

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, MAY 2, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 19

**SENATE**

TUESDAY, May 2, 2023

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

The PRESIDENT (Lieutenant Governor Austin A. Davis) in the Chair.

**PRAYER**

The Chaplain, Reverend ANDREW LADDUSAW, of Living Water Church, Kittanning, offered the following prayer:

I just want to say thank you to Senator Pittman for inviting me here and genuine thanks to all of you. You have an amazing job, and I am thankful for every one of you.

Let us go to the Lord in prayer.

Father God, Your glory and beauty are beyond comprehension. Help all of us in this place today to see You for who You are in all of Your perfection. Let us live our lives today in that knowledge that we would act and speak with great humility towards each other and in complete submission to You. Father, I pray that Your will would be done in this place today, and on these grounds in perpetuity. That our great Commonwealth would become a place that reflects Your kingdom here on Earth as it is in Heaven. I thank You for the many blessings that You have bestowed upon us. We live far better than we deserve, and in spite of our faults, You have continued to care for us day to day, help us never to take that for granted. Let every heart in this place be thankful as we move through the day ahead. Lord, I pray that this place will become a place of genuine repentance, that the humility that You bring about would lead us to ask forgiveness for the wrongs of the past done in this place, wrongs done in our own lives, and wrongs done toward each other. And that through Your Son, a culture of forgiveness and mercy would take hold and be rooted in everything that we do. That broken relationships would be mended, that our pride would die, and that Your glory would become our highest shared goal. And lastly, Father, I ask for protection on this place from Your heavenly host. That any attacks of enemies would be totally and completely rebuked, and that Your business would be accomplished without hindrance. This is Your State, this is Your Senate, these are Your people. May You reign supreme in our hearts and in this place today. Holy Spirit come. In Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Laddusaw, who is the guest today of Senator Pittman.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATION FROM THE GOVERNOR**

**CORRECTION TO NOMINATION  
REFERRED TO COMMITTEE**

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

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION**

May 2, 2023

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

Please note that the letter dated May 1, 2023, for the recall of the nomination dated February 23, 2023, of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Jarrad Berkihiser, Lancaster, resigned, should be corrected to read:

I do hereby recall my nomination dated February 23, 2023, of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Jarrad Berkihiser, Lancaster, resigned.

**APPOINTMENT BY THE  
PRESIDENT PRO TEMPORE**

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

Senator Greg Rothman as a member of the Public School Employees' Retirement Board.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 100 (Pr. No. 656)**

An Act providing for patient access to diagnostics and treatments for Lyme disease and related tick-borne illnesses; and requiring health care policies to provide certain coverage.

**SB 205 (Pr. No. 177)**

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

**SB 262 (Pr. No. 225)**

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

**SB 414 (Pr. No. 361)**

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

**SB 500 (Pr. No. 484)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for medical assistance coverage for pasteurized donor human milk.

**SB 549 (Pr. No. 687) (Amended)**

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in medical professional liability, providing for informed consent in pelvic, rectal and prostate examinations.

**SB 555 (Pr. No. 552)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in 2022-2023 budget implementation, further providing for Department of Human Services.

Senator ARGALL, from the Committee on Education, reported the following bills:

**SB 97 (Pr. No. 689) (Amended)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for community-engaged schools; establishing the Community-Engaged School for Success Pilot Program; and imposing duties on the Department of Education.

**SB 290 (Pr. No. 264)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for moment of silence on September 11 anniversary.

**SB 353 (Pr. No. 283)**

An Act providing for display of the Preamble of the Constitution of Pennsylvania in each school building.

**SB 456 (Pr. No. 436)**

An Act providing for display of the Preamble of the Constitution of the United States in each school building.

**SB 460 (Pr. No. 513)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, establishing the Child Reunification Program in the Department of Education.

**SB 647 (Pr. No. 690) (Amended)**

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 Economic Education and Personal Financial Literacy Programs; in credit card marketing, further providing for regulation of on-campus credit card marketing; and abrogating regulations.

Senator ROTHMAN, from the Committee on Game and Fisheries, reported the following bills:

**SB 146 (Pr. No. 120)**

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for exemptions from license requirements.

**SB 344 (Pr. No. 688) (Amended)**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

**SB 411 (Pr. No. 360)**

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for disabled veterans and former prisoners of war and for deployed Pennsylvania National Guard members and repealing provisions relating to reserve component of armed forces members.

Senator GEBHARD, from the Committee on Community, Economic and Recreational Development, reported the following bills:

**SB 248 (Pr. No. 212)**

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, establishing the Veteran-owned Business Loan Guarantee Program.

**SB 497 (Pr. No. 691) (Amended)**

An Act providing for advanced manufacturing facilities and infrastructures through business partnerships with State-related institutions; establishing the Max Manufacturing Initiative Fund and Max Manufacturing Endeavor Loan Fund; and imposing powers and duties on the Department of Community and Economic Development.

**LEGISLATIVE LEAVES**

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

Senator PITTMAN. Mr. President, I request temporary Capitol leaves for Senator Mastriano and Senator DiSanto, and a legislative leave for Senator Pennycuik.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Schwank and Senator Hughes, and legislative leaves for Senator Cappelletti and Senator Anthony Williams.

The PRESIDENT. Senator Pittman requests temporary Capitol leaves for Senator Mastriano and Senator DiSanto, and a legislative leave for Senator Pennycuik.

Senator Costa requests temporary Capitol leaves for Senator Schwank and Senator Hughes, and legislative leaves for Senator Cappelletti and Senator Anthony Williams.

Without objection, the leaves will be granted.

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of March 1, 2023, is now in print.

The Clerk proceeded to read the Journal of the Session of March 1, 2023.

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

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Hughes has returned, and his temporary Capitol leave is cancelled.

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

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

**YEA-50**

Argall	Culver	Langerholc	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
Costa	Kearney		

**NAY-0**

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

The PRESIDENT. The Journal is approved.

**CALENDAR**

**SECOND CONSIDERATION CALENDAR**

**SB 671 CALLED UP OUT OF ORDER**

**SB 671 (Pr. No. 671)** -- Without objection, the bill was called up out of order, from page 3 of the Second Consideration Calendar, by Senator PITTMAN, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 671 (Pr. No. 671)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for title of act; providing for local taxes in cities of the first class, for prohibition of tax on certain individuals and for reimbursement of taxes; and making repeals.

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.

**GUESTS OF SENATOR JOE PITTMAN  
PRESENTED TO THE SENATE**

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

Senator PITTMAN. Mr. President, it is a deep honor today to have the pastor preside over the Senate from my district from Kittanning, Pennsylvania, Pastor Andrew Laddusaw, and his beautiful family has joined him: his daughter, Abigail; his wife, Elizabeth; his daughters, Joanna, Lily; and son, Malachi. Andrew, beyond his pastoral service, has been a great asset to our community through his community service. It is an honor to have him with us today. It is an honor to have his family here with us, and I ask that the Senate provide him its usual warm welcome.

The PRESIDENT. Would the guests of Senator Pittman please rise and be welcomed by the Senate.

[Applause.]

**GUESTS OF SENATOR SCOTT F. MARTIN  
AND SENATOR CAMERA C. BARTOLOTTA  
PRESENTED TO THE SENATE**

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

Senator MARTIN. Mr. President, it is truly an honor to rise today to welcome a special guest who joins us today to celebrate committee passage of legislation to help reunite missing children with their families.

NFL legend Mike Singletary made the trip to Harrisburg to support the Child Reunification Act, a bill I am sponsoring with Senator Camera Bartolotta to provide free child ID kits to parents. The American Football Coaches Association has been one of the leading voices on this effort for more than two decades, and I thank them for helping to bring an NFL Hall of Famer and a Super

Bowl champion to support our legislation. Mike Singletary's accomplishments as a player are unparalleled. He was a 2-time NFL Defensive Player of the Year, a 10-time pro bowler, and the 1990 NFL Man of the Year. He helped lead a historic Chicago Bears defense that smothered the New England Patriots in a 46-10 Super Bowl victory. That 1985 Bears defense is widely considered to be one of the greatest units in NFL history. After his playing days, he coached for several NFL teams, including serving as head coach of the San Francisco 49ers. I thank Coach Singletary for joining us today, and I appreciate him making the trip here for such a great cause of supporting the National Child ID Program and our ongoing efforts to make this resource available to families like 32 other States. My colleague Senator Bartolotta will also introduce other esteemed guests who have joined us today for today's committee vote. But I ask the Senate to please give NFL Hall of Famer Mike Singletary our customary warm Senate welcome.

The PRESIDENT. Would the guest of Senator Martin please rise and be welcomed by the Senate.

[Applause.]

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

Senator BARTOLOTTA. Mr. President, I know there will be a long line formed to shake our wonderful guest's hand before we leave today. I would like to take this opportunity to briefly follow-up on the introduction just made by my colleague Senator Martin. Coach Singletary now devotes a great deal of his time and effort to advocate for child reunification programs across the entire country on behalf of the NFL Alumni Association, and Pro Football Hall of Fame, and the National Child ID Program. He is here today in Harrisburg along with his colleague Kenny Hansmire--he is the executive director of Child ID--in support of the legislation that we just passed out of the Senate Committee on Education today that would establish the Child Reunification Act in Pennsylvania, known as Senate Bill No. 460.

Mr. President, these men are Hall of Famers on and off the field, and I am truly grateful for their advocacy, for them doing this great, great work across the entire country. We hope that Pennsylvania is the 33rd State to stand up and protect our children. And I look forward to continuing this effort with Senator Martin, as well as the rest of all of our colleagues in the Senate. So, thank you, Mr. President, and I ask the Senate to give them its usual Senate welcome.

The PRESIDENT. Will the guests please rise and be welcomed by the Senate.

[Applause.]

### **GUESTS OF SENATOR PATRICK J. STEFANO AND SENATOR CAMERA C. BARTOLOTTA PRESENTED TO THE SENATE**

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

Senator STEFANO. Mr. President, I rise today to recognize a special guest. Brianna Hensch, who you will hear from momentarily, was named the 2022 Bituminous Coal Queen and is joined by her parents, Greg and Dee [Denise] Hensch. Today is a special day because it is the first time we have been able to recognize the Coal Queen here since the beginning of the pandemic. Brianna, representing Laurel Highlands High School in Fayette County,

was selected from a field of eight contestants to be named the Coal Queen. And as a father of a Coal Queen, I understand how difficult that selection process was and what she had to do to participate in various competitions, including an on-stage question segment, personal interview, on-stage talent segment, and the evening gown competition.

In addition to winning the overall crown, she received the titles of Miss Photogenic and Top Evening Gown. Her crowning is a testament to her values, her work ethic, and incredible drive as she now represents the coal industry, which was a major economic driver in her region. Brianna is currently a senior at Laurel Highlands High School. She is an honor student with a 4.36 GPA and is committed to attending West Virginia University, majoring in pre-pharmacy. Brianna has been a great advocate for the coal industry during her reign, and I wish her luck in her future endeavors. Please give Brianna and her family a warm Senate welcome.

Thank you, Mr. President.

[Applause.]

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

Senator BARTOLOTTA. Mr. President, I echo the comments made by my colleague Senator Stefano, as the wonderful Coal Queen is on the Senate floor with her parents for a wonderful honor that literally goes back over 60 years. We have been doing this in the Senate for a very, very, very long time. And the coal pageant is about 60 years older or longer. Bringing the Coal Queen to the floor is something that has been--it is older than, well, a lot of us on the floor here in the Senate. So, I am very proud that Brianna and her family could join us.

The Pennsylvania Bituminous Coal Queen Pageant is an annual event held in Greene County in my district and is hosted by the King Coal Association. It is a week-long celebration of events and festivities, with a primary focus on ending the week with the Pennsylvania Coal Queen Pageant. Contestants for the pageant are selected from their respective area high schools. Each district is only permitted to send one young lady to the annual pageant. This past year, Brianna was selected to represent Laurel Highlands High School. Brianna was one of eight contestants competing for the title, and, as was said before, the pageant contestants participate in a variety of contests, ranging from personal interview, talent, evening gown, and on-stage questions.

Brianna is an accomplished dancer and will be graduating this year as an honor student with a GPA of 4.6--not an easy task. In the fall, she plans on pursuing a pharmacy major, which will incorporate her love of math and chemistry. Many thanks today also to pageant director Lisa Allison, a Greene County constituent who has been running this amazing organization for many years. This pageant has provided so many young ladies with the opportunity to highlight their talents and academic achievements. Please join me today in giving Brianna Hensch, 2022 Pennsylvania Bituminous Coal Queen, and her family a warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Stefano and Senator Bartolotta please rise and be welcomed by the Senate.

[Applause.]

**SPECIAL ORDER OF BUSINESS  
2022 BITUMINOUS COAL QUEEN  
PRESENTED TO THE SENATE**

The PRESIDENT. Ms. Hensh, it would be our honor if you would now address the Senate.

Ms. HENSH. Good afternoon. I stand here very honored to be representing the 2022 Pennsylvania Bituminous Coal Queen. The history of bituminous coal in Pennsylvania dates back to the mid-18th century and continues to be a vital energy resource today. Pennsylvania is the third-largest coal-producing State in the country, and I am very honored that both my great-grandfathers were miners who worked in the coal mines of Pennsylvania. Foremost, I would like to commend the officers and members of the King Coal Association of Carmichaels, PA. This association was formed back in 1953 and decided to create a festival to bring attention to the bituminous coal region. Today, the King Coal Festival has grown with additional entertainment and exhibits. There are many dedicated volunteers and patrons that make it all possible.

The Coal Queen Pageant has also been carried out since 1954. There were eight different school districts represented in the pageant this past year. This event brings many surrounding communities together to celebrate the coal industry. Carmichaels, the city that hosts this annual event, is a very impressive and close-knit town which I am very thankful that I had the opportunity to visit. The King Coal Festival did have a 2-year hiatus in 2020 and 2021 because of the COVID-19 pandemic. COVID-19 in early 2020 also caused some difficult times in the coal industry. During the pandemic, there was a decrease in demand that led to some of the mines shutting down across many companies, including Pennsylvania; though the energy crisis of 2021 and 2022 has helped revive the coal industry.

Coal is a resource we cannot afford to lose. According to the PA Coal Alliance, coal accounts for 24 percent of electricity nationwide, and 61 percent of Pennsylvania coal goes to creating electricity. Coal is needed to make steel and cement, and they are both needed to build organizational structures and facilities. The coal industry provides nearly 18,000 jobs in Pennsylvania. Coal continues to fuel our economy and needs to thrive. We are so fortunate to have this resource in Pennsylvania. We need to continue to celebrate the coal industry. My hope is that the town of Carmichaels will continue to carry on their legacy of honoring the past and future of coal for years to come. Thank you.

[Applause.]

The PRESIDENT. Congratulations, and thank you, Miss Hensh.

**GUEST OF SENATOR KRISTIN PHILLIPS-HILL  
PRESENTED TO THE SENATE**

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

Senator PHILLIPS-HILL. Mr. President, I rise today to introduce an exceptional student, Olivia Lowry from Dallastown Area Senior High School. Olivia brought home gold at the Lincoln-Douglas Debate during the 2023 Pennsylvania High School Speech League State Championship at Bloomsburg University. Competing with her words, Olivia articulated her points with great poise and confidence. Under the direction of her coach,

Tiffany Dacheux, Olivia has gained the tools needed to be an effective communicator, a critical thinker, and a leader.

She is the co-captain of the speech and debate team at Dallastown High School. She is involved in numerous other extracurricular activities, including Girls Learn International, student advisory board, and is a youth delegate to the United Nations. Only a junior at Dallastown, Olivia has such a bright future ahead of her, and I look forward to seeing what she accomplishes this summer at the National Catholic Forensic League Championship in Kentucky, and the National Speech and Debate Association competition in Arizona, and what she accomplishes during her senior year and beyond. Would my colleagues please join me in giving Olivia a warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Phillips-Hill please rise and be welcomed by the Senate.

[Applause.]

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Schwank has returned, and her temporary Capitol leave is cancelled.

**GUESTS OF SENATOR MARTY FLYNN  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Flynn.

Senator FLYNN. Mr. President, I rise today to introduce 25 exceptional high school seniors from the 22nd Senatorial District in Lackawanna and Luzerne Counties. These students are participants in my second annual Student Ambassador Program, which includes representatives from every high school in my district. Selected through a rigorous application process, these students have joined me for daylong sessions once a month since January to learn about Pennsylvania State government and the legislature. Each month, the student ambassadors have studied integral aspects of State government. Thus far, they have learned about the makeup of the legislature, district office functions, legislative redistricting, Senate committees, the appropriations process, how bills are drafted, and the journey a bill takes to become law.

Additionally, the students had the opportunity here to interact with State Representatives, mayors of Scranton/Wilkes-Barre, and even received a surprise visit from our Governor, Josh Shapiro, in March. Today, the students toured around the Capitol and had the opportunity to interact with three very prominent natives of the 22nd Senatorial District. First, they watched the Senate Committee on Transportation hearing to consider the nomination of Mike Carroll as Secretary of Transportation. Later, they had lunch and a meet and greet with Acting Secretary Jason Kavulich and State Police Commissioner Chris Paris. All three of these men, very exemplary public servants and representatives of northeastern Pennsylvania. Throughout this experience, these young ambassadors have been working in small groups to create their own legislative proposals. And then in June, the groups will present their ideas, research, and final pieces of legislation to both their State Representatives and myself, and we will choose a winning proposal which we will introduce formally as a bill.

These students have demonstrated a genuine interest in public service and community activism. They have been enthusiastically

engaged in each session, posing insightful questions to our speakers. They are an incredibly driven group of individuals, and they each possess the motivation and curiosity required to truly make a difference in the world. I have no doubt that they will be future leaders not only in northeastern Pennsylvania but throughout the Commonwealth. So, please join me in giving my student ambassadors a warm Senate welcome. Thank you.

The PRESIDENT. Would the guests of Senator Flynn please rise and be welcomed by the Senate.

[Applause.]

### GUESTS OF SENATOR MICHAEL R. REGAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, with us today are the players and coaches of the 2022 PIAA Class AA field hockey State champions, the Mechanicsburg Area Senior High School Field Hockey Team. These Wildcats had a hard-fought championship game against Palmyra Area High School but brought home the victory and the State title in overtime, and they did so when it counted most. Mechanicsburg ended their season with a record of 21 wins, 4 losses, and 1 tie. That one tie and two of those losses were to Palmyra. But, in the end, Mechanicsburg came out on top with the State championship title, much to the chagrin of my colleague Senator Gebhard.

Also, and this is significant, Mr. President, theirs is the first PIAA State team championship in Mechanicsburg High School history, and many members of the community, including parents, teachers, and classmates, were there to witness their monumental win, thanks to the game being held at Chapman Field in beautiful Cumberland County. This group of outstanding young athletes was led by head coach, Tonya Brown; assistant coaches, Hannah Brown, Cecilia Clippinger, and Eilene Besselman; along with support from team manager, Annalyn Lichtel. Mr. President, I ask my colleagues to give a warm Senate welcome to the 2022 PIAA Class AA field hockey State champs, the Mechanicsburg Wildcats.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Regan please rise and be welcomed by the Senate.

[Applause.]

### RECESS

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

Senator PITTMAN. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held off the floor immediately, followed by an immediate meeting of the Senate Republican Caucus in the Majority Caucus Room.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for a caucus meeting after the meeting of the Committee on Appropriations.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations to be held off the floor immediately, followed by Republican and Democratic caucuses to be

held in their respective caucus rooms, without objection, the Senate stands in recess.

### AFTER RECESS

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

### LEGISLATIVE LEAVES

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

Senator PITTMAN. Mr. President, I request a temporary Capitol leave for Senator Baker, and legislative leaves for Senator Brown, Senator Aument, and Senator Martin.

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

Senator COSTA. Mr. President, no further leaves.

The PRESIDENT. Senator Pittman requests a temporary Capitol leave for Senator Baker, and legislative leaves for Senator Brown, Senator Aument, and Senator Martin. Without objection, the leaves will be granted.

### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 447** and **SB 598** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

#### LEGISLATIVE LEAVE CANCELLED

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

### CONSIDERATION OF CALENDAR RESUMED

#### SECOND CONSIDERATION CALENDAR RESUMED

#### BILL ON SECOND CONSIDERATION

**SB 153 (Pr. No. 125)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for permit for movement during course of manufacture; and, in powers of department and local authorities, further providing for power of Governor during emergency.

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

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 295 (Pr. No. 269)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of first-time home buyer savings accounts for first-time home buyers in this Commonwealth.

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.

#### BILLS OVER IN ORDER

**SB 360, SB 361, SB 446 and SB 508** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 561 (Pr. No. 559)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

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.

**SB 562 (Pr. No. 570)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for prohibition on expenditures for emission inspection program.

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.

#### LEGISLATIVE LEAVE

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

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

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

#### CONSIDERATION OF CALENDAR RESUMED

#### SECOND CONSIDERATION CALENDAR RESUMED

#### BILL OVER IN ORDER

**SB 645** -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

#### SENATE RESOLUTION No. 45, ADOPTED

Senator PITTMAN, without objection, called up from page 3 of the Calendar, **Senate Resolution No. 45**, entitled:

A Resolution urging the United States Department of Housing and Urban Development to address the process of porting.

On the question,  
Will the Senate adopt the resolution?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Resolution No. 45. This resolution will call on the Federal government to address the issue of porting, and I am going to get into what porting is here in a little bit. This was brought to my attention some time ago, and it deals with public housing. And specifically last summer, Senator Pittman was able to bring the Committee on Urban Affairs and Housing to my hometown of Johnstown to address this issue. And just very briefly, it will call on Federal government to make changes to the porting process. What is happening is: within the city of Philadelphia, there is a waitlist for public housing, and individuals who are on the waitlist--which could be up to approximately 3 years--are traveling to surrounding communities, traveling to Johnstown, in particular, to apply for housing. And what the Johnstown Housing Authority has done is establish a residency requirement, residency preference to this housing situation. So, what is happening however, unfortunately, is that there is no requirement, it is not tied to any type of employment or any type of actual physical proof or time period of being an actual resident of the city of Johnstown. So, what is happening is people are coming there saying that they are a resident and getting on the preferred resident Johnstown list--which there is not a waiting list--obtaining housing, and then either staying or using that to port back to Philadelphia when something may become available. And this is creating a tremendous strain on a variety of services within the greater Johnstown, Cambria County region, specifically education, and I will cite some facts in support of that.

The Greater Johnstown School District has approximately 3,000 students in the current academic year. At the beginning of February, there were 619 students who have either entered or left; that is a significant percentage of transiency within the Greater Johnson School District. Additionally, 2018-2019 academic year, there were 751 students enter or leave the district; 2019-2020, there were 805 students enter or leave the district; 2020-2021, 380; and 2021-2022, 591 students entering or leaving. You can imagine the strain that is putting on, not just the school district, not just the educators, but our social services as well. When there is this much transiency, and speaking to the superintendent in Greater Johnstown--as she testified at the hearing last summer--and being in that school many times and talking to teachers in that school, and talking to the superintendent, also saying--they are talking to students--that they will reiterate: well, I am only going to be here for a week or two, so it does not really apply to me. Great behavioral issues and just a whole host of issues. We need stability for our students, that is taking away from other students who are bona fide residents of Cambria County, of Greater Johnstown. And it is creating a tremendous, tremendous impact. It is also creating a tremendous impact on law enforcement and individuals who may be committing various nefarious acts that, as I speak to some of my colleagues, who I spent time with in the Cambria County District Attorney's Office, there is a large influx of that transient population who are being arrested at the

magisterial district judges and it is creating, again, significant strains on law enforcement and social services as well: fire, police, EMS. So, this resolution will call to address this concern, change this portability requirement in some capacity, and we do not have a lot of regulatory oversight in this area, but the Federal government does--through HUD--and we would call on them to acknowledge this issue, address this issue, and rectify this issue to ensure that those individuals are not able to kind of game the system here within public housing. And make no mistake, I am all for individuals who want to live, work, raise a family in Cambria County in the 35th Senatorial District. And as I am sure all of my colleagues here know, there is no shortage of employment opportunities throughout the Commonwealth. Let us do it and let us do it the right way and stop this abuse of the system.

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

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

Senator COSTA. Mr. President, I guess I stand here a little bit perplexed, that what I hear is that we are seeking a resolution to tell Congress to really address an issue that is a solution in search of a problem. I think at the end of the day, what I heard the gentleman talk about was that some of the issues that are taking place in Johnstown are directly related to the folks who live in Philadelphia. Now, grant you, I recognize that this is anti-Philadelphia week. We are addressing a whole bunch of measures that are aimed at--

#### POINT OF ORDER

Senator PITTMAN. Mr. President, point of order. I do not believe that is relevant to the resolution at hand.

Senator COSTA. You are correct, Majority Leader, I will refrain from recognizing it in the manner that I just did. But the fact of the matter is, the bills we vote on today will bear out what is taking place here in this Chamber. But at the end of the day, what we have here is an accusation that the people of Philadelphia are undermining what is taking place in Johnstown as it relates to housing. With respect to the comment that there are no regulations or no way in which we as a Commonwealth participate in overseeing what is taking place, those individuals who leave whatever county they might be in, come to Johnstown or Cambria County, are required to stay in that county for 1 year. They are contributing to the Cambria County economy while they are staying there, as well as being able to draw upon some of the things that are taking place here. But to hint that they are responsible for some of the things that are taking place in that county that are offensive to people, I just find that offensive to me, and I am not even from Philadelphia. I just think at the end of the day, this is something that is a solution in search of a problem. We should not as a body be going down this path where we are isolating individuals from the community and saying they are the source of the problem as it relates to our housing needs. I find that offensive. I ask my colleagues to join me in a negative vote.

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

Senator STREET. Mr. President, I want to point out that Johnstown is, according to Google Maps, 238, almost 239 miles from Philadelphia. There are literally hundreds of municipalities that do not have waiting lists that are significantly closer. Moreover, there are not very many Philadelphia residents who are moving

to Johnstown. I would suggest that this, again, is a solution in search of a problem. If there are some reconciliations for some small number of people who are moving to Johnstown from Philadelphia, I think it can be handled administratively.

I think this is an absurdity, and that there are--certainly could create issues if you are changing the reconciliation process that is done on an annual basis between counties that are actually adjacent to the city where there are hundreds of people who move back and forth, thousands, between Philly and its suburbs, and in processes that are well, well, well worn. This potentially interferes with that process and is problematic in numerous ways. Moreover, I would suggest that given if someone wanted to go someplace for the purposes of skipping a waiting list, people do not have to go 4.5 hours and 340 miles away from their home to do it. So, Mr. President, I urge a "no" vote on this resolution.

The PRESIDENT. The Chair recognizes, for a second time, the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, just in a brief response to my colleagues from across the aisle. First, I would welcome clarification on this 1-year requirement that exists because we have not found that. I would like to know exactly where that may be. There is no requirement that they stay for a year. And, secondly, with respect to my colleague, the distance of Johnstown, I know he made the offer last time we brought this up to talk, have yet to discuss this issue with him, but, again, I would welcome him to travel to Johnstown, to Cambria County, to observe firsthand the instances that he specifically says do not exist. I would welcome that conversation.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, to the gentleman's question as to where this authority comes from, I am reading it off of the HUD website, referred to as portability, and it specifically references on that website the 1-year requirement along those lines. I would also add, as I understand it, I am not, I am being directed by my staff on this latter point, but, for example, this County of Cambria or Johnstown City, whomever, would have the option of not paying those individuals--they could opt not to pay Philadelphia County for that person that may be leaving from back, who stayed in Johnstown a year, contributed to their economy, and decided to leave in order to avoid the lines that are taking--the waiting list. So, I will provide this information to the gentleman, and to my colleagues as well, so we have it.

Thank you, Mr. President.

The PRESIDENT. Without objection, the Chair recognizes, for a third time, the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, just briefly, I appreciate that. Look forward to discussing that, but just with respect to some of the allegations that were made here with Philadelphia. I would point, and be remiss if I did not, that since 2020, the Philadelphia Housing Authority has taken over \$1 million in outgoing porting costs from the Johnstown Housing Authority. That is fact.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for a second time, the gentleman from Philadelphia, Senator Street.



Senator STREET. Mr. President, and I would suggest that \$1 million in outgoing housing costs over a multiple-year period; so, if you are talking 4 years, that is \$250,000 a year, that is about 5 or 6 people. And the Philadelphia Housing Authority currently serves 90,000 residents a year. So, 5 or 6 people out of 90,000, I would suggest, is not a statistically significant number of people out of 90,000.

And the question recurring,  
Will the Senate adopt the resolution?

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

YEA-29

Argall	Culver	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
Coleman			

NAY-21

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

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

The PRESIDENT. The resolution is adopted.

**BILLS REPORTED FROM COMMITTEE**

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

**SB 140 (Pr. No. 684) (Rereported)**

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in metropolitan transportation authorities, providing for special prosecutor for mass transit.

**SB 243 (Pr. No. 208) (Rereported)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for uniformity in administration of assistance and regulations as to assistance.

**SB 244 (Pr. No. 685) (Rereported)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for uniformity in administration of assistance and regulations as to assistance.

**SB 245 (Pr. No. 210) (Rereported)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for reports to General Assembly.

**SB 671 (Pr. No. 671) (Rereported)**

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for title of act; providing for local taxes in cities of the first class, for prohibition of tax on certain individuals and for reimbursement of taxes; and making repairs.

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 140 (Pr. No. 684) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in metropolitan transportation authorities, providing for special prosecutor for mass transit.

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

**HAYWOOD AMENDMENT A0426 DEFEATED**

Senator HAYWOOD offered the following amendment No. A0426:

Amend Bill, page 1, line 1, by striking out "Title" and inserting: Titles 44 (Law and Justice) and

Amend Bill, page 1, line 2, by inserting after "Statutes,": providing for investigations; and,

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting:

Section 1. Title 44 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

**CHAPTER 9  
INVESTIGATIONS**

Sec.

901. Scope of chapter.

902. Definitions.

903. Application.

904. Full and independent investigation.

905. Referral and report.

906. Public response.

§ 901. Scope of chapter.

This chapter relates to community and police response.

§ 902. Definitions.

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

"Involved police department." A police department that employs an involved police officer.

"Involved police officer." A police officer that is being investigated for the use of deadly force.

"Police department." Any of the following:

(1) A police department as defined in 53 Pa.C.S. § 2162 (relating to definitions).

(2) The Pennsylvania State Police.

"Police officer." Any of the following:

(1) A police officer as defined in 53 Pa.C.S. § 2162.

(2) A member of the Pennsylvania State Police.

"Use of deadly force." An incident in which a police officer applied a use of force and a death occurred as a result.

"Use of force." As described in 18 Pa.C.S. § 508 (relating to use of force in law enforcement).

§ 903. Application.

This chapter applies to a use of deadly force by a police officer.

§ 904. Full and independent investigation.

(a) Selection of team.--The district attorney of the county in which a use of deadly force occurred shall assemble and lead a team, unrelated to the involved police department, of law enforcement personnel and experts to conduct a full and independent investigation into the use of deadly force by an involved police officer in accordance with this chapter. The district attorney may request that the Attorney General perform an investigation authorized under this chapter pursuant to section 205(a)(3) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(b) Prohibition.--Except as provided under subsection (c), once an involved police department transfers jurisdiction to the district attorney to investigate the involved police department, no member of the involved police department may participate in the independent investigation unless the following conditions apply:

(1) Participation is requested by the district attorney.

(2) Participation is in a limited capacity and only as the district attorney deems necessary for the investigation.

(c) Investigation of departmental directives.--An involved police department shall investigate an involved police officer for violations of departmental directives.

(d) Powers and duties of district attorney.--

(1) As part of the investigation under this section, the district attorney shall, without limitation:

(i) Secure and take jurisdiction of the scene of the use of deadly force upon arrival as soon as possible.

(ii) Gather and analyze evidence.

(iii) Conduct witness interviews.

(iv) Review and commission any necessary investigative or scientific reports.

(v) Review audio and video recordings.

(vi) Review photographs.

(vii) Review physical evidence.

(viii) Review geolocation and electronic evidence.

(2) The district attorney shall maintain public trust in law enforcement by ensuring that the investigation under this section is conducted without actual bias or conflict of interest and without an appearance of bias or conflict of interest.

(3) The district attorney shall exercise all other existing powers and duties of jurisdiction relative to any investigation of the involved police department over the scene of the use of deadly force.

(4) The district attorney shall complete the investigation under this section within either of the following time frames:

(i) Within 90 days of the use of deadly force.

(ii) If referred to an investigating grand jury, within 12 months of the referral or the end of the investigating grand jury's term, whichever is sooner.

(5) Upon completion of the investigation under this section, the district attorney shall publish the findings of the investigation on the publicly accessible Internet website of the office of district attorney, subject to any exemptions from access under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or 18 Pa.C.S. Ch. 91 (relating to criminal history record information).

(e) Compliance.--The involved police department shall have a duty to comply with the requests of the district attorney related to the investigation under this section.

§ 905. Referral and report.

(a) Conflict of interest and discretion.--The district attorney conducting the investigation under section 904 (relating to full and independent investigation) shall avoid an actual or apparent conflict of interest when determining whether to file charges against an involved police officer and may either:

(1) Prosecute the case through the district attorney's office.

(2) Refer the case to an investigating grand jury under 42 Pa.C.S. Ch. 45 Subch. D (relating to investigating grand juries), provided the case may only be brought before an investigating grand jury once.

(3) Refer the case to the Attorney General, in which case the district attorney shall:

(i) Notify the Attorney General of the referral in writing within seven days of the decision not to prosecute.

(ii) Subject to subsection (b), publish a report on the publicly accessible Internet website of the office of district attorney within seven days of the decision not to prosecute, subject to any exemptions from access under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or 18 Pa.C.S. Ch. 91 (relating to criminal history record information), which details the incident in which the use of deadly force was applied and provides the reasons that the district attorney declines to prosecute.

(iii) Subject to subsection (c), refer the case and forward all available investigative materials to the Attorney General.

(b) Report.--The report under subsection (a)(3)(ii) shall include, but not be limited to, the following:

(1) Events leading up to the use of deadly force.

(2) Why the use of force was applied.

(3) Utilization of any deescalation techniques.

(4) The behavior and speech of the victim before and during the use of deadly force.

(5) The cause of death on the victim's death certificate and a medical examiner's report.

(6) The behavior and speech by the involved police officer before, during and after the use of deadly force.

(7) Details of the scene and the use of deadly force.

(c) Investigative materials.--Upon referral to the Attorney General, the district attorney shall provide all investigative materials to the Attorney General, including, but not limited to:

(1) Critical facts of the case.

(2) All evidence gathered in the investigation.

(3) Any involvement or connections between the involved police officer and the district attorney.

(4) The report under this section.

§ 906. Public response.

Pursuant to 65 Pa.C.S. Ch. 7 (relating to open meetings), the district attorney conducting the investigation under section 904 (relating to full and independent investigation), or the Attorney General in the event of referral under section 905 (relating to referral and report), shall conduct a public meeting to share information and discuss the use of deadly force with the public no later than seven days after the use of deadly force occurs.

Section 2. Title 74 is amended by adding a section to read:

Amend Bill, page 10, line 4, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

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

Senator HAYWOOD. Mr. President, I would like to say at the outset, Mr. President, you are doing a fantastic job as President, and we appreciate you in this position. Amendment No. A0426 fully replaces Senate Bill No. 140's language with language that requires an independent investigation of any incident involving deadly force by a police officer. Restoring trust between the public and police is vital to strengthening the relationships between law enforcement and communities they serve. Our criminal justice system is meant to be impartial and absent of bias or the appearance of bias or conflict of interest. Even the appearance of conflict of an investigation of a police-involved killing can lead to distrust of law enforcement. Unfortunately, in recent years, that distrust has spilled over into unfortunate civil unrest.

Unfortunately, in 2018, in the district near to you, 17-year-old Antwon Rose died in a police-involved incident in Pittsburgh--outside of Pittsburgh. Protests spread across the city as the public

grew concerned that there would be an adequate investigation of what happened. These similar protests have not just been outside of Pittsburgh, but with the murder of George Floyd, killing of Eric Garner, Michael Brown, the list goes on and on, the public has been concerned that there is a full and fair investigation of these killings. This amendment responds to that call for more trust. What it does is calls for requiring, when there is an officer-involved killing, that the district attorney in the county where the killing occurred conducts the investigation. It bars the local police force that was involved in the killing from doing the investigation. In addition, should the district attorney investigate and determine that they want to decline prosecution, it gives the Attorney General the power to commence an investigation.

Now, this amendment is backed by substantial research and recommendations as best practices. Back in 2015, President Obama's Task Force for [on] 21st Century Policing called upon external and independent investigations of prosecutions involving police officers when someone is shot by an officer. More recently, the Pennsylvania State Law Enforcement Citizen Advisory Committee [Commission], formed under Governor Wolf, recommended independent criminal investigations of all uses of force that resulted in death by police officers. We have had two hearings here in the State Senate on this legislation, and, most recently, Montgomery County District Attorney Kevin Steele indicated a fundamental support of this approach of having independent investigations of police-involved shootings. I quote, he says: having an independent agency allows right and just charges in doing it the right way. Former Police Commissioner Kelly of Abington Township shared with me that he believes independent investigations of shootings helps to clear the name of police officers, so that when they are cleared, the public knows that this was a fair and impartial conclusion to the investigation.

This legislation has never taken the position that the police forces are in any way involved in any wrongdoing. It is only to make sure that we can restore the trust and have independent, impartial review of these incidents, and law enforcement has been in support of this kind of legislation for the same reasons as I have discussed. It is the General Assembly's responsibility to pass laws that ensure the fairness and impartiality over those who we govern. This amendment makes good on that responsibility, ensuring justice, eliminating the appearance of impropriety for all Pennsylvanians. For all of these reasons, Mr. President, I request an affirmative vote on this amendment, A0426, to Senate Bill No. 140.

Thank you, Mr. President.

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

Senator PITTMAN. Mr. President, I would respectfully request a negative vote on the amendment.

LEGISLATIVE LEAVE CANCELLED

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

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

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

YEA-21

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

NAY-29

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Regan has returned, and his temporary Capitol leave is cancelled.

LEGISLATIVE LEAVE

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

Senator PITTMAN. Mr. President, I request a temporary Capitol leave for Senator Robinson.

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

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

HUGHES AMENDMENT A0441 OFFERED

Senator HUGHES offered the following amendment No. A0441:

Amend Bill, page 1, line 16, by striking out "the county of the first class" and inserting:

each county of this Commonwealth

Amend Bill, page 2, line 5, by striking out "the" and inserting:

a

Amend Bill, page 2, line 6, by striking out "in a county of the first class"

Amend Bill, page 2, line 20, by striking out "of the first class"

Amend Bill, page 2, lines 24 and 25, by striking out "of the first class"

Amend Bill, page 2, line 26, by striking out "of the first class"

Amend Bill, page 4, line 7, by striking out "of the first class"

Amend Bill, page 4, lines 19 and 20, by striking out "a county other than a county of the first class" and inserting:

another county

Amend Bill, page 4, line 21, by striking out "the" where it occurs the second time and inserting:

each

Amend Bill, page 4, line 22, by striking out "other than the county of the first class"

Amend Bill, page 4, line 24, by striking out "the" where it occurs the first time and inserting:

each  
Amend Bill, page 4, lines 24 and 25, by striking out "other than the county of the first class"

Amend Bill, page 4, lines 28 and 29, by striking out "of the first class"

Amend Bill, page 5, lines 4 and 5, by striking out "of the first class"

Amend Bill, page 5, line 6, by striking out "of the first class"

Amend Bill, page 5, line 12, by striking out "of the first class"

Amend Bill, page 5, line 24, by striking out "of the first class"

Amend Bill, page 5, line 29, by striking out "of the first class"

Amend Bill, page 6, line 13, by striking out "of the first class"

Amend Bill, page 7, line 7, by striking out "the" where it occurs the first time and inserting:

each

Amend Bill, page 7, lines 7 and 8, by striking out "of the first class"

Amend Bill, page 7, line 12, by striking out "the" and inserting:

each

Amend Bill, page 7, line 13, by striking out "of the first class"

Amend Bill, page 7, line 19, by striking out "the" where it occurs the first time and inserting:

each

Amend Bill, page 7, lines 19 and 20, by striking out "of the first class"

Amend Bill, page 7, line 21, by striking out "of the first class"

Amend Bill, page 7, line 28, by striking out "of the first class"

Amend Bill, page 8, line 1, by striking out "of the first class"

Amend Bill, page 8, lines 2 and 3, by striking out "of the first class"

Amend Bill, page 8, line 11, by striking out "of the first class"

Amend Bill, page 8, line 17, by striking out "of the first class"

Amend Bill, page 8, lines 27 and 28, by striking out "of the first class"

Amend Bill, page 8, line 28, by striking out "of the first class"

Amend Bill, page 8, line 30; page 9, line 1; by striking out "of" in line 30 on page 8 and "the first class" in line 1 on page 9

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

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

Senator HUGHES. Mr. President, simply and briefly, what the amendment does is takes the provisions in the bill and spreads them across the entire Commonwealth of Pennsylvania so that every district attorney in the Commonwealth of Pennsylvania who has responsibilities with respect to a public transit situation would have to comply with the rules and regulations as being set forth for the provisions in Senate Bill No. 140, which currently are just for the citizens in the city of Philadelphia.

HUGHES AMENDMENT A0441 TABLED

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

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

The PRESIDENT. Senator Pittman moves that the amendment be laid upon the table. That 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-28

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

NAY-22

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

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

The PRESIDENT. Amendment A0441 will be laid upon the table.

LEGISLATIVE LEAVE

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

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

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

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 gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, while I appreciate the author's concerns about safety on public transit, I rise in opposition to this measure, which I believe usurps local government and will not improve safety on SEPTA. Most trips on SEPTA are without incident. Yet there are rare, yet too many common incidents of violence and sexual assault. These incidents may be shocking, but it is the more regular nuisances and overall atmosphere that make people reluctant to ride SEPTA. Common safety issues we experience every day, and which we hear about from riders of all ages and SEPTA employees, include smoking on platforms and in subway cars, disorderly conduct, intoxication, rambunctious teenagers being teenagers, and riders who threaten fellow behaviors [sic] or employees when they are confronted about their behavior. Additionally, there are conditions which may not pose a physical threat, but which make the system feel less safe. Riders experiencing homelessness, riders nodding off due to drug addiction, littering, the stench of bodily fluids in stations and subway cars. These issues are not unique to Philadelphia, and I can tell you that

Delaware County's District Attorney is very happy to aggressively prosecute individuals for crimes on SEPTA property in Delco.

But prosecution is not the problem here. What we are witnessing is all of society's problems having nowhere to go and ending up in SEPTA. SEPTA is burdened with the effects of public health problems like addiction and mental illness; the effects of poverty, like trauma, hopelessness, apathy, and antisocial behavior; and the effect of not having the infrastructure we need to deal with these problems, such as affordable housing, shelter during the day, public restrooms, mental health resources, drug addiction treatment, and recovery services and social workers. These are problems that the State needs to address, because a transportation authority is not the right entity to address all these societal problems, and neither is a prosecutor. Nevertheless, SEPTA is dealing with these problems, and the State needs to help SEPTA deal with these problems with resources. SEPTA needs State funding to deal with these burdens with extra staff, and all counties need more funding to provide greater mental health services, social services, housing services, and drug treatment. However, this bill does not address the need for more manpower to create a lawful atmosphere on SEPTA vehicles and facilities, and this bill does not address the safety concerns of my constituents who use SEPTA outside of Philadelphia. I urge a "no" vote.

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

Senator HUGHES. Mr. President, I want to be very clear; we need to be very clear. What Senate Bill No. 140 does, it says directly to the citizens of Philadelphia that you cannot choose who your district attorney is, who your prosecutor is, and if we do not like who you choose and if we do not like the job that they are doing, we are going to remove their responsibilities, remove their powers and effectively, effectively, Mr. President, say to them and say to the citizens of Philadelphia: your rights to choose who you have in elected office are less than those for every other citizen in the Commonwealth of Pennsylvania. That is the true intent of this legislation; that is the true intent, Mr. President. We need to be clear about that; that is the intent. And what the gentleman, the prime sponsor, is offering either on behalf of SEPTA or not--now, we have not heard that SEPTA, you know, after calling a number of SEPTA board members during the course of the day, they are like, well, you know, we might need this, we may not need this, I do not know, there was no vote on the matter. Well, you know, this starts to get a little bit murky with respect to what the, again, the alleged intent. But I want this body and the people paying attention to be very clear what this bill does: it removes the power of the citizens of Philadelphia to choose who their prosecutor is by eliminating that prosecutor's responsibilities. That is what it does. It gives it to, essentially, the Attorney General to appoint a special prosecutor.

Now, the Attorney General's folks have said to us today, we do not want this. We do not want this--it comes from an email from their government affairs person--we do not want this. Now, of course, being a good Attorney General, if it becomes law, they will have to obey the law, comply with the law, as a good attorney general would do, and I would expect that. But they have said they do not want it. They have said that they do not want it. Now, the most recent conversation, in any kind of public fashion that has occurred on this matter, was in a public hearing by the

Committee on Transportation on May 9, 2022. And let me read as I did in the Committee on Appropriations when this matter came in front of us, Mr. President, let me read excerpts of what was testified, Brian Pollitt, the president of Transportation [Transport] Workers Union Local 234, in his testimony, did not lay blame on the Philadelphia District Attorney, rather he laid blame on SEPTA's management, quote, due to either the lack of effective strategies, resources, or training, the SEPTA Transit Police have been unable to address rising transit crime. No mention of the prosecutor. No mention of the district attorney. All of the transit police are shorthanded by approximately 50 officers. The existing force can but is not doing enough to address criminal activity in the system, activity that transit police management is fully aware.

Again, another quote, the ongoing nature of the problems demonstrate a lack of will on the part of top SEPTA management to deploy the resources SEPTA has to drive crime out of the system. Omari Bervine, president and CEO, and Troy Parham, vice president, Fraternal Order of Transit Police, advocate for taking the steps that are needed to recruit and retain qualified transit police officers so that we can restore public confidence in the system. The saddest thing about the recent turn of events is that it was so preventable. We are facing the problems we have today because SEPTA has refused to invest in its transit police department and its transit police officers. No mention of the district attorney; no mention of the district attorney at all. And I would just submit to you, Mr. President, as I said in the Committee on Appropriations, that the issue of not having enough officers and law enforcement is a statewide and national situation.

The Philadelphia Police Department is down, probably, about 1,000 police officers. We just heard SEPTA transit, the law enforcement, the police officers at the University of Penn, Temple, Drexel, the State Police. I even heard one of my colleagues indicate that in western Pennsylvania they do not have enough police officers; they cannot even find a police chief. They cannot even find a police chief. So, the issue about crime in our communities, let alone our transit systems, is not related to who is prosecuting, but is related to the lack of law enforcement and a constructive plan and a constructive program and thoughtful investments to make sure that we take these very important systems and rise them to the level, not to the issue of whether prosecutions are happening in the SEPTA system by the Philadelphia District Attorney. But let me just add that just to add a little bit to that conversation. We pulled some information from the District Attorney's website. In 2019, they made 332 arrests on SEPTA vehicles, brought 240 cases, that is 72 percent. In 2020, they made 172 arrests, 151 cases were brought, that is 87.8 percent. In 2021, Mr. President, 154 arrests were made, 138 cases were brought, that is 89.6 percent. In 2022, Mr. President, 184 arrests were made, 156 cases were brought, 84.8 percent. And in our year, 2023, up to the point that we are at right now, 41 arrests were made, 36 cases were brought, that is a percentage of 87.8 percent.

So, the prosecutor is doing the prosecutor's work. The prosecutor is doing the prosecutor's work. They are making an attempt to try to get ahold of the issues of crime in our transit system. But again, again, let us be clear, Mr. President, this is nothing about dealing with the issue of crime in the SEPTA system. This is not about that. What this does, Mr. President, what this does, it says that the citizens of Philadelphia cannot elect the district attorney

that they want to elect no matter who that person may be, and if the Majority sees fit that they do not like that district attorney, then you know what they will do? They will remove his or her power; they will remove his or her responsibility. And by doing so, what they say to the 1.6 million people who live in the city of Philadelphia is that you are second-class citizens, and damn it, I am not a second-class citizen and no one from the city of Philadelphia are second-class citizens. We are just as equal, just as relevant as every other citizen in the Commonwealth of Pennsylvania. To take, this is another form of voter suppression. That is all this is, Mr. President.

#### POINT OF ORDER

Senator LANGERHOLC. Point of order, Mr. President.

Senator HUGHES. There is no point of order to be had here.

Senator LANGERHOLC. Far outside of the scope.

Senator HUGHES. No point of order to be had here.

The PRESIDENT. The gentlemen will suspend. What is your point?

Senator LANGERHOLC. Far outside of the scope of the bill. Talking about voter suppression ID.

The PRESIDENT. I would just ask the speaker to narrowly tailor his comments to the subject at hand, but the speaker can continue.

Senator HUGHES. Mr. President, my comments will be tailored to the point of the true intent of the legislation. The true intent of this bill, Senate Bill No. 140, is to remove the powers of the District Attorney of Philadelphia, who the citizens of Philadelphia elected twice, twice. Now, if the opposition cannot find enough--cannot find a good opponent to un-elect that individual then that is on them. But this is the person who we elected and no matter, no matter, and you know, Mr. President, let me backtrack just a second. It is interesting that the timing of the sunset of this legislation coincides with the timing of the end of the current district attorney's term in office. It is very interesting to note that this piece, the timing, the sunset of this legislation is consistent with the current district attorney's term in office. So, that seems to me by any particular interpretation that that is where this is going, straight at the person who the citizens of Philadelphia elected to represent them as their district attorney twice, twice. So let us not be mistaken, let us not be fooled. As President Obama would say, do not be fooled by the okey-dokey because that is what is happening with this piece of legislation. It is not about making the system safer. It is not about making the system safer. The Attorney General said that she does not want this responsibility. She will do it if it is provided her because that is what a good attorney general will do, but she has said she does not want it.

The prosecutor in Philadelphia is doing his job. I have given you the rates: 2019, 2020, 2021, 2022, 2023; all over, the lowest was in 2019 at 72 percent, the highest was in 2021 at 89 percent. Currently in 2023, we are at 87.8 percent of cases brought on arrests that were made. That is extremely high, extremely high. So, all of this, all of this is clearly about, clearly about saying to the citizens of Philadelphia that the person who you elect as district attorney will not have full powers to run the office because it removes the responsibility in this case. It is not veiled. It is obvious, it is clear, crystal clear. We are not second-class citizens in the city of Philadelphia. Our rights to vote for who we want to vote

for, to elect the people who we want to elect, to do the job that has been prescribed to them are just as equal, just as relevant as any other in this Commonwealth of Pennsylvania. I rise, Mr. President, in full opposition to Senate Bill No. 140, one of the ugliest forms of voter suppression that has come across this Chamber in years.

#### POINT OF ORDER

Senator LANGERHOLC. Point of order. Mr. President, again, far outside the scope of this bill, there is nothing in this bill talking about voter suppression--

The PRESIDENT. I believe--

Senator HUGHES. I have concluded my comments, Mr. President.

Senator LANGERHOLC. --and ask that they be stricken from the record.

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

Senator STREET. Mr. President, I rise as well to ask for a negative vote on this legislation. It has been asserted that the purpose of this legislation is that the prosecutor is not doing his job. However, as has been outlined most passionately by my colleague from Philadelphia, the median average of cases over the past 4 years is around 85 percent. It should be noted that a prosecutor does not ordinarily exercise--that the prosecutor has the right to exercise discretion--that the prosecutor does not ordinarily prosecute every time there is an arrest made, but 85 percent is a fairly high number. I would also point out, it is not merely whether a prosecutor charges that is at issue, but it is how the prosecutor charges. And the people of Philadelphia have spoken as to how they want their district attorney to do its work.

DA Krasner, in the last election, received over 77 percent of the vote in the Democratic primary, and over 80 percent of the vote in the General Election against his Republican opponent. He had opponents in both primary and general and resoundingly defeated them. The people of Philadelphia have elected this district attorney not once, but twice. We go down a dangerous road if we are to start suggesting that when the Majority rule in the General Assembly--the Majority party of the General Assembly--disagrees with the way local prosecutors or local government officials--period--are exercising their discretion, that we will remove that authority because we disagree with it.

Clearly, we are all elected from different districts, and our constituents have varying sets of preferences, but to substitute the judgment of the General Assembly for the people of Philadelphia and how prosecutorial discretion is exercised is wrong, and it does undermine the decisions that were made by the people of Philadelphia. So, I would submit that that is, in fact, a result intended or unintended of this piece of legislation. It directly attacks the will and the decision made as to how the prosecutorial decisions are going to be made in Philadelphia by removing that authority and substituting it with the authority made by statewide officials.

Moreover, it does not even completely address crime within SEPTA, as has been outlined by my colleague from Delaware County. SEPTA is a regional transit authority, and this only applies to activity that occurs in the city of Philadelphia. And, so, it does not even seek to address issues beyond that, but is, therefore,

clearly targeted at a disagreement, a political disagreement, with the way, the selection that the people of Philadelphia have made as to how such prosecutorial discretion should be exercised. It undermines the very fundamental fabric of our society by compromising the confidence that people will know that their decisions, as to who they elect, will be executed by the officials who they select through the electoral process. It does not address the overarching issues. Moreover, as it may have been mentioned, it was certainly mentioned in the Committee on Appropriations, the folks who are most directly impacted do not support this. One, that would be the people of the city of Philadelphia. People of the city of Philadelphia have had a chance to have a poll on this. The poll was an election, and, additionally, it is the people who work in SEPTA. And when the president of the Transit [Transport] Workers Union testified, he mentioned that there were issues surrounding the inability for SEPTA to appropriately staff its police department, issues that this bill does not seek to address.

Additionally, we have leadership in this on addressing crime issues which are not limited to the city of Philadelphia, and are not limited to SEPTA, in that the Governor has suggested and proposed, through his budget, a plan to address the police shortage not only in SEPTA but across the Commonwealth. Additionally, I will point out that the rise in crime that has been seen in the city of Philadelphia is commensurate with the rise in crime in many other municipalities across this Commonwealth and, indeed, across the nation. Yet, this bill seeks only to eliminate the ability of people in the city of Philadelphia to exercise their right to select how their prosecutorial discretions are going to move forward to select their district attorney. If there was a correlation between people--the way prosecutorial discretion was exercised and the rising crime, it should only be occurring in the city of Philadelphia. But in fact, those rises in crime have occurred across the Commonwealth, but this bill does not seek to address those issues. An amendment was offered by one of my colleagues to expand it. If the scope was really to address it across the Commonwealth, that amendment was voted against by the maker of the bill and the Majority.

This bill does nothing other than eliminate and undermine the fundamental decisions that the people of Philadelphia have made as to how justice should be served in the city of Philadelphia, and I would submit that it is wrong, and it is a dangerous precedent. It is a dangerous precedent that we set when we start to interfere with the prerogatives of local government. It is a dangerous precedent when we suggest that we are going to substitute the will of the General Assembly for how municipalities are going to move forward. It is a dangerous path we are seeking to go down today. The people have selected a district attorney of Philadelphia. We should respect that decision, and we should allow the will of the people of Philadelphia to move forward. And if there are issues related to crime that relate to the entire Commonwealth of Pennsylvania, we should pass legislation that addresses that, and we should address it. And the specific issue around the lack of police officers--we already have a remedy in front of us, in part, suggested by the leadership of the Governor. We should move forward with that remedy and vote "no" on this measure.

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

Senator HAYWOOD. Mr. President, I will not go over what my colleagues have already shared and repeat any of it. Instead,

I wanted to address the point of order if that is appropriate. There was a point of order raised about the language of voter suppression.

The PRESIDENT. Will the gentleman please suspend briefly. Senator HAYWOOD. Most definitely.

The PRESIDENT. The Senate will be at ease.

[The Senate was at ease.]

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

Senator HAYWOOD. Mr. President, you are still doing a fantastic job.

[Laughter.]

I rise to highlight the impact of this legislation on voters in Philadelphia. This legislation--

#### POINT OF ORDER

Senator PITTMAN. Mr. President, point of order.

The PRESIDENT. The gentleman will suspend. The Chair recognizes the gentleman from Indiana, Senator Pittman. What is your point?

Senator PITTMAN. There is nothing in this legislation that addresses anything relative to elections. The gentleman's comments need to be confined to the bill at hand.

The PRESIDENT. I would just ask the gentleman that he confine his comments to the bill at hand, but the gentleman can--

Senator COSTA. Mr. President, if I can respond, if I am able to respond.

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

Senator COSTA. I think, clearly, that this has an impact on the voters of Philadelphia, and they are clearly relevant to this conversation. I think, as my colleague pointed out eloquently and passionately, that this impacts what has taken place twice with overwhelming margins of victory that the authority that was vested in this district attorney by law and by the voters of that county--

Senator PITTMAN. Mr. President, there was a point of order stated. The gentleman is not addressing a point of order at this point. We have a bill before us that has specific language. The debate before us must be confined to the language at hand.

The PRESIDENT. I ask Senator Costa to continue on the point of order.

Senator COSTA. And I would specifically refer to the language that Senator Hughes pointed out. The language in this bill is specifically tied to this district attorney in this office now. That is a very clear intent to make it about this particular individual who, as was mentioned--

#### POINT OF ORDER

Senator PITTMAN. Mr. President, point of order. A point of order cannot be debatable.

The PRESIDENT. I would ask that the gentleman please continue his remarks but confine them to the subject on the bill. The gentleman, Senator Haywood, may continue.

Senator HAYWOOD. Mr. President, what this bill does is say that the district attorney for the city of Philadelphia would not be prosecuting SEPTA cases. Therefore, cases that are SEPTA cases would no longer be under the jurisdiction of the district attorney

for Philadelphia. That is the core to the legislation. Now, SEPTA is a significant part of the city of Philadelphia and suburban. Mr. President, I ride SEPTA, although I live in Montgomery County, but when I get on SEPTA, there are a number of people who get on at Fern Rock. There are also those who get on at Wayne Junction, there are those who get on at North Broad, and those who get on at Temple. Most of the people get off in Center City. All of these individuals who are on SEPTA and for some reason, unfortunately, might be subject to some type of criminal activity, under this legislation, would not be subject to the decisions of the Philadelphia District Attorney. Instead, they would be subject to the special prosecutor.

Now, the district attorney had authority over the entire city, SEPTA, non-SEPTA, prior to this legislation passing, and so the district attorney had it all--I think we can all agree on that--and then we can all agree that if this legislation passes, he will not have it all. He will only have everything except for SEPTA. SEPTA goes to the special prosecutor. And so, when this district attorney had the whole city, it is only this legislation that is going to restrict him and not have the whole city. Now, the district attorney, believe it or not, is an elected official, and as Senator Hughes has mentioned, he has been elected a couple of times. And so, when there was a decision to have him over the whole city with prosecuting authority, now it is going to be restricted, and he is not going to have the whole city. And so, all those who thought he was going to have the whole city, he is not going to have it. I do not think that is in dispute either, as far as I can tell, although that could change.

Now, what that means is that those who wanted the district attorney to have the authority over the whole city, they are not getting that. If this legislation passes, he will not get what was expected. I think we can agree on that. Now, the people who wanted the district attorney to have the authority over the whole city are the voters. I do not know who else it would be. And these are the people who had the expectation that the district attorney would have the whole city, and now he is not going to have the whole city because of our legislation. These are the individuals who are going to be extremely disappointed that what they sought in an election is not available because of our action in the State Senate. I am following the rules, right? Thank you so much.

So, whether you have any fancy name for it that you want or do not want, these voters who voted for the district attorney to have everything are going to be denied that. He is not going to have the whole city. He is going to be denied what people voted for twice. There is no dispute about that. The only dispute is what you call that denial, and, Mr. President, I leave that to everyone here to figure out what you call the denial of the power of this district attorney to have the whole city and now just have everything except for SEPTA. Thank you so much.

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

Senator LANGERHOLC. Mr. President, what is happening to our country? Honestly, why are we here debating this bill? What is the motive or the circumstances that led to this bill being on the Calendar here today? It is not denying the city or the residents of Philadelphia the right to choose their district attorney. And just to counter the previous speaker, it is not eliminating the district attorney from prosecuting. The bill provides for concurrent jurisdiction. Concurrent jurisdiction, so he can still prosecute. The

problem is he is not prosecuting; he is not doing his job. It is not a question of the way or the manner in which he is doing it, he is just flat-out not doing it. You can throw numbers around all day, but arrests are very different from prosecutions, very different. In 2022 numbers, over 66 percent of violent offenses were dismissed or withdrawn; over 68 percent of all offenses were dismissed or withdrawn in 2022. Those are real numbers. I am sure the 85 percent that was quoted here, that might be the arrest, that is not the issue. The police are doing their job, they are arresting; the problem is in the follow-through. We have to remind the district attorney why they took an oath? What their job is? I mean, come on. I never would have thought getting into politics or being elected to the Senate that you are going to have to stand up and say, well, you are a district attorney, so your job is to enforce the law, you should prosecute people.

What is happening in our country? What is happening in our State? It is not an issue of police. No, it is not an issue of police; they are doing their job. I was there firsthand, I saw it, made mention of this many times before, talked with the officers who are overtasked, overburdened, arresting these individuals, taking them in. What happens? Heard it firsthand. One foot apart, on SEPTA, it was on a SEPTA car, they told me: well, it is a revolving door. We take them in, they are out on bail, they are out back on the streets, and then if they do go to court, or before a judge, or before a magistrate, what happens? The numbers that I cited before, they are withdrawn or dismissed. A lot of talk about a lack of police. No mention that after the hearing that we had last year, Local 234, which was cited here, they increased their wages, hired more officers. They are in the process of hiring more. Again, that is not the issue, the issue is in the follow-through. So, yes, I would think that everyone would agree on that. Hey, let us keep people safe. Is that not a core function of government? Someone is not doing their job, not prosecuting people, then, yes, we should provide the tools. And ironically that I just said tools, because in the conversation about the Attorney General's Office being against this, not for this, we do not want a part of this, not awfully ironic, tools.

I had this conversation with the Attorney General, my Senate office brought this very issue to her attention, said it is a very big concern, a very big issue for me. She agreed. I asked her if she would be willing to help. I likened it to my time in the Cambria County District Attorney's Office where we partnered with State Police, the Attorney General's Office, the FBI, the Safe Streets Task Force to address certain individuals, mainly with the drug trafficking. She was all for it. Then again, at her confirmation hearing, tools, I brought that up again. To paraphrase, she shared my concerns with the violence in Philadelphia as well as throughout the State. I will admit this is not just a Philadelphia issue, by no means, when I talk about crime and the rise in violence. But keep in mind that this bill was born out of the Committee on Transportation dealing with Title 75. As I said in the Committee on Appropriations, I would add this to this bill, I would hire 2,000 more law enforcement tomorrow. I agree with the Governor. That is a call that he made in his budget address. I am all in. Let us do it. The Governor is neutral on this bill. SEPTA supports this bill, and with respect to the Attorney General, talking about you share my concerns. What would you do? Will you help? Her last two sentences in that committee, to me, I will read it, quote, so, if you are asking me, if you gave me more resources and more tools



would I use them? The answer is, yes. This is a tool. So, I am quite perplexed as to why they have weighed in against this.

And, again, it is concurrent jurisdiction. It is not neglecting that option. And there is a simple remedy for this no one has talked about. Nobody said anything about, what is the simple remedy? Prosecute these individuals. Nobody wants this? I do not know who you are talking to. Talk to the people who ride SEPTA, or, actually, do not talk to people who ride SEPTA, talk to the people who do not ride SEPTA anymore and ask them why, why do you not ride SEPTA anymore? I really do not think you are going to hear an answer from them about their district attorney who they elected, you are going to hear an issue about safety. And, again, getting back to the law enforcement aspect of this. I heard different speakers at different points, not just on this floor but in different committee meetings, saying how this is not the issue of the prosecutor, this is not the issue of the district attorney, this is the issue--we need more police, we need more police, we cannot find police, we need more police. Hey, as I said before, I am all in. Let us do it. I will do it tomorrow. I think we have a real commitment here to get that done, and that is encouraging. But, again, is it any wonder why we do not have more people trying to go into law enforcement? Is it any wonder why the numbers are down at the local, State level? Is that contingent chose to vilify law enforcement or even previous administrations walking arm in arm with people who thought that was the cool thing to do, let us defund the police. Oh, what a great idea. And I am shocked now that there is a rise in crime. Ridiculous, absolutely ridiculous, and we should not have to be here to do that, to say, hey, do your job.

But, again, there is a remedy for this: prosecute. Is nobody hearing the voice of these victims who are being assaulted, raped, murdered, mugged in SEPTA? Anybody? Anybody want to stand up for them? You have a chance to do that today. You vote "yes," you are saying I hear your concerns; I want to help you, I want to make it safe. I am all for that, a safe transit system which will yield tremendous results, economic activity, it will get people--have our cities thriving again instead of living in fear, and that is what is happening. We can use semantics, we can talk all over about how it is not, that is what is happening. Again, it is not to single out just Philadelphia. This is the tool that we had through Title 75, which came out of the Committee on Transportation. An issue that is across not just our State but, unfortunately, very sadly, our nation.

Residents of Philadelphia who use SEPTA deserve better. Again, SEPTA supports this, as I said in my comments in the Committee on Appropriations, I do not know the politics of that board, I can just tell you what we were given, that they support it. They have renegotiated a contract with the FOTP for wage increases to draw more people in and to hire more officers. Again, we can hire 5,000 officers just for SEPTA tomorrow. It would not mean a damn thing if we do not have a prosecutor who is willing to step up to do the job that needs done. I ask for an affirmative vote.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for a second time, the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, the maker suggests it is not just about Philadelphia, but this bill factually only speaks to changing prosecutions in Philadelphia. The gentleman suggests it

is about just do your job, but he would suggest that he gets to determine what the job of the prosecutor in Philadelphia is, not the people of Philadelphia. He says that prosecutors are elected to prosecute as many people as possible. The people of Philadelphia did not want that. The people of Philadelphia voted for District Attorney Larry Krasner after he served 4 years, knowing full well--and this is not unique to hear--there are a number of people who believe the abuse of prosecutorial discretion has led to mass incarceration and the overcharging of crimes. Now, that crime can occur on a SEPTA platform, and a person could get charged with 1 offense or 10 offenses depending on how prosecutorial discretion was exercised. And as a person who rode SEPTA most of my life on a regular basis to move around, as a person who represents constituents who ride SEPTA every day, I find it fairly insulting that somebody from across the State would suggest he knows more about what the attitudes of people who ride SEPTA are than the people who live there. I live just a couple of blocks from a SEPTA station. I go there every day, and he asks who speaks for the victims of crime. I oppose this. This will not make us safer. I say this as a victim of crime who had a relative murdered in 2021. I say this as a person who has had staff people who had folks murdered. I say this as a person who stands at the funerals of children on a regular basis. The people of Philadelphia, who are subject to the crimes, do not want this. They elected a district attorney who represents their values. Mass incarceration has not made us safer, and we made a selection.

This bill would, in fact, take away the limitations on the use of prosecutorial discretion that the people of Philadelphia voted for in a number of places. You are standing on a SEPTA platform--it would take away the limitations on prosecutorial discretion. The main issue in the campaign was limiting prosecutorial discretion, not the overuse of prosecutorial discretion. That was, in fact, the platform that the district attorney ran on. If you are standing at the corner of Broad and Lehigh, there is a SEPTA station, and the SEPTA police and the special prosecutor would therefore have jurisdiction, and now you have changed how prosecutorial discretion would be exercised. If you are walking down Lehigh Avenue in my district, where SEPTA buses run, now, potentially, because there are bus stops there, you have changed how prosecutorial discretion gets exercised. A significant portion of Philadelphia serviced by SEPTA and allowing a special prosecutor, not elected by the people of Philadelphia, significantly changes who gets to exercise prosecutorial discretion, which was the fundamental issue in the election, and I speak for victims because I am one of them. I am not coming from across the State talking about things I do not know anything about.

I live it day to day, and I understand how prosecutorial discretion is exercised, and the people of Philadelphia were not ignorant, and they did not vote out of ignorance, not understanding the fact that there will be implications into how prosecutorial discretion was exercised. In fact, it was the seminal issue in the election. And this bill would seek to undo that, the will of the voters, in a significant part of Philadelphia. And that is wrong, and it is intentional, and would rob the people of Philadelphia of what they went out to vote for, which was limitations on how prosecutorial discretion will be exercised over a course of a significant part of Philadelphia. And if you do not think that is going to affect whether people think they should go to the polls, that is absurd. That is ridiculous. I urge a "no" vote.

The PRESIDENT. The Chair recognizes, for a second time, the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, for, at the very least, a brief bit of clarification. It was our office, this Caucus, who, in our most recent budget that was signed into law, June of 2022, included about \$135 million for law enforcement agencies across the Commonwealth of Pennsylvania to deal with supporting police, supporting prosecutors, of which SEPTA received \$5 million to assist them in the safety and security of the system. The appropriation came through the Pennsylvania Commission on Crime and Delinquency, of which I am a board member. We helped draft it, on behalf of this Caucus, we helped draft it, we helped put it together, and to be very clear, we are very concerned about all of the aspects of safety and security in our respective communities. Strong law enforcement being one, and strong prosecutors being a second, which is also why the district attorney of the city of Philadelphia received a multimillion-dollar appropriation in that process as well. To expand the number of individuals who have the power and ability to do their job. So, the record must be clear on who is doing what with respect to addressing the issues of violence and crime and the overwhelming flow of guns in the city of Philadelphia. The record must be clear of who is stepping up to deal with that and to make the citizens of the city of Philadelphia safer and more secure and, in fact, have the appropriate justice that they deserve to have, which is what I believe is the heart of Senator Street's comments. How we have justice within our own community in the city of Philadelphia. So, we supported resources for law enforcement, including \$5 million for SEPTA for law enforcement. We support more prosecutors and the capacity for prosecutors all across the Commonwealth of Pennsylvania to do their job. That is why we supported and advanced the issue of money for prosecutors. We would like to rid the Commonwealth of Pennsylvania from the excessive proliferation of firearms all over the place, but we are being stymied with that. But I will not digress into that issue right now.

It has been said that SEPTA supports this bill. However, there has been no vote taken by the SEPTA board, and I submit to you on an issue that impacts the voting powers of the citizens of Philadelphia, who overwhelmingly are riders of the system, that their duly elected prosecutor be removed of certain powers, that the SEPTA board should have an official vote on the matter because it is of that significant nature. But they have chosen not to. However, we have been in communication with the Philadelphia representatives on the SEPTA board. They oppose this matter. So, consistent with the fact that the Attorney General is not supportive of the matter, however, will do what she is prescribed to do by the General Assembly, the members of the SEPTA board, a poll from Philadelphia opposed the bill, because they understand the significant issues that are directly overtly in this legislation. They see it; they understand it. It is clear, Mr. President, that this bill is--because of its true intent, its true intent to abrogate the powers of the district attorney, therefore abrogating the votes of the people in the city of Philadelphia, that they are not interested in it.

So, Mr. President, we have stated the statistics, we have talked about who supports, who wants, who does not want. We have talked about the fact that there is, at best, confused communication from SEPTA. At best, confused communication from SEPTA and its board and its leadership. We are seeking a "no" vote

because the true intent, the true intent of this legislation, of Senate Bill No. 140, is to diminish the voting capacity of the citizens of Philadelphia by saying to their district attorney, you can do this, but you cannot do that. Limiting the district attorney's powers in the city of Philadelphia. The district attorney that the citizens of Philadelphia elected. And, again, I would remind everyone that it is very interesting that the sunset of this legislation is concurrent with the end of the district attorney's term in office. Is that a coincidence? I find very few things that happen in this Senate Chamber a coincidence. This is a hardly veiled attack on that prosecutor. But, most importantly, this is a direct attack on the citizens of Philadelphia. You may view them, you may view us, you may view me as second class, but you will not rule me as a second-class citizen. I assure you of that.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for a second time, the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, let us get something crystal clear in response to some comments. At no time, no time did I say the job of a prosecutor is to prosecute as many cases as they can. So, let us be clear about that. You want to start throwing around accolades or resumes, experiences, or for being too far away to be able to bring a bill like this. Is that what we are going to do? Is that where we are at? I do not think so. You want to talk about prosecutorial discretion; okay. So, the individual that pistol whipped a person on SEPTA, going back to my tour, I was there--took me 250 miles to get there--I was there. I saw it. Talked to the officers. The going rate for a gun offense is 1-year probation. Please show me who wants that, other than the guy that is charged with it, they would probably be all for it. Show me who rides SEPTA--maybe let us take a poll--before we get on SEPTA, we could do something with social media. Do you think that if you get beaten in SEPTA, or someone pulls a gun on you, they should just have probation for a year? Let us see; let us do a poll. If they say yeah, we are all for that, then I will stand corrected.

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

The PRESIDENT. The Chair recognizes, for a third time, the gentleman from Philadelphia, Senator Street.

Senator PITTMAN. Mr. President, I object.

The PRESIDENT. Under the Rules, the gentleman has spoken more than twice. To speak a third time, he will need leave of the Senate without--the gentleman waves off.

The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, just very briefly, I think, at the end of the day what my colleagues were trying to impress upon everyone here, and our viewers today, is that the voters have spoken, as Senator Haywood indicated, Senator Street talked about. That poll was indicating that they wanted this district attorney to be able to serve them and understood what the parameters of what he would be doing going forward. That is the only comment I would like to make.

#### LEGISLATIVE LEAVES

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

Senator PITTMAN. Mr. President, I request temporary Capitol leaves for Senator Laughlin and Senator Regan, and a legislative leave for Senator Gebhard.

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

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

The PRESIDENT. Senator Pittman requests temporary Capitol leaves for Senator Laughlin and Senator Regan, and a legislative leave for Senator Gebhard.

Senator Costa requests a temporary Capitol leave for Senator Santarsiero.

Without objection, the leaves will be granted.

And the question recurring,  
Shall the bill pass finally?

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

YEA-29

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

NAY-21

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

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

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

**UNFINISHED BUSINESS  
BILLS ON FIRST CONSIDERATION**

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

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

**SB 97, SB 100, SB 146, SB 205, SB 248, SB 262, SB 290, SB 344, SB 353, SB 411, SB 414, SB 456, SB 460, SB 497, SB 500, SB 549, SB 555 and SB 647.**

And said bills having been considered for the first time,

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA  
COMMITTEE MEETINGS

WEDNESDAY, MAY 3, 2023

9:30 A.M.	AGING AND YOUTH (to consider the nomination of Jason Kavulich for the position of Secretary of Aging; and to consider Senate Bill No. 607)	Room 8E-B East Wing (LIVE STREAMED)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Rules Committee Conference Room

**PETITIONS AND REMONSTRANCES**

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

Senator TARTAGLIONE. Mr. President, I rise today to ask my colleagues to support Senate Resolution No. 103, which recognizes May as Asian-American and Pacific Islander Heritage Month in Pennsylvania. Asian-American and Pacific Islander, or AAPI, Heritage Month is observed in May to commemorate the arrival of the first Japanese immigrant to the United States on May 7, 1843. Today our Commonwealth is home to over 500,000 Asian American and Pacific Islanders, including the Chinese, Indian, Vietnamese, Korean, Filipino, Nepalese, Hawaiian, and many other AAPI communities. Back home in my district, I am proud to call many Asian Americans and Pacific Islanders my friends and neighbors. These communities have greatly enriched our great State and nation despite the significant adversity they faced throughout history.

Mr. President, we cannot forget that it was once normalized in this country, even in law, to discriminate against and exclude AAPI communities. And although we cannot change the past, we must recognize our country's errors and vow to do better in the future. I applaud my colleagues for recently taking action in acknowledging the value of these communities. This Chamber's unanimous passage of Senate Bill No. 402, making Diwali an official State holiday, was an important step, but we cannot allow this progress to stall here. We must ensure that the wave of hate directed towards AAPI communities in the wake of the pandemic never rears its ugly head again. Openness, tolerance, and respect for the people must remain the norm in this Chamber and across Pennsylvania. After all, the American story as we know it would be impossible without the strengths, contributions, and legacies of Asian American and Pacific Islanders who have helped build and unite this country in each successive generation. Let us take another step in honoring AAPI communities of the past and present by recognizing this May as Asian-American and Pacific Islander Heritage Month in Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for a second time, the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I rise today because today marks 6,141 days since this Commonwealth's legislature last passed an increase in the minimum wage. This staggering and heartbreaking statistic is only made worse by the fact that we

have had countless opportunities in the last 16 1/2 years to raise Pennsylvania's minimum wage and to keep us at the forefront of workers' rights in America. But, Mr. President, we abdicated our responsibility to act for the Pennsylvanians who need it most. Every single Session since 2006, I have introduced legislation to help raise Pennsylvanians out of poverty by ensuring that every worker in this Commonwealth earns a livable, dignified wage for the work they do. But for reasons beyond explanation to me, we have dropped the ball, Mr. President. Not only have we dropped the ball, but we have ignored our responsibility to act and legislate on behalf of more than 60 percent of Pennsylvanians who understand just how inhumane our starvation-level minimum wage is. But we have the opportunity to address a continued and systematic failure of action this budget.

As we heard earlier this year, Governor Shapiro, during his budget address, highlighted our Commonwealth's need to act and raise our minimum wage to \$15 an hour. Mr. President, let us follow his call and act. In the near future, Senate Bill No. 12 will be introduced into the Pennsylvania Senate. Senate Bill No. 12 will not only put Pennsylvanians on a path to \$15 an hour, but it will tie further increases of Pennsylvania's minimum wage to our Consumer Price Index, which means never again would workers in our Commonwealth need to go years without action on the minimum wage. We have the opportunity; we have the legislation. The real question now is, do we have the heart? Let us pass Senate Bill No. 12.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, earlier today I had the opportunity to speak at Soldier's Grove outside of the Capitol building, outside the East Wing, with my colleague Representative Dan Frankel from the Pittsburgh region, and folks from the American Lung Association, and a whole bunch of students who are here today advocating to address the issue with regard to e-cigarettes and vaping. Mr. President, it was great to have the opportunity to speak with some of those folks about how important it is that we address legislation that deals with the Clean Indoor [Air] Act here in Pennsylvania and work to be able to eliminate some of the exemptions that exist. Mr. President, the thing that we heard from them is that we have got to do more in the space with regard to e-cigarettes and preventing the use of them. But also, we heard from these students, and so many others across the Commonwealth, about the need for us to make sure that we provide everyone, everyone with a clean, safe work environment so that folks can go back to their homes after work and spend time with their families and not have to worry about the effects of secondhand smoke.

Mr. President, because of loopholes in the Clean Indoor [Air] Act, clubs, casinos, bars, taverns, and the like allow patrons to smoke indoors, exposing workers to dangerous chemicals and toxic gases and diseases. We can no longer, Mr. President, force workers to choose between a source of income and their health. Pennsylvania's current Clean Indoor [Air] Act legislation, as I mentioned, has several exemptions that allow workers and patrons to be exposed to secondhand smoke in over 1,300 venues across Pennsylvania, as I mentioned, including bars, casinos, private clubs, tobacco shops, cigar bars, and truck stops. And also, Mr. President, e-cigarettes, as I indicated, are not included under

the Pennsylvania Clean Indoor [Air] Act, leaving workers and patrons exposed to secondhand emissions.

Now, the legislation that we have been working on, along with Representative Dan Frankel in the House, is a comprehensive clean indoor air bill, Senate Bill No. 681, which would protect all workers and the public from the harms of secondhand smoke exposure and would provide a level playing field for all businesses across Pennsylvania. That is why we introduced this legislation, Mr. President, to close the loopholes that threaten the health of our Pennsylvania workers. And let me be clear, this is not just about having good health for our Pennsylvania workers, it is also good business. As I mentioned, it levels the playing field in restaurants and service industry, making sure that businesses operate in a safe and fair manner. Our legislation will essentially accomplish three things: eliminating loopholes that leave workers exposed to cancerous secondhand smoke; expanding the definition of smoking to include e-cigarettes and to combat the increase in vape-related illnesses; and finally, giving all of our localities across Pennsylvania the ability to enact smoke-free ordinances that are more protective than what we have in place here in our Pennsylvania law.

Now, I would be remiss, Mr. President, during 2020 and 2021 when our gaming industry, one of the fastest-growing job sectors in the United States, had the greatest disparity to exposure of secondhand smoke of any worker. Local and State smoke-free laws should not leave behind the very people most exposed to secondhand smoke. I ask my colleagues to join me in pursuing this legislation both in the House and the Senate so that we can provide a safe working environment for so many of our workers and also address the rise of increasing use of e-cigarettes and the vaping that our young students are doing right now.

Thank you, Mr. President.

## BILLS INTRODUCED AND REFERRED

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

May 2, 2023

Senators CAPPELLETTI, MUTH, HAYWOOD, KEARNEY, SAVAL, COMITTA, SANTARSIERO, COSTA, SCHWANK, COLLETT and HUGHES presented to the Chair **SB 422**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for transition to renewable energy; imposing duties on the Department of Environmental Protection and other Commonwealth agencies relating to energy consumption and renewable energy generation; establishing the Renewable Energy Transition Task Force, the Just Transition Community Advisory Committee, the Renewable Energy Center of Excellence, the Council for Renewable Energy Workforce Development and the Renewable Energy Workforce Development Fund; providing for interim limits on energy produced from nonrenewable sources and for wage requirement for energy producing systems.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 2, 2023.

Senators COSTA, HUGHES, COLLETT, BREWSTER, SCHWANK, SANTARSIERO, KANE, FONTANA, KEARNEY,

COMITTA, MUTH, STREET and CAPPELLETTI presented to the Chair **SB 650**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in Safe2Say Program, further providing for definitions and for Safe2Say Program; in postsecondary institution sexual harassment and sexual violence policy and online reporting system, further providing for definitions, for policy for postsecondary institution sexual harassment and sexual violence and for online reporting system; and making an editorial change.

Which was committed to the Committee on EDUCATION, May 2, 2023.

Senators BARTOLOTTA, YAW, HUTCHINSON, PENNYCUICK, ROTHMAN, BAKER, DUSH, VOGEL and SCHWANK presented to the Chair **SB 654**, entitled:

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

Which was committed to the Committee on FINANCE, May 2, 2023.

Senators J. WARD, COLLETT, SCHWANK, BOSCOLA, COMITTA, HAYWOOD, BREWSTER, CAPPELLETTI, BAKER and ROBINSON presented to the Chair **SB 668**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for certified medication aides; and imposing duties on the Department of Education.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, May 2, 2023.

Senators HUGHES, TARTAGLIONE, FONTANA, HAYWOOD, KEARNEY, COLLETT, CAPPELLETTI, KANE, SCHWANK, MILLER, MUTH, COSTA, COMITTA, STREET and DILLON presented to the Chair **SB 670**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in additional special funds and restricted accounts, establishing the Survivor-Centered, Accessible, Fair and Empowering (SAFE) Housing Trust Fund; and making an interfund transfer.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, May 2, 2023.

Senators KANE, CAPPELLETTI, SAVAL, COLLETT, KEARNEY, TARTAGLIONE, SCHWANK, DILLON and COMITTA presented to the Chair **SB 672**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for definitions and for possession of firearm by minor; and making editorial changes.

Which was committed to the Committee on JUDICIARY, May 2, 2023.

### RESOLUTION INTRODUCED AND REFERRED

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

May 2, 2023

Senators MARTIN, DUSH, LANGERHOLC, ROBINSON, ROTHMAN, BREWSTER, BOSCOLA, MASTRIANO, BAKER, LAUGHLIN, SCHWANK and CULVER presented to the Chair **SR 108**, entitled:

A Resolution congratulating The Pennsylvania State University wrestling team on its 11th National Collegiate Athletic Association Division I Championship and Pennsylvania residents who competed and placed during the National Collegiate Athletic Association Division I Wrestling Championship.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 2, 2023.

### RECESS

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

Senator BARTOLOTTA. Mr. President, I move that the Senate do now recess until Wednesday, May 3, 2023, at 10:30 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:11 p.m., Eastern Daylight Saving Time.