be diverted by transfer or otherwise to any other purpose.

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

(iv) Submit the amendment under section 1(4) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

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

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

Senator BOSCOLA. Madam President, they say if at first you do not succeed, try, try again. Well, here I am. On this one, a lot of you who have been in this building for a while, you will know that I routinely stand up to try to end and eliminate school property taxes here in the Commonwealth. So, here we are again. Moving constitutional amendments, it is unusual to have them move so early in a Session, but from what I understand, it is because we wanted to meet the priorities of people moving forward. I can think of no actual, greater amendment and priority to every homeowner and farm owner in Pennsylvania than removing the back-breaking tax of school property taxes. So, what this amendment would do would just eliminate real property taxes for homesteads and farmsteads after June 30, 2028, and requires the legislature to come up with a plan to replace those revenues. I really believe, Madam President, it is time we modernize the way we pay for our schools. We talk about how student ZIP Codes should not determine the quality of a student's education. The only way we are going to fix this problem--and it is broke, it is antiquated--is if we are required to do so. This Session, we seem to have several constitutional amendments that are high priorities

for Members of the legislature. This amendment would be a high priority for every homeowner and farm owner in this Commonwealth. If you really want voter participation, put this one on the ballot, and you will see turnout like you have never seen before.

Thank you, Madam President.

BOSCOLA AMENDMENT A0017 TABLED

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

Senator PITTMAN. Madam President, I move that the amendment be laid upon the table.

The PRESIDENT. Senator Pittman moves that the amendment be laid upon the table, and the motion is not debatable.

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

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

YEA-27

Table with 4 columns: Argall, Aument, Baker, Bartolotta, Brooks, Brown, Coleman, DiSanto, Dush, Fary, Gebhard, Hutchinson, Langerholc, Laughlin, Martin, Mastriano, Pennycuick, Phillips-Hill, Pittman, Regan, Robinson, Rothman, Stefano, Vogel, Ward, Judy, Ward, Kim, Yaw

NAY-21

Table with 4 columns: Boscola, Brewster, Cappelletti, Collett, Comitta, Costa, Dillon, Flynn, Fontana, Haywood, Hughes, Kane, Miller, Muth, Santarsiero, Saval, Schwank, Street, Tartaglione, Williams, Anthony H., Williams, Lindsey

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

The PRESIDENT. The amendment is laid upon the table.

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

BOSCOLA AMENDMENT A0018 OFFERED

Senator BOSCOLA offered the following amendment No. A0018:

Amend Bill, page 1, line 3, by inserting after "COMMONWEALTH,":

for prohibition against denial or abridgment of equality of rights because of sex,

Amend Bill, page 2, by inserting between lines 10 and 11:

(2) That section 28 of Article I be amended to read:

§ 28. Prohibition against denial or abridgment of equality of rights because of [sex.] race, ethnicity, color, religious creed, ancestry, age, sexual orientation, gender identity or expression, national origin, familial status or disability.

Equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the [sex] race, ethnicity, color, religious creed, ancestry, age, sexual orientation, gender identity

or expression, national origin, familial status or disability of the individual.

Amend Bill, page 2, line 11, by striking out "(2)" and inserting:

(3)

Amend Bill, page 2, line 23, by striking out "(3)" and inserting:

(4)

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

(iv) Submit the amendment under section 1(4) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

On the question,

Will the Senate agree to the amendment?

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

Senator BOSCOLA. Madam President, my amendment, which is identical to my Senate Bill No. 842 from last Session, will present the voters with a question whether we should amend the Pennsylvania Constitution to prohibit discrimination based on an individual's sexual identity, sexual orientation, identity or expression, national origin, the color of one's skin, age, ancestry, religious creed, familial status, or disability. This is an issue the voters are supportive of and have a familiarity with on the ballot. In fact, during the May 2021 primary, the voters overwhelmingly supported my colleague's equal rights amendment that enshrined protections based on race or ethnicity. That question was approved by over 72 percent of the voters. So, it is equally important that this Chamber give Pennsylvanians the ability to answer this constitutional question as well and prohibit discrimination based on the classifications that I have just mentioned. It is our duty as legislators to protect all Pennsylvanians and ensure they receive equal treatment under the law. This amendment aims to do exactly that.

Thank you, Madam President.

BOSCOLA AMENDMENT A0018 TABLED

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

Senator PHILLIPS-HILL. Madam President, I move to lay the amendment on the table.

The PRESIDENT. Senator Kristin Phillips-Hill moves that the amendment be laid upon the table. The motion is not debatable.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator PHILLIPS-HILL and were as follows, viz:

YEA-27

Argall	DiSanto	Martin	Rothman
Aument	Dush	Mastriano	Stefano
Baker	Farry	Pennycuick	Vogel
Bartolotta	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman	Laughlin	Robinson	

NAY-21

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

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

The PRESIDENT. The amendment is laid upon the table.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

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

On the question,

Shall the bill pass finally?

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

Senator BAKER. Madam President, last Session, the General Assembly gave first round approval to a series of proposed constitutional amendments. While there is varying support for the individual proposals, all are available for our consideration this Session. As we all know, the content cannot be changed for second round approval. The only question is about the timing for placing the questions on the ballot. For any amendment we wish to see voted during the primary election, the timetable is extremely tight. The Commonwealth must advertise any amendments 90 days prior to the election. The Constitution is very explicit on this, and the courts have been very careful in making sure the mandate is followed properly. We have decided that several potential amendments deserve priority treatment this Session. Each proposed constitutional change is a separate item on the ballot. Thus, it makes no material difference if we vote on each separately or bundle them in a single bill. This is a rather late juncture to say we trust the judgment of the voters on this or that issue, but not the others. Some continue to argue that any of these matters could be addressed through statute. That is true. But years of efforts to get legislation through have failed, often despite the issues showing favorable public support when people are polled. So, if you do as I do, firmly believe that abuse victims deserve a window in which to seek justice, then the constitutional amendment is the available avenue.

We have reached a point in our legislative journey where an avenue for providing justice for those abuse victims is beyond politics and beyond policy. To me, it is our obligation. Time is not the friend of abuse victims. Some have passed on; some no longer have the emotional resources to continue the long fight; and others have agreed to settlements. I have never been able to tell victims that while there is empathy for their terrible and difficult, horrific situations that we do not have the will to overcome the legal, political, financial, and institutional hurdles to arrive at a just remedy. Nor have I understood those who have worked to stall legislative action. So, during the years of disagreements, debates, delays, and disappointments, various ways of moving forward have been offered. All have shortcomings and all are susceptible to a legal challenge, but the same can be said for any consequential issue we deal with. So, through all of this, the

constitutional amendment has emerged as the most viable option. Giving the public the chance to have a pivotal say on the matter is an appropriate way to conclude all the uncertainties and disputes. The amendment process is now at an all-or-nothing stage. There is every reason for those of us who have committed to victims to move quickly in order to qualify the question for this year's primary ballot. I do not pretend to know how the House may position to act on this or what their determination may be, but fulfilling our responsibility today, we afford them the most time that we can to help make that choice. When we strip away all the positioning on this measure, our choice and our action today are relatively simple and understandable. I remember the promise I made. The promise I made to help victims of child sexual abuse move forward in their pursuit of justice, and I intend to honor it by supporting Senate Bill No. 1.

Thank you, Madam President.

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

Senator COMMITTA. Madam President, I am voting "no," and I ask for a "no" vote. This Special Session was called to advance relief for child sex abuse survivors, not to add restrictions to the freedom to vote and not to remove veto powers involving the regulatory process. Like many in this Chamber, I fully support survivors of abuse, and I believe they deserve an opportunity to seek justice beyond the current statute of limitations. It is the right thing to do. But this is not the right way to do it. These two other amendments have nothing to do with survivors of abuse or their rights. These two other amendments do not belong in this Special Session, and these two other amendments should be considered separately. Again, I am voting "no," and I ask my colleagues to join me. These measures are just too important to be lumped together. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Madam President, I will be brief. The Minority Leader was kind enough, 11 years ago, to give each Member of the Senate a memento at Christmastime of one of the beautiful Violet Oakley paintings that sits in the Governor's reception room. For those of you close enough to me, you can see this, and I hope he continues to do so because it is an excellent way to remind us of the beautiful history and the artwork here in this magnificent building. This one is King Charles II signing the Charter of Pennsylvania in 1681, and I reference it today because we need to remind ourselves that we will not make these decisions alone.

We have approved these three pieces of legislation, these three potential constitutional amendments, last Session. One on what and how we can help victims of terrible abuse. One on what kind and procedures voters should be expected to see at the polls if they are asked for identification. I will tell you that in both of those, the folks who I represent in Luzerne and Schuylkill and Carbon are overwhelmingly in favor of those. The third one gets a little bit more tricky, but equally important as to what are the rights of unelected bureaucrats in making rules for the 250,000 or 260,000 people who each of us represent. Where do the rights of the unelected bureaucrats end, and when should the legislature be allowed to step in in the making of laws? Some of our constituents may vote against all three of those separate questions. I would expect many of our constituents will vote for all three.

Perhaps they only vote for one. But the important thing and the reason I mention this is, we decided in 1681--and especially in 1776--that we did not want to be governed by one person, nor I suspect, do most of our constituents like the idea that all the decisions regarding the State Constitution could ever be made by 50 Senators or 203 Representatives. That is where they come in. Our neighbors, our constituents will get to decide on each of those three separate questions. They have seen that we have already approved it once. I would suggest, respectfully, that we approve it again, but the voters will get the final say on each of those important decisions. That, my friends, is the way it should be.

Thank you, Madam President.

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

Senator CAPPELLETTI. Madam President, will the maker of the bill stand for interrogation?

Senator PITTMAN. Madam President, if there is no objection, I will stand for interrogation on behalf of the maker the bill.

The PRESIDENT. Senator Cappelletti, will the Majority Leader work for you?

Senator CAPPELLETTI. Sure, no objection.

The PRESIDENT. Thank you.

Senator CAPPELLETTI. Madam President, I would like to know, how is this bill different from the Voter ID law that was struck down by the courts in 2014?

Senator PITTMAN. Madam President, this is a constitutional question.

Senator CAPPELLETTI. Madam President, Senate Bill No. 1 notes that if a qualified voter does not have a valid form of identification, they will be given a government-issued identification at no cost to the voter. But how will this be funded; what agency will be in charge of facilitating this process; and what is a proper government-issued identification?

Senator PITTMAN. Madam President, I would refer the gentlewoman to the fiscal note that the Committee on Appropriations just attached relative to the anticipated cost or lack thereof, as well as indicating that the Department of Transportation would handle the matter.

Senator CAPPELLETTI. Madam President, Senate Bill No. 1 would also require voters who vote by mail to show ID before returning their ballots. Could I get an explanation of how the process would operate and how we ensure that voters' personal data is not compromised in this process?

Senator PITTMAN. Madam President, I apologize. I think that was a multifaceted question. If it could be repeated, please?

Senator CAPPELLETTI. Madam President, sure, the first part of this is to explain the process that would be in place for voters who vote by mail and are required to show ID before returning their ballots.

Senator PITTMAN. Madam President, it would be proof of identification.

Senator CAPPELLETTI. Madam President, I am sorry, that did not answer the question. How do we provide proof of that identification before returning the mail-in ballot?

Senator PITTMAN. Madam President, it is already part of the mail-in ballot application.

Senator CAPPELLETTI. Madam President, and we would be able to ensure that voters' personal data is not compromised in

this process? I have applied for a mail-in ballot and was not required to show my ID to anybody.

Senator PITTMAN. I would just indicate, Madam President, that voter identification information is subject to the confidentiality rules of our current election laws.

Senator CAPPELLETTI. Madam President, finally, I just--it sounds like we are being asked to pass policy that has absolutely no framework into how this is going to be implemented. We are pointing at one thing, to another, to another with no set boundaries.

The PRESIDENT. Is there a question, Senator Cappelletti?

Senator CAPPELLETTI. Madam President, are we being asked to pass a policy that has no framework for implementation outside of pointing from here to there?

Senator PITTMAN. Madam President, the constitutional question is the framework.

Senator CAPPELLETTI. Madam President, that is all.

Thank you, Madam President.

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

Senator CAPPELLETTI. Madam President, 1 week ago today, we were in this Chamber for swearing-in day, and we elected the first woman to serve as President pro tem. And during those nominating speeches, you would have thought our Chamber embodied the ending of a good "Lifetime" movie; all of the incredible bipartisan work that we have completed over the past few years. Well, we have a real opportunity to continue that work and restore people's faith in us, the government. We could pass the opening of the statute of limitations for survivors of sexual abuse in a single bill with overwhelming, if not unanimous, bipartisan support--the thing we touted 1 week and 1 day ago today--but instead of doing that, political theater is playing out in front of us. Leadership of the Majority party has sought fit to tie this bipartisan, desperately needed piece of legislation to policies that they know we in the Minority party do not and cannot support. But you are keeping your promises to survivors, right? That is only a half-truth with a halfhearted attempt to do so, and the result is actual harm to the lives of our constituents, neighbors, friends, and family. Keeping the promise would be passing the statute of limitations bill on its own in the bipartisan fashion that we touted just last week.

So, what are these policies that I and many of my colleagues cannot and do not support? Voter ID laws, which disproportionately affect low-income, racial, and ethnic minorities; the elderly; and individuals with disabilities. All people who have the same constitutional right to vote that you and I have. In addition to targeting our most vulnerable, these laws are proven to reduce participation in our democracy, and as lawmakers elected through a democratic process, it is our job to focus our work on expanding access to the ballot and encouraging participation in our democracy, making it easier for Pennsylvanians to vote. Voter ID is not it. In fact, this policy is not even well thought out. It leaves many questions unanswered, like: who exactly is going to provide IDs to voters without valid identification? How are we going to pay for these IDs if it is at no cost to the voters? What exactly is a government-issued ID? How will voters who need IDs to vote get them when PennDOT has limited hours and locations to get IDs that are limited in location? How will people who vote by mail present their ID without compromising their personal

information in the process? None of these things are part of the constitutional amendment that has been presented to us.

But Senate Bill No. 1 has more than just that. It also has a constitutional amendment which undermines the balance of power outlined in the Pennsylvania Constitution providing for three equal branches of State government by changing the process for approving regulations by our State agencies. Power will be consolidated into the hands of the partisan and often anti-choice legislature, giving us the ultimate veto power over the Governor and State agencies, upsetting constitutional balance of power. But before I dig into the real-world implications of adding disapproval regulations to the list of things that the Governor cannot veto, everyone should know exactly how regulations work. They are authorized by statute and can be altered and amended by statute. That is us. The legislature, through negotiation and consultation with the Governor's Office, has ample power to enact laws to affirm, repeal, or amend regulations. What is the first thing we think of when we think of adding disapproval of regulations to the list of things we cannot veto? We think of RGGI and environmental regulations. But make no mistake, this is not just about the environment. Hidden in the details is an anti-abortion agenda. This amendment would give the legislature the power to reject regulations that would make telemedicine more available to people seeking reproductive healthcare, including abortion care.

POINT OF ORDER

Senator PHILLIPS-HILL. Madam President, point of order.

The PRESIDENT. Point of order.

Senator PHILLIPS-HILL. Madam President, we are far afield from the issue at hand today. The issue at hand today speaks solely to the constitutional powers of the General Assembly and whether or not to allow disapproval of a regulation by this body. We are not speaking on any specific regulation.

Senator CAPPELLETTI. Madam President.

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

Senator CAPPELLETTI. Madam President, the entire point is that we are giving power to the legislature to disapprove of regulations, including those of abortion clinics or healthcare clinics that might provide abortion, as well as regulations for telehealth which have abortion care implications.

POINT OF ORDER

Senator PHILLIPS-HILL. Point of order, Madam President.

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

Senator PHILLIPS-HILL. Madam President, again, I will reiterate. We are not speaking on any specific regulation. We have over 153,000 regulations on the books here in the Commonwealth of Pennsylvania. This amendment speaks solely to the constitutional powers of the General Assembly.

Senator CAPPELLETTI. Madam President.

The PRESIDENT. Senator Cappelletti, please keep your comments to the subject of the bill. Thank you.

Senator CAPPELLETTI. Madam President, the subject is disapproval regulation. If we are voting to disapprove regulations, people should understand that that is not just about the environment; it is not just about one agency. They should understand the

implications for every agency to this Commonwealth. So yes, it is the constitutional powers. Yes, I am speaking to that by bringing up the fact that this has implications for people to be able to access abortion care.

POINT OF ORDER

Senator PHILLIPS-HILL. Madam President, point of order. Madam President, there is no specific regulation in front of us. This is simply about the General Assembly assuring its constitutional powers.

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

Senator COSTA. Madam President, I think what is at stake here is the question that we have heard throughout this whole process, is that the people of Pennsylvania decide these measures. At some point, they may have that opportunity. It is perfectly within our rights to be able to talk about the consequences of adopting these measures. These are exactly what is going to take place through this process. Granted, we are not talking about a very specific regulation. We are talking about the 13,000 [sic] regulations, any of which could be changed through this process, or the process could change any of them. That is precisely the point that the gentlewoman from Montgomery County is talking about. The people of Pennsylvania should know what the consequences of these amendments will be. This is no different from the reasons why we are doing voter identifications--have been outlined by what is going to take place as we go forward, as it relates to that issue. And the same thing with respect to the statute of limitations, Madam President. I firmly believe that this is an appropriate line of questioning, and she should be able to continue the interrogation or at least be able to continue to be able to provide the remarks in the manner in which she has been providing them right now. Thank you.

The PRESIDENT. Senator Cappelletti, please confine your remarks to the subject of Senate Bill No. 1. Thank you.

Senator CAPPELLETTI. Madam President, Senate Bill No. 1 gives the legislature the power to reject and change the regulations of what we have for abortion clinics. It could bring Pennsylvania's policies up to date and more in line with the actual needs of patients and policies that are founded--

POINT OF ORDER

Senator PHILLIPS-HILL. Madam President.

Senator CAPPELLETTI. --on care--

Senator PHILLIPS-HILL. Madam President.

Senator CAPPELLETTI. --and not barriers.

Senator PHILLIPS-HILL. Point of order.

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

Senator PHILLIPS HILL. Madam President, again, I will iterate. This has to do with the presentment, not the specific regulation. Thank you.

The PRESIDENT. Point is taken. Please confine your remarks to Senate Bill No. 1.

Senator CAPPELLETTI. Madam President, State agencies must have the ability to implement statutes and respond to the practical needs of the public without fear of being swept into contentious political battles like this one, and passing Senate Bill

No. 1 takes us one step closer to putting government agencies in the crosshair of politics. Despite my ardent support for survivors of sexual abuse, I cannot, in good conscience, vote for this bill. We simply cannot support one, only to hurt another, and that is exactly what we are doing, especially when you actually have the opportunity to--go back to the beginning of my remarks--do the bipartisan work that we touted a week ago. Thank you.

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

Senator LAUGHLIN. Madam President, for too many of our citizens the past several years, our elections have not felt as though they have been in the people's hands. A May 2022 Franklin & Marshall poll found that 52 percent of Pennsylvania respondents were dissatisfied with the rules and procedures that guide the way our elections are conducted. When that many people are unhappy with the way we choose our elected officials, we do have a problem. We, in the General Assembly, have been trying to make necessary changes to the process, but prior attempts have run into Governor Wolf's veto pen. As a matter of fact, last June 25, I spoke to the Governor before we voted on House Bill No. 1300. House Bill No. 1300 included provisions for drop boxes, pre-canvassing, and voter ID, and that was the point where we had an opportunity to compromise in a bipartisan fashion. But as we all know, that bill met the Governor's veto pen, which brings us to today.

Today, we have before us legislation that cannot be vetoed by the Governor. It is an amendment to the Pennsylvania Constitution that would require voters to provide valid identification to vote in any election. This is the same proposed amendment we and the House of Representatives passed last Session. If we pass it again, we will be asking Pennsylvania voters to decide whether those who choose to participate in the electoral process should be required to demonstrate that they are who they say they are. There are a number of things for which we are required to provide ID on a regular, sometimes daily basis. The need to provide identification is one of the most common things that we do in our society today. If we require ID for so many other things, including our State's mail-in voting process, how can we dismiss the need to identify oneself before engaging in the most fundamental part of our electoral process? The good news is, many Pennsylvanians want to see voter ID become the law of Pennsylvania, as evidenced by public opinion poll results showing overwhelming majorities of those polled supporting a requirement for voters to provide a photo ID prior to voting.

In 2021, Franklin & Marshall College conducted a poll and found that a large majority of Pennsylvania voters support strengthening the State's voter ID requirements, with 74 percent saying that voters should be required to show ID at the polls. Outside of Pennsylvania, 35 other States have laws requesting or requiring voters to show some form of identification at the polls. Arkansas, Georgia, Indiana, Kansas, Mississippi, Missouri, Montana, Tennessee, and Wisconsin have photo ID requirements, while another 10 States request voter ID. We have made getting an acceptable ID easy and removed the financial barriers to obtaining one for our most vulnerable populations. Claims that voter ID is some form of voter suppression have been disproven time and time again in States that have ID requirements and have seen record voter participation during their elections. This is a nonpartisan proposal focused on enhancing election integrity by

adding yet another layer of security to our elections. That security will help in turning around the feelings that many hold regarding our electoral process, so that all our citizens feel that the elections are actually in their hands. I urge all my colleagues to vote for this proposed constitutional amendment to let the people have the final say on voter ID.

Thank you, Madam President.

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

Senator COLLETT. Madam President, today I rise and join my colleagues to express my disappointment with the action taken by this General Assembly to tie the consideration of a widely supported, long-overdue measure to open the civil statute of limitations for adult survivors of child sex abuse into this bill, Senate Bill No. 1, with unrelated and divisive measures likely to derail its movement yet again. I want to be clear about what exactly is at stake here. In recent years, as horror stories unfolded about decades-long patterns of institutional child sex abuse and cover-ups, adult survivors have stepped bravely into the spotlight to share their stories of abuse and confront their abusers. As our understanding of these cases and their victims evolves, many States have passed legislation to retroactively extend the timeline for victims of childhood sex abuse to file civil actions, opening a so-called window for adult victims who would otherwise be barred by statutes of limitations from suing their abusers in civil court, creating an opportunity for them to finally seek justice and hold their abusers accountable. This effort to open the window for adult survivors of child sex abuse is something the people of my district and our Commonwealth overwhelmingly support. Folks from all across Pennsylvania have reached out and shared with me deeply personal stories about their own traumas or the traumas of their loved ones, and I have done the same with them. I have supported efforts to open a civil window in Pennsylvania through any means possible, including through last Session's Senate Bill No. 406 and Senate Bill No. 407, which would have been the swiftest option; or through a ballot measure like the one we are discussing now, which would put the question directly to voters whether they support a constitutional amendment to open this civil window. Ending the rollercoaster of retraumatizing stops and starts on which Pennsylvania's survivors have been trapped is why Governor Wolf called a Special Session of this assembly. With prospects for passage of traditional legislation uncertain, his hope was to, at the very least, bring the question before voters at the first possible opportunity, the May 2023 ballot.

Yesterday, during the Senate Committee on Rules and Executive Nominations meeting in which Senate Bill No. 1 was amended to include the statute of limitations ballot question, my Democratic colleagues and I raised these concerns and asked that the statute of limitations piece be run separately. We were met with deflections and excuses about the organizational chaos in the other Chamber. And despite the Majority's claim that combining these three ballot questions into a single bill is a positive, because it will finally bring survivors one step closer to finding justice, they refused to commit to considering standalone legislation that would open the statute of limitations window, no matter what fate befalls Senate Bill No. 1 in the other Chamber. If justice for survivors is, in fact, the real priority, Majority leadership could have called a meeting of the Committee on Judiciary this week to move this measure as a standalone bill. Time and time again, the

Majority leaders have rebuked our Caucus for attempting to utilize the amendment process to do exactly what is being done here. And while we could get bogged down in the complexities of this process, we really do not need to. The bottom line is, there is no need to fold this measure into Senate Bill No. 1. The public should understand that this is happening only because the Majority is choosing this path. It pains me that my vote today might be portrayed as a vote against survivors. It is not. But I cannot, in good conscience, vote to support Senate Bill No. 1, which originated as legislation that will limit the rights of voters to access their ballot, to make it harder to participate in the democracy we all hold dear, and to enable folks at the fringes to continue peddling lies and disinformation, the likes of which brought about the seditious actions in Washington on January 6, 2021. Pennsylvania is better than this; Pennsylvanians deserve better than this; survivors, our constituents, expect and deserve better than this. I am voting "no" today and encourage my colleagues to do the same. And I am fully prepared to support the statute of limitations question on its own and hope we can find an avenue to get it before the voters this year as Governor Wolf has asked of us; just as I believe every Member of this Chamber would do if the leaders on the other side of the aisle had the courage or honor to bring that matter to the floor alone.

Thank you, Madam President.

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

Senator LANGERHOLC. Madam President, I rise to ask for support for Senate Bill No. 1. I want to talk a little bit at the outset here about—I think we are losing sight of what we are doing here today—and I want to talk about process, and I want to talk about precedent. Process, this is, in essence, a process vote. Passing this bill will send these questions to the voters. The voters will be the ultimate decision-makers on these. These three issues, when brought before the voters, will not be bundled; they will each stand separate and either earn an affirmative or a negative vote. We owe the residents, our constituents, the members of this Commonwealth, the right to weigh in on these issues. That is what Senate Bill No. 1 does. It is a process vote. Precedent, there is precedent. And to rebut some of the previous comments with respect to what do these three areas have in common, I am sure you could make some type of a connection along the lines. But I hearken back to this General Assembly not too long ago: Senate Bill No. 1166 in June of 2020 and then again in July of 2020, and Senate Bill No. 2 in January of 2021, successive Sessions, constitutional questions, constitutional amendments. One could make the same argument: what do equal rights with regard to race or ethnicity possibly have with the termination of a disaster declaration or the definition of procedures for issuing a disaster declaration? Those three questions passed this body; those three questions passed the House on successive Sessions. Those questions made it before the voters. Those questions all were adopted May of 2021, and all three are being enforced today--precedent. Again, Madam President, we are putting these questions before the voters. What are you afraid of? Honestly, are we saying: yes, voters of Pennsylvania, you can vote on statute of limitations, but no, you cannot vote on voter ID, you cannot vote on regulatory reform, no, we do not want to hear your opinions on that. What are you afraid of? Move this process forward. This can be on the

ballot in May. Move this process forward. Let the voters of Pennsylvania decide these questions. I ask for an affirmative vote.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Madam President, and I like saying that, Madam President. Thank you very much. Madam President, I would like to cast a "yes" vote for the statute of limitations language in Senate Bill No. 1 and a "no" vote on the voter ID and regulatory provisions of Senate Bill No. 1. Because of how this bill is crafted, I cannot do that, which I believe violates the constitutional provisions requiring me or allowing me to vote on these issues separately. Madam President, I will be a "no," even though I strongly support the statute of limitations provisions in Senate Bill No. 1. Madam President, I am left with no other option.

Thank you, Madam President.

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

Senator MASTRIANO. Madam President, I rise in support of Senate Bill No. 1. You know, we are a Constitutional Republic: representational government. But we do elements of democracy, and putting this ballot initiative out there is an element of democracy, and so let the people decide. What great hands on what the people of Pennsylvania decide on these three important issues and topics. I would think the people know better than us. So, I am not afraid of having the people decide and voting in support of these amendments that we voted on in the last cycle.

As far as elements here, of course, voter ID is included on it, and having traveled every county several times over the past year, this is one of the biggest issues that comes up, of course, is voting integrity, and I believe the people should have the decision on whether voter ID should be on the table or not. What we do know is that the majority of members, according to polls taken by Franklin & Marshall and others, up to 74 percent of our constituents, of our citizens, support voter ID. When you have to present ID to get a hotel room, to buy cough medicine, computer spray, and so many other aspects of life, it just seems germane. And to assert elements of our society cannot figure out how to get a voter ID is rather insulting to them. I think about our own time in securing elections in the Balkans--you know in Bosnia, in Kosovo, in Iraq and Afghanistan, and the international coalition led by NATO and the United States--with many coalition partners worked hard to shore up elections, and one of the key elements, of course, was voter ID. I did not hear any outrage or concerns or moans, all we focused on was voting integrity and that everyone had confidence that they had an equal say in the elections, and that is one of the issues, of course, on the table. If it is okay for us to do that in faraway nations, I do not see why it is so hard to ask our people in Pennsylvania whether they want to have the same safeguards in place to shore up voter ID and restore confidence in elections by asking people if they want to have the requirement for voter ID, and Senate Bill No. 1 lays it on the table. Let the people decide. I embrace this idea here where the people of Pennsylvania get the last word on these key pieces of legislation. I think it is a fantastic idea.

Another element, of course, deals with regulation. I just heard from a constituent who is building a business and the regulators and bureaucrats came down from Harrisburg, and now it is going

to cost another \$100,000 to move forward on their project. And clearly, unelected bureaucrats should not have so much power and sway over our constituents across the State. Let the people decide then on how these bureaucracies and regulations should be handled, and that is on the ballot as well. Good topics, a good way for our democracy, in this case here, for the people to have the last word. Let the people decide. Right now, in Pennsylvania, we are sitting on top of a record 153,000 State regulations. I mean, it is just overwhelming. And that is a tax, that is cost affecting every individual in our great Commonwealth. And, of course, this question on the ballot would address some aspects of that and restore power to the people. Let the people decide.

Thank you, Madam President.

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

Senator BOSCOLA. Madam President, I do kind of have a different take on this from a lot of the colleagues on my side of the aisle. I have been listening to what has been said by various Members of the Senate--Democrat and Republican--and I understand their arguments, and I get where they are coming from on both sides of the aisle. I have always respected people's opinions in this building, even though they differed from mine, because they come from different backgrounds and areas of the State. We might disagree, but I have always respected those disagreements. So, I am going to stand up here today. What I do know is that people are very frustrated with government, both here and in Washington. They are frustrated with elected officials. Basically, more frustrated with hardline party politics and the feeling that they are just not being heard, or we are not really working on the issues that matter to them. With that being said, I have always favored hearing from the people. I am not afraid of their voices. Our power in this body emanates from them, the people, it is the basis of our Constitution. I trust the voters. Unlike some, I trust the voters when I supported Act 77 that brought us mail-in voting. Last Session, I supported the constitutional amendments put forward by this body so that voters could have their voices heard on these issues. Madam President, I have complete faith in the electorate.

Last Session, as a pro-choice Democrat, I stood on the floor, and I said I would lead the fight to defeat the Republican abortion constitutional amendment put forth in the Senate. I voted that way because I understood the people of Pennsylvania would reject efforts to restrict a woman's right to choose. The most recent November election across this country proved that point, and that is why you do not see the Republican abortion amendment being offered in Senate Bill No. 1. Surprise, surprise. Madam Secretary [President], my faith in voters in this Senate will never waver. I wish that my amendment on property tax elimination would have been included, because that is one issue that affects every homeowner and farm owner and would have brought people out to vote in droves.

Madam President, Senate Bill No. 1 has three components at this point: voter ID, regulatory change, and the statute of limitations. I am not sure if all or any of these will make it on the ballot, but if they do, if any of them do, you will see advocates on both sides giving good information and some misinformation. It has already started, with people claiming this will end mail-in voting as we know it. We are all witnessing, right today even, more political theater than actual fact. The voter ID portion of Senate Bill

No. 1 is pretty vague and will need enabling legislation, particularly when it comes to mail-in voting. The enabling legislation will need approval by a Democratic governor. The legislature cannot bypass the Governor with constitutional amendments, like they are doing now, and that makes a world of difference moving forward. Right now, we have a Republican Senate, a divided House, and a Democratic governor. State government is now leaning more Democratic, and because of that the wording of these constitutional amendments will be done by a Democratic administration.

As prime sponsor of Act 77, my goal is to ensure mail-in balloting is not restricted but remains convenient and secure. I have researched this. There are many States that have both mail-in balloting and voter ID requirements in place. In Georgia, for instance, they require a voter to provide the driver's license number or an ID number on their return ballot. Some States say you need the last 4 digits of your Social Security number; some require your voter driver's license number; and some you need a copy of your photo ID. In Ohio, for instance, one of any of these would suffice. That is not overwhelming and inconvenient. It is my intention to vote for this piece of legislation because it empowers the people. It empowers voters. I believe they are smart, and they will do what they believe is right. As Senator in the 18th Senatorial District, it is now my job to provide accurate information to my constituents on whatever constitutional amendment is placed before them. I trust the voters; it empowers them. It is that simple for me.

Thank you, Madam President.

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

Senator AUMENT. Madam President, I rise today to speak in support of Senate Bill No. 1. The primary question before us here today, and it really is a simple one: do we trust the people of Pennsylvania? All across this Commonwealth, citizens have expressed their concerns about election integrity and believe that a photo voter ID should be an essential component of our election system. Thirty-five other States agree. I recognize that some disagree. All across this Commonwealth, there are residents who are very concerned about the growth of the administrative State, the overreach of the executive branch, and the restoration of the balance of power between the branches of State government. Others disagree. All across this Commonwealth, residents, many residents, are rightfully concerned about the treatment of sexual abuse victims. We should let the people decide these important questions. I certainly trust the residents of this Commonwealth to get it right.

Madam President, I will certainly urge the residents of this Commonwealth to help us restore the balance of power between the legislative and executive branches of State government. Our process, the legislative process, requires debate and consensus, whereas a unilateral approach by the executive silences the voice of the people, stifles debate, and sets aside the need for consensus and collaboration. This creates disunity and polarization and prevents us from moving forward with the good policies and moving forward the right way, ensuring the voices of the people are heard. This proposal would amend our Constitution to ensure that Pennsylvanians have a say in how their government operates by allowing the representatives in the General Assembly to overturn a regulation that conflicts with the will of the people. For example,

Governor Wolf's unilateral effort to force Pennsylvania to join the multi-state Regional Greenhouse Gas Initiative--

POINT OF ORDER

Senator COSTA. Madam President.

Senator AUMENT. --or RGGI--

Senator COSTA. Madam President, point of order.

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

Senator COSTA. Madam President, just moments ago, speakers from the Senate Democratic Caucus were chastised and told they cannot speak about specific regulations that are contained with respect to this particular amendment. The gentleman is specifically referencing regulations that occurred prior to this Session. I do not think he should be able to continue in that manner. If we are not going to be able to talk about specific regulations, nor should he be able to talk about it or anyone else from that side of the aisle. Thank you, that is my point of order.

The PRESIDENT. Please contain your comments to the subject of Senate Bill No. 1.

Senator AUMENT. Madam President, joining RGGI, and I think it is important to understand the approach that was taken to RGGI in contrast to what we are proposing here for the constitutional amendment. I think--

Senator COSTA. Madam President.

Senator AUMENT. --it is critical for the people of Pennsylvania to understand.

POINT OF ORDER

Senator COSTA. Point of order, Madam President.

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

Senator COSTA. Madam President, RGGI was a very specific, procedural, regulatory process that went through IRRC, and this Chamber had the ability to vote on. Continuing to reference specific regulations when we were told we could not do it--because of the consequences of this legislation as it relates to women's healthcare rights--the gentleman is going down the path where he continues to talk about very specific regulations that we dealt with. We are either going to do it, or we are not going to do it. I suggest, since we have been told we cannot do it, no one in this Chamber should be able to talk about current regulations or previous regulations or the consequences thereof.

POINT OF ORDER

Senator PITTMAN. Madam President, a further point of order.

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

Senator PITTMAN. Madam President, I would just indicate, for the benefit of those in this Chamber and the gentleman from Allegheny County, that the gentleman from Lancaster County is referencing a regulation that was formally approved and adopted by the Independent Regulatory Review Commission, as the gentleman from Allegheny County indicated, and also received votes of disapproval by both Chambers of the General Assembly. I think the gentleman from Lancaster County's point is much

different in that it was an actual, viable example of how the constitutional question in Senate Bill No. 1 would have impacted the outcome of a regulation.

Thank you, Madam President.

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

Senator COSTA. Madam President, as a point of rebuttal, order, I guess you would call it, is that the regulatory process with respect to RGGI--at least the RGGI program--is not complete at this point in time. It will be something that could potentially be subject to these regulations as we go forward, not knowing what exactly the next governor is going to be able to do with respect to RGGI, whether we stay in it, whether we modify it. But at the end of the day, the regulations relating to RGGI will likely be impacted by this legislation, and that is another reason why we think it is not appropriate.

The PRESIDENT. The Senate will go at ease.

[The Senate was at ease.]

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

Senator AUMENT. Madam President, I will move on in my discussion of Senate Bill No. 1. But the point, really that I was trying to make, and I will say very succinctly, that joining RGGI would represent a significant shift, a significant shift in energy policy. Certainly, I would make the argument result in the loss of jobs. There would be significant consequences to consumers and compromise, potentially, the diversity and the reliability of our energy grid. It is a significant shift, and all of this, all of this occurred outside the normal legislative process. This amendment is an effort to recalibrate our government to work for the people instead of concentrating too much power into the hands of the executive, whether that administration be a Republican or a Democratic administration. Policies that have the force of law should be passed through a more thoughtful, deliberative, and collaborative process. These policies, like RGGI, should be debated, examined, and exposed to public scrutiny, not unilaterally imposed on Pennsylvanians without warning or authorization. This is to the benefit of the residents of this Commonwealth.

Ultimately, the people will have the final say. A "no" vote on this bill robs Pennsylvania voters of the opportunity to decide for themselves how they want their government to work. And let me be clear, a "no" vote on this bill also robs voters of the opportunity to decide for themselves if they want to enhance the security of elections in this State and if they want victims of sexual abuse to have the ability to seek justice. We have an opportunity, an opportunity in this Chamber today to send three meaningful constitutional amendments to the Pennsylvania voters to be considered by the voters separately--three separate questions--giving them the final say and placing the power back in their hands, where it rightfully belongs. I urge a "yes" vote on Senate Bill No. 1.

Thank you, Madam President.

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

Senator SANTARSIERO. Madam President, thank you and congratulations. I rise in opposition of Senate Bill No. 1, and I would like to begin, if I may, with a brief interrogation of the maker of the bill.

The PRESIDENT. The Senate will go at ease.

[The Senate was at ease.]

The PRESIDENT. Senator Santarsiero, will Senator Pittman suffice for your purposes?

Senator SANTARSIERO. Yes, Madam President.

The PRESIDENT. Senator Pittman, will you stand for interrogation?

Senator PITTMAN. Madam President, may we be at ease for one moment?

The PRESIDENT. The Senate will be at ease.

[The Senate was at ease.]

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

Senator SANTARSIERO. Madam President, my questions pertain to that part of the bill that regards voter identification. So, specifically, page 3 of the bill. And first, I would like to ask about subparagraph (b)1, which deals with voting in person. Madam President, is it your understanding that were this to pass and become part of our State Constitution that a voter who failed to have ID at the polls could nonetheless vote provisionally, and then subsequent to that, have that ballot counted if he or she presented identification at a later time?

Senator PITTMAN. Madam President, I would just indicate as a general rule, that provisional ballots and casting votes provisionally is a standard rule within the Election Code.

Senator SANTARSIERO. Madam President, that may be the case, but we are here proposing an amendment to the State Constitution, so my question is whether this change to our State Constitution might require or might invalidate some of the provisions that are in the existing code. After all, the Constitution--

POINT OF ORDER

Senator PITTMAN. Madam President, point of order, are we still under interrogation?

Senator SANTARSIERO. Yes.

Senator PITTMAN. Okay.

Senator SANTARSIERO. I am trying to clarify--

Senator PITTMAN. I am not sure if there is a question.

The PRESIDENT. Senator Santarsiero.

Senator SANTARSIERO. Madam President, I am going to pose a question, but I am trying to explain why I do not think my question has been answered yet. Because what we are proposing to do here, Madam President, is amend--

POINT OF ORDER

Senator PITTMAN. Madam President, point of order, I would just indicate that interrogation requires questions to be asked. It is not provisional for debate to occur.

Senator SANTARSIERO. Madam President, I am getting to a question [laughing] if the gentleman would bear with me. If we are going to amend the Constitution, the previous answer to my question was, well, under the Election Code right now, someone can vote provisionally. But if we are going to change the State Constitution, it is possible that it could be read in a way to invalidate that existing Election Code. So, my question is, if this were to pass and become part of our State Constitution, would a voter be able to vote provisionally if he or she did not have an identification when they went into the polls?

Senator PITTMAN. Madam President, if I understand the question, as I said before, the ability to vote provisionally when

there is a question of eligibility is within our current statute, and I am certainly not a judge, but my understanding is that the courts attempt to maintain consistency within the election laws, and so I am not following the concern of the gentleman from Bucks County.

Senator SANTARSIERO. Madam President, I guess my question is, does this in any way change that existing law?

Senator PITTMAN. Madam President, it does not.

Senator SANTARSIERO. Madam President, my next question, continuing with interrogation, has to do with the provision regarding voting by mail. Under current law, Madam President, someone who votes by mail can apply to do so on an annual basis. This provision states that when voting by mail, the voter has to have proof of identification. Does that mean that for every election, primary and general, and if there is a special election over the course of the year, that a new application would have to be made, or does the annual application still apply to all elections in the calendar year?

The PRESIDENT. Senator Pittman, do you understand the question?

Senator PITTMAN. Madam President, the existing law indicates that--may we be at ease just one second?

The PRESIDENT. The Senate will be at ease.

[The Senate was at ease.]

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

Senator PITTMAN. Madam President, I think the point of clarification here is that this does not speak to or seek to change the process of application for a ballot by mail.

Senator SANTARSIERO. Madam President, if that is the case then I guess my next question is, does this now put a new requirement on voting by mail that does not exist? Because I believe in response to the gentlewoman from Montgomery County's line of questioning earlier this afternoon, Madam President, the answer was that you already have to provide proof of ID if you vote by mail. Now, that is the case when you apply; that is not the case when you actually fill out and send your ballot in. So, I am confused by that last answer. Does that last answer mean, now, that under this provision, if this becomes law, that there is some new requirement to provide ID when you vote by mail?

Senator PITTMAN. Madam President, if the voters approve this constitutional question, it would require all voters to provide a proof of identification when voting.

Senator SANTARSIERO. Madam President, but what does that mean in the context of voting by mail?

Senator PITTMAN. Madam President, "proof of." It remains consistent if this constitutional amendment is adopted.

Senator SANTARSIERO. Madam President, respectfully, I do not think that is answering my question.

Senator PITTMAN. Madam President, if we are under interrogation his last statement was not a question.

Senator SANTARSIERO. Madam President, the question is this: this proposed constitutional amendment says that a voter voting by mail has to provide proof of identification. My question is, how do they accomplish that? What is that proof? If you are voting by mail, how do you accomplish that in that process?

Senator PITTMAN. Madam President, I am failing to follow the precision of the gentleman's question. I would point out that

current law indicates what is and is not valid forms of identification at a number of levels.

Senator SANTARSIERO. Madam President, that, respectfully, does not answer the question of how a voter would provide proof of identification if voting by mail. This proposed provision to the State Constitution, which enshrines this responsibility in the State Constitution, would put a new requirement that does not currently exist on voters, and I think before we vote on it, and certainly before any member of the public is asked to vote on it on a ballot question, we should have some idea about how this is going to work. How does that work? How would this work under this proposed amendment?

The PRESIDENT. Senator Santarsiero, I think Senator Pittman has answered the best he can right now. Do you have any questions further on the amendment?

Senator SANTARSIERO. I will speak on the bill if I may, Madam President.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, we have heard repeatedly so far in debate today that this is merely an exercise in putting questions on the ballot and letting the people decide. But, Mr. President, I would submit to you that the way the language is written, which is the responsibility of the General Assembly, is critically important, and arguing merely that we are going to give the voters a chance to decide is sidestepping that critical point, as the previous interrogation just demonstrated. We are being asked to vote on one provision here, that is to say, the one that deals with requiring voter ID, without fully understanding what that means. We are being asked to vote on putting on the ballot a proposed amendment to the State Constitution that would put a new requirement in our voting process in our State Constitution, and yet, we are not certain what that requirement is going to be. How could the voters possibly be certain of what that requirement is going to be?

There has been some discussion today about a deliberative process. Well, Mr. President, I would submit that this is not a deliberate process if we have not had a full understanding and discussion about how this provision would operate. And for the record, Mr. President, that discussion did not happen 2 years ago either, because when previous Senate Bill No. 735 came up for a vote in June of 2021, no one agreed to stand for interrogation that day. So, this is actually the first time in the history of this provision being considered by the State Senate that we have had any discussion on what these provisions mean. And it has shown, I think pretty clearly, that there is a lot of ambiguity about what they mean. And for that reason alone, this should not be put on the ballot.

Now, the other provision dealing with the regulatory process--we have heard a lot of discussion about letting the people have a say and not letting a governor have too much power and that there should be some check on that. Well, Mr. President, I would say that that is a fundamental misunderstanding of the structure of our State government as it stands right now and the checks and balances that we have right now. Because the check

that the legislature has in the regulatory process is by passing enabling legislation in the first place. And if the legislature does not want the Governor to have power over some issue, then the legislature can either not pass the enabling legislation in the first place or can rescind it. But taking on this veto power, essential veto power over the regulatory process, is overstepping that bound. It is overstepping the separation of powers that exists between the legislature and the executive branch. And there is absolutely no need for it. Whether it is a Republican governor or a Democratic governor; whether it is a legislature where there are a majority of Democrats or majority of Republicans is immaterial. At the end of the day, the process already exists to check executive power. There is no reason to--on top of that--then give the legislature the ability to veto regulations.

Now, the real issue in front of us today is the one that many of my colleagues on the Democratic side of the aisle have already spoken about quite eloquently. And that is the issue of, at long last, giving the victims of childhood sexual abuse their day in court and access to justice. We have waited, and they, more importantly, have waited far too long for that day. I am not going to belabor the point that this could have been accomplished years ago through a simple piece of legislation. That is true. Some of my colleagues have said that today, and the rest of us have said it previously, but notwithstanding that fact, those of us on the Democratic side of the aisle, when we recognized that we were not able to get the goal accomplished in that form agreed that we would get behind a proposed amendment to the State Constitution despite the fact that we did not think it was necessary. So that amendment was passed, and now we are back to pass it a second time, and hopefully get it in front of the voters. But the problem with doing it this way, the problem with doing it this way is not that it will not appear as a separate question on the ballot. That is not the issue. The issue is that we are putting it all into a single bill with two other questions that have nothing to do with it. And that will make the whole process subject to potential challenge in court. Mr. President, I submit to you that there is not a single person in this Chamber today who can say with certainty that such a challenge would not be brought if this bill were to pass in this form today, and then pass the House as well. Nor is there a person in this Chamber who can say with certainty that, if brought, that that challenge would not be successful. And if that happens, Mr. President, then the victims of childhood sexual abuse have to wait even longer than they have had to wait up until now.

But thankfully, Mr. President, there is an easy solution to this problem, and it is one that the Majority refuses to acknowledge. It is simply to offer a separate piece of legislation that would deal with the 2-year look back only. Pass that right away and send it to the State House, where I am sure it would be passed with equal speed. But instead, we are lumping it into a single vehicle with two completely unrelated issues, and we are exposing it to the real risk that ultimately it will be struck down for that reason. Mr. President, these victims deserve justice. They deserve their day in court. For those of us who have been standing with them now for well over a decade--when few in this legislature had any interest in advancing this issue--it is more than frustrating that we are here at this late date and still not doing the right thing. It is time that we act. It is time that we consider this issue as we should, as a separate piece of legislation, and that we do what is right for the victims of these horrific crimes. They have waited

far too long, and we should not put their day in court in any jeopardy by going about it in this manner. So, Mr. President, I respectfully ask for a "no" vote on Senate Bill No. 1.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from York, Senator Phillips-Hill.

Senator PHILLIPS-HILL. Mr. President, I rise in strong support of this significant piece of legislation offered by my good friend, the gentleman from Erie County, and I would like to speak to one, specific aspect of this legislation. One, specific aspect that should excite the vast majority of citizens of the district that I represent and the majority of the citizens of Pennsylvania, according to public opinion polling, and that is the fact that the people could get to decide on whether or not Pennsylvania will require voters to produce identification in order to cast a vote. We have heard today that the sky is falling over Pennsylvania enacting a voter identification requirement, should the will of the people be just that, and nothing could be further from the truth. Mr. President, should we approve Senate Bill No. 1 today and the House of Representatives follow suit, and should the will of the people be to change their Constitution, then Pennsylvania would not be the first, it would not be the 10th, it would not be the 25th, or even the 30th State to have such a provision in place. We would be the 36th State to enact voter identification requirements.

We have heard that this is a Republican-only issue, and again, the facts speak to the contrary. Red States, blue States, purple States all have voter identification laws on the books. Even when President Biden casts a vote in his home State of Delaware, he must adhere to a voter identification law that requires even the President of the United States, along with every other voter in Delaware, to show proof of identification when casting his respective ballot. We have seen bipartisan support across the State and even in this Chamber leading up to today's vote. And in my district in southern York County, I asked my constituents to share with me their opinions on a proposed constitutional amendment on voter identification. Nearly 77 percent of the local citizens who reached out to me support voter identification in order to strengthen our elections. But my district, it is a microcosm of statewide sentiment on this very matter. Franklin & Marshall University conducted public opinion polling and found 74 percent of Pennsylvanians support voter identification. That same poll included 205 registered Democrats, 177 registered Republicans, and 62 Independents. This should not be partisan.

We have done good work together in the past on strengthening our elections. Last year, colleagues on both sides of the aisle supported a measure to ban outside funding in the administration of our elections, legislation that I worked on with the good lady from Luzerne County. We worked together--Republicans and Democrats--to clean up a hole in our election law, and to his credit, Governor Wolf signed that measure into law. We had 46 Senators last year support that measure, and that measure strengthened the integrity of our elections. We can do that again today with Senate Bill No. 1. And while this legislation is not the panacea to addressing all of our election law challenges, it builds on the work that we have done together on this issue. I could go on and on about the bipartisan merits of voter identification, but at the end of the day, it is not for any of us here to decide. It should be left up to the people of Pennsylvania, and with this proposed constitutional amendment, we are giving the people the power to amend their State Constitution. Again, 74 percent of Pennsylvanians

want this. Let us give them the chance to weigh in on this long-overdue issue, and maybe we will be the 36th State to have such a law on the books. And that is why I respectfully ask my colleagues to cast an affirmative vote for Senate Bill No. 1.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, where do I even begin? Do we talk about how we are about to send constitutional questions to the voters, while in the same breath, Members in the Majority party lambast our voting process and claim we cannot trust its outcome until we have a restrictive voter ID law? Should we talk about how we are lumping amendments together that have separate and distinct purposes and fail the smell test, let alone the single-subject rule; a rule that, right now, is pending an opinion and order from the court over the same thing: packing proposed constitutional amendments together when they have nothing to do with each other? Should we talk about how we are being told from the other side of the aisle that it is okay, the voters will get each ballot question individually, so it does not really matter how we do it here? If the issues are being decided by the voters individually, then gosh darn it, they should be decided by the legislature individually as well. Or maybe we should talk about how we are forcing the survivors of sexual abuse to be an amendment to a politically charged attack on the intention of this legislative process. Survivors of sexual abuse have been through enough. They deserve to be heard separate from the noise of this political stunt. As we began this Session on December 1, a co-sponsorship memo from a Member of the Majority party went around with the title, quote, constitutional amendment regarding the statute of limitations and childhood sexual abuse, end quote. With the goal of, quote, taking the next critical step to gain a measure of justice for the victims of horrific abuse, end quote. We have a standalone piece of legislation pending right now that we can push over the goal line now, but instead, political games are being played instead of actually advancing the needs and rights of these victims. I am imploring the Majority party to call for separate votes on each constitutional amendment. Let us have the brinkmanship outside of this Chamber. We have the chance to improve this new Session with a clear and noble mindset that we owe it to Pennsylvania, its people, and the victims of childhood sexual abuse to do this in a bipartisan, thoughtful manner.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, Senate Bill No. 1 is not just for a select class of individuals in this Commonwealth, but as a whole has three separate and distinct amendments that would benefit all residents of Pennsylvania. As it relates to statutes of limitations, Mr. President, in my past life, I served in the United States Marshals Service as the commander of the Fugitive Task Force. Part of our responsibility was the enforcement of the Adam Walsh Act, which targeted sex offenders who were in violation of Megan's Law and had crossed across State lines. During that period, we took many child predators off the street, so I am acutely aware of the carnage caused by these heinous criminals. There are very few crimes that compare to the severity and viciousness than when a child is sexually abused. Providing for a tier window on child sex abuse cases makes sense. It allows those victims to

seek long-unsettled justice. This is an avenue that we must provide for these victims to allow them to find peace and solace. I voted for this measure before, and I will do so again today.

As it relates to the legislative review of regulations, time and time again, business owners approach me asking why Pennsylvania has so much red tape. I respond by saying: we are not a business-friendly State, unfortunately. Pennsylvania makes it difficult to employ people and succeed as a business owner because of onerous taxes and excessive regulations. Last budget cycle, we worked to reduce the corporate net income tax; we have also built up tech schools and provided much-needed job training. We are starting to make improvements to the business climate, which in turn, can help every Pennsylvania worker earn family-sustaining wages, not just aspire to the low expectation of earning minimum wage. And now, we can take it a step further and reduce the regulatory burden that is slowing progress for existing businesses and preventing others from coming to Pennsylvania and employing Pennsylvanians. Legislative review of regulations is particularly important because so many of these excessive regulations are developed and masterminded by unelected bureaucrats in the Commonwealth agencies who have no accountability to taxpayers. Let us make Pennsylvania more business friendly. Let us keep and attract job creators. Let us keep our graduating students here. Let us provide an atmosphere that allows for capitalism to flourish.

Finally, Mr. President, since the invention of the penal system, our prisons have been full of liars, cheaters, scammers, and frauds. They attacked every aspect of our lives. When they see an opening, they immediately pounce, and that is a fact of life. To think that our electoral process would be immune from criminals trying to take advantage of the system is naive, and if people in this Chamber claim not to believe it, well, that is disingenuous at best. Voter ID is not a foolproof system, but voter ID creates one more hurdle to clear for those perpetrators trying to cheat the American electorate. There has not been a single issue that I have heard more about from my constituents and folks across the Commonwealth than election security in the past 2 years. It is the number one issue, and there is not a close second. Their relentless suggestion is to require a form of voter identification at polling places. Recent polling data--and we have heard different numbers here today--but the poll I just read today showed 86 percent of the voting public approves of this measure. This is a sound approach to make sure that the honor of our election system is protected and preserved during this time of suspicion and distrust in the process.

Mr. President, just yesterday, I heard one of the gentlemen in this Chamber state that this proposal negatively impacts people of color and minorities the most. I heard it again just a few moments ago. What an insulting and judgmental statement to make. That some people, because of race or socioeconomic status or age, are so helpless and inept that they cannot get an identification card, yet they seem to have bank accounts, pay bills, seek medical treatment, have housing, collect benefits, and exist as productive members of society. It is not difficult in modern-day life to prove that you are who you say you are, nor is it unheard of to be required to do so. I have discussed this on the floor before, the long list of activities which require an ID in this Commonwealth. It is now time to pass this amendment and leave the merits of it up to the electorate. Let us allow the people

of Pennsylvania to decide if they want to join the ranks of 35 other States that require the same form of voter education [sic].

Thank you, Mr. President. I urge a "yes" vote on Senate Bill No. 1.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I will keep my remarks very, very short because so much has already been said again and again and again about this issue and the three issues that are on the table today. It is really, very, very simple to me. I trust the people I represent. I trust the voters of Pennsylvania. I believe in checks and balances in government. We have lost sight of checks and balances, and it is time, as a body, to pull back our authority, our responsibility, and treat the people who we represent like they are not stupid. They deserve a voice when it comes to very important matters that affect their daily lives. The reason we have gotten to this point with regulatory reform is that we have had an administration who thinks that his pen is mightier than the word of the voters who we represent. We need to do our jobs. Our job is to bring the voice of our constituents to this building and represent their needs, their wants, and their wishes; not to have someone at the top of the administration unilaterally decide things for them. We can collaborate; we should collaborate; but we also need to hold the reins of an administration, any administration from here forward, Democrat, Republican, anything. We need to be the voice of the people; they are the ones who put us here, and we need to treat them with the respect that they deserve. And it is our job to educate our constituents on these measures. And if we are not willing to do that, if we are not willing to step up and educate the people in our districts as to what each one of these constitutional amendments means, well, then we are not doing our job. We need to do our job, and we need to respect the people who put us here and do the work of the people and be the people's voice.

Thank you, Mr. President.

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

Senator J. WARD. Mr. President, just like everyone else in this room, the first time I walked into my voting precinct, I was required to provide verification for who I was so that I could cast a ballot. It is a scenario that plays out each and every Election Day across Pennsylvania. Senate Bill No. 1 asks voters to decide if the Pennsylvania Constitution should be amended to require that a form of identification be provided each and every time a ballot is cast. This is not a new concept. In 2011, voters in Mississippi amended their Constitution to require government-issued identification in order to vote. Missouri followed suit in 2016, and Arkansas 2 years later. These States were not providing a solution in search of a problem. These States know that voting anchors our Republic. These States know that as legislators, we have a responsibility to ensure that voters trust the election process. Asking voters to decide if requiring identification every time they vote will do just that. As the gentlewoman from York County noted earlier, under Delaware law, President Biden is required to provide identification or sign an affidavit before casting his ballot. Allow me to restate that: as a resident of Delaware, the President of the United States is required, under the law, to provide identification when he votes.

The point is, 35 States have enacted some sort of identification requirement for voters each and every time they cast a ballot. In doing so, these States serve as a testament against claims that this will hurt voter turnout. Of the 35 States that require higher voter identification, 11 of them, 11 of them had higher voter turnout than Pennsylvania did in the 2020 General Election; 17 of those States bested the average voter turnout in the United States. The others were not far behind. Every day I hear from constituents who want to know why they need identification to buy cold medicine, get a COVID-19 vaccine, buy a cell phone, get married, or adopt a pet, but not to choose their next Senator, township supervisor, judge, or president. We are experiencing a very politically charged period in our lifetime where misrepresentations and attention-grabbing social media posts will be part of the rhetoric. I urge everyone to rise above that and not fall victim to outside influences trying to stir emotions. My constituents strongly support providing ID to vote. With this amendment, we are making our elections more trustworthy and secure. I urge my colleagues to support this vital piece of legislation.

Thank you, Mr. President.

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

Senator DUSH. Mr. President, "WE, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and establish this Constitution." Ladies and gentlemen, Mr. President, that is what we are here to address, is that Constitution. The franchise holders in this Republic--and make no mistake, we are a Republic, that is why we pledge allegiance to the Republic for which that flag stands--we have set up a republican form of government in this Commonwealth that establishes a rules committee. We, in the General Assembly, are that rules committee, but the people have come up with the covenant, the contract on how this rules committee will act. Those same people have come up with the way in which the executive is to act and operate as well as the judiciary. When we see that--and the people see, the franchise holders see--that that is not working, you get polling like 80-some percent of the population asking for things like voter ID. That is why it is necessary for us to take these actions. The rules committee in a republican form of government makes the rules under which the executive branch is to operate.

Now, with voter ID, the election process, that is a legislative function. When it comes to other administrative functions, if the legislature does not see the executive acting in the manner in which it is supposed to, what is known as legislative intent under the law, it is the legislature's responsibility to take action. When the executive branch is one of those who is under the scrutiny of the legislature as a result of not following legislative intent, that same executive branch acts as a blocking force to legislation which would restore the legislative intent: the rules on the field of play. It is the province of the legislative branch to return that question to the people to make a determination for things like voter ID and the regulatory processes under this Senate Bill No. 1. If the legislature sees that the executive is not operating by the way that they are setting up the regulations--if they are setting up the regulations in a way that does not follow legislative intent, the legislature should be able to put a stop to that. Because the executive has shown, repeatedly; and the people are seeing, repeatedly; our school districts are seeing, repeatedly; our

townships, our boroughs, our cities with these regulations that are coming down by unelected bureaucrats who cannot be fired; and they are disgusted. They keep coming to the legislature: do something about it. But a process has been set up since Woodrow Wilson where we have delegated way too much authority to the executive branch. It is time to correct that. The authority and the decision about policy in this Commonwealth is legislative, it is not executive. The policy, the will of the people, is to be set up by the legislative branch.

Every major sports franchise in America--the NBA, the Major League Baseball, NFL--they have copied the republican form of government. The franchise owners, they create a rules committee, the rules committee--that is us here--they set up the rules for the field of play. If the executive and judicial or, in sports, the referees and the players and coaches, decide to change the rules on the field of play, you are going to have chaos on the field, on the sidelines, and in the stands and the owners' boxes; and that is what we are seeing here in this country and in this State. The franchise owners are mad. They deserve to have their rules committee bring this back just to make it plain, just like we did with the Governor's overreach on COVID-19, so that they can make it plain to all three branches: the rule of law has to be followed. That is my concern on the first two, the voter ID and the regulatory.

Now, if the Speaker of the House is watching this, he is going to be very surprised. I have spoken against the statute of limitations bill on a number of occasions. I have voted against the statute of limitations bill on a number of occasions. But the Speaker and I are friends. The last time I spoke against it over in the House, I went over to shake his hand, he got up and gave me a big bear hug because he knows why I stand against it. But we can talk. My concerns, if this should pass by the voters, is still a concern. But what I do know--because it was used against me in campaigns, my vote over in the House, just to keep me out of the Senate--the people, once I described the concerns, which are as an investigator, my experience with witnesses is that testimony changes over time. It changes, sometimes, a lot and significantly. When I look at what is happening in other States where attorneys just sit back when they are defending the estate of someone who has had some people make claims against the individual who left that estate or whatever, they sit back and say: look, there is nothing we can do, we just sit back and wait for the judge to decide because it is preponderance of evidence rather than beyond reasonable doubt. And when the people who the civil suits are being brought against are no longer around or otherwise not able to defend themselves, it is very difficult for any attorney to try and defend that individual, whether or not he is innocent or not. The American trial lawyers, I know they love this. It is a moneymaker for them.

POINT OF ORDER

Senator COSTA. Mr. President--

Senator DUSH. I am not--

Senator COSTA. --I think--

Senator DUSH. --I am voting for this.

Senator COSTA. Mr. President, point of order.

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

Senator COSTA. Mr. President, I listened to a lot about the process and the people impacted in that regard. But it sounds like you are maybe going down a path where they are questioning motives of the trial lawyers in Pennsylvania and other folks, as to why the gentleman voted against it. I think we are getting too far afield with respect to the content of the particular amendment they are referring to, and that is the statute of limitations provision that was added in the Committee on Rules and Executive Nominations over our objection. My point is that I think we need to contain what we are talking about to the specifics of the legislation. Not extrapolating on things that may or may not happen or exploring motives from organizations who do not have the opportunity to defend themselves on this floor.

The PRESIDING OFFICER. Senator Dush, please refrain your comments to the bill in question, please.

Senator DUSH. I am going to vote for this Senate Bill No. 1. Like I said, a lot of people will be surprised about that--and even with this in there. But I am now, as people become aware more and more of the issues that surround this, I have a feeling my concerns with it will be addressed by the voting public. Like I said, this was used against me, and I managed to win in that campaign 2 to 1. So, because I was able to articulate those concerns. So, again, I just want to say, repeat, that we do have the responsibility when we are beyond the legislative intent, and when the executive and the courts refuse to address that fact, we have a responsibility to return these questions to the people of the Commonwealth of Pennsylvania, and I urge a "yes" vote on Senate Bill No. 1. Thank you.

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

Senator MARTIN. Mr. President, I never thought that we would be standing here again to consider this issue, as many Members who have been here in the past know that we passed this in consecutive Sessions and the statute of limitations, and it should have been on the ballot in years prior. But we took action again. In the last Session, we attempted to replicate our efforts on the constitutional amendment as quickly as possible, and of course, here at the beginning of the 2023-2024 Session, to get it done in time to hopefully be part of the ballot come May. But this package also includes other things that are important to the people of Pennsylvania and also to Pennsylvania's future. When you talk about the fact that Pennsylvania has not kept pace with growth, with job creation, you tend to think about: what do we hear most about? What makes Pennsylvania unique that sometimes has pushed people away? And one of the biggest things that we consistently hear was, obviously, Pennsylvania's corporate tax rate, which we actually addressed as a body last year with the budget. But the other part was the excessive regulations that Pennsylvania is known in creating that environment, and it has impacted people's willingness to invest here in this State. And when you combine that--if we have all learned something over the last few years, it is the importance of all branches of government working together for the people of Pennsylvania. And unfortunately, we have seen consequences when one branch of government acts unilaterally or abuses its authority.

We have consistently seen efforts to pursue policy changes through the regulatory process, instead of working with the elected officials who actually legislate. Too often, instead of working through the legislative process to change or create law,

they have tied up our citizens and our employers in miles of regulatory red tape, purely for the sake of achieving edicts by bypassing the people's elected representatives in the General Assembly. This proposed constitutional amendment includes a portion related [to] regulatory reform that lets the people decide whether regulations that carry the weight of law, regulations that carry a negative effect on lives and livelihoods, or regulations that carry such a strategically-long, protracted process that costs entities just untold amounts of money that pushes them away from wanting to invest in Pennsylvania--it gives a counterbalance to that. It gives the people's elected representatives the ability to say this is not in the best interest of Pennsylvania. The people of Pennsylvania have already made their voice heard by limiting unchecked powers of the executive branch in 2021, when given the opportunity, and our citizens deserve another opportunity to decide whether that balance of powers with the rest of regulations should be restored. And I encourage a "yes" vote by my colleagues.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, it is really remarkable. We have been here for a few hours, and I have learned a lot. I have learned a lot about some of the aspects of Senate Bill No. 1 that I never heard about before. How exactly is voter ID going to work? How exactly are some of the limitations of regulations in government going to work? Have there been hearings on these issues? If there have been, I have missed them. Why, why are we so quickly working on these issues when we have 2 years of a Session? We have time, not 2 years necessarily, but we have time to consider those constitutional amendments. I would ask all of my colleagues to remember when we voted for Act 77, which in part added mail-in balloting--which I totally support--but there were many unanswered questions about mail-in balloting. Our county commissioners are still beseeching us about: give us the time to pre-canvass the ballots. It has not worked as well as it possibly could because we failed as a legislature to truly address all the aspects of that. That is the way I feel about this today. That I am going to be asked to vote on Senate Bill No. 1 when I really do not have the information that I need regarding the aspects of the constitutional amendments. I get it; we should let the people decide. But I think it is insulting to the people to say, "decide," when you are not giving them all the information about how exactly these issues will work. I think that is totally wrong.

And then here we are considering this, you know, this constitutional amendment while the victims of sexual abuse have been waiting years and years. If they have given up, I cannot blame them. If they are listening to this, I cannot blame them if they are disgusted because I am too. I had fully hoped that we would be able to address this immediately, get it over to the House, and then be able to make sure that this gets on the ballot. If they are questioning whether that will happen or not, I cannot give them a good answer. But I apologize to them because I feel that we are totally ignoring the pain that they have experienced. And each time this happens, all the times that this has not been able to move forward, I fear we reopen the pain that they have experienced. It is wrong, and it is so cynical and politically motivated, the actions that we are taking today. I am disappointed in us; I am truly disappointed in this body and the vote that will soon be taken. I felt

that I needed to stand up and say that, and I hope that the voters will ask us to give them the information that they need regarding Senate Bill No. 1 prior to the time that this gets, possibly, to the ballot. Thank you.

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

Senator COSTA. Mr. President, I, too, stand and really echo the comments of the gentlewoman from Berks County about the disappointment that we are dealing with, we feel on the Senate Democratic side today, and over the course of the past couple of days as it relates to how this whole process has unfolded and how all these constitutional amendments have come to be. Let me be very clear, Senate Democrats, to a person, every single person, supports a constitutional amendment to allow the waiving of the statute of limitations for those individuals of child sex abuse. We support that provision of Senate Bill No. 1. What we find unconscionable and reprehensible is the fact that that particular constitutional amendment has gone back and forth, ping-ponged back and forth, between the House and the Senate and the like, for the past couple of years, denying those individuals who have been harmed their opportunity to be able to heal, to be able to come together with their families, and be able to face their accusers [sic] and address what needs to be done with respect to that; that has been denied to them for so many years. We support moving that provision. What we do not support is that it be joined with two other provisions, which clearly, we now know, Senate Democrats do not support.

And quite frankly, if those two provisions were a part of Senate Bill No. 1 alone--even more specifically, if the voter identification was by itself as a singular piece of legislation--the debate would have taken place on the floor, folks on that side of the aisle would have voted one way, and we would have voted the other way, and we would allow the chips to fall where they may; and also, the folks of Pennsylvania would have the opportunity to render their voices with regard to that. But what you are doing now is taking legislation that has been something that has been bipartisan, unanimously supported--just about, except for three folks last Session--who supported this measure. What we should be doing, and what choice that you all had as we advanced this conversation, you had a path that you could have taken that you chose to reject and neglect, which would have been the easier path to get to the same end. It does not matter whether or not the House is organized or not, or what they might do going forward. What took place in this Chamber was the fact that you had a choice of going through this process, what you are doing, to jeopardize this constitutional amendment regarding the statute of limitations, putting it in constitutional jeopardy, and the matter will continue to move forward because the matter is before the court because we have bundled constitutional amendments. That matter is before Commonwealth Court and will subsequently be before the Supreme Court at some point in time. They might render this conversation moot, quite frankly, but at the end of the day, you had the choice. And let me be clear, you chose a path that was going to bring those measures together in lieu of a path that could have simply, beginning this week, called for a meeting of the Committee on Judiciary and introduced the legislation that my colleague on the other side of the aisle, the Committee on Judiciary chairperson, has worked on for many, many years. And my hat is off, and I applaud her. She led this discussion many hours ago and

was right, it was right, she was right when we said that time is the enemy of those victims, and it is. And we had the time, and we had the opportunity to be able to put forward a measure that would get to the same end, but separately, and distinct, and separately voted by the Members of this Chamber and by the House as well. That is one of the issues that sits with us that is going to bother us as we go forward and bother me personally.

To rebut the conversation about the debate regarding the voter identification law, to the extent that it was indicated that the statements that were made, I presume from Members of this side of the aisle, the nature of the disenfranchisement of voters across Pennsylvania. That continues to be our belief, as was espoused by our leader, our Democratic chair of the Committee on State Government, Senator Cappelletti, that I reiterated yesterday in the Committee on Rules and Executive Nominations and will continue to reiterate it again today--both in this Chamber and outside this Chamber--that this voter identification law, the uncertainty with what it is going to look like--as the Committee on Judiciary Chairperson Santarsiero talked about--the uncertainty about what is going to survive. What we know to be the ability to vote now, the uncertainty with respect to what could come because of this constitutional amendment. Now, that will be up and down as well, and the voters will make their decisions. But at the end of the day, we believe strongly that it will disenfranchise people of color, people of low and modest income, and people who live in rural communities, and people who are the elderly. Going a step further, we tried to do this back in--I think it was 2012, I believe it was--and Commonwealth Court struck it down in 2014. Let me just read a passage from Judge McGinley, one of the judges on the Commonwealth Court, with respect to the disenfranchisement of voters in Pennsylvania. He wrote: [Reading]

The voter ID law 'does not pass constitutional muster because there is no legal, non-burdensome provision of the [a] compliant photo ID to all qualified electors.'--he continued--And, most importantly...the '[h]undreds of thousands of electors in Pennsylvania [who] lack compliant photo IDs [ID],...[e]nforcement of the Voter ID Law as to these electors has the effect of disenfranchising them through no fault of their own. Inexplicably [Inescapably], the Voter ID Law infringes upon qualified electors' right to vote....Disenfranchising voters through no fault of their own [the voter himself]--it is simply--is plainly unconstitutional.'

That conversation will continue, but to rebut the conversation on the debate on this floor regarding those lines.

The PRESIDENT (Lieutenant Governor Kim L. Ward) in the Chair.

Now, Madam President, two questions were posed by the other side of the aisle. What are we afraid of? And do we trust the people of Pennsylvania? I need to only go back a few hours, when one of our colleagues, the gentlewoman from Northampton County, offered three separate and distinct amendments. I pose the question to all of you: what are you afraid of? Why are you afraid to put on a ballot a question about protecting women's reproductive rights? You all voted against allowing us the opportunity to have that conversation. What are you afraid of? Why do you not trust the people of Pennsylvania to make that decision? That is not a question for the maker of the bill. That is a question I am asking all of you. What are you afraid of? Why can we not get that question on the ballot? If there is any question in this

Commonwealth, in this country that has moved people more than--there is no other question that has moved people more than this issue, the right to protecting reproductive rights, not just in Pennsylvania but all across this country. What are you afraid of? Why are you afraid to bring that question to this floor? Why do you not trust the people of Pennsylvania to make a decision on that? That is what you have done. Going beyond that, another issue that moves a lot of people in a lot of our districts; the issue of property tax relief was again offered on this floor moments ago, hours ago. It was rejected. You did not want to even face the issue, you wanted to table the motion, to not allow it to be even considered for a vote. I repeat my question: what are you afraid of, and why do you not trust the people of Pennsylvania to address that question? And then the third question, discrimination against individuals based upon their sex, their religion, their gender; that the gentlewoman tried to put into the Constitution. Again, offered it timely, thoughtfully, gave arguments in support of it. It was, again, tabled. What are you afraid of? Why do you not want to address that issue? Why do you not trust the people of Pennsylvania? We trust the people of Pennsylvania as it relates to the voter identification. Let them do whatever needs to be done. You all are going to have the votes to pass it. We have faith in the people of Pennsylvania to make the right decisions. We may not agree with the legislation or putting it on the ballot, but at the end of the day, we will live with what they say.

But what is taking place here is that you are criticizing us for fighting to be able to protect the children of this Commonwealth who have been harmed and their families who have been impacted significantly. And denying them the opportunity to move this process forward by injecting it into this measure for one reason, political reasons. This is a political conversation about getting this measure combined with two other measures, and I would remind the Members that just earlier yesterday--at one point in time yesterday, I believe, or maybe this morning--that one of the prime advocates, not the Speaker, but rather Representative Jim Gregory, who expressed his concern--a victim who is fighting for many years now trying to be able to provide the rights to victims to be able to do what needs to be done by us--has strong concerns, major concerns about advancing this measure in this manner. And they are being coupled, being coupled with two other measures that will draw confusion about the merits of these pieces of legislation. I ask, Madam President, that we recognize that the people who brought us here, who have been advocates for this conversation, and the families of the victims and the like, that we move to be able to take the case; that we trust what they tell us and to keep these measures separate. These each will be separate questions.

MOTION TO TABLE BILL

Senator COSTA. Madam President, to that end, I move that at this point in time, I move that we table Senate Bill No. 1 and move it to a point in time where we can move these things to be considered separately and rightfully and properly before the people of Pennsylvania. I move for its tabling and ask for an affirmative vote on the tabling.

The PRESIDENT. Senator Costa has made a motion to table Senate Bill No. 1. Before we move on that, the Chair recognizes the gentleman from Indiana, Senator Pittman, for leaves.

LEGISLATIVE LEAVES

Senator PITTMAN. Madam President, I request a temporary Capitol leave for Senator Bartolotta, and legislative leaves for Senator Argall and Senator Gebhard.

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

Senator COSTA. Madam President, I have no other leaves.

The PRESIDENT. Senator Pittman requests a temporary Capitol leave for Senator Bartolotta and legislative leaves for Senator Argall and Senator Gebhard. Without objection, the leaves will be granted.

MOTION TO TABLE BILL RESUMED

The PRESIDENT. On Senator Costa's motion to table Senate Bill No. 1, the Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, I would just ask for a negative vote on the motion to table.

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

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

YEA-21

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

NAY-27

Argall	DiSanto	Martin	Rothman
Aument	Dush	Mastriano	Stefano
Baker	Farry	Pennycuick	Vogel
Bartolotta	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman	Laughlin	Robinson	

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

And the question recurring,
Shall the bill pass finally?

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

Senator COSTA. Madam President, just very briefly, I would like to wrap up before we hear from Senator Muth. I want to be clear in terms of Senate Democrats' position in this measure, Senate Bill No. 1. We support, unequivocally, support strongly--I cannot put in any other terms to demonstrate how strongly we support the portion of Senate Bill No. 1 that deals with the statute of limitations to protect and provide the rights to those individuals who have been harmed and who have been waiting for many years to be able to get the justice they deserve. What we object to

is the ability to not be able to vote that in a singular measure, which we recommended over time and time again to be done along those lines. The bundling of these questions, these three questions into one measure, which is currently the subject of a court case filed by the Wolf Administration that is before Commonwealth Court and will no doubt make its way to the Pennsylvania Supreme Court, clearly demonstrates to us, and based upon the argument as we heard, is something that is unconstitutional. We are being denied the right to be able to vote these individual measures as individual measures, as constitutional amendments. The people of Pennsylvania clearly will be able to do that. We recognize that, and we will take the time to enlighten them about these amendments over the course of time as was suggested. We think that is the appropriate thing to do. But what is wrong here, what we object to here, is the placing of this particular amendment, the statute of limitations amendment, into Senate Bill No. 1.

At the end of the day, what we have taking place here, and has been taking place for the last couple of years, because we cannot get things through Governor Wolf and maybe through the next Governor, we are legislating by constitutional amendment. That is not what was intended by our framers. This is what we should not be doing. This is a classic example of what should be done legislatively, each of these measures, and because you cannot get them past the finish line, we resort to this process. We think it is wrong, continue to believe it is wrong, and ask my colleagues to reject Senate Bill No. 1 for the reasons I just stated.

Thank you, Madam President.

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

Senator MUTH. Madam President, before I make my remarks on the final passage, I just have one question. If I could ask the Majority speaker to rise for interrogation?

The PRESIDENT. Senator Pittman, will you stand for interrogation?

Senator Pittman has indicated he will not stand for interrogation.

The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Madam President, I just will state for the record, if it is okay, if I could state my question, and then I can move onto my remarks, if you agree? Thank you. My question for the Majority speaker was a very simple one. It was actually asked yesterday during the meeting of the Committee on Rules and Executive Nominations. Senator Collett initiated the conversation, which I think is important to reiterate, and I was hopeful that we could get a more clear and concrete commitment and an answer to this question. My question was going to be: if the House of Representatives declares that they will not bring Senate Bill No. 1 to the floor for a vote because of the potential harms and legal complexities mentioned earlier by my colleagues, will the Majority Caucus and Majority Leader make a commitment to prioritize survivors and pass a standalone bill for statute of limitations for victims of child sexual abuse, and to ensure their rightful pathway to justice and healing? Such as Senator Baker's original legislation? That was my question, and I hope that the answer is "yes," because if the House of Representatives never votes on this bill, it never goes on the ballot ever, ever for this Session. Which means the whole process would start all over again, again. So, I

cannot emphasize the importance of that commitment enough. So, I hope that the Majority speaker and the Members of this Chamber reflect on that and have a concrete answer, because I know I am not the only one with that question. I know that survivors are certainly waiting for an answer.

Madam President, I rise today in opposition to Senate Bill No. 1. Obviously, this is a difficult issue. So, I am going to start with the easier ones for me on the parts I adamantly oppose; and they have been detailed by my colleagues and will not be redundant about the restrictions, and I just think that some of the things mentioned, as Senator Schwank said today, I learned a lot about how people think. And I think, as a legislator, as we try to figure out how to get along and compromise and agree on things, it is always good to hear other people's perspective. But I think today I walk away a little more confused because some of the things I heard said regarding voter ID and the need to have this extra layer of ID that we already require anyway. But yet, there is no support for licenses and trainings for using firearms like you would a car or a truck or any other vehicle. So, I hope that we can revisit these things to see how they all pan out and how certain things seem to be required for different human activities such as voting or operating a firearm or owning a home or all these things. So, those are some things that went across my mind as to why the prioritization for these initiatives were even in play.

The other part I would like to touch on, because I think it is important, the regulatory piece is incredibly important; and I think it is one that is detailed and, as mentioned, has not been fully discussed and researched as to what would happen if this should pass on the ballot. And while it is broad, as mentioned by one of my colleagues on the other side of the aisle earlier today, that it does not apply to one specific agency or type of regulation. And I think that is the point, is that it can apply across all sorts of State agencies, and their requirement to implement, via our legislation, the regulations within that department or agency. So, for example, when we talked about the regulations with environmental things, those are things that now, potentially, can become more difficult for regulators to change in a timely manner. The legislative process is often slow, and to change regulations in a timely manner to actually serve and protect the people in the circumstances that may be is really important for our State agencies. So, I think, you know, at best, if this were to pass on the ballot, it would result in a situation where agencies would refrain from pursuing changes to the regulations that are critical to health and safety and the well-being of Pennsylvanians and all the people who we all represent. Whether the regulations concern air quality, or water quality, or protective services for children who suffered sexual abuse, or the public's ability to participate in proceedings and public comments. And at worst, it could result in the General Assembly having arbitrary disapproval of such regulatory changes. So, I think that is important to note because it is also about abortion care, and this is a backdoor way of inadvertently, without banning abortion, restricting access completely to abortion healthcare. So, it is relevant to the conversation, and we should be talking about those specific examples on how they can impact our constituents because they do, if this should pass, have to vote on this, and they should know and be aware of those things.

The final part for me is difficult because the survivor community has been here in this building long before I was even elected.

And the things that I have learned from them, and the situations they have gone through are horrific, are unacceptable, and today is another day where their trust in government is just absolutely being decimated because it is known to them that this likely will not run in the House of Representatives, and this again will fail to make it to the ballot. And I wholeheartedly, actually disagree that this is appropriate for a ballot initiative. As a survivor myself, I think that it is near insulting to say that other people should decide my ability to have justice and healing. I think that that is something that we, as a body, should have just passed in statute. Other States have done this. And so here we are with this compromise situation that certainly has been messed up and fumbled by not making it to the ballot prior. And here we are again, having the same exact thing happen, where this will not make it to the ballot. And so, if you want to say that we should trust the people, put this on the ballot, I will tell you right now, what is happening in this room is causing the people not to trust us, the whole government. Not just survivors: their families, their friends, people who are eventually going to read and watch about this, is that again, this is just another delayed effort. Survivors are literally dying and suffering as we speak from all of the impacts of the trauma that they have endured. And this is what the message is: we are going to pass this today, and it is never going to move out of the House of Representatives. And then what? Again, another delay. And so, for me, I thank those survivors for keeping me brave. I did not even want to speak today. That is how disgusted I am with the situation. It is a little overwhelming--I am being honest about that--and encouraging me to continue to be a voice for them in this room. And you cannot ask us to vote on something in favor of supporting victims while simultaneously asking us to vote for something that could restrict access to abortion healthcare. I just want to point that out, that those two things, they do not go together.

And so, the other thing I think it is important to mention is--and I want to thank Senator Baker for this--the age limit for this was--for the prospective--was increased to 25, which I thank her for because the date and year and age of which you were sexually assaulted or raped is irrelevant. And so, while I acknowledge the incredible harm and horrificity [sic] of what child sex abuse survivors have gone through, if you are raped at age 26, 27, 84, 55, it is still rape, it is still sexual assault, and it still takes a significant amount of time for survivors to come forward if they ever should choose to, ever. So, my final thing is to those who have not come forward, who may watch this at some point, to know that there are people, not all, but there are some people in this building who believe you, and I am one of them. That respect you, and I am one of them. And who will fight for you, and I am one of them. And that this situation here is not reflective of what should be, and that I hope that this does not deter any survivor from coming forward, and know that there is an army of support waiting for you despite what is happening in the room today. So, I urge a "no" vote, and I urge that this standalone measure for statute of limitations is voted on by itself next week when we are here. We are here all January. We can get a lot of work done and restore people's faith in government because that is what they deserve.

Thank you, Madam President.

Senator PHILLIPS-HILL. Madam President, may we please go at ease?

The PRESIDENT. The Senate will be at ease.

[The Senate was at ease.]

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

Senator PITTMAN. Madam President, January 25, 2021, on the floor of this Chamber, we debated Senate Bill No. 2. And in Senate Bill No. 2 were two constitutional questions that related to the power of the executive branch during emergency declarations. An amendment was offered to Senate Bill No. 2 by the gentleman from Philadelphia County that sought to have racial equity added to our Commonwealth's Constitution. That amendment was adopted unanimously; it was adopted without debate; and those three distinct and separate constitutional questions made it to the ballot for the voters to decide their fate. And in that circumstance, the voters approved all three constitutional questions. Indeed, Madam President, the process that we are undertaking right now is not unique. We have advanced constitutional questions in this fashion multiple times, but the painful and difficult reality is that the circumstances that have brought us here are quite unique. This will be the fourth time, Madam President, the fourth time that this Chamber has voted to adopt a constitutional question specific to the statute of limitations. We know why we are back here for a fourth time. A horrific mistake was made. A simple publication of the constitutional question would have avoided this entire discussion. We cannot revisit what happened. We cannot rewrite the history of how we have, again, returned here with the reality of a statute of limitations constitutional question before us. But, Madam President, what we can do is move forward, and Senate Bill No. 1 moves us forward.

To be clear, Mr. President [sic], by my math, 47 of the 49 seated Members of this State Senate have already voted on all three of these constitutional questions. All three of these constitutional questions have been put before both Chambers of this General Assembly already. All three of these constitutional questions have been advertised in every corner of this Commonwealth for public review and public input. There is nothing new in Senate Bill No. 1. There is nothing different in Senate Bill No. 1. We are advancing a process to bring to the voters these critical constitutional questions. And while some in this General Assembly may weigh them differently in terms of their value and their importance, the reality is that all three of these questions have passed both Chambers of this General Assembly by a majority vote. That indicates to me then that all three of these questions very much merit being advanced to the voters. That is what Senate Bill No. 1 does.

Let us talk specifically about voter identification. Mr. President [sic], we are simply saying that those who participate in the most fundamental part of our Constitutional Republic--voting--simply demonstrate that they are who they say they are. You need identification to get on a plane; you need identification to get on a train. You need identification to purchase alcohol, to purchase cigarettes, to go into a casino, to even visit the doctor. Identification is, in fact, ubiquitous in our society. And asking those who want to participate in our electoral process to demonstrate that they are who they say they are simply provides confidence, security, and integrity to our electoral process. Let us talk about regulations and regulatory review. I need to remind all of us that we have, actually, a fourth branch of government: an unelected, unaccountable bureaucracy. It has invaded our homes; it has invaded our places of work, our places of worship, our places of

play. And the reality is, Mr. President [sic], that the current process of promulgating rules and regulations by the executive branch and those in bureaucracy is unbalanced, and we as a General Assembly are a co-equal branch of government. Having said that, Mr. President [sic], while I believe that the voters will, in fact, approve this regulatory review question, it remains to be in the hands of the voters. The voters will make the ultimate decision. And I recognize that some of my friends on the other side of the aisle do not like this particular constitutional question. Take the case to the voters and suggest that they reject the constitutional question. I hear a lot about electoral mandates from many of my friends on the other side of the aisle and their success of statewide elections. So, if they are so successful in winning elections statewide, have the question defeated.

Madam President, this difficult and grievous issue of statute of limitations has, indeed, been around this General Assembly, for the best of my knowledge, 17 years; and it is time to bring closure to the conversation. The Senate Republican Caucus has been consistent, has been clear, and has been transparent on the best path to address this difficult issue, and that is through a constitutional question to the voters. I will, again, remind you, Madam President, that if not for that egregious clerical mistake, we would be standing here and the window that would have been proposed would have been about to expire by now. But here we are trying, yet again, to bring closure to this most grievous matter. Madam President, I believe--and while I cannot predict the future--I believe that this will be, this should be, this must be, the final time that the Senate of Pennsylvania addresses this matter. There is no reason for the House of Representatives to reject Senate Bill No. 1 unless whoever is running the House of Representatives seems to think there is a political reason that two of the three questions should not be put before the voters.

Mr. President [sic], this State Senate is organized; it is functioning; it is moving forward to address the issues that the people of the Commonwealth are concerned about. And I will tell you that all three of these issues embodied in Senate Bill No. 1 are of concern to the people who we represent. We must move quickly. We must move efficiently and effectively. The Governor's own words about January 27 being the deadline for this General Assembly to act should matter, and we should move accordingly. The current Speaker's own words about an unwillingness to address any other piece of legislation so long as the statute of limitations question remains unsettled is even more reason to advance this legislation quickly and properly and timely, so the Speaker of the House can move this, resolve this important issue, and allow both Chambers to get back to work to doing the business of the people. Those who elected us to be here and address multiple issues for multiple reasons. This is an important issue, but it is not the only issue, and we have the opportunity now to resolve the significant matter of statute of limitations. And so, my answer to the prior question--and while I cannot predict the future--it is my expectation this will, in fact, be the last time this Chamber addresses this issue. We must bring closure to this matter, and for that reason, Madam President, I request an affirmative vote for Senate Bill No. 1. Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-28

Argall	Coleman	Laughlin	Robinson
Aument	DiSanto	Martin	Rothman
Baker	Dush	Mastriano	Stefano
Bartolotta	Farry	Pennycuick	Vogel
Boscola	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw

NAY-20

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

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

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

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 35 (Pr. No. 13) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, further providing for definitions.

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

HUGHES AMENDMENT A0020 OFFERED

Senator HUGHES offered the following amendment No. A0020:

- Amend Bill, page 1, line 3, by inserting after "definitions":
; and making an interfund transfer
- Amend Bill, page 2, by inserting between lines 20 and 21:
Section 3. The sum of \$225,000,000 shall be transferred from the General Fund to the Motor License Fund.
- Amend Bill, page 2, line 21, by striking out "3" and inserting:
4
- Amend Bill, page 2, line 21, by striking out "immediately." and inserting:
as follows:
 - (1) Section 3 of this act shall take effect upon publication of the notice under section 2 of this act.
 - (2) The remainder of this act shall take effect immediately.

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

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Madam President, amendment No. A0020 to Senate Bill No. 35 does one simple thing: it requires a transfer of \$225 million from the General Budget Fund to the Motor License Fund; \$225 million transfer from the General Fund to the Motor License Fund. Why? Well, the reason for the transfer is very simple. If Senate Bill No. 35 becomes law, there will be an impact on the Motor License Fund of \$225 million within approximately a 12- to 18-month period. All right, \$225 million impact. What does that mean, Madam President? What that means, Madam President, is that projects scheduled to be done throughout our roads and bridges and highways across the Commonwealth of Pennsylvania will be impacted. They will not be able to go forward. These projects, which are extremely important to the system of transportation across the Commonwealth of Pennsylvania, will not be allowed to proceed. Consequently, those projects not proceeding is an impact and implication for the safety of our highways, which already are underfunded as this body knows. The impact of not having these additional resources likely impacts also on our Federal dollars scheduled to come to the Commonwealth of Pennsylvania, which have a relationship between what happens and our Pennsylvania commitment to Federal dollars coming in. This also means, Madam President, an implication and impact on the jobs that will be created as a result of these transportation projects not going forward. Not just the workers who will be doing the work, but also the people who will benefit in those communities after the work is completed. So, all we are asking for, Madam President, is in amendment No. A0020 is a simple transfer of \$225 million from the General Fund to the Motor License Fund.

Now, let us be clear, for those who may want to make an assessment that this is a significant budgetary impact, \$225 million for sure is a significant amount of funds, but let us be clear about the status of the Commonwealth's budget situation. First of all, the Commonwealth sits on a Rainy Day Fund of over \$5.1 billion, \$5.1 billion, and as probably most of the Members recall--not all, there are some new Members here--but most of the Members recall that when we finished our current budget process in June of 2022, we moved into the balance sheet for the Commonwealth of Pennsylvania about \$5.6 billion. The State's income has been such that that balance fund is probably closer to \$6 billion as we speak, Madam President. So, what does that mean? What that means is that the State's fiscal situation is strong. The State's fiscal situation is extremely healthy. In fact, in fact, Madam President, the State's fiscal situation is the strongest that it has ever been in the history of the Commonwealth of Pennsylvania, with a \$5.1 billion Rainy Day Fund and approximately \$6 billion in the State's budget balance waiting for us to hear from Governor Shapiro in his budget address in March. We are fiscally strong. We are in a good position financially. Clearly, these projects cannot wait. Clearly, if we move this measure in Senate Bill No. 35, \$225 million, according to the Pennsylvania Department of Transportation, the impact is from PennDOT is a \$225 million impact if this measure goes through. We need to move these projects forward; we need to make sure that our communities are safe on the transportation side; we need the workers who will do these projects to continue to work; and we need the communities to benefit from these projects. And we certainly do not need to jeopardize Federal funding coming in that could be impacted by the State's commitment or a lessening of the State's commitment.

Madam President, I ask for a "yes" vote on amendment No. A0020, which would transfer \$225 million from the General Fund to the Motor License Fund.

Thank you very much, Madam President.

LEGISLATIVE LEAVE

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

Senator LANGERHOLC. Madam President, I request a legislative leave for Senator Martin.

The PRESIDENT. Senator Langerholc requests a legislative leave for Senator Martin. Without objection, the leave will be granted.

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

HUGHES AMENDMENT A0020 TABLED

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

Senator LANGERHOLC. Madam President, I would respectfully ask to make a motion to table this amendment. And I fully respect the gentleman from Philadelphia's long history of experience within the Committee on Appropriations and the fiscal note and understand his concern with respect to this change within the average wholesale price of gasoline, and I will speak to that, too, in my remarks on the floor. But I would submit that it is premature at this point, as this is revenue that is calculated to take effect throughout this year, and it has only been effective since January 1, and prospectively that \$225 million would be realized through this year, 2023. And I look forward to continuing the discussions with this body to discuss how we can fund those areas. And one, interestingly enough, out of the Committee on Transportation being some legislation dealing with the Motor License Fund that garnered some opposition in the committee meeting. But again, I look forward to the debate, the conversation, and how we can fund these projects going forward. But I will point that this is money that is prospective, and I would respectfully make a motion to table the amendment.

Thank you, Madam President.

The PRESIDENT. Senator Langerholc moves that the amendment be laid upon the table, and that motion is not debatable.

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

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

YEA-27

Argall	DiSanto	Martin	Rothman
Aument	Dush	Mastriano	Stefano
Baker	Farry	Pennycuick	Vogel
Bartolotta	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman	Laughlin	Robinson	

NAY-21

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

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

The PRESIDENT. The amendment is laid upon the table.

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

On the question,
Shall the bill pass finally?

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

Senator SCHWANK. Madam President, I, too, am pleased to finally say Madam President, albeit late today. Look, it is no source of pride for any of us that our gas tax is one of the highest in the nation. We know, we all heard it: the impacts on consumers, and let us not forget the impacts on businesses large and small in terms of the costs of doing business because of the price of gas. It is something that people talk about all the time, and I too would love to be able to address this issue, but what I would say is that I believe it is irresponsible to freeze, in perpetuity, the current gas tax, our primary funding stream for vital transportation funding, without a plan in place. Without a plan to understand how we will fund those projects.

I understand, from listening to some of the comments, that there is legislation to also look at the amount of money that is going out of that fund to help pay for our State Police. I will note in full disclosure, my community relies on State Police for police coverage, and so that is an important factor to communities throughout the Commonwealth as well. What I would suggest might have been a better idea was to freeze it for a year and give us the time, adding the input of a lot of the different associations and parts of the industry that have weighed in on this today that are concerned about us passing this legislation without that plan in place. We all know as well, although we have a high gas tax, the revenue is going down because our vehicles are more fuel efficient. A lot of us are waiting to buy an electric vehicle as soon as the infrastructure is more in place. That would be part of what this could fund, right? And do not forget the fact that if we reduce this funding, how will this impact Federal funding that comes to us in terms of transportation infrastructure? There are so many details about this that I do not know. I am not on the Committee on Transportation, but I do not think the public knows, either. So, we really, really, I think, need to step back and take a look at this. I would certainly welcome conversations about that, but for right now, I will be a "no" vote. Thank you.

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

Senator STREET. Madam President, I rise to oppose this legislation. The National Bridge Inventory of Pennsylvania reports that of the 23,166 bridges in the Commonwealth, 3,198, or 13.8 percent, are classified as structurally deficient. The percentage is even higher in rural Pennsylvania, which is probably 18 to 20

percent. Ninety-one of the structurally deficient bridges are on the Interstate Highway System; a total of 98 percent of the structurally deficient bridges are not on the National Highway System, which includes interstate and other key roads linking major airports, ports, rails, and truck terminals. Those are bridges that PennDOT has to repair. Those are bridges that are key to delivery of goods and services. Those are bridges that are key to Pennsylvanians' daily lives. The State has identified bridges in need of repair are 12,112 bridges and an estimated cost in the billions.

This is not the time for us to be stripping away valuable resources without a solution for how we are going to fund this important infrastructure. Moreover, limiting the money that we have for these infrastructure projects can put the workers who are out there--encourages cost cutting--which could put the workers in unions like mine, Local 57, who are out there working in jeopardy. It restricts our ability to make sure that people are safe. More and more people are using Amazon and using certain delivery services which put more and more vehicles on the road. The ability for us to compete economically, as has been raised, is tied to our ability to have important infrastructure, and there are thousands of jobs of people who work in this infrastructure that could be impacted. This is not the right solution.

Certainly, we have options--as my colleague, the gentleman from Philadelphia, Chairman Hughes, pointed out--we could have taken money to fill this hole. We have chosen not to. Removing these valuable infrastructure dollars impacts the ability of Pennsylvanians to work. It impacts the ability of Pennsylvanians to safely commute. It impacts supply chains in Pennsylvania, and it is fiscally irresponsible and also socially irresponsible with the lives of all of Pennsylvanians who travel. Whether you are in an urban area or rural area, from every corner of the State, we have valuable infrastructure. We should not be doing anything to undermine the ability of the Commonwealth to address our infrastructure needs. For those reasons and more, I urge a "no" vote on this bill.

LEGISLATIVE LEAVES

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

Senator AUMENT. Madam President, I request a temporary Capitol leave for Senator Baker, and legislative leaves for Senator Regan, Senator Laughlin, and Senator Mastriano.

The PRESIDENT. Senator Aument requests a temporary Capitol leave for Senator Baker and legislative leaves for Senator Regan, Senator Laughlin and Senator Mastriano. Without objection, the leaves will be granted.

And the question recurring,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Madam President, once again, I must rise in opposition to Senate Bill No. 35. My rationale is consistent with my comments with respect to the amendment that we offered, which would have transferred \$225 million from the State's General Fund to the Motor License Fund, which would have made up for the projected loss of funding that Senate Bill No. 35 will put in place if enacted. Again, what we are saying here in this

matter, Madam President, is that there will be a reduction of \$225 million, and that funding relates directly to projects that will not get done, safety that will not be put in place, and jobs that will not be created. And those jobs are not just the construction jobs, those are the jobs and the economic development, economic opportunity that will come from safer bridges and highways and expanded, 21st century ways of moving from place to place, transportation. And so, we are losing, losing the opportunity to move this Commonwealth forward with respect to our transportation system, and we are also jeopardizing potential Federal funds that could come to Pennsylvania that relate directly to State commitment.

And finally, Madam President, let us be clear. What we have seen in these reductions in gas taxes is that, in fact, 9 times out of 10, they do not make it to the consumer. They do not make it to the customer. There is no guarantee that they will come all the way down to the purchaser of the gas. So, Madam President, we must be, we must be thoughtful about how we go down this path. We are losing \$225 million in projects. We are losing \$225 million in safety improvements. We are losing jobs that will be created, not just in the construction side, but in the economic development of new highways, new bridges, new transportation projects that will make our communities much more economically relevant. And again, there is no guarantee in place that the reduction will find itself to the consumer. That, in many respects, Madam President, is a form of what we not so affectionately call "voodoo economics." It just does not work, Madam President. And once again, when provided with the opportunity to do a transfer of General Fund dollars to the Motor License Fund to replace the dollars that we project will be lost, that idea, that concept was placed on the table. There is no opportunity to fill these dollars that will be lost if this measure goes into place. This is a problem, Madam President. I urge a "no" vote.

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

Senator DUSH. Madam President, congratulations. It is good to say that, and I would like to address something that was just brought up by the previous speaker. We know that, in fact, those prices were immediately passed on to the consumer because many of us already had reports of the--at 12:01 on January 1, those signs being changed at the gas stations. So yes, it was immediately passed on to our consumers. Now, I had not planned on getting up, but I have to tell you, I am 80 miles from the Ohio line. I have many of my constituents who work out a little bit further west, who take 5-, 10-gallon gas cans with them. And while they are out there, they will travel across the line, fill up their trucks, fill up the gas cans, and bring them back. And it is a viable option for them, and it works for them. It saves them money. And the Commonwealth is losing money by the people in western Pennsylvania who are actually out there doing that. Many of the people who are close, they can do it a lot more than my constituents can. But it is getting to the point, right now, with the difference between the gas prices in Pennsylvania and Ohio that it is tempting, sometimes, for people to just head out there and fill some stuff up and bring it back with them and make an individual effort to make that trip, not just while they are out there on business or with families. So quite honestly, this is impacting us already. So, I think having this freeze is a good thing, and I

think it is a wise and prudent thing to do, and I urge a "yes" vote. Thank you.

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

Senator LANGERHOLC. Madam President, I rise to ask for support for Senate Bill No. 35. We all want to be number one in life, in sports, in everything. Unfortunately, we are number two. That is not a good thing. We are number two in gas tax, in gas prices. And we moved up from number three to number two, so we should all be celebrating. However, that is not the case. Now is not the time to continually put this on the backs of hardworking Pennsylvanians. It is projected to be about a 3-1/2-cent increase, 4 1/2 cents for diesel, and 0.1 per kilowatt hour for electric. And I think that last component of this really loses sight in this overall discussion: electric. More heating costs for Pennsylvania residents; more gas cost for Pennsylvania residents; more shipping costs for Pennsylvania residents. Now is not the time. And I want to clear something up as well. There is no hole here. There was some mention that there is a hole; we have to fill a hole. This is prospective, this is January 1 this year to the end projected at \$225 million. So, there is nothing here that has been allocated that is in jeopardy of being lost. I want to make that clear.

And you want to talk about bridges, you want to talk about safety. And I am not standing here saying that we do not need critical infrastructure, we do not need roads and bridges. I have said that ad nauseam. You know, people pay taxes. They want a good road to drive on; they want police, fire protection; they want a good school to send their children to. Those are core functions of government, core functions of what we are about here and why we are sent to Harrisburg to represent our constituents. But you want to talk about bridges? Ask PennDOT how much they put us on the hook for over the next several years with their major bridge project program. You want to talk about jobs? Ask PennDOT why they wrote the bid structure to preclude any Pennsylvania-based company from being a lead contractor on any of that bridge replacement. So yeah, maybe I am not crazy about just rising and giving this money to PennDOT until I see a little bit of fiscal management.

Maybe 3 1/2 cents may not seem like a lot. I do not think people are going to be driving all this time to find cheaper gas, but it is about the principle. Why is that always the answer in this body? Let us pass it along; let us just raise taxes; let us do this fee, this tax, this toll. It is nonsensical. And I think it bears mention as well, it is due in direct result from the failed energy policies of the Biden Administration and our Governor: the attack on energy. This has skyrocketed. Act 89 was introduced--not many Members of this body were present for Act 89; I was not--that trigger was built in at \$2.99 as the average wholesale price. Now that has gone to \$3.17, and just about 2 years ago, it was about \$1.48. I mean, it has over doubled in that short period of time, on this war on energy. So, that is why we see ourselves here today. We have a duty to our constituents. Let us give them a little bit of hope here. I mean, they have been getting beat down on so many levels, on so many things: energy prices, historic inflation. So yeah, I am not for this. I do not think any elected official should be for this. It might be a different argument. I might give some credence to it if it was already-allocated money that was there, that was set. But when you have this calculated around September, you know, a few short months ago, that what this is going to be--\$225

million--and then all of a sudden we are at this critical function. I do not buy it. We need to have the discussion, and I am all for that. As chair of the Committee on Transportation, I am all about talking about real revenue options and about appropriate spending.

We have a duty to our residents to ensure that tax dollars are spent wisely, and they are not. They are not. We need to fund bridges. We need to fund critical infrastructure. But I am telling you, when I hear that PennDOT goes through PEDFA and puts us on the hook for ridiculous amounts of money--and not even to a Pennsylvania company--I have a problem with that. I am going to go to bat for Pennsylvania companies, and I am not advocating that they lose any dollars, but we need to give them the opportunity to do this work, and we have not. I do not want to say we have not; PennDOT has not. PennDOT had a great opportunity when this body passed another piece of legislation--Senate Bill No. 382--which stopped the bridge tolling. We had a great opportunity, and we said we are not going to toll when the Governor signed that piece of legislation into law. We could have cut that back. We could have looked at those nine bridges that were candidate bridges, and we could have done it right. But they chose to go the route with this Australian conglomerate when it could have been a win for Pennsylvania companies, and it was not. So yeah, I am not crazy about just continually putting this on the back of Pennsylvanians. We can send a message here; we can stop this. As I said, it is prospective. There are not any projects that are in dire need that this money has been allocated to. We can put a stop on this; we can work together. We can find other revenue sources, which we have talked about, which we will continue to talk about, and do it right, and get a product out of here that all Pennsylvanians can be proud of, and that Pennsylvania workers and families will benefit from. I ask for an affirmative vote for Senate Bill No. 35.

Thank you, Madam 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	DiSanto	Laughlin	Robinson
Aument	Dush	Martin	Rothman
Baker	Farry	Mastriano	Stefano
Bartolotta	Flynn	Pennycuick	Vogel
Boscola	Gebhard	Phillips-Hill	Ward, Judy
Brooks	Hutchinson	Pittman	Ward, Kim
Brown	Langerholc	Regan	Yaw
Coleman			

NAY-19

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

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.

UNFINISHED BUSINESS PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Madam President, I rise because today makes 6,030 days since this Commonwealth's legislature last passed an increase in our State's minimum wage. Madam President, I have come into this new legislative Session optimistic. Optimistic because we have the chance to right the wrongs of more than a decade and a half. Optimistic because I truly believe the majority of this body agrees with me that our poverty-level minimum wage is too low. Optimistic because we have the chance to finally put Pennsylvania's lowest earners on a path to \$15 an hour.

Raising the minimum wage is not just a Pennsylvania or Harrisburg conversation, though. This week, United States Senator Bernie Sanders from Vermont highlighted the importance of raising our poverty-level Federal minimum wage, which, due to legislative inaction from our Commonwealth, our workers are subject to. In terms of labor and our economy, we must recognize that we live in a period of more income and wealth inequality than at any time in the last 100 years. While the very rich become richer and 3 people now own more wealth than the bottom half of American society, 60 percent of American workers live paycheck to paycheck and millions are trying to exist on starvation wages. Meanwhile, we have a pathetic Federal minimum wage of \$7.25 per hour, which has not been raised since 2009, and Senator Sanders later said: "The American people know that no one can survive on \$7.25 an hour minimum wage and they want to raise the minimum wage to a living wage." And Madam President, I agree. Our minimum wage is pathetic. No one can survive on it, and no one should allow employers to pay starvation wages. Our job here as State legislators is not to hope that the Federal government will do the right thing. Our job as State legislators is to ensure Pennsylvanians are protected and their government is acting in their best interest regardless of what is happening in Washington. That is why I introduced legislation to put Pennsylvania on the path to \$15 an hour, because I am sick of waiting for the Federal government. Let us take the power back in our own hands and ensure all Pennsylvanians earn a living wage.

Thank you, Madam President.

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

Senator DUSH. Madam President, January is National Human Trafficking Prevention Month, and January 11 is National Human Trafficking Awareness Day. In 2010, the President of the United States dedicated January to raise the awareness about human trafficking and to educate the public on how to identify and prevent this social scourge. However, human trafficking is such a terrible plight that we need to be focused on this issue every day, not just one month or one day of the year. It is, right now, the second-largest business in the world and is predicted to surpass illegal drug trafficking as the number-one business in the world in the very near future. Think about what this is doing to the victims of this. We need to proactively battle against human trafficking

before this happens in our Commonwealth. It starts with public awareness and recognition of the severity of this problem and how to help our vulnerable children. With public awareness in mind, Senator Langerholc and I participated in a pastors' conference in October 2022 to educate our local communities about exactly what this problem is. This is one of my top priorities, and we need to have some strong supporters in our community, and we already do, who are helping on the front lines of this every day. Our advocates include international organizations along with local and regional nonprofits. Organizations such as Shared Hope International, The Foundation United, and ZOE have provided manpower and expertise to our cause. These organizations, led by CEOs such as former Representative Linda Smith; international speaker and survivor, Elizabeth Melendez Fisher Good; and individuals like Brad Ortenzi work with our politicians, prosecutors, law enforcement officers, schools, medical professionals, and social workers to help them better recognize, treat, and help recover victims of human trafficking. At the same time, these organizations provide expertise in creating legislation and training programs for law enforcement to better deal with the perpetrators of human trafficking and buyers of sex, the very reason there is such a dramatic increase in human suffering with this crime. Some of these organizations provide law enforcement personnel with training on how to deal with victims they encounter in order to get these victims to seek out the help that they need. This impressive group is joined by just as an impressive local talent: people like Jordan Pine from the Greenlight Operation here in Harrisburg; Joe Sweeney from The Asservo Project out in western Pennsylvania. It takes a whole community to fight human trafficking. These organizations are the grassroots, but the legislature has to give them the tools necessary through legislation. We must take a three-pronged approach to fight human trafficking. Communicating the societal problems of human trafficking, while educating the public on how to recognize and combat what is the second-biggest business in the world, is one of the first and key steps. Second, rescuing men, women, and children from the clutches of this life-destroying evil. Third, providing the help to recover those whose lives have been destroyed by the traffickers, saving a soul. As legislators, we can speak to the public and provide the legal framework, support, and advocate for resources to fight against human trafficking.

Let this year be the year that we fight on the side of angels and pass meaningful legislation to increase the safety of our children and even the young adults who end up getting pulled into this scourge. As we celebrate another new year, we should begin with the efforts to defend our most vulnerable members of society, our children. It is time for us to come together as a society and recognize, identify, and prosecute the perpetrators while educating, protecting, and recovering our children from human trafficking. It is a tough fight, but we are a tough Commonwealth.

God bless you, and may God bless America. And also, to the people who are out there and fighting this already and having to witness some of the things that are being videoed and the impact on these young people, our prayers are with you.

Thank you, Madam President.

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

Senator COSTA. Madam President, on behalf of Senator Haywood, I offer the following resolution and ask that it be considered and adopted [sic]. Thank you.

The PRESIDENT. Senator Costa, for the record, are these remarks to be spread upon the record?

Senator COSTA. Yes, that is correct, Madam President. I apologize.

The PRESIDENT. Thank you. Without objection, the remarks will be spread upon the record.

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

Madam President, I rise to offer remarks on Senate Bill No. 35. While I fully support the legislation, it is clear that more work needs to be done to eliminate the gas tax. According to the Transportation Revenue Options Commission, which submitted its final report to Governor Wolf in July 2021, gas tax revenues continue to shrink. The gas tax, once a fair and sustainable way to pay for roads and bridges, is antiquated and inadequate. The gas tax places a tremendous burden on everyday Pennsylvanians, particularly those with low and moderate incomes. Pennsylvania is considered one of the "Terrible 10" States with one of the most regressive tax structures in the U.S. The high gas tax demonstrates the need for progressive taxation in Pennsylvania. We must act now to place the Commonwealth on a path to economic stability and sustainability while providing relief to Pennsylvanians at the pump.

RECESS

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

Senator AUMENT. Madam President, I move that the Senate do now recess to the call of the President pro tempore.

The motion was agreed to by voice vote.

The PRESIDENT. Without objection, the Senate stands in recess to the call of the President pro tempore.

AFTER RECESS

The PRESIDING OFFICER (Senator Michael R. Regan) in the Chair.

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

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I move that the Senate do now recess until Friday, January 13, 2023, at 10:04 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 10:59 p.m., Eastern Standard Time.