

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, OCTOBER 3, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 42

**SENATE**

TUESDAY, October 3, 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 DAVID BLAIR, of First Baptist Church, Brookville, offered the following prayer:

Let us pray.

Sovereign Lord, I give You praise for who You are. You are the all-wise God, holy, righteous, and just. You are merciful and gracious, slow to anger, abounding in steadfast love. You are high and exalted. We are unworthy sinners and still You are good and kind to us. We thank You for all that You have done. You have blessed us in so many ways. You have allowed us to live in the beautiful State of Pennsylvania. You have given us life and breath and our daily bread. Most importantly, in Your great mercy, sent Jesus to die in the place of sinners to satisfy the wrath of God against our disobedience, to compassionately rescue all who turn away from sin and trust in You. We know that You have blessed our nation and this Commonwealth, and we ask You to continue to do so. I pray for each Senator here, that You would bless them personally. Grant them health and protection. Help them to be discerning and diligent. Enable them to listen carefully to the people in their communities, that they might humbly represent the concerns of the citizens. Give them the courage to do what is right, and keep them from evil. I pray that You would use these men and women to establish laws that make for human flourishing, to preserve religious liberty, to protect the rights of the weak and the vulnerable. I ask that You would give them wisdom, that they might use their position to do good. I pray that You would bless their efforts to improve the lives of Pennsylvanians. We pray all of this in the name of Jesus. Amen.

The PRESIDENT. The Chair thanks Pastor Blair, who is the guest today of Senator Dush.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGES**

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 621**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE CONCURS IN SENATE BILL**

The Clerk of the House of Representatives returned to the Senate **SB 836**, with the information the House has passed the same without amendments.

**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:

October 3, 2023

Senators CAPPELLETTI, HAYWOOD, FONTANA, SAVAL, COMITTA, KANE, COLLETT and MUTH presented to the Chair **SB 926**, entitled:

An Act providing for State aid requirement for libraries relating to book removal and for prohibited removal of instructional materials and voluntary inquiry materials in public school entities.

Which was committed to the Committee on EDUCATION, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 935**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bases of jurisdiction and interstate and international procedure, further providing for assistance to tribunals and litigants outside this Commonwealth with respect to service and for issuance of subpoena; in commencement of proceedings, further providing for authority of officers of another state to arrest in this Commonwealth; and, in detainers and extradition, further providing for definitions, for duty of Governor with respect to fugitives from justice and for presigned waiver of extradition.

Which was committed to the Committee on JUDICIARY, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 936**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in dockets, indices and other records, further providing for enforcement of foreign judgments.

Which was committed to the Committee on JUDICIARY, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 937**, entitled:

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in powers and duties, providing for limitations on discipline.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 938**, entitled:

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 insurance, providing for adverse actions against legal reproductive health care.

Which was committed to the Committee on BANKING AND INSURANCE, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 939**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, providing for protection of reproductive health services records.

Which was committed to the Committee on JUDICIARY, October 3, 2023.

Senators CAPPELLETTI, SCHWANK, SAVAL, HAYWOOD, FONTANA, KANE, HUGHES, COMITTA, KEARNEY, TARTAGLIONE, BREWSTER and STREET presented to the Chair **SB 940**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, establishing the Reproductive Health Services Address Confidentiality Program; and imposing penalties.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 3, 2023.

Senator MILLER presented to the Chair **SB 948**, entitled:  
An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

Which was committed to the Committee on JUDICIARY, October 3, 2023.

Senators HAYWOOD, HUGHES, KEARNEY, STREET, COLLETT, COSTA, CAPPELLETTI, SAVAL, MUTH and KANE presented to the Chair **SB 949**, entitled:

An Act providing for a full and independent investigation into a use of deadly force by a police officer.

Which was committed to the Committee on LAW AND JUSTICE, October 3, 2023.

Senators MUTH, HAYWOOD, FONTANA, CAPPELLETTI and SAVAL presented to the Chair **SB 950**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for well permits.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 3, 2023.

Senators MUTH, KANE, TARTAGLIONE, FONTANA, SCHWANK, CAPPELLETTI, BREWSTER, COSTA, DILLON and BROWN presented to the Chair **SB 951**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in membership, contributions and benefits, providing for supplemental annuity commencing 2023; and, in benefits, providing for supplemental annuity commencing 2023.

Which was committed to the Committee on FINANCE, October 3, 2023.

Senators MUTH, KANE, TARTAGLIONE, FONTANA, SCHWANK, CAPPELLETTI, BREWSTER, COSTA and DILLON presented to the Chair **SB 952**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in membership, contributions and benefits, providing for supplemental annuity commencing 2023; and, in benefits, providing for supplemental annuity commencing 2023.

Which was committed to the Committee on FINANCE, October 3, 2023.

Senators ROBINSON, BOSCOLA, LAUGHLIN, PENNYCUICK, PHILLIPS-HILL, STEFANO, LANGERHOLC, BROOKS, HAYWOOD, BREWSTER, BAKER, MASTRIANO, J. WARD, DUSH, ARGALL, KANE, SCHWANK, YAW and KEARNEY presented to the Chair **SB 954**, entitled:

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

Which was committed to the Committee on BANKING AND INSURANCE, October 3, 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:

October 3, 2023

Senators MARTIN, BROWN, DUSH and SCHWANK presented to the Chair **SR 178**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study evaluating the outcomes of Act 44 of 2018 and to issue a report of its findings and recommendations.

Which was committed to the Committee on EDUCATION, October 3, 2023.

## GENERAL COMMUNICATION

### 2023 ANNUAL CHARITIES REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of State  
302 North Office Building  
Harrisburg, Pennsylvania 17120

October 2, 2023

To the General Assembly  
Commonwealth of Pennsylvania  
Harrisburg, PA 17120

RE: DOS Annual Charities Report to the General Assembly

The Solicitation of Funds for Charitable Purposes Act requires the Department to submit an annual report on registered charities in the Commonwealth. The 22-23 report is attached.

Thank you,

Mike Chmielewski  
Director  
Office of Legislative Affairs

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

## BILLS REPORTED FROM COMMITTEES

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

### **SB 721 (Pr. No. 1147)** (Amended)

An Act establishing the Women, Infants and Children State Advisory Board.

### **SB 941 (Pr. No. 1148)** (Amended)

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.

### **HB 1351 (Pr. No. 1802)**

An Act amending the act of November 27, 2019 (P.L.742, No.108), known as the Pennsylvania Rural Health Redesign Center Authority Act, in Pennsylvania Rural Health Redesign Center Authority, further providing for Pennsylvania Rural Health Redesign Center Authority; and, in

Pennsylvania Rural Health Redesign Center Fund, further providing for money in fund.

Senator BAKER, from the Committee on Judiciary, reported the following bills:

### **SB 563 (Pr. No. 1145)** (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in computer offenses, providing for the offense of ransomware; and imposing duties on the Office of Administration.

### **SB 596 (Pr. No. 1146)** (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for the offense of organized retail theft; and establishing the Office of Deputy Attorney General for Organized Retail Crime Theft.

### **SB 842 (Pr. No. 995)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of harassment of sports official.

Senator MASTRIANO, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bill:

### **HB 404 (Pr. No. 1301)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for retention of licenses and certifications of persons entering military service.

## RESOLUTION REPORTED FROM COMMITTEE

Senator MASTRIANO, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

### **HR 197 (Pr. No. 1966)**

A Concurrent Resolution extending in whole the disaster emergency declared on June 12, 2023, and extended in whole by the General Assembly until November 1, 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.

The resolution will be placed on the Calendar.

## 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 Brooks, and a legislative leave for Senator Laughlin.

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

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

The PRESIDENT. Senator Pittman requests a temporary Capitol leave for Senator Brooks, and a legislative leave for Senator Laughlin.

Senator Costa requests a legislative leave for Senator Collett. Without objection, the leaves will be granted.

**LEAVES OF ABSENCE**

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

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

**JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of June 19, 2023; June 20, 2023; June 21, 2023; and June 22, 2023, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 19, 2023; June 20, 2023; June 21, 2023; and June 22, 2023.

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

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-48**

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

**NAY-0**

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

The PRESIDENT. The Journals are approved.

**GUESTS OF SENATOR JARRETT CHARLES COLEMAN PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Coleman.

Senator COLEMAN. Mr. President, it is both the pleasure of myself as well as my colleague, the other Senator from Lehigh County, to introduce the Parkland Trojans Boys' Volleyball Team. These guys had an undefeated season, a perfect 23-0 record. Their final victory came against Shaler High School in the PAAA [PIAA] Class 3A boys' volleyball championship. I would like to just say, as an alumni, they make me look good, and I really appreciate that they came out here, and I would like to extend a congratulations to an incredible championship season.

Thank you, Mr. President.

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

[Applause.]

**GUESTS OF SENATOR CRIS DUSH PRESENTED TO THE SENATE**

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

Senator DUSH. Mr. President, today I rise to welcome our guest pastor, Pastor David Blair. He is the pastor of the Brookville First Baptist Church. He is accompanied today by Jameson, his son, and he is a father of a total of six children: Isaac, Kathryn, Annelise, Evelyn, and Sophia; along with his lovely wife, Leslie. Pastor Blair has been heavily involved in our community with cross-denominational lines with the Community Men's Fellowship, as well as with the community ministry. Again, it is across the lines, and I absolutely love his heart for the church. Our community--the denominations do work well together, and it is because of men like Pastor Blair. He has also been a missionary to Tanzania in Africa with team missions, and in a prior life, he was also a photographer. I want to welcome him and his family and thank him for what he has done here today as well as what he has done for our community.

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

[Applause.]

**GUESTS OF SENATOR SCOTT F. MARTIN PRESENTED TO THE SENATE**

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

Senator MARTIN. Mr. President, I rise today to recognize Dee Dee McGuire, an individual who has served the Lancaster County community for years, most recently as the township manager for West Lampeter Township. After 14 years in her role, Dee Dee has chosen to retire. After a successful career in the private sector, Dee Dee began her career in public service in 2001 as the deputy director of property assessment. She would eventually serve as the director of property assessment from 2007 to 2009 before entering her current role as West Lampeter Township Manager. While there, she represented and worked diligently on behalf of her municipality by overseeing its finances and operating budget, attending township meetings, and supervising township employees.

Over the years, Dee Dee served as project manager for the Enola Rail Trail and Sunnyside development projects. An active member of the Lancaster County community, she also served as board member for the Susquehanna Municipal Trust, the Lampeter-Strasburg YMCA, and the Lancaster County Tax Collection Bureau. It is individuals like Dee Dee McGuire who make our respective communities a better place to live, work, and raise our families. For this service, my community owes her a debt of gratitude, and we wish her many more years of relaxation and time with her family as she sets off to enjoy a much-deserved retirement. Therefore, Mr. President, I ask my colleagues to join me in both welcoming Dee Dee McGuire and her family to the

Pennsylvania Senate and to congratulate her on a distinguished career in Lancaster County.

Thank you, Mr. President.

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

[Applause.]

### ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. For the information of the members, we are about to consider a condolence resolution. Will the Sergeant-at-Arms see that all doors in the Chamber are closed.

### SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators TARTAGLIONE, STREET, SAVAL, HUGHES, KEARNEY, HAYWOOD, CAPPELLETTI, COMITTA, FONTANA, BROWN, COLLETT, KANE, BOSCOLA, FARRY, MARTIN, SANTARSIERO, COSTA, LAUGHLIN, ARGALL, SCHWANK and HUTCHINSON, by unanimous consent, offered **Senate Resolution No. 179**, which was read by the Clerk:

A Resolution honoring the life and achievements of JoAnne Epps, 13th President of Temple University, and expressing heartfelt condolences to her family, friends, students and colleagues.

On the question,  
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, I would like to yield to Senator Street.

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

Senator STREET. Mr. President, I rise to support Senator Tartaglione's resolution, which many of us have joined her in offering. President Epps was someone who I have known for, I guess, more than 50 percent of my life, for the better part of the last 27 years. She was a public servant, having served the public as a U.S. Attorney. She was an educator, having taught at the law school, having served as dean. She was a State's person, having worked on the Philadelphia Police Oversight Commission [Board], trying to bring together people over difficult issues. But she was more than all of that. She was a consensus builder. She was a warm, friendly person who greeted everyone she met. She was a person who could disagree with you and be very firm in her position while not being disagreeable because she still wanted to be able to engage with you afterwards. She was a person who was a workaholic but did not have to talk about work when she was not working. She was a person who rose to lofty positions and broke and shattered many glass ceilings and held too many positions, or she was the first--to begin to enumerate at this time, I am sure the resolution does that--but she would still stop and talk to a random student on campus and ask you how you were doing and what was going on and try and provide some person-to-person mentorship. I was sitting around the Temple Law School when I was a student at Penn, as noted I was there for

other reasons, and she began to mentor me, and it was a friendship that has lasted the test of time--decades.

I had the privilege of working with her when she was provost of the university as well as president--as much of Temple University sits in my district and some veers over into Senator Tartaglione's district--and she, even from the lofty position of president or provost, was never too big to talk with a member of the community, many of whom did not have nearly the education or sophistication she had about the things they most cared about. She comforted parents when they were concerned about a rise in violence while still reassuring them and the importance of Temple and did it in a compassionate way. She worked with administrators and people from all walks of life. She died highlighting the works of Charles Blockson and one of the fabulous collections of African American history that Temple has and is putting in a new home. And she died as she lived, doing the work she loved, highlighting the achievements of others, and was literally smiling until moments before she passed. She will sorely be missed. It is a hole in the heart of the people of Philadelphia, the people of the Commonwealth, the people of the region, and certainly, everyone who served at Temple University. She served over 38 years there and will be dearly missed by many of us. And so, I ask that all Members join us in celebrating her life and offering our most sincere condolences to all of us who will miss her in supporting this resolution. Senator Tartaglione, I thank you for offering me a moment to speak, sharing in this opportunity, and yielding the time. I now yield back.

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

Senator TARTAGLIONE. Mr. President, I rise to honor the life and accomplishments of JoAnne Epps, the 13th president of Temple University and my friend, who passed away on Tuesday, September 19, 2023. We were assembled on the floor of this esteemed Chamber 2 weeks ago when the news arrived that President Epps had suddenly fallen ill and perished while attending a memorial service on campus for historian Charles L. Blockson. Learning of her passing will be a moment that will stay with me for a long time, but I take some heart in the fact that President Epps passed away doing what she was so renowned for. JoAnne was on the move again, selflessly and tirelessly serving Temple University and her community.

I had gotten to know JoAnne many years before my appointment on the Temple Board of Trustees, and she had already become a giant figure in Philadelphia's legal community. As with everyone's reaction when encountering JoAnne for the first time, I was immediately struck by her intelligence and compassion. And throughout the years, especially through our service to Temple, this first impression only blossomed further. Some might not know, but JoAnne was approached by President Obama to be nominated to the United States Supreme Court. She declined. It was her love for Temple that kept her at Temple University. The passion that endeared her to so many almost elevated her to the highest court in the land. Thinking of the skills and temperament we look for in our nation's justices, JoAnne surely fit the bill. And today, I count myself among the many students, colleagues, and friends who benefited from her kindness, integrity, and passion for improving the lives of those in her orbit.

President Epps wore many different hats throughout her life, and though her setting often shifted, sometimes by the hour, the

constant is that everywhere she went, she was beloved. As a teacher, JoAnne was responsible for inspiring her students to become leaders, both at Temple and across the globe. As an activist, JoAnne was a champion for women and people of color within the legal profession and beyond. As an advocate, JoAnne protected and fought for society's most vulnerable from back home in Philadelphia to Darfur. As leader, President Epps commanded both admiration and respect, and as with every leadership role she took, left Temple in a better place than she found it. And as a spouse, JoAnne was a caring and loving wife to her husband of nearly 40 years, L. Harrison Jay. I could go on and on for hours listing the many achievements and awards president Epps attained in her distinguished career, but in closing, I extend my deepest condolences to JoAnne's family and her countless friends, students, and colleagues. President Epps will be remembered fondly, and her lasting legacy will continue to benefit Temple, Philadelphia, and our Commonwealth. Her absence will leave a void that one day will be filled by the people JoAnne touched during her amazing life.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I am going to take a slightly different tactic than my colleagues because I had the privilege of being a student of President JoAnne Epps. And when President JoAnne Epps' passing was first announced, I struggled to find the words to properly express what she meant to me. There was so much that I wanted to share, but I was too overwhelmed. And as I sat down to put these remarks together, I continued to struggle--and as you can see, I still am--because words will never do justice to who JoAnne was, the things she accomplished, and what she meant to her students, her colleagues, and all who were lucky enough to have crossed paths with her. As Temple alumni connect to share in the grief and profound loss that we are all feeling, each of us acknowledge that it will be some time until we come to terms with President Epps' passing because JoAnne Epps was an incredible force for good in this world and a true change agent. I genuinely believe the world is a better place because of her.

I believe it was Maya Angelou who said: "I have learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." President Epps had an incredible way about her. She made you feel important, and she made you feel heard. In fact, the first time I heard her speak was at admitted students' day at Temple University's Beasley School of Law. I cannot tell you what she said that day, but I can tell you that I left wanting to be in her orbit, wanting to learn from her. She had a heavy hand in me choosing to attend Temple Law School, and I know that she had that same impact on many of my law school friends. My classmates have been sharing the ways in which she touched their lives: inviting them for tea in her office to connect one-on-one and ensure that they were doing okay, encouraging them, and supporting them. President Epps took pride in knowing each of us on a personal level, and none of us could figure out how she managed to be an incredible mentor, manage the law school, and be an effective teacher, let alone have a personal life, but she did. It seemed like she did with each and every student of the law school. She made that personal connection.

I will close with this, as a former classmate and friend left me this message about President Epps. She found a video from a 2016 speech that she had given, in which dean Epps ended with: so that our students leave here feeling like they can change the world because if you believe you can, you can. That is how President Epps made us all feel: like we can. May she rest in peace, and I hope that the continued outpouring of love and support brings her family and friends a sense of peace as well.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I rise also in support of the resolution. JoAnne Epps was a native of Cheltenham, my home. A 1969 graduate of the high school, and during her high school career, a cheerleader. She continued to be a cheerleader for racial justice, a cheerleader for racial justice in all of the scholarly work that she did, which was then recognized by the National Bar Association when she, in 2009, got the Wiley [A.] Branton Award, the highest award of the African American lawyers across the United States of America. In 2014, she was recognized as 1 of the 100 most influential Black lawyers in the nation. She gave so much to Temple, but also to mentoring young African American lawyers across the city of Philadelphia, but across the nation. She did so, in part, as her role as the dean of the law school for so many years and as provost and as the acting president. She gave so much to Temple, but also to the community of African American lawyers to which I belong. This is also her legacy. Thank you.

The PRESIDENT. Before we vote on this condolence resolution, will the Members, as well as all staff and guests, please rise for a moment of silence.

[Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of JoANNE EPPS.]

And the question recurring,

Will the Senate adopt the resolution?

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

The PRESIDENT. The resolution is adopted.

## 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 meetings of the Committee on Appropriations and the Committee on Rules and Executive Nominations, to be followed by a Senate Republican caucus which will be held in the Majority Caucus Room. The committee meetings will be held in the Rules room immediately.

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 at the conclusion of the committee meetings.

The PRESIDENT. For purposes of meetings of the Committee on Rules and Executive Nominations and the Committee on Appropriations to be held off the floor in the Rules room, 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 pro tempore (Senator Kim L. Ward) in the Chair.**

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

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

##### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 69 (Pr. No. 858)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Chester, Senator Kane.

Senator KANE. Madam President, this vote is a difficult one for me today, as most people here know I am a recovering alcoholic and a drug addict. In fact, today I celebrate 40 years in recovery. [Applause.] Thank you. It is a lot of one-day-at-a-times, I can tell you, and it is well beyond my wildest dreams that I would be here on this Senate floor today. You also know that I am a plumber and someone who has spent most of my 40 years bringing people into the workforce and providing them with a good-paying job to raise a family. So, in theory, I should be the biggest cheerleader for Senate Bill No. 69, but we missed the mark here, folks. I was happy to support the amendment in committee that moved us in the right direction, with hopes that we could address stakeholders' concerns before we got to a final vote. But it appears that effort broke down. We have made incredible strides over the past few decades in both subjects this bill addresses: recovering and workforce development.

There are mountains of research that shows how to be successful in this space. Unfortunately, the draft is silent on some of the most impactful tools for long-term recovery. We need more supportive services and soft skills training for this program to be effective. Without them, this becomes another bill to say we tried. Without a dedicated funding stream for all seven pilot programs called for in this bill, we are asking the department to make vital cuts elsewhere or to not fund the program at all. And finally, our friends in labor who specialize in workforce development oppose this bill. That sounds like a recipe for disaster. Folks, we know how this ends. We have seen the tape before. I am asking for a

"no" vote so we can get back to the table and get this extremely important issue done right the first time.

Thank you, Madam President.

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

Senator LANGERHOLC. Madam President, you have got to start somewhere. This is a bill about providing hope to those battling addiction. The opioid epidemic is real. It has ravaged our Commonwealth. We have introduced legislation in this body in many ways and many types to address it, from tougher penalties, from medication-assisted treatment, from education within our schools and communities, from reducing the stigma associated with heroin. We have chiseled away at this, Session by Session. Sure, we have made progress, but there is a lot more to do. Today is one more piece of the puzzle, one more way that we can make an impact. Is not making an impact worth it, even if it is small? And let me preface this, this is a pilot program, this is a starting point. There are many things built within this legislation to evaluate, to issue reports to all the stakeholders, to this body, to everyone else in government to see where it is going, how it is working, what it is doing, and the impact that it is having on our communities. Senate Bill No. 69 will give people a chance for recovery to work.

How many of you have unfilled jobs in your district? How many of you have employers clamoring for more workforce? I would be willing to bet that every one of us has heard that conversation. We have some of that workforce. We need more workforce. Let us connect the two. Senate Bill No. 69 does that. It is not perfect legislation, I will admit that, but it starts the conversation, and it starts the process, and it provides a chance for those battling addiction. It gives them a sense of purpose. Idle hands are the devil's playground, the old adage reads. This will provide meaningful employment for those in the throes battling addiction. It will provide job training, it will provide employment opportunities, and yes, it will provide an incentive to employers. And I am curious to hear that there is such opposition to this, because during the process, in its original form, the bill did call for this incentive to be offered to employers after--it was originally 13 weeks--of meaningful employment at 35 hours a week, and we listened to those concerns, and we doubled it to 26 weeks. It will be the impetus for those employers to take a chance, and it is not some exorbitant windfall for employers--\$1,250 in incentive--and it is a pilot program. It will be in combination with L&I, Department of Health, DDAP, DCED, and PCCD, and it will tailor specific needs of each district to the workforce that is so sorely needed in our Commonwealth.

It will provide districts with training and opportunities, and it can be a tremendous catalyst. It can be something that we can build on, we can hear more concerns, we can amend, we can add, we can see what works, but it is a starting point. It is a pilot program. And in addition to that incentive, after 26 weeks of employment at 35 hours, I would call your attention to the bill, which states that the individual in recovery earns wages that meet or exceed the negotiated performance measure for the local workforce development board for median earnings the second quarter after exiting the program. We are not talking about minimum-wage jobs here, we are talking about family-sustaining jobs. That was a concern; we heard that; that is in the bill. Again, it is a starting point; it is needed. There should be no one who votes against this

bill. Vote today to help those obtain job training and employment. Vote today for Senate Bill No. 69.

Thank you, Mr. President.

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

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

Senator STREET. Mr. President, I want to start off by saying while I do not support this legislation at this time, I do want to thank the maker of the bill because I think, as he stated, he is starting an important conversation, a conversation about how we transition to have folks have greater job opportunities after coming off of addiction. However, this bill still needs some work. We need to have a sustainable funding source. It can be very discouraging to people who get engaged and involved in a process and then it falters before lack of funding. We need to have greater assurances that the jobs are actually life-sustaining jobs. Look, I do not want to beat up on the bill so much. I believe it will probably pass this Chamber without my vote, and I want to urge others not to, and I would hope that the House would work with us and modify this bill to take care of the concerns that so many of us have. This bill, we want to do it; we want to do it right. We want to meet the concerns and make sure people have the ability to get jobs, but we cannot have false starts. They can dash the hopes of those who are trying to recover. We need to make sure we have a sustainable program that will work, that will create sustainable opportunities for people that will allow them to sustain their jobs. And while the maker's intent is good, and he has begun a good conversation, we are just not quite there yet. And so, I urge a "no" vote, and if it passes, would urge the House to work with us to then amend this bill so it can be something we can all support. Thank you so much. I yield.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT. Senator Brooks and Senator Laughlin have returned, and their respective leaves are cancelled.

**LEGISLATIVE LEAVES**

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

Senator PITTMAN. Mr. President, I request temporary Capitol leaves for Senator Regan and Senator Gebhard, and legislative leaves for Senator Coleman and Senator Martin.

The PRESIDENT. Senator Pittman requests temporary Capitol leaves for Senator Regan and Senator Gebhard, and legislative leaves for Senator Coleman and Senator Martin. 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	DiSanto	Laughlin	Robinson
Baker	Dush	Martin	Rothman
Bartolotta	Farry	Mastriano	Stefano
Boscola	Flynn	Pennycuick	Vogel
Brooks	Gebhard	Phillips-Hill	Ward, Judy
Brown	Hutchinson	Pittman	Ward, Kim
Coleman	Langerholc	Regan	Yaw
Culver			

**NAY-19**

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

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

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

**BILLS OVER IN ORDER**

**SB 125 and SB 282** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

**BILL LAID ON THE TABLE**

**SB 346 (Pr. No. 461)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 346 TAKEN FROM THE TABLE**

Senator PITTMAN. Mr. President, I move that Senate Bill No. 346, Printer's No. 461, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILL OVER IN ORDER**

**SB 371** -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 531 (Pr. No. 1098)** -- The Senate proceeded to consideration of the bill, entitled:

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.



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 gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise today in support of Senate Bill No. 531, a bill that will provide for an enhanced review of Pennsylvania's Veterans' Trust Fund and will establish important changes to help improve and maximize this vital grant program. As many of us are aware, Pennsylvania's Veterans' Trust Fund issues grants to assist veterans through nonprofit organizations, veterans' service organizations, county directors of veterans' affairs, all in support of veterans and their families, those who may need housing, financial help, food, training, recovery, and more. In concept, it is one of the best approaches we have devised to connect those who have provided service on our behalf with the assistance many of them need desperately.

As someone deeply involved in the establishment of the Pennsylvania Veterans' Trust Fund, I prime-sponsored the bill originally in 2012. I have been pleased overall with the implementation of it, the response by contributors, and the positive impact it is having on veterans. The trust fund approach ensures and means that the money is not being diverted for other priorities or causes. Gifts and donations are charitable contributions defined under the IRS, tax-deductible to those who support, whether it is through the SECA campaign or a direct contribution to the Veterans' Trust Fund, which you can do with a checkoff on your driver's license, your car registration, and others. So, as a special non-lapsing fund in the State Treasury, there is an extra element of confidence that these contributors--our taxpayers--that the money will be used as intended for those who are looking to apply for its support. Because of the broad support citizens have shown veterans, this effort is funded now strictly through voluntary contributions, as I mentioned, insulating against the argument that the money is being redirected for some other purpose that could be more worthwhile if someone chose that. So, you can donate while renewing your driver's license, as I mentioned, supporting the Honoring Our Veterans license plate, Honoring Our Women Veterans license plate. So, after 10 years of experience, the approach has proved its merit. However, that does not mean it cannot be tweaked to ensure that the recognition of available assistance and the distribution of vet benefits are being realized across the Commonwealth as effectively and efficiently as possible.

As a former foundation head, I can tell you, grant makers rely on their grant review committees to make recommendations, to practice objectivity, and to make well-informed decisions regarding funding. An inclusive committee contributes to increasing innovation, upholding ethical standards, and boosting competitiveness, all which lead to better results. Best practices include diversifying your team to maximize impact and ensure that the process is equitable. So, with that in mind, Senate Bill No. 531 proposes some simple changes to the composition of the current grant review process of the Veterans' Trust Fund. Currently, this is relied upon only by internal staff at the Department of Military and Veterans Affairs. I believe this bill will provide greater

transparency. We are simply seeking to expand the group by four members to include one veteran appointed by each of the legislative Caucus chairs. We are also seeking to guarantee that representatives of our State Veterans Commission, War Veterans' Council, and one County Veterans Affairs Directors [County Directors of Veterans Affairs] are among those appointed by the department. We believe these changes will improve the evaluation process, not hamper the department, and it will continue to afford them the final decision-making authority. These additions bring greater transparency and ensure that the donor dollars that are supported by the fund are being distributed with input from those who know the needs and the concerns of our veterans. So, Mr. President, I ask an affirmative vote for Senate Bill No. 531. When someone asks what we have done to honor veterans today, action on this important measure will be a great response.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-28

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

NAY-20

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

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

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

BILL OVER IN ORDER

**HB 623** -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL AMENDED

**SB 799 (Pr. No. 1102)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

ROTHMAN AMENDMENT A2232 AGREED TO

Senator ROTHMAN offered the following amendment No. A2232:

Amend Bill, page 1, line 4, by striking out the period after "maintenance" and inserting: ; and, in taxes for highway maintenance and construction, further providing for imposition of tax.

Amend Bill, page 2, by inserting between lines 7 and 8:

Section 2. Section 9502(a)(2) of Title 75 is amended by adding a subparagraph to read: § 9502. Imposition of tax.

(a) General rule.-- \* \* \*

(2) An additional 55 mills is hereby imposed on all liquid fuels and fuels as defined and provided in Chapter 90 and such tax shall also be collected as provided in section 9004(b), the proceeds of which shall be distributed as follows:

\* \* \*

(vii) In addition to any other use authorized by law for money distributed under subparagraph (iv), a county may use the money for the construction and maintenance of bridges owned by municipalities in the county.

\* \* \*

Amend Bill, page 2, line 8, 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 Cumberland, Senator Rothman.

Senator ROTHMAN. Mr. President, this amendment clarifies the inclusion of both Act 44 and Act 89 under this bill since Act 44 is not currently referenced, and the overall bill allows counties more flexibility in using bridge money to go to municipal bridges if they have already repaired or replaced all of their county bridges.

Thank you, Mr. President.

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

Without objection, the bill, as amended, was passed over in its order.

BILL OVER IN ORDER

HB 804 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL AMENDED

SB 824 (Pr. No. 1100) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

PENNYCUICK AMENDMENT A2109 AGREED TO

Senator PENNYCUICK offered the following amendment No. A2109:

Amend Bill, page 2, lines 28 and 29, by striking out "A SUBSECTION" and inserting:

subsections

Amend Bill, page 3, by inserting between lines 19 and 20:

(c.2) Exemption.--An entity subject to the requirements of 40 Pa.C.S. Ch. 45 (relating to insurance data security) shall be exempt from the notice requirements under subsection (c.1).

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

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

Senator PENNYCUICK. Mr. President, this amendment will clarify the reporting requirements for companies already mandated to report data breaches under current law. Insurance companies are already required to report a data breach to the Insurance Commissioner, and this amendment removes the redundant requirement that they also report a data breach to the Attorney General. Thank you, and I urge an affirmative vote.

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

Without objection, the bill, as amended, was passed over in its order.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 851 (Pr. No. 960) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for enforcement of failure to stop for school bus with flashing red lights.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Bill No. 851. I first would like to thank my co-chair, Senator Flynn, for helping to introduce this legislation. And we are, quite frankly, we are up against the gun here. This legislation will sunset October 24, so we are only a couple of weeks away from this legislation sunseting. So, it is imperative that we extend the period for this school bus stop arm camera at least 1 more year. And I understand there are other areas that we need to address, 100 percent. There is a myriad of issues that we need to work on in the implementation of that. Time is of the essence to pass this bill, as is, to get it across the finish line to extend that and then to continue the conversation to work to address several

issues with regard to this legislation. Thank you. I would ask for an affirmative vote for Senate Bill No. 851.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

Senator PITTMAN. Mr. President, I request temporary Capitol leaves for Senator Pennycuick and Senator Farry.

The PRESIDENT. Senator Pittman requests temporary Capitol leaves for Senator Pennycuick and Senator Farry. 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-48

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

**SB 22 (Pr. No. 1099)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 50 (Mental Health) of the Pennsylvania Consolidated Statutes, providing for protection of minors on social media; and imposing penalties.

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

BILLS OVER IN ORDER

**SB 210, SB 340, SB 365, SB 375 and SB 399** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL ON SECOND CONSIDERATION

**SB 423 (Pr. No. 410)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

**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.

SENATE RESOLUTION No. 134, ADOPTED

Senator PITTMAN, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 134**, entitled:

A Resolution urging the Federal Housing Finance Agency to rescind changes to Fannie Mae's and Freddie Mac's single-family pricing framework for home purchases, rate-term refinance and cash-out refinance loans that affect homebuyers in this Commonwealth.

On the question,  
Will the Senate adopt the resolution?

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

Senator PHILLIPS-HILL. Mr. President, I am pleased to join my colleague, the good Senator from Allegheny County, to call on our counterparts in the Federal government to uphold the fundamentals of the American dream. Earlier this year, the Federal Housing Finance Authority [Agency] unilaterally enacted a rewrite to the single-family pricing framework. Unfortunately, this change inverts the commonsense risk financing structure that was in place. The plan would essentially raise the rates for those who have high down payments and good credit while decreasing mortgage rates for those with bad credit and smaller down payments. This misguided policy would take money away from the people who played by the rules and did the right things.

I think of the people who elected me in southern York County, the thousands of hardworking middle-class families who have built a good credit score through great sacrifice and saved enough to make a strong down payment. This Chamber has even made a priority to require financial literacy in our public schools, thanks to the gentleman from Lebanon County. This body passed that measure with a vote of 44-5, because we want to teach our children that they will be rewarded for saving their money and building a good credit score. And the Federal government wanted to enact a policy that is contrary to what we want to teach our next generation about being fiscally responsible here in the Commonwealth. The Federal Housing Finance Authority [Agency] may have walked back this policy after very strong pushback from the public. And today, we can lend a loud voice by reiterating that

Pennsylvanians should not be penalized for playing by the rules and doing things the right way. I want to thank my colleague from Allegheny for sponsoring this important resolution and join him in respectfully asking for an affirmative vote on Senate Resolution No. 134.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise in opposition to this resolution, and I will provide my remarks for the record, but very briefly, as the gentlewoman mentioned, the fundamental rights or fundamental American dream certainly is applicable and should be available to those folks who have high credit scores. But those men and women and those families across this Commonwealth who have not been able to achieve that, in many instances through no fault of their own, do not have the ability to be able to access resources to be able to experience that fundamental American dream by purchasing a home. What I believe that the Federal Housing Finance Agency did was find the right balance, strike the balance between the 2 groups of individuals who we are talking about when it lowered what is available to the lower group below a 620 score, it is my understanding. And for all those reasons, I think it makes sense to at least say to the Federal government that what you did was appropriate, to be able to find the right balance to encourage homeownership of a group of individuals across this Commonwealth who, through no fault of their own in many instances, do not have the opportunity to access them or avail themselves to the financial support that they need to that end. So, I will support the rest of the balance of my remarks for the record. Thank you.

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

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

Mr. President, on the surface, Senate Resolution No. 134 is well-intentioned. Homeownership should be accessible and affordable to as many Pennsylvanians as we can provide it to. In recognition, over the last several years, through the pandemic and after, we have adopted essential programs to keep homeowners and renters in their homes, to support low-income housing development, and to provide tax and grant incentives to accomplish all of the above. While this resolution's heart is in the right place, it is boiling the national housing market down into an oversimplistic narrative: if one fee of any type goes up, and it is bad. Clearly, the housing market is far more dynamic and fluid than that. The Federal Housing Finance Agency (FHFA), which oversees Fannie Mae and Freddie Mac, was established to protect the safety and soundness of the housing finance system and promote affordable and sustainable access to mortgage credit nationwide. It has been over 8 years since FHFA undertook a comprehensive review of Fannie's and Freddie's pricing framework. It recently proposed two new fees. One is called the loan-level price adjustments for debt-to-income ratios. It is important to note that the implementation of this fee was rescinded. The second is called the pricing framework for single-family loans. The pricing grids, which are the formulas that help determine how fees are assessed based on credit and down payment amounts, in effect prior to these FHFA updates had not been updated in many years and were not fully reflective of the capital framework with which Fannie and Freddie are required to comply.

Escalating housing prices in recent years have put many families and hardworking Americans out of the bid for homeownership.

Increasing amounts of homes owned by private equity and Wall Street firms, accompanied by high inflation and rising demand, have contributed to these price increases. The median U.S. home sales price stands at about \$455,800 as of the first quarter of 2023, representing a whopping 32 percent increase from 2020, when the median was \$329,000. In the last 2 to 3 years however, the average American has neither become 32 percent richer nor gained a wage increase of 32 percent. Rising rents make it even more difficult for first-time home buyers to save for a down payment. At an average cost of \$455,800 for a home, middle-income American families would need to save roughly \$87,500, an amount which most families simply do not have. The updated pricing framework supports American homeowners by eliminating the upfront fees for many creditworthy borrowers—first-time homebuyers with lower incomes, for example—and does so by increasing the fees on products that are less central to homeownership, such as second homes, investment properties, and vacation homes.

A resolution that calls into question the FHFA's complex decision-making that is trying in earnest to make the dream of homeownership accessible to the broadest group of Americans is misplaced. We need all hands on deck to get our arms around the housing crisis each of our districts is facing. The eliminated loan-level price adjustment fees would actually help these borrowers to save for their monthly mortgage payments. FHFA is taking rightful steps toward making mortgages more affordable for first-time homeowners and many creditworthy borrowers who simply cannot afford a 20 percent down payment. The FHFA's actions are in the right direction and help to ensure a more equitable mortgage pricing framework that prioritizes middle-class home buyers. For these reasons, I am asking for a "no" vote on Senate Resolution No. 134.

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

Senator ROBINSON. Mr. President, I rise today with my colleague Senator Kristin Phillips-Hill in support of Senate Resolution No. 134 in an effort to urge the Federal Housing Finance Authority [Agency] to rescind the fee increases in their recently implemented single-family pricing framework. While we welcome fee reductions for entry-level buyers with low credit scores, the FHFA has heard from numerous organizations, such as the Mortgage Bankers Association and the National Association of REALTORS®, that the increased fees on borrowers with higher credit scores will only worsen housing affordability during this time of record home prices, surging mortgage rates, and low housing supply. Since Senator Phillips-Hill and I circulated our memo this spring and gathered a sizable cosponsor list, we are aware that the FHFA has retracted its debt-to-income ratio fee for home mortgages, which was very welcome news. We implore the FHFA to similarly rescind the fee increases burdening lower-risk home buyers, and we understand the FHFA took public comments on this new fee schedule based on borrowers' credit scores.

This is an opportune time to approve Senate Resolution No. 134, because FHFA seems responsive and genuinely interested in feedback specific to these issues. We want to ensure FHFA understands that we in the Pennsylvania Senate are serious that raising fees on any borrowers is not prudent, logical, or right, and we urge them to thoughtfully and carefully review all stakeholder feedback, as this fee schedule affects so many aspiring homeowners.

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

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

Senator STREET. Mr. President, I rise to urge a "no" vote on this resolution. The Biden Administration rightfully wanted to balance out and deemphasize a credit scoring system that has been frequently criticized for being unfair. First, the credit system algorithms have been shown to have systemic biases that disadvantage groups such as racial minorities and women. Because these algorithms are proprietary, the credit rating agencies have not yet subjected them to scrutiny as to why they are biased. Additionally, research shows that there is substantial arbitrariness in it, and responsible behavior in some of those aforementioned groups is actually penalized. Moreover, there is not sufficient transparency in how those scores are developed.

Beyond that, it is incumbent upon the Federal government to level the playing field in terms of buying houses. We know that in the '60s, during the implementation of the Homestead Act, there were many, many, many instances of redlining, racial profiling, and biases, not just for people who were people of color, but for anyone who lived in those communities. That generational wealth is passed down and then allows people who have greater access to that to get trade lines, and therefore have higher credit scores later in life. The systemic bias in that—we cannot and must not have a system that is based on historical bias, bias created by policies of the Federal government. Certainly, we cannot throw out those credit scores today completely, but we must begin the process of reforming that system. Owning a home is, in fact, the American dream for so many. That dream must be equally accessible to all people, and for a whole host of a variety of reasons, the system we have has historically disadvantaged some and advantaged others. The Biden Administration has been thoughtful and careful about how to make that system more equitable, and we in the Pennsylvania Senate should be applauding those efforts, not asking them to return to a more regressive way of doing things. I urge a "no" vote.

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

NAY-19

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

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

The PRESIDENT. The resolution is adopted.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 473 (Pr. No. 509) (Rereported)**

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in turnpike, providing for State intercept for unpaid tolls.

Senator PITTMAN, from the Committee on Rules and Executive Nominations, reported the following bill:

**SB 621 (Pr. No. 1149) (Amended) (Rereported) (Concurrence)**

An Act designating the portion of Pennsylvania Route 41 (Gap Newport Pike) from the intersection with Bernard Avenue to the intersection with Highland Road in West Fallowfield Township, Chester County, as the Corporal Brandon Hardy Memorial Highway; designating a bridge, identified as Bridge Key 13775, carrying Pennsylvania Route 641 over Big Spring Creek on the border of Newville Borough and West Pennsboro Township, Cumberland County, as the SFC Randall Shughart Memorial Bridge; designating a portion of Johnson Mill Road (State Route 1001) from the bridge over Buffalo Creek (Bridge Key 33467) to the intersection of Colonel John Kelly Road (State Route 1002) in Buffalo Township, Union County, as the Sgt. Edward L. Shannon Memorial Highway; designating a bridge, identified as Bridge Key 13617, carrying Pennsylvania Route 34, over Mountain Creek in Mount Holly Springs Borough, Cumberland County, as the Firefighter Jerome Guise Memorial Bridge; designating a bridge, identified as Bridge Key 8553, carrying State Route 1006 on Syberton Road over Clearfield Creek in Gallitzin Township, Cambria County, as the Private Martin J. Hanlon Memorial Bridge; designating a bridge, identified as Bridge Key 36247, carrying Pennsylvania Route 711 over Loyalhanna Creek in Ligonier Township, Westmoreland County, as the Sergeant Alvin P. Carey and Private John C. Ewing Medal of Honor Memorial Bridge; designating the bridge, identified as Bridge Keys 34474 and 34477, carrying Interstate 70 over Pennsylvania Route 18, on the border of Washington City and Canton Township, Washington County, as the Corporal Frank J. Sworden Memorial Bridge; designating a portion of Pennsylvania Route 310 between Knox Dale Road, also known as State Route 2023, and Ash Street in McCalmont Township, Jefferson County, as the Lance Cpl. Bernard Himes Memorial Highway; designating a bridge, identified as Bridge Key 33758, carrying Pennsylvania Route 427 over Sugar Creek in Sugar creek Borough, Venango County, as the Staff Sergeant Richard James Mulholland Memorial Bridge; designating a bridge, identified as Bridge Key 8537, carrying Pennsylvania Route 869 over a tributary of the Little Conemaugh River in Jackson Township, Cambria County, as the Sergeant Vance Stephan Keslar Memorial Bridge; designating a bridge, identified as Bridge Key 8392, carrying Pennsylvania Route 53 over Bruebaker Run in Dean Township, Cambria County, as the U.S. Army Technical Sergeant Joseph F. Johnston Memorial Bridge; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Cappel Memorial Bridge; designating a bridge, identified as Bridge Key 45701, carrying Pennsylvania Route 403 over the Conemaugh River between Johnstown City and West Taylor Township, Cambria County, as the Captain Raymond W. Callahan, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 8569, carrying State Route 1021 over Glendale Lake in White Township, Cambria County, as the CPL Reid Rex Ross 3 BT 26 Marine Reg. Memorial Bridge; designating a bridge, identified as Bridge Key 56008, carrying Pennsylvania Route 403 over Stonycreek River in Johnstown City, Cambria County, as the Sgt. John C. Alaimo Memorial Bridge; designating a bridge, identified as Bridge Key 8444, carrying US Route 219 over Pennsylvania Route 56, also known as Scalp Avenue, in Richland Township, Cambria County, as the PFC Stanley Albert Stys Memorial Bridge; designating a bridge, identified as Bridge Key 8547, located on State Route 1002, also known as Friend Lea Road, over U.S. Route 219 in Cambria Township, Cambria

County, as the PFC Cyril T. Yeckley Memorial Bridge; designating a bridge, identified as Bridge Key 8654, carrying State Route 3035 over the Little Conemaugh River in East Taylor Township, Cambria County, as the East Taylor Township Veterans Memorial Bridge; designating a bridge, identified as Bridge Key 43558, carrying U.S. Route 22 over a tributary of Hinckston Run in Jackson Township, Cambria County, as the Officer Matthew Krupa Memorial Bridge; designating a bridge, identified as Bridge Key 55994, carrying State Route 4002 over California Run in Cambria Township, Cambria County, as the Senior Chief Stanley "Stush" Kubat, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 46706, carrying State Route 4001, also known as Iverson Road, over Stevens Run in Blacklick Township, Cambria County, as the PVT Donald D. Marsh Memorial Bridge; designating a bridge, identified as Bridge Key 19716, carrying State Route 2019 over Mahoning Creek in Bell Township, Jefferson County, as the SP4 Michael Raymond Ishman Memorial Bridge; designating a bridge, identified as Bridge Key 5550, carrying Woodbury Pike (Pennsylvania Route 36) over Halter Creek, spanning Blair and Freedom Townships, Blair County, as the Pvt. William E. Green Memorial Bridge; designating a bridge, identified as Bridge Key 41606, carrying State Route 3011, also known as Branch Road, over Spring Creek in College Township, Centre County, as the Petty Officer John W. Coble Memorial Bridge; designating a bridge, identified as Bridge Key 46159, carrying Pennsylvania Route 36 on Charger Highway, Blair Township, Blair County, as the Marine Lance Corporal Ralph Hammel Memorial Bridge; designating a bridge, identified as Bridge Key 52767, carrying West High Street (State Route 4031), crossing the Ghost Town Trail, located in Ebensburg Borough, Cambria County, as the Corpsman Charles Doerr, United States Navy, Memorial Bridge; designating a bridge, identified as Bridge Key 11781, on that portion of State Route 3004 over the West Branch Susquehanna River, Burnside Township, Clearfield County, as the United States Army Sergeant Harold Koller Memorial Bridge; designating a bridge, identified as Bridge Key 8555, carrying State Route 1007 over Chest Creek on the border of Allegheny Township and East Carroll Township, Cambria County, as the Sergeant Regis H. Driskel Memorial Bridge; designating a portion of Pennsylvania Route 143 in Lynn Township, Lehigh County, from the intersection of Pennsylvania Route 309 to the border of Berks County, as Heroes Highway, in honor of fallen firefighter Marvin Gruber and Assistant Fire Chief Zachary Paris; designating a bridge, identified as Bridge Key 47515, carrying Pennsylvania Route 286 over Blacklegs Creek in Conemaugh Township, Indiana County, as the Captain Robert M. Young Memorial Bridge; designating a bridge, identified as Bridge Key 8574, carrying State Route 1021 over Clearfield Creek in White Township, Cambria County, as the Charles Owen Jenkins, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 45509, carrying U.S. Route 40 over Pennsylvania Route 43 in Redstone Township, Fayette County, as the PFC John Balog Memorial Bridge; designating a bridge, identified as Bridge Key 47947, carrying State Route 1054 over Indian Creek in Saltlick Township, Fayette County, as the Sgt. Earl D. Barkley Memorial Bridge; designating the section of State Route 403, also known as Cramer Pike, from the intersection with State Route 3041 in West Taylor Township, Cambria County, to the intersection with State Route 8010, Segment 250 (Ramp E) in East Wheatfield Township, Indiana County, as the Captain Harry G. Cramer Memorial Highway; designating a portion of Pennsylvania Route 173 between the southern border of Slippery Rock Township to the southern border of Slippery Rock Borough in Slippery Rock Township, Butler County, as the 173rd Airborne Brigade Highway; designating a bridge, identified as Bridge Key 53848, carrying Pennsylvania Route 36 over Canoe Creek in Bell Township, Jefferson County, as the PFC Larry E. Frantz Memorial Bridge; designating the interchange of U.S. Route 22/322 with Arch Rock Road in Fermanagh Township, Juniata County, as the Trooper Jacques F. Rougeau, Jr., Memorial Interchange; designating the bridge, identified as Bridge Key 47695, carrying U.S. Route 202 over Almshouse Road in Doylestown Township, Bucks County, as the CPT Connor J. Bednarzyk, USA Memorial Bridge; designating a bridge, identified as Bridge Key 12099, carrying Pennsylvania Route 120, also known as Renovo Road, over Young Women's Creek in Chapman Township, Clinton County, as the Staff Sergeant John F. Curcio Memorial Bridge; designating a bridge, identified as Bridge Key 44399, located on that portion of State Route 4049 over Interstate 70 in South Strabane Township, Washington County, as the Louis E. Waller Memorial Bridge; designating a bridge, identified as Bridge Key 9570, on that portion of State Route 3049 over

the Moshannon Creek in Rush Township, Centre County, as the Lance Corporal Michael P. Segich Memorial Bridge; designating a bridge, identified as Bridge Key 5759, located on that portion of State Route 3002 over South Poplar Run in Greenfield Township, Blair County, as the Corporal Clyde E. Walter, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 7178, carrying State Route 2018 over I-295 in Middletown Township, Bucks County, as the Staff Sgt. Jae S. Moon Memorial Bridge; designating a portion of Pennsylvania Route 445 from the intersection with Pennsylvania Route 45 to the intersection with Pennsylvania Route 192 in Millheim Borough and Penn Township, Centre County, as the Lieutenant General Robert D. Springer Memorial Highway; designating a bridge, identified as Bridge Key 55815, carrying State Route 1005 over Crooked Creek in Rayne Township, Indiana County, as the Sergeant Charles R. Learn Memorial Bridge; designating a bridge, identified as Pennsylvania Route 443 bridge, over the Little Schuylkill River, located in Walker Township, Schuylkill County, as the William Hoffman Memorial Bridge; designating a bridge, identified as Park Road Bridge, located in Wyomissing, Berks County, as the Joseph Walker Memorial Bridge; designating a bridge on U.S. Route 209 over Middle Creek, located in Polk Township, Monroe County, as the Charles Gardner Memorial Bridge; designating a bridge, also known as the Bridge Street Bridge, located in Weissport Borough, Carbon County, as the Ralph Strubinger Memorial Bridge; designating a bridge, identified as U.S. Route 422 Bridge, over the Little Cacoosing Creek, located in Lower Heidelberg Township, Berks County, and South Heidelberg Township, Berks County, as the Wilbur Bohn Memorial Bridge; designating a bridge, on Little Mountain Road over the Little Catawissa Creek, located in Union Township, Schuylkill County, as the Joseph Zienkiewicz Memorial Bridge; designating a bridge, on Pennsylvania Route 191 over Brodhead Creek, located in Stroud Township, Monroe County, as the Gordon Brink Memorial Bridge; designating a bridge, on Pennsylvania Route 924 over the railroad, located in Gilberton Borough, Monroe County, as the Walter Skubel Memorial Bridge; designating a bridge, on Pennsylvania Route 512 over the Monocacy Creek, located in Bethlehem City, Northampton County, as the Raphael Rivera Memorial Bridge; designating a bridge on Pennsylvania Route 443 over the Schuylkill River, located in Schuylkill Haven Borough, Schuylkill County, as the Caitlin McGarry Memorial Bridge; designating the portion of State Route 1013 (Academy Road) from the intersection with Cromwell Road to the intersection with Comly Road in Philadelphia, Philadelphia County, as the U.S. Army Ranger SPC Devin J. Kuhn Memorial Highway; designating a bridge, identified as Bridge Key 8660, carrying State Route 3039 over the Conemaugh River in the City of Johnstown, Cambria County, as the Corporal Robert J. Rusnak Memorial Bridge; designating a bridge, identified as Bridge Key 11476, on State Route 322, also known as Nichols Street over the West Branch of the Susquehanna River in the Borough of Clearfield, Clearfield County, as the Walter Lane Memorial Bridge; designating a bridge, identified as Bridge Key 5221, carrying U.S. Route 422 Business, also known as Penn Street, over the Schuylkill River in the City of Reading, Berks County, as the Police Officer Scott A. Wertz Memorial Bridge; designating a portion of State Route 2005, known as Lehigh Street, in Allentown, Lehigh County, from Segment 0060/Offset 1800 to the intersection with Vultee Street, as the Chief Christopher Kiskeravage Memorial Highway; and making repeals.

## SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

### BILL AMENDED

**SB 473 (Pr. No. 509)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in turnpike, providing for State intercept for unpaid tolls.

On the question,

Will the Senate agree to the bill on third consideration?

BOSCOLA AMENDMENT A2274 AGREED TO

Senator BOSCOLA offered the following amendment No. A2274:

Amend Bill, page 1, lines 9 through 18; page 2, lines 1 through 30; page 3, lines 1 through 7; by striking out all of said lines on said pages and inserting:

(a) Duty of Department of Revenue in intercept of State lottery winnings.--In the case of a person winning a single lottery prize of more than \$2,500 in the State Lottery, the Department of Revenue shall, after making its determination subject to section 215 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, and 23 Pa.C.S. § 4308 (relating to lottery winnings intercept) that either the lottery prize is not subject to a deduction for delinquent State tax liability, delinquent court-ordered obligations for crimes as defined in section 103 of the act of November 24, 1998 (P.L. 882, No.111), known as the Crime Victims Act, delinquent support or that after deducting for these delinquencies, prize amounts remain that can be subject to deduction for the amount of the outstanding toll liability:

(1) In consultation with the commission, make a reasonable effort to determine if the prizewinner has an outstanding toll liability, including any associated fee or penalty, prior to paying the lottery prize.

(2) If the Department of Revenue determines that the prizewinner has an outstanding toll liability, including any associated fee or penalty, and the right to appeal has expired with no appeal having been taken or if an appeal has been taken, it has been resolved and is not pending, the Department of Revenue shall intercept and deduct from the lottery prize the amount of outstanding toll liability and remit the deducted amount to the commission.

(3) Notify the prizewinner of the remittance to the commission.

(4) Pay the balance of the prize to the prizewinner in accordance with law.

(b) Duty of Department of Revenue in intercept of State income tax.--If a taxpayer is due a refund of tax under Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the Department of Revenue shall, after making a determination that the refund is not subject to a deduction for a delinquent State tax liability, a delinquent claim for support subject to 23 Pa.C.S. § 4307 (relating to State income tax intercept) or a claim for any delinquent court-ordered obligations for crimes as defined in section 103 of the Crime Victims Act, or that after deducting for any of those claims, amounts remain that can be subject to deduction, in whole or in part, for the amount of the outstanding toll liability:

(1) In consultation with the commission, make a reasonable effort to determine if the person owes to the commission unpaid tolls, including any associated fee or penalty, prior to paying the refund.

(2) If the Department of Revenue determines that the person owes unpaid tolls to the commission, including any associated fee or penalty, and the right to appeal has expired with no appeal having been taken or if an appeal has been taken, it has been resolved and is not pending, intercept and deduct the amount owed from the refund and remit the deducted amount to the commission.

(3) Notify the taxpayer of the remittance to the commission.

(4) Pay the balance of the refund to the taxpayer in accordance with applicable law.

(c) Right to review.--A prizewinner whose prize is used to satisfy or partially satisfy a toll obligation under this section or a taxpayer whose tax refund is used to satisfy or partially satisfy a toll obligation under this section may file an appeal to challenge the toll obligation with the commission in accordance with applicable law. The appeal must be filed within 30 days after the prizewinner or the taxpayer is notified by the Department of Revenue that the winnings or refund have been reduced or totally withheld to satisfy the prizewinner's or the taxpayer's outstanding toll obligation.

(d) Administrative fee.--The Department of Revenue may establish a fee of \$20 per intercept to cover actual costs to administer this section and may deduct the fee from the prize or refund subject to intercept under this section.

Amend Bill, page 3, line 22, by striking out "by law" and inserting: under section 215 of The Fiscal Code and 23 Pa.C.S. § 4308

Amend Bill, page 3, line 23, by striking out "in 90 days" and inserting:

on July 1, 2024, or in 180 days, whichever is later

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order.

**UNFINISHED BUSINESS  
BILLS ON FIRST CONSIDERATION**

Senator BROWN. 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 563, SB 596, SB 721, SB 842, SB 941, HB 404 and HB 1351.**

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, OCTOBER 4, 2023

9:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing on skill games in the Commonwealth)	Hearing Room 1 North Office (LIVE STREAMED)
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)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider House Bill No. 27)	Rules Committee Conference Room

TUESDAY, OCTOBER 17, 2023

10:00 A.M.	EDUCATION (public hearing on sexually explicit content in schools)	Hearing Room 1 North Office (LIVE STREAMED)
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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 Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, I rise today to recognize October as Domestic Violence Awareness Month. Regardless of age, race, sex, religion, or ethnic background, abuse can happen to anyone. Four in 10 American women and nearly 3 in 10 American men are impacted by sexual violence, physical violence, or stalking by an intimate partner at some point in their lifetimes. Domestic violence--also called intimate partner violence, domestic abuse, or relationship abuse--is a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship. It can happen to anyone at any point in a relationship. Last year, I was proud that our Chamber passed my "Yes Means Yes" legislation to teach affirmative consent standards and ensure Pennsylvania students have access to comprehensive and confidential support and services in the event of an assault, which is now law. But there is so much more that we can do to ensure that we are proactive about stopping domestic violence and to support victims of this kind of violence. Unfortunate but true, we all know someone whose life has been touched by domestic violence.

Domestic Violence Awareness Month is held throughout the month of October as a way to bring advocates across the nation together to end domestic violence. Communities, advocacy organizations, leaders in government, and more use this time to connect with one another in a true sense of unity to end domestic violence for good. Here in the legislature, I hope we think compassionately about what we can be doing to help end domestic violence in the Commonwealth. If you or someone you know needs help today, immediate and confidential support is available 24/7 through the National Domestic Violence Hotline by visiting [thehotline.org](http://thehotline.org) or calling 1-800-799-7233 or text the word "start," START, to 88788. Together, we can end domestic violence for good.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, Sunday, October 1, kicked off Banned Books Week across the nation. Until recently, America did not have a book banning problem that was widespread. However, we are in a very different place today than we even were 5 years ago. The American Library Association documented the highest number of attempted book bans last year since it began compiling the data more than 20 years ago. Pennsylvania ranks among the worst States in book banning efforts, where there were 56 attempts to ban 302 unique titles. Pennsylvania is second in the country only to Texas for the amount of book bans from July 31, 2021, to March 31, 2022, according to PEN America. Making this issue more heartbreaking is the fact that most books that are challenged share the stories and voices of marginalized communities that others might not be exposed to in their day-to-day life. Learning from others, opening up dialogues, and challenging our own perspectives is what education and knowledge is all about. We cannot grow if we never leave our own comfort zones.

And to that end, I have introduced Senate Bill No. 926 to prohibit book bans in Pennsylvania libraries, because I trust our librarians and our teachers to curate stories that reflect the values

of our communities and challenge our perspectives. My bill will bar school libraries and classrooms from removing books for political, racial, or ideological reason because book banning is not popular. Polling conducted by bipartisan research firms in 2022 showed that voters across the political spectrum oppose book bans and have confidence in libraries to make good decisions about their collections. And challenging books, well, that is not a widespread hobby. A *Washington Post* analysis of thousands of challenges nationwide found that 60 percent of all challenges in the 2021-2022 school year came from only 11 adults, each of whom objected to dozens and sometimes close to 100 books in their district. It is an absurd task to take on and one that deprives parents like myself of the right to decide what materials my child should be able to access in their library. I hope we use this time during Banned Books Week and beyond to reflect on the consequences that this rise in censorship will have in our nation. We must also dedicate time to reading books that others want to challenge. In an open, free, democratic society, knowledge must be allowed to flourish. Ending the book bans is essential to maintaining our democracy.

Thank you, Mr. President.

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

Senator MASTRIANO. Mr. President, today I rise to remember the life of Sergeant First Class Randall David Shughart, United States Army, who distinguished himself by actions above and beyond the call of duty 30 years ago today in Mogadishu, Somalia. On this day on October 3, 1993, while serving as a member of a Sniper Team with the United States Army Special Operations Command with Task Force Ranger in Mogadishu, Somalia, his Medal of Honor citation reads: Sergeant First Class Shughart provided precision sniper fires from the lead helicopter during an assault on a building and at two helicopter crash sites--which we would know from "Black Hawk Down"--he was subjected to intense automatic weapons fire and rocket-propelled grenade fires (RPG). While providing critical suppressive fires at both crash sites, Sergeant First Class Shughart and Master Sergeant Gordon, his team leader, learned that ground forces were not available to secure the site in a timely manner. Without any regard for their personal safety, Sergeant First Class Shughart and Master Sergeant Gary Gordon volunteered to be inserted into the danger zone to protect the four critically wounded personnel, despite being well aware of the danger on the ground. Three times they requested to be inserted to protect the survivors of the crashes. After the third request, Sergeant First Class Shughart and Master Sergeant Gordon received permission to perform this mission. When debris and enemy ground fires at the site caused them to abort the first attempt, Sergeant First Class Shughart and Master Sergeant Gordon were then inserted 100 meters south of the crash site. Equipped only with their personal weapons--sniper rifle and a pistol in the case of Sergeant First Class Shughart--they were under intense small arms fire from the enemy. Despite this, they fought their way through a dense maze of shanties and shacks to reach the critically injured crew members. Sergeant First Class Shughart pulled the pilot, Michael Durant, and the other crew members from the aircraft and established a perimeter which placed him and Master Sergeant Gordon in the most vulnerable position. Sergeant First Class Shughart used his rifle and sidearm to kill a large number of enemy attackers while traveling



the perimeter to protect the downed crew. Sergeant First Class Shughart continued his protective fire until he ran out of ammunition and then was fatally wounded. His actions saved Durant's life. Sergeant First Class Shughart's extraordinary heroism and devotion to duty were in keeping with the highest standards of military service and reflect great credit on him, his unit, and the United States Army. End quote.

Both Sergeant First Class Shughart and Master Sergeant Gordon were posthumously presented the Medal of Honor for military valor on the 23rd of May, 1994. Sergeant First Class Shughart hailed from Newville, just down the road in Cumberland County, and Master Sergeant Gordon was from Maine. If this story sounds familiar, as I alluded to before, it was depicted in the "Black Hawk Down" movie where we see the heroism of those two great soldiers played out. In that action that day, there were 18 Americans killed in action and 70 wounded in action. I request that we all continue to remember the actions of Sergeant First Class Shughart, Master Sergeant Gordon, and all the brave heroes of our mission in Somalia to save lives.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I rise because today marks 6,295 days since our Commonwealth's legislature last passed an increase in our minimum wage. This lack of action is not just a moral failure, it is an economic failure. We are missing out on the opportunity to make real change in the lives of hundreds of thousands of low-wage earners in Pennsylvania. But it is not only the act of putting money directly into their pockets. Some of the benefits of raising the minimum wage include reducing poverty. One of the most immediate benefits of raising the minimum wage is the reduction in poverty rates. Many minimum-wage workers are struggling to make ends meet and often rely on public assistance programs. By increasing their income, these workers become less reliant on social safety nets, ultimately saving the State money.

Increasing consumer spending: when low-wage workers receive a pay raise, they tend to spend the additional income on essential goods and services. This uptake in consumer spending can stimulate local businesses and boost the State's economy. Increased demand can lead to job creation and future economic growth, improving worker productivity and retention. Higher wages can improve workers' morale and motivation. When employees are paid a fair wage, they are more likely to stay with their employers for a longer period. Reduced turnovers saves businesses money on recruitment and training costs, benefiting both employers and employees in the State. Healthcare savings: when low-wage workers have access to better wages, they are more likely to afford healthcare, reducing the burden on public healthcare systems. Fewer uninsured and underinsured individuals means lower healthcare costs for the State. Reducing income inequality: raising the minimum wage is an effective way to address income inequality. It narrows the income gap between the lowest-paid workers and the higher-income earners, promoting economic equity.

We have the chance right now, Mr. President, to make meaningful changes in our minimum wage, and in turn, make real economic progress for our lowest-wage earners in Pennsylvania. Senate Bill No. 12 would help address all the issues I mentioned

by making sure no Pennsylvanian who works a full-time job struggles to make ends meet. Pennsylvania's workers deserve better. Pennsylvania's workers 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 call for more support and more services for Pennsylvania's most precious resource: our children. Last month marked the end of the Federal [Child Care Stabilization Grant Program--vital funding that supported childcare programs and workers across the Commonwealth and the nation.] In Pennsylvania, the program provided funding for more than 4,200 childcare centers and more than 2,600 childcare family homes, impacting up to 365,000 children in nearly every county. We have talked about the need for accessible, quality, affordable childcare services in this Chamber before. We know how critically important it is to provide our youngest children a strong, healthy foundation for success in life, especially since 80 percent of brain growth and development takes place in the child's first 3 years of life. And we know that parents need reliable childcare to return to work, to advance their careers, and pursue entrepreneurship and other opportunities for economic growth and advancement.

Unfortunately, the end of this program marks the continued erosion of the childcare industry in Pennsylvania, an industry that is part of our human services infrastructure. Already, childcare programs are facing a crisis in the Commonwealth. Due to low pay and staffing shortages, wait lists are growing, hours and classes are being scaled back, and some centers are closing their doors entirely. With the end of this lifeline, unfortunately, that trend is expected to continue. One study estimates that it will result in the following: the closure of more than 2,800 childcare programs; the loss of childcare services for more than 152,000 children; and \$412 million in lost earnings for parents; and \$10 million less in State income tax revenue. Of course, those impacts will be felt more profoundly in lower-income and single-parent families. Let us remember, we get only one childhood. The human toll is far more devastating. It is innumerable in terms of lost opportunities for growth and advancement for our children and our young people. I know that our congressional colleagues have introduced legislation to extend the program for another 5 years. But with lack of a clear path forward in Washington, it is up to us at the State level to take action. Yes, our latest budget did provide a \$90 million increase to continue supporting childcare providers. But the bottom line is this: for workers, childcare jobs just do not pay enough; for families, childcare is too expensive; for providers, there are not enough employees; and for the entire industry, there is a lack of investment at the State and Federal levels.

My family has been blessed with two awesome children and four beautiful grandchildren. I know many of my colleagues here take immense pride and joy in their roles as parents, grandparents, aunts, uncles, and so on. This is not a Republican or a Democratic issue. Our children are the light of our lives and the future of our planet. So, I hope, I sincerely hope, that we will come together to enact legislative supports, solutions that will support childcare programs and workers for the benefit of all Pennsylvania children, families, and for our communities. Thank you.

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

Senator L. WILLIAMS. Mr. President, I rise today to remind this body of Senate Resolution No. 5, Senate Resolution No. 6, and Senate Resolution No. 7, which are the Ethics, Financial, and Operating Rules reforms that Senator Katie Muth and I proposed on the opening day of this Session back on January 3. The Ethics Rules are what I would like to talk about today. Our proposed Senate Resolution No. 5 mirrors the House Rules, offering sexual harassment protection to all individuals working with Members, officers, or employees of the Senate, including outside contractors, lobbyists, and visitors. I agree with recent public statements from my Senate colleagues on both sides of the aisle who have called for the need for better protections for State employees. The passage of Senate Resolution No. 5 would mean that anyone working with the Senate in any capacity will be protected. It should not matter where your paycheck comes from or which side of the building you are working on. Everyone who comes here to work or visit should be safe from harassment. I am tired of watching women be victimized first by their harassers and then through retaliation and in the press. I want to protect them from becoming victims in the first place.

Once again, sexual harassment in Harrisburg is in the news this week. We can and should stand with victims, but we should not throw stones in glass houses. We do not currently have adequate protections here in the Senate. Nine months ago, we were told that there had not been enough time to review the changes that we proposed, even though Members were sent our proposals several days in advance. Votes on our resolutions were tabled, and they were referred to the Committee on Rules and Executive Nominations. Instead, we were asked to vote on three sets of rules that we had not seen until that day. Well, it is 9 months later, and we have heard nothing from the Committee on Rules and Executive Nominations. There have been no discussions in committee, no hearing on these resolutions, no committee vote, no discussion with the makers to amend our resolution, no alternative rule proposed. I stand by ready and willing to have a discussion about how we finally pass rules to help protect all victims of sexual harassment here in the Senate.

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:

MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

October 3, 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 July 26, 2023, of Moriah Hathaway, 112 Juniata Hall, Middletown 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to

serve until July 1, 2025, and until the successor is appointed and qualified, vice Laura Ellsworth, Sewickley, resigned.

JOSH SHAPIRO  
Governor

MEMBER OF THE PENNSYLVANIA CONVENTION CENTER AUTHORITY

October 3, 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 July 26, 2023, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Convention Center Authority, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Robert Loughery, Perkasio, whose term expired and whose last day was April 23, 2021.

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 COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

October 3, 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, Susan Cohen, 2960 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2025, and until the successor is appointed and qualified, vice Laura Ellsworth, Sewickley, resigned.

JOSH SHAPIRO  
Governor

MEMBER OF THE PENNSYLVANIA CONVENTION CENTER AUTHORITY

October 3, 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, Mark Dambly, 354 Darlington Road, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the Pennsylvania Convention Center Authority, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Robert Loughery, Perkasio, whose term expired and whose last day was April 23, 2021.

JOSH SHAPIRO  
Governor

MEMBER OF THE PENNSYLVANIA CONVENTION CENTER AUTHORITY

October 3, 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, Joseph V. Hill, 2301 Cherry Street, Apt. 6G, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Convention Center Authority, to serve until January 19, 2027, and until the successor is appointed and qualified, vice Jeff Brown, Philadelphia, whose term expired.

JOSH SHAPIRO Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

October 3, 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, Charles Charlesworth (At-Large), 200 Camins Parkway, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

JOSH SHAPIRO Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

October 3, 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, William Gibney (District 7), 70 Shuman Road, Honesdale 18431, Wayne County, Fortieth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

JOSH SHAPIRO Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

October 3, 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, Eric Hussar (District 5), 680 Tall Oak Lane, Lewisburg 17837, Union County, Twenty-third Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat

Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

JOSH SHAPIRO Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

October 3, 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, Richard Kauffman (District 8), 505 Butter Lane, Leesport 19533, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

JOSH SHAPIRO Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

October 3, 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, Daniel Pastore (District 1), 5401 Uhlman Road, Fairview 16415, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

JOSH SHAPIRO Governor

BILL SIGNED

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

SB 836.

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 Wednesday, October 4, 2023, at 11 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 4:39 p.m., Eastern Daylight Saving Time.