

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, OCTOBER 24, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 48

SENATE

TUESDAY, October 24, 2023

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

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

PRAYER

The Chaplain, Reverend KRIS WINT, of Finland Mennonite Church, Pennsburg, offered the following prayer:

Let us pray.

God almighty, generous Creator, kind Heavenly Father, holy is Your Name. We pray Your kingdom come, Your will be done on earth as it is in heaven. Your kingdom come, Your will be done here in this Senate, and by extension, throughout all of Pennsylvania as it is in heaven. Lord, I thank You for every Senator who currently serves. You have them here for a reason. You compiled this exact team in all of its diversity and perspectives for this exact time and season. Would You give each of them, today, their daily bread. God, I pray a blessing over each one for wisdom, insight, humility, and patience. May each Senator and each staff member who serves be filled with joy, hope, and peace; filled to the point of overflowing. And as those things overflow amongst themselves, let it lead to unity within parties and across party lines; a unity that values the other's insights and perspectives; a unity that allows this Senate, along with the House of Representatives, to create together what they could never create on their own.

O gracious God, I thank You for Your love and forgiveness, Your truth, grace, and mercy. I pray that each person here would experience those things in powerful, intimate ways. And as these Senators look to work together, Lord, we recognize that we are human. Conversations may get heated and intense, missteps will happen, offenses will be experienced. Even in those times, Lord, or perhaps especially in those times, watch closely over them, be especially near to them, delivering them from dissension, discord, and drama. In addition, Lord, fill this space with Your glory, pouring out blessings of patience, kindness, gentleness, and meekness, that they would come back together again and again, pursuing the common good. Lord, as they work for justice and equality across Pennsylvania, may their work be a reflection of Your kingdom, Your glory, and Your power. I bless each of them with Your peace. May it guard their hearts and minds today and each day they gather. In the name of the Father, the Son, and the Holy Spirit. Amen.

The PRESIDING OFFICER. The Chair thanks Pastor Wint, who is the guest today of Senator Pennycuik.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

October 24, 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 June 12, 2023, of John DeFilippo, 102 Indian Hannah Road, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, 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, vice George Mermon, Nesquehoning, whose term expired.

JOSH SHAPIRO
Governor

BILLS REPORTED FROM COMMITTEES

Senator DiSANTO, from the Committee on Banking and Insurance, reported the following bill:

SB 943 (Pr. No. 1121)

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

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

SB 700 (Pr. No. 1183) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for Career and Technical Instructional Certificate.

SB 907 (Pr. No. 1182) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school security, providing for school security personnel.

HB 1258 (Pr. No. 1768)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for calculation of average daily membership for a dual credit course.

HB 1507 (Pr. No. 1723)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for minimum number of days or hours.

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 265 (Pr. No. 228)

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, providing for garage drains; and abrogating regulations.

HB 1246 (Pr. No. 1415)

An Act providing for crematory regulation.

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

SB 668 (Pr. No. 1180) (Amended)

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

SB 736 (Pr. No. 853)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in decrees and records, further providing for definitions and for original birth record.

SB 828 (Pr. No. 1181) (Amended)

An Act amending the act of May 29, 2012 (P.L.549, No.54), known as the Stroke System of Care Act, providing for Statewide stroke registry.

HB 507 (Pr. No. 1033)

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

Senator LANGERHOLC, from the Committee on Transportation, reported the following bills:

SB 958 (Pr. No. 1178)

An Act designating a bridge, identified as Bridge Key 42031, located on that portion of U.S. Route 219 over Pentz Run on the border of Sandy Township and the City of DuBois, Clearfield County, as the Trooper First Class Brad Wilson Honorary Bridge.

SB 964 (Pr. No. 1179) (Amended)

An Act designating the roundabout connecting U.S. Route 209 and Pleasant Valley Lane near the Pleasant Valley High School in Brodheads-ville, in Monroe County, as the Schyler Herman Memorial Roundabout.

HB 1284 (Pr. No. 2188) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for automated speed enforcement systems in active work zones and for pilot program for automated speed enforcement system on designated highway.

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

SB 501 (Pr. No. 469)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for definitions, providing for public safety authorities and further providing for purposes and powers.

HB 269 (Pr. No. 2187) (Amended)

An Act amending Title 16 (Counties) of the Pennsylvania Consolidated Statutes, consolidating the act of April 8, 1868 (P.L.73, No.37), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers"; and making a repeal.

LEGISLATIVE LEAVES

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

Senator AUMENT. Madam President, I request temporary Capitol leaves for Senator Yaw and Senator Baker, and legislative leaves for Senator Vogel and Senator Brown.

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

Senator COSTA. Madam President, I request a legislative leave for Senator Hughes.

The PRESIDING OFFICER. Senator Aument requests temporary Capitol leaves for Senator Yaw and Senator Baker, and legislative leaves for Senator Vogel and Senator Brown.

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

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDING OFFICER. The Journal of the Session of June 30, 2023, is now in print.

The Clerk proceeded to read the Journal of the Session of June 30, 2023.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDING OFFICER. The Journal is approved.

LEAVE CANCELLED

The PRESIDING OFFICER. Senator Brooks has returned, and her personal leave is cancelled.

**GUESTS OF SENATOR TRACY PENNYCUICK
PRESENTED TO THE SENATE**

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

Senator PENNYCUICK. Madam Chair, I would like to take this opportunity to introduce and welcome our guest Chaplain for today's Session, Pastor Kris Wint. Pastor Wint is the lead pastor at Finland Mennonite Church in Pennsburg. He and his fellow church members work very hard to strengthen our community bonds within my district by organizing sports trips, service trips, food drives, movie and game nights, and a variety of other events that serve to bring the residents of Pennsburg closer together. In his free time, he enjoys spending time with his wife, Ginger; and four children, Chloe, Logan, Paige, and Jace. The family often embarks on camping trips together, and this past summer, completed an 88-mile hike through Shenandoah National Park. Today, he is joined by seven 10th graders who are studying in the Challenge II program of Classical Conversations. These students are Noah Kline, Ambry Williams, Julia Daniels, Kaden Shorb, Zack Zuch, Isaiah Smith, and his daughter, Chloe Wint. Please join me in welcoming Pastor Wint and his students to the Senate.

The PRESIDING OFFICER. Will the guests of Senator Pennycuick please rise.

[Applause.]

**GUESTS OF SENATOR JIMMY DILLON
PRESENTED TO THE SENATE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Dillon.

Senator DILLON. Madam President, today I stand here to recognize the Philadelphia RISE 16-and-under Girls' Basketball Team for their extraordinary accomplishments and for representing the city of Philadelphia and the Commonwealth of Pennsylvania with pride and distinction. Philly RISE wrapped up their season with a remarkable 34-1 record, culminating in back-to-back Nike National Champions. On July 10, they competed on national television in Chicago, facing off against the 32 best travel teams from across the country. In addition to winning the 2023 national championship, this team also won the Nike regional tournament in Dallas and finished their season by winning the national championship invitational in Ohio. Philadelphia RISE was founded in 2021 by Kevin Lynch, and in just 3 years, the RISE organization has won back-to-back national championships, along with 14 other championships, and has quickly established itself as the gold standard on the prestigious Nike EYBL tour.

Winning the 2023 Nike National Championship is a testament to their unwavering commitment to excellence. Becoming national champions is a monumental feat, and it does not happen by chance. It is the result of relentless hard work and unyielding dedication. These young women have put in the countless hours of practice, faced adversity head-on, and persevered through every challenge that came in their way. But this is not just about wins and trophies; it is about empowering our youth. The RISE was founded to provide a platform to empower and provide positive experiences for young ladies in a teamwork environment where they understand their true value. The term "RISE" stands for respect, inspire, sportsmanship, and equality. Philly RISE is all about making a real impact on the lives of student-athletes. They embrace the challenges of intense athletic competition, learning the values of being exceptional teammates, developing leadership skills, and recognizing the true worth of themselves. This is about more than just basketball. Kevin Lynch and the Philly girls' RISE program are truly making a difference in our communities. I am proud to stand here and offer my deepest congratulations to the Philly RISE on their amazing accomplishments, and I will continue to support their mission to empower and uplift the young women in my district. Madam President, if you would please join me in congratulating and offering a warm welcome for their accomplishments. Thank you.

The PRESIDING OFFICER. Would the guests of Senator Dillon please rise to be welcomed by the Senate.

[Applause.]

**GUEST OF SENATOR KATIE J. MUTH
PRESENTED TO THE SENATE**

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

Senator MUTH. Madam President, I rise today to welcome my intern, Anthony Fiore, to the Senate. Anthony is currently a junior at Wilson High School in West Lawn, Berks County. Not only is he an excellent student, he is taking a full course load of AP and honors classes in addition to his time spent helping

constituents in my office. At Wilson High School, Anthony is a member of the boys' swimming and diving team and was a member of the 2022 State champion boys' water polo team. He is also a member of the Wilson High School Senate, the Model United Nations club, and the medical leaders of tomorrow club. Anthony is also very involved in our community and has served as a youth ambassador for Keystone Military Families since 2015. In his role, he has raised over \$35,000 in monetary donations and has shipped over 22 tons of goods to our troops stationed abroad. Anthony is also a certified lifeguard and is an American Red Cross certified CPR trainer and for the use of training those to use an AED. Some of my colleagues in the Senate had the opportunity to meet Anthony earlier this year when Aidan's Heart Foundation came to the Capitol for a lobby day and press conference to call for support for legislation to require AEDs in every school and require CPR certification. Anthony is one of Aidan's Heart Foundation's Heart Heroes and works to train sixth-grade students in CPR and to use an AED.

Mr. [Madam] President, Anthony has been not just an amazing intern in our office, but also just a delight to work with and also adding a lot of youth perspective and information to myself and to my team even on legislative issues on things impacting him, his family, his friends. And I am very grateful that he is in our office helping us out and look forward to seeing what he does in the future. Thank you, I ask my colleagues to give Anthony a warm Senate welcome.

The PRESIDING OFFICER. Would the guest of Senator Muth please rise to be welcomed by the Senate.

[Applause.]

GUEST OF SENATOR STEVEN J. SANTARSIERO PRESENTED TO THE SENATE

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

Senator SANTARSIERO. Madam President, I rise today to welcome Debbie Popp to the Capitol. Debbie joins us as my constituent, but also as an advocate with the United Ostomy Associations of America, who earlier this month recognized October 7, 2023, as Ostomy Awareness Day. Ostomy Awareness Day serves as a powerful reminder of the significance of a lifesaving and life-restoring surgery. For many people around the world, ostomy surgery is not just a medical procedure. It is a lifeline, a symbol of hope, and a testament to the strength of the human spirit. An ostomy is a surgical procedure that creates an opening, or stoma, in the abdomen, allowing for the safe removal of bodily waste when normal function of the digestive or urinary systems is compromised due to a range of medical conditions. Approximately 1 million Americans have undergone ostomy surgery, and every year, around 100,000 new ostomy procedures are performed. Ostomy surgery offers a chance for a fulfilling life irrespective of age or background. And I pause here, Madam President, to say that this issue has become personal to our family, when my sister-in-law, who lives in Cleveland, had an ostomy performed about a month ago after battling with colorectal cancer. And I am happy to report she is doing well today. And I am sure many of the services that the association provides will be of great benefit to her, and Debbie is already committed to providing information to her and I am very grateful for that, on a personal note.

The United Ostomy Associations of America has played a pivotal role in raising awareness about ostomy and providing essential resources to those in need. They offer education, mutual aid, advocacy, and support to individuals and their families, ensuring that no one faces the challenges of an ostomy alone. These efforts are invaluable in empowering individuals to live their lives to the fullest. Madam President, by recognizing October 7, 2023, as Ostomy Awareness Day, we send a clear message, we stand with individuals who have undergone ostomy surgery, and we celebrate their strength and resilience. But we also underscore the vital need to ensure that those living with an ostomy face no discrimination and are embraced as normal, healthy people. Awareness is the cornerstone of this mission, and it is a mission that unites us all in support and compassion. Madam President, let us pledge to continue our efforts in spreading awareness, fostering empathy, and providing support to those who have undergone ostomy surgery. Together, we can create a world where everyone is recognized for their inner strength, courage, and determination, rather than the medical procedures that they have undergone. Again, I want to thank Debbie for joining us in celebrating Ostomy Awareness Day and for her continuing advocacy to erase the myths and stigma that are associated with having an ostomy and truly for being someone who cares and wants to help others. Debbie, thank you. Madam President, I would ask the Senate to extend to Debbie Popp our usual warm welcome.

The PRESIDING OFFICER. Would the guest of Senator Santarsiero please rise to be welcomed by the Senate.

[Applause.]

GUEST OF SENATOR RYAN P. AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Madam President, it is my pleasure to introduce my guest for the day, Mr. Bradley Roth. Bradley graduated in May from Bloomsburg University with a degree in political science and a minor in legal studies. During his time in Bloomsburg, he worked as a community assistant, helping staff and residents to enhance the college experience that others have. Bradley also worked as a dietary aide for Kadima of Lititz. He helped prepare and deliver meals for residents with dietary restrictions. He also completed an internship with the National Tank Truck Carriers. In that role, he conducted research, documented committee meetings, and developed graphics and other content for social media and newsletters. Now he is here with us today as part of his search for a career. Bradley already knows he is interested in research and constituent services. I hope that spending today in our State Capitol will give him further insight regarding what opportunities he would like to pursue. Please join me in welcoming my guest, Bradley Roth, to the Pennsylvania Senate.

The PRESIDING OFFICER. Would the guest of Senator Aument please rise to be welcomed to the Senate.

[Applause.]

GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Madam President, I rise today to introduce to all of you a young man who has been serving as a legal intern in the Harrisburg office this fall, Mr. Riley Compton. Riley is joined today by his parents, Mark Compton and Leeanne Sherman and Ken Morder. He was previously a legislative intern in the Senate, and we liked him so much that we invited him back for a second internship. Riley is a 2020 graduate of Penn State University, where he majored in political science, and a 2023 graduate of the Notre Dame Law School.

In fact, just 3 weeks ago, Riley found out he passed the bar exam while he was in our office, and we could not be more proud of him. Riley is a hard worker, go-getter, and as motivated as they come. We have really enjoyed having his young energy and perspective in the office, and we will certainly miss him. Next month, he will start the next chapter of his career in Washington, DC, and we wish him the very best. I ask that you all please join me in giving Riley Compton a warm Senate welcome.

The PRESIDING OFFICER. Would the guests of the President pro tempore, Senator Kim Ward, please rise to be welcomed to the Senate.

[Applause.]

CALENDAR

SECOND CONSIDERATION CALENDAR

HB 295 CALLED UP OUT OF ORDER

HB 295 (Pr. No. 251) -- Without objection, the bill was called up out of order, from page 3 of the Second Consideration Calendar, by Senator PITTMAN, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 295 (Pr. No. 251) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in soil and plant amendment, further providing for registration, for inspection fees, for tonnage reports and for disposition of funds.

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

HB 1170 CALLED UP OUT OF ORDER

HB 1170 (Pr. No. 1235) -- Without objection, the bill was called up out of order, from page 4 of the Second Consideration Calendar, by Senator PITTMAN, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1170 (Pr. No. 1235) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, further providing for title of act; in purpose, short title and definitions, further providing for definitions and construction; in organization of the board, further providing for appointment and terms of members and quorum; in licenses of milk dealers, further providing for grounds for refusal, suspension or revocation; in monies and expenses of board, further providing for expenses and for payment; and, in saving provisions, repealing provisions relating to Joint Study Committee.

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

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations, followed by a meeting of the Committee on Law and Justice, both of which will be held in the Rules room immediately. Following both committee meetings, the Senate Republicans will caucus in the Majority Caucus Room.

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

Senator COSTA. Madam President, at the conclusion of the two meetings that were described by the Majority Leader, Senate Democrats will meet in the rear of the Chamber for a caucus.

The PRESIDING OFFICER. For purposes of a meeting of the Committee on Appropriations to be held off the floor in the Rules room immediately, followed by a meeting of the Committee on Law and Justice, 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.

LEGISLATIVE LEAVES

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

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

The PRESIDENT pro tempore. Senator Pittman requests a temporary Capitol leave for Senator Regan, and legislative leaves for Senator Robinson and Senator Gebhard. Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 22 and SB 346 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 353 (Pr. No. 283) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator DUSH. Madam President, thank you for the opportunity to speak on Senate Bill No. 353, and I also want to thank Senator Scott Martin for allowing me to prime sponsor this legislation during the current Session. Constitutional republics are unique in world history. While other forms of government have relied on the use of force for a dictator, monarch, or totalitarian organization to make subjects of the people, constitutional republics rely on written declaration of the people as the franchise owners and describing as to what form of government they will accept. Senate Bill No. 353 would fully restore the right of Pennsylvania school districts to display the preamble of the Constitution of Pennsylvania in every school building paid for with taxpayer funding. The preamble of the Pennsylvania Constitution reads: "We, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and establish this Constitution."

This preamble declaration is foundational to the form of government the people choose to write, they choose to administer, and they choose to interpret the law while reserving to themselves the supreme power to change the form of government through our constitutions. Senate Bill No. 353 also includes language which will enable the State Constitution preamble to take the form of artwork from a student contest that can be prominently and proudly displayed in each school building if and when they choose to do so. Madam President, again, I thank you for the opportunity to present this, and I am asking for an affirmative vote.

And the question recurring, Shall the bill pass finally?

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

YEA-42

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

NAY-8

Cappelletti	Comitta	Muth	Saval
Collett	Kearney	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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Hughes has returned, and his legislative leave is cancelled.

LEAVE CHANGED

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

Senator PITTMAN. Madam President, I request that Senator Yaw's leave be changed from a temporary Capitol leave to a legislative leave.

The PRESIDENT pro tempore. Senator Pittman requests that Senator Yaw's leave be changed from a temporary Capitol leave to a legislative leave. Without objection, the leave will be changed.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 456 (Pr. No. 436) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator DUSH. Madam President, I appreciate the opportunity to speak on Senate Bill No. 456.

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure [the]

Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of [for] the United States of America."

Madam President, like my previous legislation, Senate Bill No. 456 also includes language which will enable the Federal Constitution preamble to take the form of artwork from a student contest that can be prominently and proudly displayed in each school building, if and when the schools choose to do so. Not coincidentally, the preamble of our republic's Constitution, like the preamble of our State Constitution--which was ratified first, by the way--begins with "We the People." This timeless three-word phrase remains foundational to America's unrivaled government-limiting franchise and demonstrates that the right to govern is exclusively granted by the people. Updated for the 21st century, this means that government cannot touch this--any of our God-given self-evident rights. It is my hope that, if enacted, this bill will encourage students to learn more about our State and Federal Constitutions so that they may be better equipped to think for themselves and actively participate in all levels of governments. My prayer is that these preamble displays serve as a daily reminder to students to prepare themselves to take their place in our constitutional republic, a place of power and responsibility that belongs to the franchise owners. It is for reinforcing and restoring all of these foundational principles that I ask for a unanimous vote on Senate Bill No. 456. Thank you.

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

Senator HAYWOOD. Madam President, I rise in support of Senate Bill No. 456, which would require the display of the preamble of the United States Constitution in every school in the Commonwealth. All Americans, especially students, should know and celebrate the Constitution. This legislation is a great start toward that goal. I believe that this legislation will open the door, indeed the floodgates, of conversations about our Constitution. What I anticipate that this passage will result in is recognition across schools in the Commonwealth that our Constitution includes birthright citizenship; equal protection against discrimination; privacy; one person, one vote; and freedom of and from religion. It is critical that the next generation of Americans understand that these are ideals on which our Commonwealth and our nation was built and that in every election there is a winner and a loser. For those reasons, I encourage all my colleagues to vote for Senate Bill No. 456 and a robust discussion of the United States Constitution.

Thank you, Madam President.

And the question recurring, Shall the bill pass finally?

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

YEA-42

Argall	Dillon	Langerholec	Rothman
Aument	DiSanto	Laughlin	Schwank
Baker	Dush	Martin	Stefano
Bartolotta	Farry	Mastriano	Street
Boscola	Flynn	Miller	Tartaglione
Brewster	Fontana	Pennycuick	Vogel
Brooks	Gebhard	Phillips-Hill	Ward, Judy
Brown	Haywood	Pittman	Ward, Kim

Coleman	Hughes	Regan	Williams, Anthony H.
Costa	Hutchinson	Robinson	Yaw
Culver	Kane		

NAY-8

Cappelletti	Comitta	Muth	Saval
Collett	Kearney	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 AMENDED

HB 735 (Pr. No. 1739) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Flood Insurance Premium Assistance Task Force.

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

PITTMAN AMENDMENT A2638 ADOPTED

Senator PITTMAN offered the following amendment No. A2638:

Amend Bill, page 1, line 1, by striking out all of said line and inserting:

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; providing for judicial administration; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for Flood Insurance Premium Assistance Task Force; in powers and duties of Department of Human Services and its departmental administrative and advisory boards and commissions, providing for child support enforcement fees; and, in judicial administration, providing for surcharge and fee.

Amend Bill, page 1, lines 4 through 16; pages 2 through 5, lines 1 through 30; by striking out all of said lines on said pages and inserting:

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding an article to read:

ARTICLE XV-C

FLOOD INSURANCE PREMIUM ASSISTANCE TASK FORCE

Section 1501-C. Definitions.

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

"FEMA." The Federal Emergency Management Agency.

"Task force." The Flood Insurance Premium Assistance Task Force established under section 1503-C.

Section 1502-C. Findings.

The General Assembly finds that:

(1) Many communities within this Commonwealth have faced devastating floods in recent years.

(2) The provisions of 42 U.S.C. Ch. 50 (relating to national flood insurance), has caused steep increases in flood insurance premiums to pay for increased spending in FEMA flood disaster assistance program.

(3) In the past several years, FEMA has revised its flood mapping to include many properties that previously did not require flood insurance.

(4) Whole communities along Pennsylvania's rivers and creeks could be devastated by plummeting property values due to unaffordable flood insurance premiums.

Section 1503-C. Flood Insurance Premium Assistance Task Force.

(a) Establishment.--The Flood Insurance Premium Assistance Task Force is established.

(b) Membership.--The task force shall consist of the following members, appointed within 25 days after the effective date of this subsection:

(1) The Insurance Commissioner, or a designee who shall be an employee of the Insurance Department appointed by the Insurance Commissioner, shall be the chair of the task force.

(2) The Director of the Pennsylvania Emergency Management Agency, or a designee who shall be an employee of the Pennsylvania Emergency Management Agency appointed by the Director of the Pennsylvania Emergency Management Agency.

(3) The Secretary of Banking and Securities, or a designee who shall be an employee of the Department of Banking and Securities appointed by the Secretary of Banking and Securities.

(4) One member appointed by the President pro tempore of the Senate.

(5) One member appointed by the Minority Leader of the Senate.

(6) One member appointed by the Speaker of the House of Representatives.

(7) One member appointed by the Minority Leader of the House of Representatives.

(c) Conducting of business.--The task force shall conduct its business as follows:

(1) The physical presence of a majority of the members shall constitute a quorum of the task force.

(2) Action of the task force must be authorized or ratified by a majority vote of its members.

(3) A member not physically present may participate by teleconference or video conference.

(4) The first meeting shall be convened within 45 days of the effective date of this paragraph. Additional meetings may be called by the chair as necessary.

(5) The chair shall schedule a meeting upon written request of a two-thirds majority of the members of the task force.

(6) The task force shall hold public hearings as necessary to obtain the information required to conduct its review.

(7) All meetings and hearings held by the task force shall be subject to 65 Pa.C.S. Ch. 7 (relating to open meetings).

(8) The Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection and the Insurance Department shall cooperate to provide administrative or other assistance to the task force.

(9) Members may not receive compensation but shall be reimbursed for reasonable and necessary expenses incurred in service of the task force.

(d) Powers and duties.--The task force shall have the following powers and duties:

(1) To review and analyze the law, procedures, practices, processes and rules relating to the administration of flood insurance.

(2) To hold public hearings for the taking of testimony and the requesting of documents.

(3) Through its chair, to administer oaths and affirmations to witnesses appearing before the task force.

(4) To accept and review written comments from individuals and organizations.

(5) To make, by no later than six months after the effective date of this paragraph, a final report to the Governor, the Senate and the House of Representatives. In addition to any information that the task force deems appropriate, the report shall include recommendations regarding:

(i) potential programs that provide premium discounts;

(ii) potential programs, whether through the mechanism of premium discounts or other relief, that create incentives for local governments to undertake or continue flood mitigation efforts;

(iii) the implementation of necessary changes in statutes and practices of this Commonwealth, policies and procedures relating to the administration of flood insurance;

(iv) how to educate residents of this Commonwealth about the risk of flooding and ways to mitigate flood occurrences;

(v) steps that the Commonwealth should take to inform residents about the options available when purchasing flood insurance; and

(vi) how to increase the number of people that purchase flood insurance, either through the National Flood Insurance Program or the private flood insurance market.

(e) Report.--The report made under this article shall be:

(1) Adopted at a public meeting.

(2) A public record under the act of February 14, 2008 (P.L. 6, No.3), known as the Right-to-Know Law.

(f) Expiration.--The task force shall expire 30 days after making the final report to the Governor, the Senate and the House of Representatives under subsection (d)(5).

Section 2. The act is amended by adding sections to read:

Section 2338. Child Support Enforcement Fees.--The Department of Human Services may impose a fee of thirty-five dollars (\$35) in each child support case in which an individual has never received assistance under 42 U.S.C. Ch. 7 Subch. IV Pt. A (relating to block grants to states for temporary assistance for needy families) and for whom the Commonwealth has collected at least five hundred fifty dollars (\$550) of support in a Federal fiscal year. The Commonwealth shall pay the thirty-five dollar (\$35) fee for those cases in which the annual collection is between five hundred fifty dollars (\$550) and one thousand nine hundred ninety-nine dollars and ninety-nine cents (\$1,999.99). The thirty-five dollar (\$35) fee shall be collected from the custodial parent in cases where annual collections equal two thousand dollars (\$2,000) or more. Notwithstanding any other provision of law, the federally mandated thirty-five dollar (\$35) annual fee collected from the custodial parent shall be retained by the Department of Human Services.

Section 2802-E. Surcharge and fee.

(a) Imposition.--

(1) The following apply:

(i) In addition to the fees imposed under 42 Pa.C.S. § 3733(a.1) (relating to deposits into account), a surcharge of \$10 shall be charged and collected by a division of the Unified Judicial System.

(ii) The additional surcharge under this paragraph shall be deposited into the Judicial Department Operations Augmentation Account established under section 1795.1-E(d) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(iii) This paragraph shall expire July 31, 2025.

(2) The following apply:

(i) In addition to the fees imposed under 42 Pa.C.S. § 3733(a.1), a surcharge of \$11.25 shall be charged and collected by a division of the Unified Judicial System.

(ii) The surcharge under this paragraph shall be deposited in the Judicial Department Operations Augmentation Account established under section 1795.1-E(d) of The Fiscal Code.

(iii) This paragraph shall expire July 31, 2025.

(b) Suspension of deposit.--For fiscal year 2023-2024, the deposit required under section 1795.2-E of The Fiscal Code shall be suspended.

Section 3. This act shall take effect as follows:

(1) The addition of Article XV-C of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 842, SB 882, HB 1094 and HB 1160 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 55, SB 210 and SB 365 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL LAID ON THE TABLE

SB 375 (Pr. No. 905) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, repealing provisions relating to CPR instruction; and, in school health services, repealing provisions relating to automatic external defibrillators and providing for AED and CPR instruction and procedure, establishing the Automated External Defibrillator (AED) Program and providing for availability and specifications of automated external defibrillators.

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

SB 375 TAKEN FROM THE TABLE

Senator PITTMAN. Madam President, I move that Senate Bill No. 375, Printer's No. 905, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

SB 399, SB 563, SB 577, HB 689, SB 721, SB 723, SB 745 and SB 792 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILLS REPORTED FROM COMMITTEES

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

SB 7 (Pr. No. 1174) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for parental control relating to instructional materials and books containing sexually explicit content.

SB 340 (Pr. No. 1101) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for online curriculum availability.

SB 438 (Pr. No. 1184) (Amended) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for definitions; providing for miscellaneous provisions; and imposing a penalty.

SB 689 (Pr. No. 713) (Rereported)

An Act amending the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, providing for issuance of and conditions for continuous maintenance permits.

SB 690 (Pr. No. 714) (Rereported)

An Act amending the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, providing for county conservation district stream reconstruction emergency permit authorizations.

SB 959 (Pr. No. 1168) (Rereported)

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for authority to control.

HB 295 (Pr. No. 251) (Rereported)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in soil and plant amendment, further providing for registration, for inspection fees, for tonnage reports and for disposition of funds.

HB 1170 (Pr. No. 1235) (Rereported)

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, further providing for title of act; in purpose, short title and definitions, further providing for definitions and construction; in organization of the board, further providing for appointment and terms of members and quorum; in licenses of milk dealers, further providing for grounds for refusal, suspension or revocation; in monies and expenses of board, further providing for expenses and for

payment; and, in saving provisions, repealing provisions relating to Joint Study Committee.

Senator REGAN, from the Committee on Law and Justice, reported the following bill:

HB 1096 (Pr. No. 2189) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for public venue license, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for interlocking business prohibited, for limiting number of retail licenses to be issued in each county and for unlawful acts relative to malt or brewed beverages and licensees.

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

BILL OVER IN ORDER TEMPORARILY

SB 7 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PITTMAN.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 340 (Pr. No. 1101) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for online curriculum availability.

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 Montgomery, Senator Haywood.

Senator HAYWOOD. Madam President, I rise in opposition to Senate Bill No. 340, which includes an amendment to the Public School Code that would require school entities to post online and update textbooks, syllabi, academic standards for every course offered beginning 2024-2025. This legislation, Madam President, is redundant as school districts are already ensuring transparency while allowing parents access to information on materials utilized by their students. Upon review of the policies in each of the five school districts which I represent, I found that every single school district already has in place procedures for handling questioned or challenged materials. Criteria for media selection commonly includes educational significance, reputation and significance of the author or producer, validity, accuracy, objectivity, currentness, social and cultural appropriateness of content. I would like to read from the policies of the Cheltenham School District followed by the Philadelphia School District to demonstrate that this legislation is redundant, Madam President.

First, from the Cheltenham School District, I read from the text: the Cheltenham School District library functions as an

integral part of the total educational program. The goal of the school library program is to facilitate and expedite the attainment of educational programs and academic standards of high quality for each student. To attain this goal, the following objectives give purpose and direction to the library program: to provide an educational functionally and effective library program that fosters creativity, provides opportunity for personalization, and develops global, 21st-century skills that lead to college and career readiness. The objectives of this policy include: every school library has the primary purpose of contributing to the achievement of the objectives formulated by the Cheltenham School District.

I will now read the criteria for media selection. The following criteria shall apply in the selection of all media: educational significance and relevance to the curriculum; need and value to the collection; reputation and significance of the author or producer; high degree of potential user appeal; high artistic quality and other literary style.

I will now read from the questioned media section of the policy, Madam President. Questioned media: the district encourages the right of every American citizen to openly criticize and evaluate any library material purchase. Questions concerning the validity of content and appropriateness of choice indicate the concerns of responsible and intelligent minds. All questions concerning media should be signed and submitted in writing to the principal. The Curriculum Materials Review Procedure (Policy 133) shall be activated. Legal authority concerning selection of materials resides with the board.

I will now read from the review of curriculum, which is separate, obviously, from the library materials. Upon written request by a parent/guardian--or student, if applicable--the district will make available information about the curriculum, including academic standards to be achieved, instructional materials, and assessment techniques. The following conditions shall apply to any request: no more than one request per semester; the request must be in writing; the request shall be sent to the assistant superintendent. I will add, I am taking excerpts now, Madam President. The policy also provides that, under Federal law, the rights provided to parents/guardians to inspect any instructional materials used by the part of the student's educational curriculum transfers to the student when a student turns 18 or when that student is an emancipated minor.

Madam President, I would now like to read from the policies of the Philadelphia School District, which also address the question in this legislation. Policies of the Philadelphia School District, 1 of the 5 in my district, states: the Board of Education--known as Board--is responsible for providing parents/guardians and students the opportunity to review instructional materials. The purpose of this policy is to provide guidelines on how parents/guardians and students may review curriculum, academic standards, and instructional materials.

Madam President, I believe the policies I have read so far should not be read further. It is very clear that these school districts already provide for significant parent/guardian or student input on the materials that are in the library and in the curriculum. Madam President, it is clear that the Commonwealth school districts take very seriously their responsibility to provide appropriate materials to students while maintaining transparent procedures for parents who may question their appropriateness. For

this reason, I encourage my colleagues to vote "no" on this legislation.

Thank you, Madam President.

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

May we change the order, please?

Senator MASTRIANO. Yes.

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

Senator L. WILLIAMS. Madam President, I rise in opposition to Senate Bill No. 340. I was a "no" when we considered this bill last Session. For the record, I want to read an excerpt from Governor Wolf's message when he vetoed the bill last year on December 22, 2021. [Reading:]

Under the guise of transparency, this legislation politicizes what is being taught in our public schools. State regulations adopted by the State Board of Education already require that public schools provide parents and guardians with course curriculum and instructional materials upon request. In addition, textbooks are adopted by school boards in meetings open to the public. Therefore, requiring all public schools to publish on their website the details of every textbook, course syllabus or written summary of each course, and the relevant academic standards for each course is not only duplicative, but overly burdensome. The onerous requirements of this bill fall on educators who should be focused on critical issues such as addressing learning loss, managing the impacts of the pandemic on students, and working through staffing shortages. Many education stakeholder groups voiced significant concerns and opposition to this bill, including its underlying purpose, the lack of need, and its burdensome impact. This legislation is a thinly veiled attempt to restrict truthful instruction and censor content reflecting various cultures, identities, and experiences.

Thank you, Madam President.

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

Senator BOSCOLA. Madam President, I rise today to express my opposition to Senate Bill No. 340, a measure that bears a striking resemblance to House Bill No. 1332 of 2021, which I opposed, and which ultimately was vetoed by the Governor. This bill is touted as enhancing transparency in education. So, let us talk a little bit about transparency. The bill mandates that school districts must post online links or titles for every single textbook, a course syllabus or a summary for every course, and the State academic standards for every course. On the surface, this may seem like a step towards openness, but the existing legal requirement for parental access to such information already exists. We must question whether additional legislation is needed, especially when it imposes significant burdens on our already stretched school districts.

During my deliberations on this matter last Session with a superintendent in the Bethlehem Area School District, it was brought to my attention that this district would be required to undertake the online posting of information for a staggering 551 courses. These include 299 at the high school level, 167 in the middle schools, and 85 in the elementary schools, all without the provision of additional resources. This, in essence, amounts to yet another unnecessary mandate burdening our educational institutions. And while I do appreciate the intentions behind the bill, I cannot support Senate Bill No. 340 in its current form. We must

prioritize adequately funded solutions that address the concerns of parents while respecting the autonomy of our school districts.

Thank you, Madam President.

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

Senator COSTA. Madam President, just very briefly, I stand to state my strong opposition to Senate Bill No. 340, and I join my colleagues who so eloquently have talked about the reasons why we do not need this redundant, unnecessary, mandated language. One thing we hear from our school districts time in and time out is that we are providing them with too many mandates. We are requiring them to do too many things that impact the ability to be able to educate the kids in the classroom. This is clearly an example of a solution in search of a problem with political motives behind it. I strongly ask my colleagues to vote "no" on this legislation. Thank you.

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

Senator MASTRIANO. Madam President, I assure you there is nothing nefarious or political behind this other than the appeal to reason, common sense. I was a 47 Whiskey in my last few years in the Army as a professor of the Army War College, and we had to post all this with the links to the articles we used and the textbooks. And you know, the first time doing it, it is a bit of work, but once it is posted, you just make amendments to it. After that, it is really not that hard, and it makes it easier for the students. And having taught from the middle school level up to post-grad, this is definitely something we need to do to build trust with the parents.

The legislation will simply require the schools to post the curriculum online. The syllabus will include the textbooks; that is what a syllabus is for. So, post your syllabus with the books and any links to articles you are going to use and adjust it and amend it as necessary. It is really not that hard. And in fact, according to stakeholders and others we have engaged, it is going to reduce the burden on the teachers and the parents. I will get to that in a moment. Nothing in this legislation will violate copyright laws. Obviously, copyrighted material--there will be links or titles posted, and the parent or guardians can look up the subsequent text or the articles themselves without violating or infringing on any intellectual property. What is interesting, existing Pennsylvania and Federal law requires schools to give parents access or the opportunity to review instructional materials. But some schools make it very difficult and cumbersome. They make it very difficult to review the materials. There are long waiting periods--we are told by parents--in the schools that have not embraced modern technology yet. And it also requires a school member, administrator, be taken away for their duties to sit there and watch a parent review the syllabus and curriculum. There has got to be a better way.

Openness and transparency is something that we all profess to promote, and I say, let us embrace it. The schools are publicly funded. According to the National Education Association just a few years ago, Pennsylvania was the 12th most expensive in the nation on public education funding from all sources; 12th most expensive, but 28th in quality student output. That is not good. We want to be single digits. Now, with the recent increase we have approved this past year--of course, another billion dollars in education funding--we are up to \$31 billion from all sources,

according to the National Education Association, and despite that expenditure, now we are number 8 in cost and 32nd in output. We are trending in the wrong direction. Something has gone wrong, and parents and taxpayers and guardians across the State are footing this bill, and they want to know what is being taught, especially as we see a decline in testing across the Commonwealth as well. This breeds distrust. If you make it so hard and cumbersome for a parent to review materials from a school, what exactly, they may think, are you hiding? I think the COVID-19 shutdown shocked a lot of parents at what was being discussed in the classroom.

So, let us go with full transparency. It is really not that hard. It is not going to cost any extra time. In fact, it is going to reduce time because the teachers will not have to make a scheduled appointment with an interested parent to sit down and watch them thumb through the syllabus and the textbooks. It is just commonsense legislation whose time has come. In fact, it is so common sense, that about half the schools in the Commonwealth have already embraced it; have already posted their curriculum online. And so, it is time that we level the playing field and have all the schools operate with transparency and integrity before all parents. So I say, let us open the books--got nothing to hide--post the curriculum. This is too easy. It is not that cumbersome. Was not that hard for me as a professor at the Army War College where we had a very, very lengthy curriculum and syllabus with lots and lots of readings, hundreds of pages. And so, for the average public school, it is really not going to be that hard. And anyway, all taxpayer-funded schools need to do this, period. So with that, I respectfully ask my colleagues to stand with common sense and transparency and offer an affirmative vote for this legislation.

LEGISLATIVE LEAVE

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

Senator PITTMAN. Madam President, I request a temporary Capitol leave for Senator Farry.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-28

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

NAY-22

Boscola	Dillon	Kearney	Schwank
Brewster	Flynn	Miller	Street
Cappelletti	Fontana	Muth	Tartaglione

Collett	Haywood	Santarsiero	Williams, Anthony H.
Comitta	Hughes	Saval	Williams, Lindsey
Costa	Kane		

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

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

HB 623 TAKEN FROM THE TABLE

Senator PITTMAN. Madam President, I move that House Bill No. 623, Printer's No. 1132, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

SUPPLEMENTAL CALENDAR No. 1 RESUMED

SB 7 CALLED UP

SB 7 (Pr. No. 1174) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from Supplemental Calendar No. 1, by Senator PITTMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 7 (Pr. No. 1174) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for parental control relating to instructional materials and books containing sexually explicit content.

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

CAPPELLETTI AMENDMENT A2667 OFFERED

Senator CAPPELLETTI offered the following amendment No. A2667:

Amend Bill, page 1, lines 5 through 7, by striking out "in terms and courses of study," in line 5 and all of lines 6 and 7 and inserting: in books, furniture and supplies, providing for prohibited removal of instructional materials and voluntary inquiry materials in public school entities.

Amend Bill, page 1, lines 13 through 20; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 5; by striking out all of said lines on said pages and inserting:

Section 811. Prohibited Removal of Instructional Materials and Voluntary Inquiry Materials in Public School Entities.--(a) Instructional materials and voluntary inquiry materials shall not be removed from a library or classroom in a public school entity due to any of the following reasons:

- (1) Partisan approval or disapproval.
- (2) The author's race, nationality, gender identity, sexual orientation or political or religious views.
- (3) School board of directors' or complainants' discomfort, personal morality or political or religious views.
- (4) The author's points of view concerning the problems and issues of our time, whether international, national or local.
- (5) The race, nationality, gender identity, sexual orientation or political or religious views of the protagonist or other characters.

(6) Content that is relevant to the research, independent reading interests and educational needs of older students based on their age, development or grade level.

(7) Content related to sexual health that addresses physical, mental, emotional and social dimensions of human sexuality, including puberty, sex and relationships.

(b) A public school entity shall adopt a policy stating that its libraries will provide materials and information presenting all points of view on current and historical issues and its materials will not be proscribed or removed because of partisan or doctrinal disapproval.

(c) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Instructional materials." Textbooks and supplementary materials used as part of required classroom instruction.

"Public school entity." A public school, including a school district, charter school, intermediate unit or area career and technical school.

"Voluntary inquiry materials." Nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital materials, software and instructional materials and other materials not required as part of classroom instruction.

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

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

Senator CAPPELLETTI. Madam President, this amendment will replace the bill's current proposal with language that will end book bans in our schools and ensure that students across Pennsylvania have a protected right to read. There is a concerning national trend that has been manufactured by extremists to attack our libraries, our public education systems, and our teachers, resulting in book bans and censorship all across this Commonwealth. This amendment would end the banning of books for political, doctrinal, or religious reasons. Our schools are places that should foster growth, indulge curiosities, and challenge students to be good, empathetic people when they graduate. And a key component to providing a well-rounded education is exposing students to worlds that are different from their own, not only to aid in building compassion and understanding the world around us, but to prepare them for the future and to affirm that students are not alone no matter their struggle. Books are essential to that mission, and book banning is extremely unpopular. In fact, *The Washington Post* has reported that just 11 people filed 60 percent of all book challenges issued in the entire United States during the 2021-2022 school year.

When we see ourselves in books, it can be an affirming, valuable experience that strengthens who we are as human beings. I offer this amendment because I trust our librarians, schools, and teachers to provide an education and materials that not only reflect the values of our communities but challenges our students to be the best, most authentic versions of themselves. Madam President, I offer this amendment because I want my daughter to grow up being able to access a wealth of literature, exposing her to worlds unknown and things I cannot offer her while living right here in Pennsylvania. Passing this amendment is the right thing to do. Thank you.

CAPPELLETTI AMENDMENT A2667 TABLED

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

Senator AUMENT. Madam President, this amendment certainly appears to eliminate local control and the ability of school boards to decide what content is age appropriate. If the maker of the amendment truly, truly wants to stop book bans, they would support providing parents with a process that can serve as an alternative to a book ban, such as the process contained in the underlying bill in Senate Bill No. 7, a process that equips parents with the knowledge and ability to make decisions for their own child. And, as in the case with the underlying bill, that will do far more to stop book bans than this amendment. Ultimately, this amendment speaks to a book ban. The underlying bill, Senate Bill No. 7, is not a book ban, nor am I aware of any legislation pending before this Chamber that proposes to ban a book. As such, Madam President, I move the amendment be laid upon the table.

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

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

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

Senator COSTA. Madam President, prior to taking the roll call, I ask my colleagues for a negative vote.

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

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

YEA-28

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

NAY-22

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

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

The PRESIDENT pro tempore. Amendment A2667 will be laid on the table.

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

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

On the question,
Shall the bill pass finally?

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

Senator AUMENT. Madam President, I rise to speak in support of empowering parents to make decisions regarding the education of their own children. We began to work on this issue in late 2021 and took a very measured approach to addressing what was rapidly becoming a contentious national issue. We listened to families; we listened to school administrators, teachers, and librarians; and we worked hard to draft a proposal to make sure all sides could feel heard and respected. What resulted was a proposal that very closely mirrors what had recently passed in Virginia at the time with bipartisan support. And since we introduced this legislation first, last year, we have welcomed anyone to the table to discuss their concerns and potential ways to improve this legislation. We engaged all interested parties to find a path forward that provided parents, teachers, administrators, and children with a workable solution. The result is Senate Bill No. 7, a bill that allows individual parents to decide whether their own child has access to sexually explicit content in school. This is not an attack on the LGBTQ community. We are not seeking to ban books, and we are not seeking to censor any group. We are simply seeking to empower parents to make decisions about their own child, not anyone else's. Because even if the opponents of this bill refuse to have an honest debate about that, about what this bill actually does, the problem remains. One must only look at local school board races, local school board meetings all across this Commonwealth, to see that this is an issue that concerns many parents.

It is not a small but vocal group of radical parents--to hear families, to hear parents called extreme on the floor of this Senate--it is not a small group of parents making noise as the opposition may tell you or hope to believe. It is parents from all backgrounds. In fact, a national poll conducted in 2022 found that 79 percent of White voters, 73 percent of both Black and Hispanic voters, and 72 percent of other minorities were at least somewhat concerned that school-age children are being exposed to sexual material that is not age appropriate. These conflicts are causing more than just arguments at school board meetings. They are causing rifts in entire communities. Senate Bill No. 7 is an attempt to thread the needle so that parents who are concerned, rightfully concerned, about sexually explicit content in schools and parents who are concerned about book bans can individually make those decisions for their own children without impacting what materials other children can access. Some say there is already a process; the bill is unnecessary; there is already a process for parents to opt out their children from books. Yes, it is true. Parents can opt their children out of specific book titles, but opt-outs only work if parents know what books contain excessively graphic sexual content. This is an unworkable system that even librarians know [that] they do not know which books contain sexual content.

This current process puts the onus on the parent to review every book in the library for sexually explicit content and opt out of the ones that they deem inappropriate. This unrealistic process is what the opposition has pointed to as being apparently successful. Perhaps that model was successful in years past, but that was

before books that included how-to guides for oral sex and tips for using sex apps were found in middle and high schools. Times have changed, and parents need a new tool. Continuing to argue that parents should be left in the dark about what content is available to their child at school while simultaneously denying them any control, any control over that content, is not a workable solution. Senate Bill No. 7 will provide parents with the opportunity to make decisions they feel are best for their own child. Specifically, the bill would identify sexually explicit content in school curriculum, materials, and books. The bill would create an opt-in policy that would notify parents of the sexually explicit content by including a list of the book titles on the form, give parents the opportunity to review the materials, and require parents to give direct consent for their children to be provided or have access to sexually explicit content. And the bill would provide the child with a non-explicit alternative if their parents do not opt in. Senate Bill No. 7 will not ban any book. Again, despite all the claims to the contrary, and we heard it here, it is a political claim that polls well, so we will continue to use it. We will continue to hear it because it is a political claim. It is not a factual claim. Senate Bill No. 7 would not ban any book. That was made abundantly clear and even acknowledged by testifiers in last week's hearing.

Finally, Senate Bill No. 7 does not target or discriminate against any group or person. It strictly identifies sexually explicit content wherever it may be found and regardless of who it may be written by or about and allows parents to decide if it is appropriate for their own child. It would not remove a single book from school library shelves. This should not be and need not be a partisan issue. Pennsylvanians from all political backgrounds agree that, at the very least, parents should know when this material is in their child's school and have the option to shield their own children from it. I urge my colleagues here today to join me in supporting Senate Bill No. 7 to address this issue and bring down the temperature of these contentious local school district issues when it comes to sexually explicit books in our schools. I urge a vote in support of Senate Bill No. 7 here today.

Thank you, Madam President.

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

Senator CAPPELLETTI. Madam President, before I start on my prepared remarks, let me make it clear, this is not a partisan issue where I stand. I have both sides of the aisle in my community standing up with me against book bans and against Senate Bill No. 7. So, it is not a political ploy what I am discussing. Rather, it is a concern for many parents that we are trying to ban books, and we should not be doing that. So, in case you have not guessed, I strongly oppose Senate Bill No. 7, which effectively is a book ban in our schools, books that all students have the right to access. Reading is a fundamental skill, and literacy is something we should be promoting through our work. However, the stunning and increasing trend of censoring books in schools and libraries is a direct attack on the right to read and our freedom of speech. The extreme vocal minority--because it is--that is fixated on banning books is missing a glaring reality. Life is hard and really complicated. We only need to look around this room to know that. And while we all like to believe that every child grows up in a family that loves and values them for exactly who they are, we know that, unfortunately, is not true. Sometimes kids and even adults need a support system outside of their families which

they can safely find in books. And to put a finer point on the hypocrisy at work here, the kids who need books that explore gender identity and sexual orientation are also the most likely ones whose parents are denying them and their communities the right to learn from these books. Exploring human relationships, sex, and love are some of the most challenging and rewarding obstacles that we will face in life. And we need the right education and materials available to ensure people can explore those spaces safely and with the right knowledge to be able to interact with the world around them compassionately; because if they are not finding it in vetted books in our libraries and in our schools, they are finding it online where it is unvetted, on their phones and their computers, a much worse place to be finding that information.

Award-winning books that are under attack are the ones that would provide young people, who are new to the world of relationship building, an asset and a tool on their journey. Books offer support when people feel like they cannot rely on their loved ones to give them that support. This issue is about so much more than just one book. The seemingly unquenchable thirst for book banning is emblematic of a larger national trend, one where a vocal minority wants to erase marginalized communities from our national narrative and content. The books being challenged and banned are overwhelmingly ones that explore queer identities, are authored by people of color, or explore topics in our national history that some find uncomfortable to face. Reading these stories and lived experiences is important for so many reasons. And those who are reflected in these stories deserve to take up space in our libraries. Parents should play a role in what content their child is allowed to access and already have the ability to exempt their child from reading certain works of literature. But I do not believe that one community member, who may or may not be a parent in my school district, should have the power to censor a book for a whole school building or school district. Because as working parents, my husband and I do not have the time or energy to read every new book that comes along. However, many teachers and librarians do just that; it is their job. They are the experts in these areas, and I trust them to cultivate syllabi and libraries which is expansive and reflective of our community values and will ultimately push my daughter to learn and think more critically about the world around her. Do not strip me of my parental rights to allow my daughter to explore a vast array of literature because one parent is uncomfortable and unwilling to exercise their already existing parental right to exempt their child from reading that book in the classroom. Because I trust teachers, because I trust librarians, because I believe in parental rights and not having my parental rights violated, I will be voting against this bill and strongly encourage my colleagues to do the same.

Thank you, Madam President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Blair, Senator Judy Ward.

Senator J. WARD. Madam President, I rise in support of Senate Bill No. 7, legislation that would strengthen the rights of parents to choose what is best for their child. In recent years, we have seen a troubling trend in society with the gradual erosion of parental rights. More and more, the decisions on what is best for a child are made by a school administrator, a physician, or a bureaucrat. This is wrong. Senate Bill No. 7 gives parents back their rights when it comes to education and puts the decision of what is best for a child back where it belongs: with the parent. This bill

has falsely been referred to as a book ban. Those who have read the bill realize this could not be farther from the truth. Under this legislation, a parent would only be able to decide what their child sees or reads. Those who agree with exposing their child to sexually explicit material can opt in. The parents would have no ability to remove a book from a library, nor would they have the ability to prevent another person's child from reading a certain book. The question we must ask ourselves is, who should have the final say over what a child reads, their parents or someone else? I am voting "yes" today to stand with parents across Pennsylvania to protect parental rights and give the power to parents to decide what is best for their child. I would strongly urge my colleagues to join me in supporting this critical piece of legislation.

Thank you, Madam President.

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

Senator HAYWOOD. Madam President, I rise to oppose Senate Bill No. 7, which would amend the Public School Code to a section so-called Parental Control Relating to Instructional Materials and Books Containing Sexual Content. This legislation, as what the legislation we just voted on, is redundant, as school districts are already ensuring transparency by allowing parents access to information on materials being utilized by students. Upon the review of the policies of the five school districts that I represent, I found that every school district already has procedures in place for handling questions or challenged materials. As I mentioned previously, Madam President, criteria for selection include educational significance, reputation and significance of the author, validity, accuracy, objectivity, currentness, and social and cultural appropriateness of content.

Madam President, I would like to share the content of two policies of school districts in my Senate district. I would like to read in part from the policies of the Springfield Township School District. I read as follows. Authority: the board adopts this policy to ensure that parents/guardians and students have an opportunity to review instructional materials and have access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques. The definition for instructional materials means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital forms. For the purposes of this policy, the term does not include academic tests or assessments.

I read further the guidelines from the policy, Madam President. Guidelines say: upon request by a parent/guardian or student, the district will make available existing information about curriculum, including academic standards to be achieved, instructional materials and assessment techniques. The following conditions shall apply to that request: to assist the school district in providing the correct records to meet the needs of the requesting party, the request must be made in writing, setting forth a specific material being sought for review. The written request will be sent to the building principal or assistant superintendent. The district will respond to the parent/guardian or student within 10 school days by designating the time and location for the review. The district shall take necessary actions to protect the materials from loss, damage, or alteration.

I would now like to read in part the last school district for this conversation from my State Senate district, and that is the

Jenkintown School District. That district also has a policy governing parental access to materials. It states in part, purpose: the board recognizes its obligation to select instructional materials with care, ensuring accuracy, objectivity, relevance to the student learning outcome and the supporting curriculum. Occasions may arise, however, when parents question the nature and appropriateness of the instructional materials used. The policy then goes forward with guidelines. Parents are encouraged to initiate the inquiry over concerns about instructional materials with the teacher or librarian using them. The following procedure is designed to meet those situations in which the concern cannot be resolved in such an informal contact. Should informal contact with the teacher or librarian fail to bring a satisfactory conclusion, the concern will be reviewed in a meeting with the parent, the teacher or librarian, and the building principal. Concerns that cannot be resolved at that meeting with the parent, teacher, and building principal shall be reviewed by a review committee as well.

Madam President, from these two school policies, as well as the school policies I mentioned when discussing the previous legislation, we can see that school districts are paying a tremendous amount of attention to make sure that the voices of parents are heard and that their concerns about instructional materials are addressed. It is clear that the Commonwealth school districts take very seriously their responsibility to provide appropriate materials to students while maintaining transparent procedures for parents/guardians and students who may question their appropriateness. For these reasons, Madam President, I encourage my colleagues to vote "no" on Senate Bill No. 7, given that it is redundant for school districts across the Commonwealth.

Thank you, Madam President.

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

Senator PHILLIPS-HILL. Madam President, I rise in strong support of Senate Bill No. 7. Madam President, Senate Bill No. 7 has been labeled and called a lot of things, many of which are not true. Now, we have seen a lot of commentary and misleading headlines on this bill from individuals and entities that have been fighting to keep sexually explicit content in our public schools. One article I read attacked a mom who raised these concerns with the good gentleman from Lancaster County. As a mother of three, I felt for her. Doing what she thinks is in the best interest of her own child, and to be attacked for taking a stand for her child. Is this where we are in our State, attacking parents for protecting their children?

Empowering parents to make these important choices for their own children--and let me repeat that, their own children--should not be a Republican versus a Democratic issue. It is common sense. Parental empowerment, it transcends more than just materials that children view in school. It encompasses things like what your children view on television, who they interact with, and even how they utilize social media platforms. The issue of parental empowerment, it transcends party lines.

This has also been a bipartisan issue. In fact, I co-primed a piece of legislation with the good gentlemen from Philadelphia that would require parental consent for children to utilize social media platforms if they are under a certain age. There should be no difference between a parent being empowered as to what their children view online and what they view in a library. The fact remains, parents should be in the driver's seat of what their

children see, what their children experience, and what their children do on a daily basis. It is the parents--not the teachers, not the librarians, not the peers--who should be making these decisions for their children. I respectfully ask my colleagues to support this legislation and say "yes" to parental empowerment.

Thank you, Madam President.

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

Senator SAVAL. Madam President, I rise today to harmonize with the chorus of my colleagues who are rising in opposition to Senate Bill No. 7. Several years ago, when I was studying in graduate school in English literature, I happened in the library on a trove of rare books belonging to a recently deceased professor who had made the collecting of books of early American life and literature one of his hobbies and specialties. And among these extraordinary works in that collection was one that struck me in particular. It was Thomas Jefferson's personal copy of the great epic "Paradise Lost," by John Milton. Not only was it amazing to see Jefferson's marginalia along the sublime verse of Milton--one genius in conversation and argument with another, an English revolutionary speaking to an American revolutionary--it was a reminder that art and literature was essential as political theory in the construction of the American republic.

In my district in Philadelphia, you will find in places like the Library Company, collections of works that circulated in the early republic among ordinary citizens, who together drew the necessary intellectual and political strength to declare independence from Britain and forge together a republic that educated its people in free-thinking, fierce arguments, and liberal education in all the arts. Milton's "Paradise Lost," a high school text for some, and one of the finest works of literature in the language, is about what for the Abrahamic religions was the first man, Adam; the first woman, Eve; and their fall from a state of grace. This fall is very much connected to what some might call, in reference to the language of Senate Bill No. 7, sexually explicit content.

In Book IV, in a prelapsarian state, Adam and Eve lie down next to each other and Milton writes: [Reading]

Adam from his fair spouse, nor Eve the rites
Mysterious of connubial love refused;

In Book IX, having fallen from grace, they experienced fierce sexual desire. [Reading:]

Carnal desire enflaming, he on Eve
Began to cast lascivious Eyes; she him
As wantonly repaid; in Lust they burne,
Till Adam thus 'gan Eve to dalliance move:

In Book II, in which Milton describes the machinations of Satan to undo the state of grace, there are descriptions of sex, rape, and more. How is someone to explain these passages except without reference to sex, and how is one to explain the reference to sex without reference to theology, for this is a work that is not about sex, but about God? Milton writes that his goal is to, quote, famously: [Reading]

...assert eternal Providence,
And justify the ways of God to men.

Some may protest that Senate Bill No. 7 is not about this, but about that; not about literature, but about supposedly less-elevated forms of content that threaten the mores and morals of young people.

Unfortunately, as the experience of many States that have adopted similar ordinances shows, these invidious distinctions are not so easily drawn haplessly and clumsily, though the bill tries. The definition of sexually explicit content reads as explicit and excessive, but this is less clarifying than it might seem. Whose judgment is so sound as to distinguish between what is merely explicit from what is excessively so? One person's Milton is another person's explicit and excessive. Certainly, many thought so in Milton's time and since, a revolutionary period in which the gravest doubts about the church, the monarchy, and fundamentals of society were entertained. And indeed, in 1660, Milton's books were burned, and recently this summer, Milton's "Paradise Lost" was 1 of 150 books removed from the shelves of an Orlando area school district. This problem is acute in works of religious literature, surprisingly, but not surprisingly to those who have read such books. Saint Augustine's "Confessions," a work of sexual renunciation and spiritual commitment to God and the church, contains descriptions of sexual congress and a same-sex relationship. The "Song of Solomon," which along with the psalms of David, is the greatest work of poetry in the Bible, is rife with descriptions of sexual desire and content.

In any of these works described, an objection could deny a student access to literature, wisdom, and for many, the contemplation of God. This is to say nothing of the bill's interdiction on, quote, visual depictions of nudity for students up to eighth grade. From the masterful sculpture of Praxiteles to the masters of south Asian temple relief, and also, I might add, much of the statuary that adorns our own Capitol building; all of this could be, under the language of the bill, shielded from view, placing as it were a comically oversized fig leaf over the art section of the school library. Let us be sober and clear about what this bill, if passed, would do. The standards of liberal education for which our founders fought would be decimated. Senate Bill No. 7 would destroy the educational system it purports to uphold. I urge a "no" vote.

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

Senator DUSH. Madam President, I stand in strong support of Senate Bill No. 7. A couple of days--well actually, last week and then here in a hearing of the Committee on Education--we presented some of the materials that have popped up in our schools. And as I challenged in a press conference here, not too long ago, I pointed at the television media, and I challenged them: post this on your news station and see how fast the FCC shuts you down. Put this above the fold on your newsprint and stick it out there in the public on the newsstands. See what happens to your publication. None of them did. There is good reason for it. Section 1470 of Title 18 United States Code prohibits any individual from knowingly transferring or attempting to transfer obscene material using the U.S. mail or any means or facility or interstate or foreign commerce to a minor under 16 years of age. Convicted offenders face fines and imprisonment for up to 10 years. Hugely, bipartisan support in the U.S. Congress for this years ago. Section 1466A of Title 18 U.S. Code makes it illegal for any person to knowingly produce, distribute, receive, or possess with intent to transfer or distribute visual representations such as drawings--

like we saw in that hearing--cartoons--like we saw in that hearing--or paintings that appear to depict minors engaged in sexually explicit conduct and are deemed obscene. This statute offers an alternative two-pronged test for obscenity with a lower threshold than adults-only depiction. Matter involving minors can be deemed obscene if it, one, depicts an image that is, or appears to be, a minor engaged in graphic bestiality, sadistic, or masochistic abuse, or sexual intercourse; and two, if the image lacks serious literary, artistic, political, or scientific value. A first-time offender convicted under this statute faces fines and at least 5 years to a maximum of 20 years in prison.

Ladies and gentlemen, up until months ago, there was no partisan divide on this. None. None. This is not art; this is not literature; this is obscene material designed to elicit a sexual response or some kind of a response within a juvenile. I made the point a couple of weeks ago. I said if a judge were to take a child someplace and present this material to them, that judge would be in jail. If a priest did it, that priest would be in jail. If a police officer did it, that police officer would be in jail. Why in God's name are we allowing librarians to do this? Why? We had to put police presence before our hearing and before the press conference the week before to keep children away from it. We have to post on our videos, where these hearings took place, warnings that this stuff cannot be seen by minors, and have a link verifying that the person is not, or is at least 18 years of age. I find it ironic that some of my colleagues, who voted against displaying of our State and Federal Constitutions in our schools within the last hour or so, are now standing to prevent parents from having the ability to say "no" to giving their children access to this stuff that I see as meeting the definition of obscene material.

Again, if a priest did this, he would be in jail. If a judge did it, he would be in jail. If our newsprint put it on newsstands, they would have legal ramifications. If our television stations put this on their stations, they would be shut down, and rightly so. This garbage has no business being put in private, behind the backs of parents, into the hands of children. This is not Aldous Huxley's "Brave New World." These kids do not belong to the State. It has been said that--a Member says that they trust the librarians, they trust the teachers. Well, we have been able to show in school districts here in the Commonwealth of Pennsylvania where that trust has been violated, and because of that, the parents have every right. One time is too many. One time is too many. These parents have the right to know for certain whether or not this material is being presented to their children. Trust is earned. Trust is earned. When it is violated, we have not just the right, we have the responsibility to ensure that these children are protected and that their innocence is protected. I rise and I pray that we all have a unanimous vote, similar to what we looked at with these two Federal statutes. I think it is very befitting that we should have a similar vote here in support of Senate Bill No. 7.

Thank you, Madam President.

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

Senator L. WILLIAMS. Madam Chair, Senate Bill No. 7 came through the Senate Committee on Education just last week, and I have already talked a lot about my opposition to this bill. But I feel it is important to highlight some of the testimony we received at last week's hearing. [Reading:]

Most will agree that parents and family members are the first and best resource for young people seeking information about sexual subjects. Unfortunately, not all students have parents/guardians who are active participants in their educational process. Likewise, not all parents/guardians are willing to engage in meaningful and supportive dialogue around sexual subjects with their kids. For some students, the materials and instruction provided at school represent the only opportunities to access formative information. Parental opt-in policies risk eliminating those opportunities, especially for vulnerable and marginalized students.

A librarian recently relayed a story to me that illustrates the dangers of this sort of opt-in policy included in this bill. She talked about a student who was in her library reading a book that would be considered sexually explicit and would be banned under Senate Bill No. 7 without an opt-in from her parents or guardian. While reading the book, which included descriptions of sexual assault, she went to her librarian and said, quote, I think what is happening to the girl in the book is happening to me. Before reading this book, this child did not realize that what she was experiencing at home was abuse. Her librarian reported it, and after an investigation, it was discovered that the child was being abused by the parent and guardian, and the court was able to remove her from that situation. These stories have real value to students, and an opt-in policy can cause real harm to students.

Now turning briefly to the legal problem with this bill, legal problems, and there are many. School boards already have the authority to remove books from school, but the authority is limited by Federal and State law, including the First Amendment. Students have a First Amendment right to read and receive information, and school boards cannot target certain viewpoints to be prohibited. Courts consider the context of the proposed policies and the motivation of policymakers to determine if animus towards a particular population is a motivating factor. A recent investigation by the U.S. Department of Education's Office for Civil Rights found that a book removal policy in Georgia created a hostile environment for LGBTQ students and students of color with an underlying motivation of targeting books due to gender identity, sexual orientation, or race. So, while we as Senators cannot question motive on this floor, the courts and agencies in charge of enforcing civil rights can and do. Here in Pennsylvania, the legislative history will show that last year this bill was considered the same day the Senate passed a "do not say gay" bill and a ban on trans girls playing sports. And when Senate Bill No. 7 was being debated this year, a colleague of this body purported that those in opposition to this bill seek to, quote, indoctrinate kids into disordered lifestyles, unquote. So let us be clear, this is a book ban. It encourages schools to purge their book collections. It requires districts to take actions that courts have already found violate the First Amendment and will allow a single parent or small group of parents to determine which books are available to all children. I will be a "no" vote on this bill and encourage my colleagues to do the same. Thank you.

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

Senator TARTAGLIONE. Madam Chair, on behalf of Senator Costa, I offer these remarks for the record.

The PRESIDENT pro tempore. Without objection, Senator Costa's remarks will be spread upon the record.

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

TARTAGLIONE, on behalf of the gentleman from Allegheny, Senator COSTA:)

Madam President, today I rise in strong opposition to Senate Bill No. 7. This bill would prevent certain students from having access to critical information about the world today.

Today's young people are desperate for answers to difficult questions. Questions about their bodies. Questions about their feelings. Questions about their history. Questions about their faiths and religions. These are questions that I myself do not have all the answers to, let alone their parents, teachers, or school staff. But these are important questions for young people to be asking and seeking answers to. It is so important for young people to have access to well-researched, vetted, and edited information about these topics. Smartphones entice young users into a world of disinformation, hoaxes, and bad actors. Our young people risk being fed hateful, incorrect, or fictitious information if their main source of information is social media.

That is why I rise in opposition to this bill. We must ensure that every student has access to books that help them grapple with delicate, personal questions. I place a great deal of trust in our school librarians who select age-appropriate books that help young people make sense of an increasingly senseless world. I believe it is urgent and pressing for parents to be involved in their students' education. We know that when parents are present and involved, students achieve more. But we cannot open the door to allowing some parents to withhold information from students. We must be advocates for age-appropriate materials that young people need to understand themselves, their friends, and the world around them.

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

Senator BOSCOLA. Madam President, last Session I did vote in favor of this bill after I worked with Senator Aument to strike a definition from that bill. And additional changes were made to Senate Bill No. 7 this Session which I believe make it better. Senate Bill No. 7 strikes the needed balance between parental control over their child's exposure to sexually explicit content. This legislation does not aim to ban any books. In fact, this legislation, if it were to pass, may even prevent books from being banned in some school districts. Right now, across this Commonwealth, school boards are having heated, heated public meetings about banning books. There are some groups that want to ban all books that have even the slightest reference to sexually explicit content and groups on the other side that see all sexually explicit content as being okay. School districts are in the impossible situation because of the extremes on both sides of this issue. When you go to school board meetings on this issue, people are talking at each other, screaming at each other, not listening to each other, not respecting each other's position. So, trying to even compromise on this issue becomes impossible in this politically charged environment. It is tearing our communities apart.

Madam President, that is why this General Assembly needs to lead. It needs to set forth a statewide policy that balances those radically different viewpoints of parents on both sides of this issue. We cannot leave this up to 500 different school boards. And as I said, you go to these meetings, it is tearing them apart. To me, this bill strikes a balance, and it takes a more commonsense approach. It permits books with sexually explicit content to stay--it stays in the school library. It has sexually explicit content, and it stays in the school library. It can be accessible to students for those parents who say it is okay. It also allows parents the option to prevent their child from accessing those books if they see fit. Outside of school, parental controls are available across all platforms. Parents can limit their child's access to content they deem inappropriate on the internet, apps, television, and streaming

channels. So why not school libraries? Some parents may not use parental controls at all, and that is their right. Other parents may be very restrictive, and again, that is their right. In the end, the material available to students in the school whose parents permit it to be viewed can view it. More restrictive parents can opt out. Less restrictive parents can opt in. Either way, the books stay. In essence, I consider this bill to be about choice. The books stay. It is now just up to the parents whether their child can access them.

Thank you, Madam President.

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

Senator SANTARSIERO. Madam President, I rise in opposition to Senate Bill No. 7. I am, as a parent and as a parent of three children who attended public schools here in Pennsylvania, a strong proponent of parental involvement, a strong proponent of the ability of parents to weigh in on their kids' educations--absolutely. And we have, already here in Pennsylvania, a number of avenues for parents to do that. One of them is for parents to vote for their school boards. Another is for parents to serve on their school boards. Another is for parents to go to school board meetings and voice their concerns to their elected representatives who, after all, make the decisions about their schools and the education that their children receive. We have all those things in our system already because we are part of a society and a culture that values the decisions that parents make in raising their kids, and appropriately so. I do not think there is any debate about that. We have, right now under Pennsylvania law, the ability for parents to opt out of their kids having access to materials that they find objectionable in the schools. We have that right now. Parents can do that.

So, what does Senate Bill No. 7 do, and why is Senate Bill No. 7 such a problem? Well, first of all, it ignores everything I just said and is based on the idea that parents do not have control right now, which, for the reasons I just stated, is absolutely false. But then it goes further than that. As the gentleman from Philadelphia said earlier, it opens up a door that takes literature, that takes other materials that can be beneficial to kids in their education, and potentially takes them out of the classroom by setting up this new procedure, first, where you do not opt out, you now have to opt in. So that now shifts a burden in terms of the educational process. It requires schools and school districts to go through this process of reviewing every single piece of literature, every single book in their schools to see whether it might fall under Senate Bill No. 7, which, as you might imagine, will put our school boards and school administrators in positions where they are walking on eggshells for fear that they might actually violate this new law should it pass. And if you look at the definitions in Senate Bill No. 7, you can see why this is problematic and for the reasons that the gentleman from Philadelphia was discussing earlier and describing in the case of Milton's "Paradise Lost," which, hopefully, most of us have read.

In Section D, under the definitions, sexually explicit content, which is what this entire bill is based upon, is a term that includes, among other things, "materials that contain explicit and excessive written descriptions of sexual conduct." Nowhere is "excessive" described, so that is an issue that the school districts are going to have to grapple with. But then when you go to the definition of sexual conduct, that includes, that includes, any physical conduct with a person's clothed--potentially--buttocks. Now, why do I

single that out? Well, think about that for a minute: any physical conduct with someone's buttocks that are clothed. That could include dancing; that could include a whole host of different human interactions that has nothing to do with sex, that is not salacious, that is not potentially injurious to any child. But now, if this bill becomes law, school districts across the Commonwealth of Pennsylvania are going to have to review every book that they have to see whether that kind of material might be in there. And if it is, well, just you wait. Now we are going to have to put it on a list, and now we are going to have to make sure that parents opt in before any kid has access to it.

This is a breathtaking change, a breathtaking change in the way our schools operate, puts a huge burden on school districts, school directors, and school administrators and teachers to be sure that they are complying with a very broad and vague law, all because we are starting out with a proposition that is not true, namely that parents do not now have control, that do not now have input into their kids' education. And now we have heard this is not banning books, but what do we think the end result is when this list of books comes out? This, at a minimum, has a chilling effect on the academic freedom of our schools to provide appropriate education to our kids. And if you do not think that ultimately leads to banning books, well, I would suggest you are just not being realistic about what is going to happen here, because that is exactly what will happen. And in fact, the bill in its very language says that school districts--this does not limit, they could go further than this. We are opening that door, and it is a door, by the way, that is already in many places in Pennsylvania, as has been discussed already, opened. I can tell you right in Bucks County, in the now infamous Central Bucks School District, the third largest in the State, we have a school board that is doing all these things with abandon. Now, if you do not think your kid should have access to certain material, as I said, you have the ability to do that.

Last year, I believe, in the last Session where we were debating this legislation, we were told about a website that had lists of books that were objectionable in different school districts. Well, I went and looked at that website. I looked at some of the books in the districts that comprise my district, the 10th Senatorial District in Bucks County, and I found the books, called up the schools, and found out that these objectionable books were in teacher resource rooms and, in most cases, had not been checked out by teachers in over a decade. So, what are we really talking about here? We are talking about something that allegedly addresses a problem that does not exist and does so in a way that will make it nearly impossible for schools to come up with policy without going overly broad and ultimately sweeping a number of great works of literature, of other content, into this new definition and depriving our kids of an education and depriving parents, by the way, of choice, because a lot of those parents are now not going to have the ability to have their kids read things like "Paradise Lost," potentially.

And here is the other problem with this. This is a slippery slope, and make no doubt about it, because today we are talking about sexual content. Tomorrow we could be talking about historical content. Maybe we do not want to have our kids learn about the Antebellum South. Maybe we do not want to have our kids learn about Jim Crow. Maybe we do not want our kids to learn about the civil rights struggle in the 50s and 60s. And maybe

we should make parents opt in if they are going to have access to any of that material. That is not what our public schools are founded on. This is a bill that goes way too far. It is unnecessary. It will lead to banning of books, make no doubt about it. It is appropriate for us to say "no" and reject this bill in its entirety.

Thank you, Madam President.

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

Senator MARTIN. Madam President, the first point I would like to bring up, because I just heard it mentioned that it is going to have to cause schools to actually look at the books that they are approving. So, my question to the people and parents of Pennsylvania is: is that not being done already? Are we saying we have no idea about what the content is that is in our schools? And, if so, that is unacceptable and makes the problem even worse. You know, I have heard a lot of talk about exposure related to this bill, what our kids are exposed to, and that is usually something a community will rally around when talking about the development of a child. And, quite frankly, in almost every aspect of that child's development in school, the parents have to have a sign-off. If you are going to put my child on any type of over-the-counter medication, something happens to him medically, my kid wants to do a sport, join a club, go on some sort of field trip with the school, change his IEP, change his 504 plan, by law, parents have to sign off; parents have to be involved. But, for some reason, when it comes to this topic, a topic that without any question does not remove one damn book from a Pennsylvania library--and for anyone who is watching across the Commonwealth of Pennsylvania, any reporter who is out there watching this feed, I would like someone to list out the exact line item in the bill that says there is going to be books removed from libraries. If anything, this is respecting people's choice as to what their child is, wait for it, exposed to. But we act like this is something new in society. This is nothing new. We, through law, have a history of monitoring or approving what our kids are exposed to in life. What is the age that they can get tobacco? What is the age they can tattoo their skin or drink alcohol? What is the age that they can drive a car or apply for a license? But even deeper to that, let us talk about the content of life.

We all grew up in an era, probably, where we had VHS rentals, right? Some of you may go even back, it might have been digital reels of film, whatever it might be. But who remembers going to a video store and seeing a curtain in the back of the room? And I remember asking my parents: mom and dad, what is back there? Why are those people going in and out of those curtains? Well, that is where the movies are that we do not want you to see. All of us can relate to the fact that the Motion Picture Association of America--who did not grow up going to the movies? We go to the movies. We have movies that are rated R, restricted access for anyone under the age of 17 unless they are accompanied by an adult, down to PG, PG-13. I think the last one was mature audiences only. Boy, by having that system, did that strip away parental rights? It empowered parents to know what their children are going to be exposed to, but it does not end there. We live in a day and age now that whether it is the remote control for my TV, I can put locks on it and prevent the contents and put passwords to make sure my kids are not purchasing things, they are not watching things. Take it a step further. We all live in the age of smart TVs and apps and things that are on there. Netflix, I can create

different accounts, one that the adults can watch and one that the kids can only watch, and certain contents only allowed in that. Is that stripping away parents' rights? No, actually, I think it is empowering parents to deal with what their kids are being exposed to, but it does not end there. What really gets me is the same schools that we are discussing the fact that we have issues with what content they are being exposed to, to this day, have filters on their Chromebooks, on their internet to the point that if a kid types in the word "porn," "boobs," you name whatever it is, the school is getting notified, the parents are getting notified because they were trying to access content that the school deemed inappropriate. But for some reason, this discussion about what our kids are exposed to, what my rights are as a parent in what my kids are exposed to, somehow is considered to be a book ban, stripping of their rights. Well, I have a news flash for everybody. These children are minors. And I am not going to judge what a parent wants their child to be exposed to or not to be exposed to, but I know who I am responsible for. I am responsible for four amazing kids who I have watched grow up, that we have done everything in our power to make sure that they were not exposed to things that they are not ready to be exposed to. Is that bad? You know, people act like--we all see what is going on in a lot of local school board meetings. Why do you think that is? And if they think a great compromise would be, okay, they can let them watch what they want to watch; we can get books here that they want to get to or not allowed to. You would think that would be considered to be a real compromise. But what bothers me is that there are people who will look me in my face and tell me that they are going to control or tell me what I think is best for my kids. That is unacceptable.

And the adults in this conversation, let us talk about hypocrisy. They will not be printed in newspapers, the images, and it goes beyond Senate Bill No. 7. It goes back to the last time that this bill was run. Asking them if these images are not so bad of two boys performing--minors--performing oral sex on each other or images on how to have more pleasurable anal sex. Print it, show it on TV. Lawyers who tell us: do not do that, you would be distributing porn. Or even when we attempt to point people to things, we even have to put in: are you 18 or over disclaimers. We have to blur, even still the images. But that is okay, let us just show it in our schools. Parents who show up to school board meetings holding placards with the images from this book and other books and they are shut down, being told that it is inappropriate for a school board meeting. But it is appropriate for our kids? You know, the great thing about the business that we are in is we all get to get up here and express our personal experiences, what our opinions are on different things, and you know, not too often are there things that we can say, you know what, here is a real compromise, because this is not removing books from a situation. This is giving parents choice. This is not going to dismantle public education because Lord knows over the last 8 years there have been historic investments in it, and we are not going to allow public education to be disbanded, but our kids are still going to be kids. We are all going to think what is best in their interest. They may make choices in life. My kids may make choices in life. They may ask me questions about certain topics. That is okay, I love my kids, love to have that conversation with them. But that does not mean that I do not get a say on what I think is appropriate for them or not. And Senator Aument was not joking. This issue is

across the political spectrum, parents across the spectrum believe that they should have a say in what their kids are exposed to in life. We do it in so many other facets because we love our kids, we want to protect them, and God knows we need to also protect parental rights in Pennsylvania. So, with that, I would encourage an affirmative vote on Senate Bill No. 7.

Thank you, Madam President.

The PRESIDENT pro tempore. The Chair recognizes, for a second time, the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Madam President, --

The PRESIDENT pro tempore. Would you like Senator Haywood to go first?

Senator AUMENT. Certainly yield.

POINT OF ORDER

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

Senator HAYWOOD. Madam President, would you please share with the Members the Rules with respect to cursing on the floor?

The PRESIDENT pro tempore. Could you please repeat that?

Senator HAYWOOD. Glad to. Would you please share with Members the Rules with respect to cursing in remarks on the floor?

The PRESIDENT pro tempore. The Senate will be at ease.

[The Senate was at ease.]

The PRESIDENT pro tempore. The decorum and customs of the Senate prohibit the use of profanity.

Senator HAYWOOD. Thank you.

The PRESIDENT pro tempore. The Chair recognizes, for a second time, the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Madam President, I do hope we extend that same courtesy to our schoolchildren and schools all across this Commonwealth. I, Madam President, listened, as I suspected, to debate this afternoon, and as I suspected, we have heard the term "book ban" thrown around quite a bit; 13 times by my count. I believe the opponents of this bill know it is not a book ban. And I believe the opponents of this bill, when you look at the definitions, when you look at the definition of sexual conduct, it is taken from Title 18, taken from the Crimes Code, know that that does not impact the great works of literature, "Song of Solomon," but what it certainly may do is encourage conversation between educators and families, which is a good thing, which is a healthy thing.

Many of the organizations that have sent in position papers and submitted testimony to our standing committee during the hearing last week, they called it a book ban. They know it is not a book ban. They all know this bill will not ban a single book. But a book ban is perhaps the only argument they have because they know the more that people know the truth and see these images, the harder it is to oppose Senate Bill No. 7. They know that the more people who see these explicit images found in these books, extremely graphic images, and the more schools that make these books available to kids without parental knowledge, the more support we receive for Senate Bill No. 7. The momentum continues to build. They know that if they can distract from the true purpose of this bill by even falsely labeling the book as an attack on the LGBTQ community--as if the only books available to that

community are excessively sexually explicit--they can perhaps continue to ignore the will of parents all across this Commonwealth by voting against this legislation.

Time and time again, survey after survey reinforces that parental empowerment is important to Americans despite political affiliation or racial identity. Parents want to know what is happening in their child's school, and we firmly believe they have a right to know. This bill is not an attack on teachers. Of the more than 500 people who have personally contacted my office in the last few weeks in support of this bill, many are educators. They, too, have been appalled at the sexually explicit content in some of our schools. Safe to say that the position provided to us by organizations representing teachers is not shared by all teachers, but instead of an honest conversation about what the bill actually does and, more importantly in this case, does not do, we continue to hear the cries of book ban.

Let us be clear, this issue, the issue of parents being angered that their children have access to sexually explicit content in schools, is not going away regardless of the vote here today. And if this bill were ultimately not to pass or pass, until we resolve this issue, it is not going away. Parents will not wake up one day and stop caring that their middle school student has access to books that give tips on how to use sex apps. Parents will not stop caring that their ninth grader can view a graphic novel that depicts children giving oral sex or read in graphic detail about incest and pedophilia all without their knowledge. If anything, if anything, these concerns will only grow louder as parents feel helpless when their voices are silenced by a book review committee or they are told to devote more of your time to reviewing all the books in the school libraries and curriculum so they can identify the inappropriate content for themselves, which is the current opt-out system. That system is not working for parents; that is clear. And parents are not extremists because they want to protect their children from sexually explicit content while at school.

This is not a scenario where a child overhears another student talking about something inappropriate at recess. This is about schools, educators, making books available to middle schoolers that discuss the benefits of sex work, the benefits of sex work, without their parents' knowledge or consent. Many parents take great lengths, as has been discussed, to protect their children from content like this on smartphones, on television, and the music they listen to, all of which have parental controls and rating systems to assist parents in those efforts. Parents are frustrated that they now must protect their children from this content while at school without the same easy parental control options. Should it really be, should it really be easier to protect your child from explicit content on Netflix than in their middle school? So, let us make it easier for parents. Let us call this bill what it is, a parental control over sexually explicit content at school, and let us finally give parents, all parents, their own say when it comes to sexually explicit material in school.

Thank you, Madam President.

LEGISLATIVE LEAVE CANCELLED

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

LEGISLATIVE LEAVES

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

Senator AUMENT. Madam President, I request temporary Capitol leaves for Senator Baker and Senator Pennycuick, and legislative leaves for Senator DiSanto, Senator Langerholz, Senator Coleman, and Senator Pittman.

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

Senator TARTAGLIONE. Madam Chair, I request a temporary Capitol leave for Senator Hughes, and a legislative leave for Senator Anthony Williams.

The PRESIDENT pro tempore. Senator Aument requests temporary Capitol leaves for Senator Baker and Senator Pennycuick, and legislative leaves for Senator DiSanto, Senator Langerholz, Senator Coleman, and Senator Pittman.

Senator Tartaglione requests a temporary Capitol leave for Senator Hughes, and a legislative leave for Senator Anthony Williams.

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

NAY-21

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

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

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

UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION

Senator J. WARD. Madam 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 265, SB 501, SB 668, SB 700, SB 736, SB 828, SB 907, SB 943, SB 958, SB 964, HB 269, HB 507, HB 1096, HB 1246, HB 1258, HB 1284 and HB 1507.

And said bills having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

LEAVE CHANGED

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

Senator AUMENT. Madam President, I request that Senator Pittman's leave be changed from a legislative leave to a personal leave.

The PRESIDENT pro tempore. Senator Aument requests that Senator Pittman's leave be changed from a legislative leave to a personal leave. Without objection, the leave will be changed.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS

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)
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 142, 403 and 910)	Room 461 Main Capitol
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Rules Committee Conference Room

THURSDAY, NOVEMBER 2, 2023

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (joint public hearing with the Ohio Public Utilities Committee on Inter-State Relationships within PJM Grid)	William Penn Omni Hotel Lawrence Welk Room Pittsburgh
------------	---	---

PETITIONS AND REMONSTRANCES

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

Senator COMITTA. Madam President, I rise in recognition of the importance of protecting our hearing. Hearing loss and impairment tend to be viewed as problems facing older residents. However, more and more young people are at risk for developing permanent noise-induced hearing loss due to exposure to loud sounds. About 40 million adults aged 20-69 years have noise-induced hearing loss. And according to the CDC, 1 in every 6-8 middle and high school students aged 12-19 years already have measurable hearing loss, likely resulting from excessive noise exposure. Common noise hazards include loud music, parties, sports events, concerts, music in vehicles, and more. Everyday activities such as using power tools, mowing the lawn, or

attending a fitness or gym class with loud music can also damage hearing.

October is National Protect Your Hearing Month. It is an opportunity to remind all of us of steps we can take to better protect our hearing, such as turning down the volume, using proper protective equipment such as headphones or earplugs, and taking periodic breaks from noise. Hearing is a complex process. Many fragile parts of the ear work together to relay signals to the brain. In fact, did you know that if you have hearing loss, you have a greater chance of developing dementia? In addition to leading to isolation and depression, scientists are learning that hearing loss can make the brain work harder, forcing it to strain to hear and fill in the gaps. That comes at the expense of other thinking and memory systems. One study even found a link between hearing loss and brain atrophy. So, let us all take an opportunity to give our ears a rest.

I also want to take a moment to recognize 3 Tiny Bones, a student-founded and student-led nonprofit organization from Chester County. 3 Tiny Bones is working to destigmatize hearing loss and to educate young people and communities on hearing health. Last year, they joined Senator Muth and I in Harrisburg to raise awareness of this issue, and we thank them for their ongoing work and advocacy. So, thank you, and please join me in supporting this resolution to designate October as National Protect Your Hearing Month in Pennsylvania. Thank you.

The PRESIDING OFFICER (Senator Scott E. Hutchinson) in the Chair.

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

Senator TARTAGLIONE. Mr. President, I rise because today marks 6,316 days since our Commonwealth's legislature last passed an increase in our minimum wage. Mr. President, poverty is a devastating and persistent issue, not just in Pennsylvania, but across the entire nation. For far too long, low-wage workers across our Commonwealth and nation have struggled to make ends meet, facing the harsh reality of poverty-level minimum wages and the constant cycle of poverty. Tens of thousands of individuals and families across our State, making our poverty-level minimum wage work, continue the daily struggle just to make ends meet. Our current minimum wage, Mr. President, simply does not align with the increasing cost of living, leaving workers unable to meet their basic needs. You have heard me say countless times on the floor of this esteemed Chamber: raising our minimum wage is not just an economic necessity, it is a matter of moral justice and human dignity. If we raise the minimum wage in Pennsylvania, we will send a powerful message that we value the hard work of our citizens; that we recognize the right to earn a wage that enables them to support themselves and their families without constantly worrying about financial insecurity; and that all Pennsylvanians should be able to afford essential needs like housing, healthcare, and education.

This is not just about numbers on a paycheck. It is about ensuring a better quality of life for our low-wage earners. Since nearly the day we last passed our minimum wage here in Pennsylvania, I and other legislators have been fighting to raise Pennsylvania's minimum wage and tie it to inflation so that low-wage earners would never be left behind again and their work would

never lose value year over year. Mr. President, legislation like my bill, Senate Bill No. 12, would put Pennsylvanians on a path to \$15 an hour and out of the endless cycle of poverty we currently allow them to exist in. Senate Bill No. 12 is currently sitting in committee waiting for a vote. We must act on our moral calling and pass Senate Bill No. 12. Pennsylvanians deserve better, Mr. President. Pennsylvanians deserve Senate Bill No. 12.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I rise today to recognize October as Breast Cancer Awareness Month. Every year, Breast Cancer Awareness Month aims to promote screening and prevention of this disease, but this month is not just about statistics or pink ribbons; it is about offering our support to those in our communities who are in the throes of this battle, a battle that knows no political affiliation. It is about showing them that they are not alone, and although breast cancer is much more common in women, it also affects men. The statistic is 1 in 8 women in the United States will be diagnosed with breast cancer during their lifetime, and 1 out of every 100 patients diagnosed with breast cancer is male. This month, we encourage every Pennsylvanian to understand the importance of early detection through regular screenings; to support those who are currently fighting this battle to, again, show them that they are not alone; and to advocate for improved access to quality healthcare services regardless of one's socioeconomic status. I am thrilled that in Pennsylvania, with the signing of Act 1, originally introduced as Senate Bill No. 8 and is the first of its kind in this nation, we increased affordability to the preventative measures that we all deserve access to.

As many of you know, this bipartisan legislation passed earlier this Session, and it will save countless lives by requiring insurers to cover preventative breast and ovarian cancer screenings for high-risk Pennsylvanians at no cost. Pennsylvania has a wealth of organizations and healthcare institutions, and we have an obligation to educate our constituents about breast cancer and those organizations and institutions that will inform them of the risks of cancer, the importance of screenings, and the other support networks that are all over. So, let us work together to ensure that our constituents are aware of these resources. Together, we can make a difference, not just this month, but every month. May this October be a month of hope, support, and relentless advocacy in the fight against breast cancer in the Commonwealth of Pennsylvania.

Thank you, Mr. President.

RECESS

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

Senator AUMENT. Mr. President, I move that the Senate do now recess until Wednesday, October 25, 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 6:01 p.m., Eastern Daylight Saving Time.