

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 2, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 41

SENATE

MONDAY, October 2, 2023

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

The PRESIDING OFFICER (Senator Kristin Phillips-Hill) in the Chair.

PRAYER

The Chaplain, Reverend DR. DANIEL R. MOORE, of Guinston Presbyterian Church, Airville, offered the following prayer:

[Due to technical difficulties, the prayer was not recorded. The following was read by Reverend Moore.]

Heavenly Father, October is Breast Cancer Awareness Month, and the PA Breast Cancer Coalition has once again colored the State Capitol fountain pink. It is a tradition that started 29 years ago in 1994 and is a sign of our support for those who are or have dealt with breast cancer. Today, we pray for all those who have suffered from breast cancer: friends, coworkers, family, or loved ones. We thank You for the great strides the medical community has made in screening and treatment and pray that these advances continue, minimizing the suffering of all those affected by this disease. Health challenges like cancer or other diseases or injuries are something everyone deals with sooner or later, and they can drastically impact our lives. I am reminded of the woman Luke tells us about in Luke 8. She had suffered for 12 years from a disease no one could cure. She had been bleeding and spent her entire life savings on doctors and medical treatment. When she heard Jesus was coming to town, she hid among the crowd and touched His robe, hoping to be cured, and she was. Praise God. Jesus turned to her and told her that her faith in Him had cured her.

Today, we pray for healing, wholeness, strength, and encouragement for each person facing terrible and painful diseases that will rock their world. Jesus, meet them in their hour of need and help them through difficult days. Help them and grant them healing like You did when You walked among us. Let them recognize Your love in their lives. And for our Senators, health care is something they deal with routinely for themselves, personally, and for their families, but also legislatively. Enable them to work to facilitate better rules and incentives to improve health care in our Commonwealth; to expedite care in emergency rooms; to reduce unnecessary bureaucratic delays; to cut costs that impede people from getting the care they need. Help them think of creative ways to make Pennsylvania a role model in how we deal with the sick,

aging, and dying among us. Let our care for those who are hurting be something others want to follow. Jesus shows us how important this is when He tells the Parable of the Good Samaritan who cared enough to help the injured man on the side of the road.

Help us to care; help us to lend a hand; help us to give hope to those who are hurting or sick. We pray Your blessings upon all those dealing with illness and their families, caregivers, and supporters, and we pray Your blessing upon this Senate and their work. May it help to bring healing, hope, and wholeness to our Commonwealth, and we pray it all in Jesus' Name. Amen.

The PRESIDING OFFICER. The Chair thanks Reverend Moore, who is the guest today of Senator Phillips-Hill.

PLEDGE OF ALLEGIANCE

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

[The Senate was at ease.]
[Recording restored.]

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

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

MEMBER OF THE INDUSTRIAL BOARD

September 21, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 19, 2023, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Industrial Board, to serve until January 19, 2027, and until the successor is appointed and qualified, vice James Holzman, Harrisburg, resigned.

JOSH SHAPIRO
Governor

JUDGE, COURT OF COMMON PLEAS,
BUTLER COUNTY

September 22, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 5, 2023, of Addie Abelson, Esquire, 158 Erford Road, Apartment 404, Camp Hill 17011, Cumberland County, Thirty-fourth Senatorial District, for appointment as Judge, Court of Common Pleas, Butler County, to serve until the first Monday of January 2024, vice the Honorable William R. Shaffer, resigned.

JOSH SHAPIRO
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE INDUSTRIAL BOARD

September 21, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas R. Harley, 1220 East Pike Road, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Industrial Board, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Greg Woodring, Philadelphia, whose term expired.

JOSH SHAPIRO
Governor

MEMBER OF THE INDUSTRIAL BOARD

September 21, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John J. McNulty, 44 Wyndham Road, South Abington Township 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Industrial Board, to serve until January 19, 2027, and until the successor is appointed and qualified, vice James Holzman, Harrisburg, resigned.

JOSH SHAPIRO
Governor

MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Moriah Hathaway, 112 Juniata Hall, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Michael Wolf, Enola, resigned.

JOSH SHAPIRO
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2026, and until the successor is appointed and qualified, vice Pamela Gunter-Smith, York, resigned.

JOSH SHAPIRO
Governor

SECRETARY OF HEALTH

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Health, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Rachel Levine, Middletown, resigned.

JOSH SHAPIRO
Governor

JUDGE, COURT OF COMMON PLEAS,
BERKS COUNTY

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as Judge, Court of Common Pleas, Berks County, to serve until the first Monday of January 2026, vice Jeffrey K. Sprecher, resigned.

JOSH SHAPIRO
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2024, vice [Honorable] Rayford Means, resigned.

JOSH SHAPIRO
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Steven Plaughter, 11 Court Drive, Downingtown 19335, Chester County, Nineteenth 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 Joseph Pizano, Exeter, whose term expired.

JOSH SHAPIRO
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel Sanguedolce, 93 Mara Lane, Wilkes-Barre 18702, Luzerne County, Twenty-second 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 Richard Long, Mechanicsburg, whose term expired.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-1-31, to serve until the first Monday of January 2026, vice Philip S. Turner, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

September 22, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northumberland, Magisterial District 08-3-04, to serve until the first Monday of January 2024, vice [Honorable] Michael P. Toomey, resigned.

JOSH SHAPIRO
Governor

**CORRECTIONS TO NOMINATIONS
REFERRED TO COMMITTEE**

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

CLERK OF COURTS, BUCKS COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, Bucks County, to serve until the first Monday of January 2024, vice Brian Munroe, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, in and for the County of Bucks, to serve until the first Monday of January 2024, vice Brian Munroe, resigned.

CLERK OF COURTS, DAUPHIN COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, Dauphin County, to serve until the first Monday of January 2024, vice Dale E. Klein, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, in and for the County of Dauphin, to serve until the first Monday of January 2024, vice Dale E. Klein, resigned.

JUDGE, COURT OF COMMON PLEAS,
NORTHAMPTON COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as Judge, Court of Common Pleas, Northampton County, to serve until the first Monday of January 2024, vice Steven G. Baratta, resigned, should be corrected to read:

Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as Judge, Court of Common Pleas, Northampton County, to serve until the first Monday of January 2024, vice Stephen G. Baratta, resigned.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

September 22, 2023

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

Please note that the letter dated August 11, 2023, for the nomination of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 19, 2027, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice James Culbertson, Franklin, deceased, should be corrected to read:

Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 19, 2027, and until the successor is appointed and qualified, vice James Culbertson, Franklin, deceased.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

September 22, 2023

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

Please note that the letter dated August 11, 2023, for the nomination of Moriah Hathaway, 112 Juniata Hall, Middletown 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 21, 2025, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Jack Kyle, Franklin, deceased, should be corrected to read:

Moriah Hathaway, 112 Juniata Hall, Middletown 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 21, 2025, and until the successor is appointed and qualified, vice Jack Kyle, Franklin, deceased.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

September 22, 2023

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

Please note that the letter dated August 11, 2023, for the nomination of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 19, 2027, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Eleanora Miller, Grove City, deceased, should be corrected to read:

Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Eleanora Miller, Grove City, deceased.

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

September 22, 2023

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

Please note that the letter dated August 11, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 21, 2025, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Jayne Romero, Titusville, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 21, 2025, and until the successor is appointed and qualified, vice Jayne Romero, Titusville, resigned.

RECORDER OF DEEDS, CHESTER COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Recorder of Deeds, Chester County, to serve until the first Monday of January 2024, vice Christopher Pielli, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Recorder of Deeds, in and for the County of Chester, to serve until the first Monday of January 2024, vice Christopher Pielli, resigned.

SHERIFF, CARBON COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Sheriff, Carbon County, to serve until the first Monday of January 2024, vice Anthony Harvilla, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Sheriff, in and for the County of Carbon, to serve until the first Monday of January 2024, vice Anthony Harvilla, resigned.

MEMBER OF THE STATE TRANSPORTATION COMMISSION

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Moriah Hathaway, 112 Juniata Hall, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve until October 15, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Charles H. Martin, Doylestown, resigned, should be corrected to read:

Moriah Hathaway, 112 Juniata Hall, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the

State Transportation Commission, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Charles H. Martin, Doylestown, resigned.

TREASURER, SUSQUEHANNA COUNTY

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Treasurer, Susquehanna County, to serve until the first Monday of January 2024, vice Jason D. Miller, resigned, should be corrected to read:

Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Treasurer, in and for the County of Susquehanna, to serve until the first Monday of January 2024, vice Jason D. Miller, resigned.

MEMBER OF THE COUNCIL OF TRUSTEES
OF PENNSYLVANIA WESTERN UNIVERSITY
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 22, 2023

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

Please note that the letter dated September 5, 2023, for the nomination of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Pennsylvania Western University of the State System of Higher Education, to serve until September 21, 2028, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Stephen DeFrank, Harrisburg, resigned, should be corrected to read:

Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Pennsylvania Western University of the State System of Higher Education, to serve until September 21, 2028, and until the successor is appointed and qualified, vice Stephen DeFrank, Harrisburg, resigned.

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:

September 22, 2023

Senators BROWN, HUTCHINSON, DUSH, KEARNEY and COMITTA presented to the Chair **SB 945**, entitled:

An Act amending Title 16 (Counties) of the Pennsylvania Consolidated Statutes, consolidating the act of August 9, 1955 (P.L.323, No.130), known as The County Code; and making repeals.

Which was committed to the Committee on LOCAL GOVERNMENT, September 22, 2023.

September 27, 2023

Senators DUSH, ROTHMAN, HUTCHINSON and MASTRIANO presented to the Chair **SB 800**, entitled:

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in just compensation and measure of damages, providing for compensation for loss of goodwill of farm operation.

Which was committed to the Committee on STATE GOVERNMENT, September 27, 2023.

September 28, 2023

Senators BROOKS, YAW, TARTAGLIONE, KANE, BREWSTER, DILLON, COSTA and CAPPELLETTI presented to the Chair **SB 941**, entitled:

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

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, September 28, 2023.

Senators PHILLIPS-HILL and SCHWANK presented to the Chair **SB 943**, entitled:

An Act amending the act of May 31, 2018 (P.L.125, No.26), known as the Travel Insurance Modernization Act, providing for scope and purpose; further providing for definitions, for licensure of limited lines travel insurance producers, for requirements for sale of travel insurance and for policy; and providing for travel protection plans, for sales practices, for travel administrators, for filing classification and for regulations.

Which was committed to the Committee on BANKING AND INSURANCE, September 28, 2023.

Senators BARTOLOTTA, STREET, SAVAL, HAYWOOD, COLLETT, KANE, CAPPELLETTI, COSTA, KEARNEY, SCHWANK and HUGHES presented to the Chair **SB 944**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement.

Which was committed to the Committee on JUDICIARY, September 28, 2023.

RESOLUTIONS INTRODUCED AND REFERRED

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

September 28, 2023

Senators AUMENT, TARTAGLIONE, CAPPELLETTI, MARTIN, HAYWOOD, PHILLIPS-HILL, SANTARSIERO, HUGHES, BREWSTER, DUSH and COSTA presented to the Chair **SR 165**, entitled:

A Resolution designating the month of September 2023 as "Chiari Malformation Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators AUMENT, HAYWOOD, MARTIN, KEARNEY, CAPPELLETTI, FONTANA, HUGHES, DUSH and COSTA presented to the Chair **SR 166**, entitled:

A Resolution recognizing the week of September 17 through 23, 2023, as "National Adult Education and Family Literacy Week" in Pennsylvania and encouraging all residents to participate in activities that support and strengthen family bonds.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators ROTHMAN, PENNYCUICK, HUGHES, HAYWOOD, BROOKS, CAPPELLETTI, LANGERHOLC, MARTIN, ROBINSON, HUTCHINSON, BARTOLOTTA, LAUGHLIN, STEFANO, PHILLIPS-HILL, J. WARD, COSTA, SCHWANK, BOSCOLA, BREWSTER, AUMENT, FARRY, KANE, DUSH, VOGEL, DiSANTO, K. WARD, BAKER, ARGALL, COLEMAN, CULVER, BROWN, REGAN and MASTRIANO presented to the Chair **SR 170**, entitled:

A Resolution honoring all Pennsylvania veterans who served during war and peace on the occasion of "Veterans Day," November 11, 2023.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators MARTIN, HUGHES, BOSCOLA, BREWSTER, CAPPELLETTI, COSTA, FARRY, HAYWOOD, LANGERHOLC, LAUGHLIN, REGAN, ROBINSON, TARTAGLIONE and SCHWANK presented to the Chair **SR 171**, entitled:

A Resolution designating the week of September 25 through 29, 2023, as "Safe2Say Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators ARGALL, MARTIN, KANE, PHILLIPS-HILL, MASTRIANO, HUTCHINSON and DUSH presented to the Chair **SR 172**, entitled:

A Resolution recognizing the 33rd anniversary of the reunification of Germany.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators TARTAGLIONE, HUGHES, KEARNEY, ARGALL, MARTIN, HAYWOOD, CAPPELLETTI, PENNYCUICK, KANE, BREWSTER, COMITTA, LAUGHLIN, COSTA, SCHWANK, DUSH, ROBINSON and HUTCHINSON presented to the Chair **SR 173**, entitled:

A Resolution recognizing the month of October 2023 as "National Disability Employment Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

Senators PHILLIPS-HILL, BREWSTER, KEARNEY, BROWN, TARTAGLIONE, BROOKS, MARTIN, GEBHARD, LAUGHLIN, HAYWOOD, HUGHES, HUTCHINSON, PENNYCUICK, COSTA and DUSH presented to the Chair **SR 174**, entitled:

A Resolution designating October 6, 2023, as "Manufacturing Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2023.

September 29, 2023

Senators DILLON, FARRY, TARTAGLIONE, FONTANA, KANE, BREWSTER and COSTA presented to the Chair **SR 168**, entitled:

A Concurrent Resolution extending in whole until March 1, 2024, the disaster emergency declared on June 12, 2023, in response to the collapse of the northbound bridge and severe compromise of the southbound bridge on Interstate 95 in the City of Philadelphia, Philadelphia County.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 29, 2023.

Senators GEBHARD, TARTAGLIONE, CULVER, MARTIN, LAUGHLIN, FONTANA, HUGHES, BOSCOLA, BROWN, COMITTA, LANGERHOLC, PHILLIPS-HILL, K. WARD, CAPPELLETTI, KANE, PENNYCUICK, HAYWOOD, BREWSTER, VOGEL, COSTA, SCHWANK, BROOKS, DUSH, MASTRIANO, ROBINSON, HUTCHINSON, STEFANO, YAW and SANTARSIERO presented to the Chair **SR 175**, entitled:

A Resolution designating October 13, 2023, as "Metastatic Breast Cancer Awareness Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 29, 2023.

Senators DiSANTO, STEFANO, ROBINSON, CAPPELLETTI, TARTAGLIONE, PHILLIPS-HILL, KANE, SANTARSIERO, MARTIN, FONTANA, COMITTA, COSTA, HUTCHINSON, DUSH, ROTHMAN, BROWN and MASTRIANO presented to the Chair **SR 176**, entitled:

A Resolution recognizing the month of October 2023 as "Italian-American Heritage Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 29, 2023.

HOUSE MESSAGE

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

September 29, 2023

HR 197 -- Committee on Veterans Affairs and Emergency Preparedness.

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 Regan, and legislative leaves for Senator Laughlin, Senator Brown, and Senator DiSanto.

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 Muth.

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

Senator Costa requests temporary Capitol leaves for Senator Schwank and Senator Muth.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PITTMAN offered the following resolution, which was read as follows:

In the Senate, October 2, 2023

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene the week of Monday, October 16, 2023, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, October 16, 2023, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

NAY-0

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

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

LEGISLATIVE LEAVE CANCELLED

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

GUESTS 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 to introduce today's guest Chaplain, Reverend Dr. Daniel Moore from Guinston Presbyterian Church, located in Airville. Having graced this Chamber on several occasions, Reverend Dr. Moore continues to bless us with his prayers. He noted that October is Breast Cancer Awareness Month, and his prayer today spoke to healing for all those facing health challenges. Reverend Dr. Moore continues to do amazing work at Guinston Presbyterian Church. The congregation continues to grow, and later this month, they will be dedicating their new sanctuary. Seated on the Senate floor today are his daughters, Marilla and Cora Moore. Would my colleagues please join me in welcoming back Reverend Dr. Daniel Moore, Marilla, and Cora to the Senate of Pennsylvania.

The PRESIDENT. Would the guests of Senator Phillips-Hill please rise.

[Applause.]

GUESTS OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

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

Senator STEFANO. Mr. President, I stand before you today with great pride as we recognize a remarkable group of young athletes who have brought honor to our Commonwealth on a national stage. I am pleased to introduce the Connellsville Area High School clay target sporting clays team, who took first place at the USA High School Clay Target League National Tournament. Over the summer, high school teams from across the country competed in the tournament, where this Connellsville team collectively scored an outstanding 488 points out of a possible 500. The team, coached by Ken Brooks and Paul Means, had an exceptional run with this national title following a first-place championship in the sporting clays earlier this year. I applaud these young sportsmen and women for their collective talents, discipline, determination, and teamwork that led their team to triumph. In a sport that demands much precision and focus, they have shown that with hard work, excellence is possible.

Some members of the team obtained individual honors in the countrywide tournament. Evan Means, a junior who hit 99 out of 100 targets, was named the tournament's high overall champion and first place varsity male. As a freshman on the team, Miah Pirl was named first place varsity female. Charlie Kenney was named third place varsity male. Mersadie Marko was named first place junior varsity female. The team roster is completed with Thomas Farrell, Jonathan Bielstein, Connor Queer, and Evan Gerson. Their achievements reflect not only their individual talents, but also the skilled guidance of their coaches and the unwavering

support of their families and Connellsville community. It is with great joy, and a little bit of my own hometown pride, that I welcome them here today and ask the Senate to join me in congratulating the Connellsville Area High School clay target sporting clays team for their national championship.

Thank you, Mr. President.

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

[Applause.]

GUESTS OF SENATOR TRACY PENNYCUICK PRESENTED TO THE SENATE

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

Senator PENNYCUICK. Mr. President, it is my great pleasure this afternoon to introduce the kid's national mullet champion, Rory Ehrlich, also known as Cheddar Whiz, along with his parents, Sean and Airen, to the Senate floor. Rory and his family reside in Pottstown in Montgomery County. Rory is a 6-year-old first grader at Pottsgrove Elementary when he decided over a year ago that he wanted to grow a mullet. He was named the first-place winner of the nationwide competition this August, beating out 358 other children between the ages of 5 and 8. Rory had over 16,000 votes for his 16 inches of hair. He raised over \$6,300 for the Wounded Warrior Project, an organization that is near and dear to his heart. Additionally, with his winnings, he bought five alpacas for his older sister and a PlayStation for himself. He said he will not be getting a haircut until he is at least 8 years old, and he plans on donating that hair to children with cancer. I ask that we extend our traditional warm welcome to these special guests. Thank you.

The PRESIDENT. Would the guests of Senator Pennycuick please rise.

[Applause.]

GUESTS OF SENATOR DOUGLAS V. MASTRIANO PRESENTED TO THE SENATE

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

Senator MASTRIANO. Mr. President, today I introduce Laura Shanafelter, who resides in my district in Franklin County. Laura is the mother of Tyler Shanafelter and the inspiration behind Senate Bill No. 235, which we are calling "Tyler's Law." Tyler was a victim of drug poisoning 3 years ago, this October 10, in Chambersburg, when he purchased what he thought were Percocet pills, but unknowingly received pills laced with lethal fentanyl, and he tragically died at the young age of 18--such a sad story, so common across Pennsylvania, whether in Chambersburg or Philadelphia. Laura is seeking justice, and she helped inspire this law, contacted my office several years ago, and we began to work with her. She is an advocate not only for the memory of her son, but all the thousands of other Pennsylvanians who have fallen victim across our Commonwealth at the hands of drug offenders. Please join me in welcoming Laura and her brother, Gary Barker, to our General Assembly.

The PRESIDENT. Would the guests of Senator Mastriano 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, which will be held immediately in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

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

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations to be held off the floor in the Rules room immediately, to be 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.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 125 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 149 (Pr. No. 734) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for the title of the act; and, in sale of property, providing for county demolition and rehabilitation fund.

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

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

BILL AMENDED

SB 235 (Pr. No. 977) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal homicide, further providing for the offense of drug delivery resulting in death; and imposing a penalty.

On the question,

Will the Senate agree to the bill on third consideration?

SANTARSIERO AMENDMENT A2266 ADOPTED

Senator SANTARSIERO offered the following amendment No. A2266:

- Amend Bill, page 2, line 29, by striking out "THIS"
- Amend Bill, page 2, line 29, by inserting after "SUBSECTION":
 - (a) Amend Bill, page 3, line 8, by striking out "OR" and inserting:
 - and
 - Amend Bill, page 3, line 9, by inserting after "OF":
 - more than de minimis
- Amend Bill, page 3, line 14, by inserting a bracket before "PARAGRAPH"
- Amend Bill, page 3, line 14, by inserting after "PARAGRAPH":
 - | Paragraphs
- Amend Bill, page 3, line 14, by inserting after "(1)":
 - and (1.1)
- Amend Bill, page 3, by inserting between lines 17 and 18:
 - (3) Paragraph (1.1) shall not apply if:
 - (i) the person and the decedent intended to use the controlled substance or counterfeit controlled substance together;
 - or
 - (ii) the person used the controlled substance or counterfeit controlled substance with the decedent.

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

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

Senator SANTARSIERO. Mr. President, this is an agreed-to amendment, the focus of which is to maintain the focus of the bill on the dealers of fentanyl as opposed to users. This amendment does that rather by making it clear that both prongs of the bill that would apply the minimum sentence would have to be in play. That anything of value would have to be more than de minimis in value, and that it would not apply to people who intend to use together or who are using together. So, this is an attempt, again, to focus on the dealer and not the user, and for that reason, and the fact that it is agreed to, I ask for consent.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Regan and Senator DiSanto have returned, and their respective leaves are cancelled.

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

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

YEA-49

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

Costa Kearney Rothman Yaw
Culver

NAY-0

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

Without objection, the bill, as amended, will pass over in its order.

BILLS OVER IN ORDER

SB 282, SB 346, SB 371 and HB 623 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 749 (Pr. No. 798) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for surcharge by auditors; and, in township manager, further providing for township manager, appointment, removal, powers and duties, compensation and bond.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator DUSH. Mr. President, unanimously advanced by the Committee on Local Government on June 6, 2023, Senate Bill No. 749 would amend the Second Class Township Code to make two changes consistent with revisions that were made last Session to the First Class Township Code. First, the bill prohibits the surcharge of an elected official or appointed township official if the official was acting in good faith reliance on the opinion of the township solicitor. Second, the bill allows a township board of supervisors to appoint an entity--for example, a limited partnership or association--to serve as a township manager. Originally a product of the Local Government Commission, Senate Bill No. 749 is also fully supported by the Pennsylvania State Association of Township Supervisors. I am confident that enacting this legislation will bring further consistency among the municipal classifications on procedural issues, greater autonomy for townships to receive management services, and perhaps most importantly, establishing good faith protection for local government decision-making. It is for all these reasons and advantages that I ask for unanimous support of Senate Bill No. 749. Thank you.

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 Martin.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 754 (Pr. No. 799) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in general provisions, providing for certain transmittals and submissions to governmental bodies.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

Comitta	Kane	Robinson	Williams, Lindsey
Costa	Kearney	Rothman	Yaw
Culver			

NAY-0

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

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

BILLS OVER IN ORDER

HB 804 and **SB 851** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 22, SB 210, SB 340, SB 365, SB 375, SB 399, SB 597, HB 689, SB 723, SB 739, SB 745 and **SB 792** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILLS ON SECOND CONSIDERATION
AND REREFERRED

SB 933 (Pr. No. 1109) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, further providing for advisory councils for veterans' homes.

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 934 (Pr. No. 1079) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in repeals, further providing for general repeal.

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 Allegheny, Senator Costa.

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

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

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

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator PITTMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move that the Senate proceed to consider Senate Bill No. 235, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

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

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

YEA-43

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

NAY-6

Cappelletti	Muth	Street	Williams, Lindsey
Dillon	Saval		

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 235 (Pr. No. 1130) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal homicide, further providing for the offense of drug delivery resulting in death; and imposing a penalty.

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

On the question,
Shall the bill pass finally?

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

Senator STREET. Mr. President, I rise to urge a "no" vote on this bill. Clearly, the amendment made it better, but it is still not a good bill, and it is not something that will benefit the people of the Commonwealth of Pennsylvania. We are all upset about the problems with people who are severe fentanyl dealers, but a

mandatory minimum is designed to affect the people who are at the lower end of the spectrum, not the higher end of the spectrum. Sentencing guidelines and the Pennsylvania Sentencing Commission [Pennsylvania Commission on Sentencing] have recently adopted enhancements. Those enhancements for serious dealers, particularly if somebody dies, allow for sentencing well beyond these minimums. A person could be sentenced to as much--depending on the charging--to as much as 40 years in jail if they have dealt large amounts of fentanyl and someone died. But these guidelines, while it is a step forward to say the exchange was more than de minimis, a judge could determine that more than de minimis is \$25, or maybe another judge says \$30, \$40, \$50, or \$100. The reality is, those persons will be subject to a 10-year minimum. I live in a neighborhood where we, of course, want serious fentanyl dealers off the streets. However, creating minimums which remove discretion and target the folks at the lowest end of the spectrum of offenders, that is not how we are going to get ourselves out of this problem. What it will do is increase the jail stays for the least serious crimes. We have gone down the road of mandatory minimums in the past. It did not work. We should not do this again.

Moreover, sentencing guidelines are a much more effective way because they tend to influence what happens in the plea-bargaining process, and that is what people get upset about. And, so, sentencing enhancements do not remove discretion, do not target the low-end offenders, and are a more effective way of dealing with those serious fentanyl dealers. Mandatory minimums do target the least offenders, do not affect sentencing for the most serious offenders, and take away valuable resources that should be dedicated to the most serious offenders. For all those reasons, this is a path to waste; this is a path to dysfunction; and this is bad legislation. So, while the amendment made it better, the bill is still a bad bill, and I urge a "no" vote.

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

Senator A.H. WILLIAMS. Mr. President, I would suggest that those of us who have been here long enough to remember when we had a special Session that created a floodgate for mandatory minimums in Pennsylvania trying to fight a scourge of, again, drugs and a variety of other crimes, we built numerous facilities across Pennsylvania, spent a lot of money. And then we hit a wave of where bipartisanship occurred because we were running out of money, where Republicans and Democrats both agreed, and still continue to agree, that mandatory minimums, while we certainly want to impose the maximum sentence on a series of cases, does not allow for the appropriate discretion, but most importantly, do not deter and reduce the level of crime. And so, I am not quite sure why we are now putting our nose back under the same tent, expecting a different outcome because it is a different time. We take seriously this level of crime across Pennsylvania, across this country, and certainly in Philadelphia and Delaware County that I represent. We certainly need to have more trained law enforcement who appropriately identify those who are doing what is breaking the law. We certainly need judges to apply the law and DAs who should prosecute the law. But requiring them to do something simply because it is a reaction--we, as policy-makers, have the power to do such--is ineffective and, frankly, is a failure of our responsibilities to understand how history has taught us those lessons: that it will not work; it never does work;

and we should be moving on. And I wanted to make sure, not necessarily to influence anyone's vote because it rarely does, but I want to make sure those folks who I represent understand why I am going to vote against this.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, I rise to support Senate Bill No. 235, and while I recognize some of our colleagues are concerned about having a bill that creates a mandatory minimum, I think it is important for us to look at how many lives, countless lives across this Commonwealth, have been lost to fentanyl overdoses because of drug dealers. This bill amends the crime of drug delivery resulting in death to establish a mandatory minimum that specifically targets drug dealers who profit from the addiction and death of others. I would like to thank Senator Santarsiero and Senator Mastriano for their assistance and dedication in crafting the amendment that was contained in Senate Bill No. 235. As we promised in the Senate Committee on Judiciary this past June, we have worked with our colleagues across the aisle to ensure that this mandatory minimum would not apply to circumstances where two friends, perhaps, are sharing the same batch of drugs. The amendment would specify that the mandatory minimum would only apply where the drug dealer has multiple prior felony drug convictions and something of value is exchanged. It would require that that value of exchange is more than de minimis. A stick of gum or cigarette would not qualify. It carves out the exception for cases where the defendant and the victim intended to use or actually use the drugs together and one of them tragically died.

No parent, no parent should go through the tragedy of losing a child to drug overdose. I want to thank Tyler's mom, Laura Shanafelter, who is here in the gallery today and who was here with us in the Senate Committee [on Judiciary] in June. To Laura, this is about her son Tyler's life having meaning and having a message and that the drug dealer who harmed her son should not be back out on the street living his life when her son, with such promise, was not able to do so. So, Senate Bill No. 235 sends a strong message to the ruthless drug dealers who profit from addiction and deaths of others. You will, you will be held accountable for your actions, and I urge an affirmative vote.

Thank you, Mr. President.

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

Senator DUSH. Mr. President, I want to thank Laura Shanafelter for her testimony at the Committee on Judiciary hearing. And it is interesting, having been one who has sat down with inmates in the prisons--as I am going through their cells and stuff and talking with them--I have had people who were there on drug-related offenses right up through to murder. And the one thing that they will definitely tell you is if they know there is a surety of a punishment, and especially if it is something that is sure to be followed through on and applied, they do think twice. I mean, just in holding them accountable within the prison, they knew me, and they knew where I was. But both the waste of life, the waste of all that potential, both with the person whose life has been taken, but also the person who is involved with that activity and what their ultimate payment for that and the things that they lose, the things that their family loses. When they see that there

is a sure punishment, they reflect on that a little bit longer and they decide, you know what? I really do not want to be away from my mother. I do not want to be away from my kids. And those kinds of punishments actually, and it comes back--and the Senator from Philadelphia was absolutely right. We do need judges and prosecutors who will prosecute this stuff and make sure that it happens. And I will just point out one other thing here when another Senator from Philadelphia brought up the low-level offenders. This is a great tool for the investigators and the prosecutors where, you know what? We can offer you a plea bargain if you dime out the guy who is further up the road. And when you have got a mandatory minimum that has serious lifelong impacts, it makes it a whole lot easier to have those discussions with an offender. For these reasons, I ask for an affirmative vote for Senate Bill No. 235. Thank you.

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

Senator MASTRIANO. Mr. President, I rise in support of Senate Bill No. 235, also known as "Tyler's Law." It has been almost 10 years since there has been an update to Pennsylvania's drug delivery resulting in death statute. We are long overdue for a revision of this law to ensure it meets the objectives of the General Assembly's original intent, which is to ensure that drug dealers who peddle in death are kept behind bars and off the streets of our communities. Under the current statute, we are seeing far too often that these drug dealers are back on the streets in 2 years or less. According to the latest numbers from the Pennsylvania Commission on Sentencing, the average offender convicted under the statute received a sentence of less than 5 years. A significant number of these offenders got off with no jail time at all. Our Commonwealth remains in the midst that was referred to as an overdose crisis. Our nation is at crisis. Over 100,000 fentanyl-related deaths last year, poisonings, and over 5,000 last year in our own Commonwealth, averaging between 13 and 15 a day. And it is not just in corners of the State. Whether it is in Philadelphia or my own Franklin County, every community is feeling the effects of this plague that is destroying an entire generation of young and promising lives. And when these young men and women lose their lives, I really believe they are losing two lives. As we often say in the Army, the life they are living and the life they are yet to live. And the tragedy and the cost on the communities and the families, the moms and dads and brothers and sisters is far-reaching. As so many in this august body have worked with, comforted, spoke with survivors of the fentanyl crisis, those who overcame the addiction, they are appealing for help. When in a 1-year period, we lose to these poisonings an equal number as to a decade in Vietnam, it is telling how severe this crisis has become, and it is time for action.

I am so thankful for my colleagues across the aisle for their support in making this legislation better, stronger, more focused on its intent. I would like to thank the good gentleman from Bucks County, Senator Santarsiero, for your leadership in making a difference. Your amendment has improved the bill significantly to stay laser focused on its purpose. As amended, Senate Bill No. 235 will make a crucial change to improve the intent of the drug delivery resulting in death statute from a decade ago. It institutes a 10-year minimum prison sentence and a minimum \$15,000 fine for any drug dealer who poisons a Pennsylvanian that results in deaths. As amended, this legislation will not punish a family

member or friend of the deceased who, in many cases, are addicted themselves, who are not a drug dealer and mistakenly share what they believe to be harmless drugs with their friends or loved ones.

Just a few weeks ago, a tragedy occurred right down the street from us here in Harrisburg. In less than a week, the Dauphin County 911 center received 29 overdose calls, with 9 of them being fatal, tragically. These poisonings or overdoses are believed to be due to crack cocaine and synthetic drugs that tested positive for fentanyl. Many of the calls came from the downtown and midtown area, where you can see from this building, where a bad batch, quote, unquote, of narcotics was circulated by a dealer. In each of our own Senate districts, we all know constituents who suffer the heartbreaking loss of a loved one due to this drug poisoning crisis. In my own district, within Franklin County specifically, and in Chambersburg, a grieving mother especially stands out to me. Her name is Laura Shanafelter, and we are happy to have her join us in the gallery today. And instead of doing nothing and letting tragedy to affect other families, it was Tyler, her son, who died as a result of a laced drug, 18-year-old, beautiful young man losing his life far too early and leaving a life shattered and his mom despairing. Wanting to prevent other mothers from sharing in such a catastrophic loss, she visited my office several years ago with this proposal, and it has born forth through this bipartisan legislation known as "Tyler's Bill," and we all have Tylers in our districts.

Tragically, Laura learned that the dealer who murdered her son was back on the streets after serving little to no jail time, and she has since become one of the strongest advocates in our State to hold drug dealers accountable. Laura's experience is just one of many for Pennsylvanians who have lost their loved ones and have been denied justice. Senate Bill No. 235 is a step in the right direction and makes a bold statement right here in Pennsylvania. You cannot murder our citizens and get away without facing severe consequences. I respectfully ask for an affirmative vote.

Thank you, Mr. President.

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 Coleman.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-35

Argall	DiSanto	Martin	Santarsiero
Baker	Dush	Mastriano	Schwank
Bartolotta	Farry	Miller	Stefano
Boscola	Flynn	Pennycuick	Tartaglione
Brewster	Gebhard	Phillips-Hill	Vogel
Brooks	Hutchinson	Pittman	Ward, Judy

Brown	Kane	Regan	Ward, Kim
Coleman	Langerholc	Robinson	Yaw
Culver	Laughlin	Rothman	

NAY-14

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

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 REPORTED FROM COMMITTEE

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

SB 69 (Pr. No. 858) (Rereported)

An Act establishing Recovery-to-work as a pilot program within the Department of Labor and Industry; and providing for local recovery-to-work pilot programs, for incentives to encourage business participation and for powers and duties of the Department of Labor and Industry.

SB 423 (Pr. No. 410) (Rereported)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in membership, credited service, classes of service, and eligibility for benefits relating to retirement for State employees and officers, further providing for mandatory and optional membership in the system and participation in the plan; and, in benefits, further providing for termination of annuities.

SB 531 (Pr. No. 1098) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for Veterans' Trust Fund.

SB 799 (Pr. No. 1102) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in supplemental funding for municipal highway maintenance, further providing for supplemental funding for municipal highway maintenance.

SB 824 (Pr. No. 1100) (Rereported)

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for definitions, for notification of the breach of the security of the system and for notification of consumer reporting agencies; and providing for credit reporting and monitoring.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS

TUESDAY, OCTOBER 3, 2023

10:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on the reauthorization of Chapter 14 (Responsible Utility Customer Protection))	Hearing Room 1 North Office (LIVE STREAMED)
10:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider House Bill No. 404; and House Resolution No. 197)	Room 8E-B East Wing (LIVE STREAMED)
11:00 A.M.	HEALTH AND HUMAN SERVICES (public hearing on barriers to addiction treatment; and a voting meeting to consider Senate Bills No. 721 and 941; and House Bill No. 1351)	Room 8E-A East Wing (LIVE STREAMED)
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 563, 596 and 842)	Room 8E-B East Wing (LIVE STREAMED)
Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 473)	Rules Committee Conference Room
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 621)	Rules Committee Conference Room

WEDNESDAY, OCTOBER 4, 2023

10:00 A.M.	LABOR AND INDUSTRY (to consider Senate Bill No. 577; and House Bill No. 1354)	Room 8E-A East Wing (LIVE STREAMED)
10:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 867, 887 and 945)	Room 8E-B East Wing (LIVE STREAMED)

WEDNESDAY, OCTOBER 25, 2023

9:30 A.M.	INTERGOVERNMENTAL OPERATIONS (public hearing on data sharing practices between PennDOT, Department of State and third parties)	Hearing Room 1 North Office (LIVE STREAMED)
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PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Mr. President, I rise today in support of Senate Resolution No. 173 and ask my Senate colleagues to join me in recognizing October 2023 as National Disability Employment Awareness Month. This is the 78th anniversary of National Disability [Employment] Awareness Month, which was founded to celebrate the contributions of American workers with disabilities past and present, and showcase supportive, inclusive employment policies and practices. Furthermore, this month marks the 50th anniversary of the Rehabilitation Act of 1973, an Act which enshrined equal opportunity for people with disabilities into law by prohibiting discrimination in programs conducted by Federal agencies, Federal fiscal assistance programs, and Federal employment.

The theme for this year has been designated as "Advancing Access and Equity" by the national Office of Disability

Employment Policy. Therefore, in addition to celebrating the progress made by landmark legislation such as the ADA and the Rehabilitation Act, we must also look forward and strive to expand supportive and inclusive policies that benefit employees and employers alike. Studies have found that Americans with disabilities are especially productive and motivated workers, but they still have a harder time getting jobs, promotions, and fair pay. Disabled workers in America are three times as likely to be employed and often earn sub-minimum wages for their work. But initiatives like [National] Disability [Employment] Awareness Month continue to change the narrative regarding people with disabilities. I promise you, we get things done the same as anybody else if given the opportunity to shine.

As an extension of [National] Disability Employment Awareness Month, I am also delighted again to host Disability Awareness Day in the Capitol Rotunda tomorrow from 9 a.m. to 1 p.m. Organizations from across Pennsylvania that help empower and advocate for Pennsylvanians with disabilities will be here to showcase the amazing work they are doing. To those organizations, thank you for all you do to uplift people with disabilities in Pennsylvania. And to my colleagues, I invite you to take a moment out of your busy schedules to learn about citizens with disabilities and the organizations supporting them. Your attendance and support would mean more than you know to both me and our community. Finally, again, I ask you to join me in recognizing October as National Disability Employment Awareness Month and hope you will join us in the Rotunda tomorrow.

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 because today marks 6,294 days since our Commonwealth's legislature last passed an increase in our minimum wage. It is disheartening, Mr. President. Our failure to pass an increase in minimum wage is not just an economic issue, it is a profound moral imperative that demands our attention and actions, Mr. President. In a State as diverse and dynamic as Pennsylvania, we pride ourselves on our commitment to justice and fairness. Yet, the current minimum wage falls short of reflecting those values. At \$7.25 per hour, we are condemning hundreds of thousands of hard-working Pennsylvanians to a life of economic insecurity, struggling to make ends meet. This cannot be the Pennsylvania we aspire to be. The moral case for raising the minimum wage is crystal clear, Mr. President. It is a matter of basic human dignity that I never will be silenced on. It is about recognizing the work and inherent value of every individual who contributes to our communities. When we pay someone a wage that cannot sustain a decent standard of living, we are effectively devaluing their labor and denying them the opportunity to live a life free from poverty. Is this the Pennsylvania we want to leave as our legacy?

Mr. President, we have the opportunity to shift our legacy, permanently alter course and fair and more just Pennsylvanians. Right now, Senate Bill No. 12 is sitting in the Committee on Labor and Industry. If we bring it out of committee and pass it on the Senate floor, we can make a meaningful change in the lives of each and every one of our constituents across Pennsylvania. We can put our low-wage earners on a path to \$15 an hour, and we can ensure all Pennsylvanians feel dignity in their work.

Pennsylvanians deserve better, Mr. President. Pennsylvanians deserve Senate Bill No. 12.

Thank you, Mr. President.

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

Senator COMMITTA. Mr. President, I rise today to recognize this week as Climate Week in Pennsylvania. We have had a lot of discussions about climate and climate change in this Chamber, and we will have many, many more. But I want to make an important distinction here about what exactly is climate. Climate is basically weather in aggregate form. It describes what the weather is like over a long period of time in a specific area. We are always checking on the weather. We are looking at our phones to see if it is going to be hotter or cooler, or if we will have rain or thunderstorms, and pretty soon we are going to be talking about ice and snow. We tend to be very attentive to the weather. We use it in deciding how we dress, to check on travel conditions, or making other plans or arrangements. We tend to pay a lot of attention to things in the short term, but sometimes we lose focus over time, especially when we are talking about years and decades. That is why we need Climate Week, to refocus ourselves and refocus our efforts. The climate directly impacts our lives on an even greater scale. It impacts our public health and safety, our infrastructure, and our economy. Climate change is here, and Climate Week is an important reminder of the need to think globally and act locally in addressing the impacts of this ongoing crisis.

This year, the theme of Climate Week is "Empower Local [Climate] Action." Pennsylvania must take urgent action to transition from carbon emissions, invest in the clean energy economy, and build climate-resilient infrastructure. And local communities can and should play an important role in that effort. I want to thank my colleagues on the Pennsylvania climate caucus, which is co-chaired by my friend from Chester County, State Representative Danielle Friel Otten in the House. And I want to recognize Senator Santarsiero and Senator Cappelletti, who joined me in introducing a resolution recognizing Climate Week in the Commonwealth. Article I, Section 27, of the Pennsylvania Constitution states: [Reading]

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

We must come together to take the threat of climate change seriously, and we must act now to ensure that our children and grandchildren, mine and yours, have a safe and healthy planet to call home. Thank you.

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

Senator CAPPELLETTI. Mr. President, I join my colleague from Chester County, Senator Comitta, in recognizing Climate Week in Pennsylvania. As she mentioned, we have worked together with Senator Santarsiero to introduce a resolution recognizing this week, October 1 to October 7, as Climate Week. Acknowledging Climate Week and the work we must do to protect our planet grows more imperative each year, especially because years go by with inaction. Here in Pennsylvania, we have missed

many opportunities to put our climate first, especially when we consider legislation and funding that prolongs our reliance on dirty energy while ignoring proposals that would safely and efficiently transition us to a more sustainable future.

Working to address climate change is a mission that positively affects our economy, our public health, our homes, and our loved ones. At the Federal level, Congress passed the Inflation Reduction Act in 2021, which was a great step in the right direction. This law has been the most significant action Congress has taken on clean energy and climate change in the nation's history. In fact, the Department of Energy has estimated that the Inflation Reduction Act and the Bipartisan Infrastructure Law will lead to greenhouse gas emission reductions of approximately 1 billion tons in 2030. That progress has been inspiring, and I hope the positive ripple effects that the Inflation Reduction [Act] has had in Pennsylvania will inspire us here in the General Assembly to do more for Pennsylvanians who are concerned about how climate change will affect their homes, their health, and their economic futures.

When we come to Harrisburg, we make decisions about the future of Pennsylvania. The actions we take in this building have the potential to affect generations to come. We have the opportunity to pass Go 100 PA, legislation I share with Senator Muth that will put the Commonwealth on track to reach 100 percent renewables by 2050. But we are running out of time. We need to prioritize this issue as a legislative body. I want to take this time during this week to reaffirm that addressing climate change is one of my top priorities as a legislator, and the preservation of our environment is a necessary goal for all of us, not only this week, but every week.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I rise to acknowledge Hispanic Heritage Month in Pennsylvania. Every year since 1968, Hispanic Heritage Month is recognized from September 15 until October 15 as a celebration to acknowledge the history and contributions of the Hispanic and Latinx communities in American society. September 15 was chosen as the kickoff because it coincides with the independence day celebrations of five countries in Central America, which are Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. Those five nations declared their independence from Spain on September 15, 1821.

During Hispanic Heritage Month, we reaffirm that diversity is one of our country's greatest strengths. In fact, this year, I am proud that my office was able to make, really, the most of celebrating Hispanic and Latinx communities. On September 16, my staff attended the second annual Mexican and Central American Independence Day celebration festival in Norristown. The festival featured a mariachi stage performance, live bands, folkloric dance, local and international artists, and so much more. In fact, my deputy communications director, Valeria Sanchez, took the time to present and read a proclamation from my office to mark the occasion. And then, on September 23, I partnered with Aclamo Family Centers in Norristown to host a resource festival that shared community resources with the Spanish-speaking members of the 17th Senatorial District.

In addition to sharing resources and organizations that can meet the needs of the Hispanic members of the district, we also enjoyed delicious food from Hispanic-owned small businesses in

the district: ESS Bakery, a block from my office where I often grab lunch; and ELI'S pastelería bakery café, which also is only a few blocks from my office and has the absolute best breakfast sandwiches if you are ever in the district and need a good place to go. Please join me in recognizing and celebrating Hispanic Heritage Month from September 15 to October 15.

Thank you, Mr. President.

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

October 2, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 22, 2023, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-third Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2024, vice [Honorable] Rayford Means, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 5, 2023, of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Beaver, Magisterial District 36-3-02, to serve until the first Monday of January 2024, vice the Honorable C. Douglas Loughner, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 5, 2023, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Berks,

Magisterial District 23-3-02, to serve until the first Monday of January 2024, vice the Honorable Michael G. Hartman, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 22, 2023, of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northumberland, Magisterial District 08-3-04, to serve until the first Monday of January 2024, vice [Honorable] Michael P. Toomey, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 5, 2023, of Aaron H. Danks, 1801 North Second Street #2, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Potter, Magisterial District 55-3-01, to serve until the first Monday of January 2024, vice the Honorable Annette L. Easton, resigned.

JOSH SHAPIRO
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Diana Bucco, 124 Radcliff Drive, Pittsburgh 15237, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2025, and until the successor is appointed and qualified, vice Rasheedah Phillips, Philadelphia, resigned.

JOSH SHAPIRO
Governor

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Paone, 8610 Thomas Mill Terrace, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for reappointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2029, and until the successor is appointed and qualified.

JOSH SHAPIRO
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Damaris Garcia, Esquire, 1600 Arch Street, Apt. 1513, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2024, vice the Honorable Rayford A. Means, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Steve Necaster, 144 Patricia Drive, Beaver Falls 15010, Beaver County, Forty-seventh Senatorial District, for appointment as Magisterial District Judge, in and for the County of Beaver, Magisterial District 36-3-02, to serve until the first Monday of January 2024, vice the Honorable C. Douglas Loughner, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, F. Richard Drumheller, 85 South Sunrise Lane, Boyertown 19512, Berks County, Twenty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Berks, Magisterial District 23-3-02, to serve until the first Monday of January 2024, vice the Honorable Michael G. Hartman, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Ruth, 805 Southwood Drive, Shippensburg 17257, Cumberland County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-3-01, to serve until the first Monday of January 2024, vice the Honorable H. Anthony Adams, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rachel Wiest Benner, Esquire, 5 North Second Street, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northumberland, Magisterial District 08-3-04, to serve until the first Monday of January 2024, vice the Honorable Michael P. Toomey, resigned.

JOSH SHAPIRO
Governor

MAGISTERIAL DISTRICT JUDGE

October 2, 2023

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Phelps, 304 South East Street, Coudersport 16915, Potter County, Twenty-fifth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Potter, Magisterial District 55-3-01, to serve until the first Monday of January 2024, vice the Honorable Annette L. Easton, resigned.

JOSH SHAPIRO
Governor

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Austin A. Davis) in the presence of the Senate signed the following bills:

HB 1171, HB 1209 and HB 1407.

RECESS

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

Senator PHILLIPS-HILL. Mr. President, I move that the Senate do now recess until Tuesday, October 3, 2023, at 1 p.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 4:14 p.m., Eastern Daylight Saving Time.