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TUESDAY, APRIL 30, 2024

SESSION OF 2024 208TH OF THE GENERAL ASSEMBLY

No. 12

**SENATE**

TUESDAY, April 30, 2024

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

The PRESIDENT pro tempore (Senator Kim L. Ward) in the Chair.

**PRAYER**

The Chaplain, Reverend BETH R. HOLZ, of Bethel United Methodist Church, Brogue, offered the following prayer:

I invite you into an attitude of prayer.

Almighty God of all nations and people, as we gaze upon the grandeur of this beautiful building, remind us that You are beyond what we can build alone and that You watch over us with love and care, mercy and forgiveness. We come before You grateful for the gifts that You have bestowed upon us. This includes our system of government--one that is designed to ensure the fullest possible participation of the people and the decisions that impact their lives. May we honor this gift, protect it, and use it on behalf of the interests of all people.

Today I pray for over all those who are in the offices that govern our State, our Senators, our Representatives, and our Governor. May You guide them in their service that they would make wise decisions which are always in the best interest of all people. Decisions that bring equality and justice for all, that would create a State where everyone knows that they are valued, cared for, and celebrated within all their diversity. May we foster an environment where we respect the unique dignity of every person. Give us the ability to not seek simple answers to complex problems, nor seek to deflect blame onto others. May we recognize that it is in submitting ourselves in service and love to others that power reaches perfection. So give us the grace to listen to one another, and then work together beyond partisanship and help that might divide us, bring us together. Unite us together in a spirit of love that calls us to not hoard our riches or ignore those in need. Lord, this is a vision and our prayer for our State. So may it be so. Amen.

The PRESIDENT pro tempore. The Chair thanks Pastor Holz, who is the guest today of Senator Phillips-Hill.

**PLEDGE OF ALLEGIANCE**

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

**BILLS REPORTED FROM COMMITTEES**

Senator PENNYCUICK, from the Committee on Communications and Technology, reported the following bill:

**SB 85 (Pr. No. 1562) (Amended)**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in alternative form of regulation of telecommunications services, further providing for network modernization plans and for additional powers and duties of commission.

Senator STEFANO, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

**SB 1165 (Pr. No. 1534)**

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in powers and duties, providing for criminal history background checks.

**SB 1173 (Pr. No. 1542)**

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, in definitions, further providing for definitions; in application of the act and penalties, further providing for exclusions; and, in duties of licensees, providing for right to cancel sales agreements or sales contracts for wholesale transactions.

**SB 1174 (Pr. No. 1543)**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, providing for waiver of laws, regulations and policies under commission's jurisdiction.

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

**SB 1102 (Pr. No. 1564) (Amended)**

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, providing for training for long-term care, for criteria for nurse aides and for limitation on department.

**SB 1104 (Pr. No. 1565) (Amended)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for credit for employment at congregate care facility.

**SB 1150 (Pr. No. 1555)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Grow Pennsylvania Scholarship Grant Program; and imposing powers and duties on the Pennsylvania Higher Education Assistance Agency.

**SB 1151 (Pr. No. 1556)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in the State System of Higher Education, further providing for definitions and establishing the Grow Pennsylvania Merit Scholarship Program.

**SB 1152 (Pr. No. 1557)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in Ready-to-Succeed Scholarship, further providing for agency.

**SB 1153 (Pr. No. 1558)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in the State System of Higher Education, providing for educational opportunities for foster and adopted children.

**SB 1154 (Pr. No. 1559)**

An Act establishing the Performance-based Funding Council and providing for its powers and duties.

**SB 1155 (Pr. No. 1560)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in miscellaneous provisions relating to institutions of higher education, providing for Higher Education Task Force.

**SB 1157 (Pr. No. 1536)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for exception from compulsory education for certain children with disabilities.

Senator DUSH, from the Committee on State Government, reported the following bills:

**SB 525 (Pr. No. 699)**

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in agency response, providing for vexatious requester.

**SB 800 (Pr. No. 1566) (Amended)**

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in procedure to condemn, providing for advanced notice to condemnee; and, in just compensation and measure of damages, providing for compensation for loss of goodwill of business or farm operation.

**SB 1108 (Pr. No. 1462)**

An Act amending Title 38 (Holidays and Observances) of the Pennsylvania Consolidated Statutes, in veteran recognition, providing for K9 Veterans Day.

**RESOLUTIONS REPORTED  
FROM COMMITTEES**

Senator PENNYCUICK, from the Committee on Communications and Technology, reported the following resolution:

**SR 223 (Pr. No. 1563) (Amended)**

A Resolution urging the Federal Communications Commission and the National Highway Traffic Safety Administration to make a rule requiring automakers to maintain free, broadcast AM radio in all vehicles.

The resolution will be placed on the Calendar.

Senator DUSH, from the Committee on State Government, reported the following resolution:

**SR 77 (Pr. No. 511)**

A Concurrent Resolution petitioning the Congress of the United States to call a Convention for proposing amendments pursuant to Article V of the Constitution of the United States limited to proposing amendments that impose fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government and limit the terms of office for its officials and for members of Congress.

The resolution will be placed on the Calendar.

**LEGISLATIVE LEAVES**

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

Senator PITTMAN. Madam President, I request temporary Capitol leaves for Senator Baker and Senator Mastriano, and a legislative leave for Senator Coleman.

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

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

The PRESIDENT pro tempore. Senator Pittman requests temporary Capitol leaves for Senator Baker and Senator Mastriano, and a legislative leave for Senator Coleman.

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

**JOURNAL APPROVED**

The PRESIDENT pro tempore. The Journal of the Session of February 7, 2024, is now in print.

The Clerk proceeded to read the Journal of the Session of February 7, 2024.

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

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

**YEA-50**

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

**NAY-0**

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

The PRESIDENT. The Journal is approved.

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

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

Senator PHILLIPS-HILL. Mr. President, it is an honor to welcome back today's guest Chaplain, Pastor Beth Holz of Bethel United Methodist Church, located in the Brogue. A graduate of Lancaster Theological Seminary, Pastor Holz has been in ministry for 12 years and was appointed to lead Bethel's congregation in July of 2021. Their vision is to connect with God through prayers, grow in Christ through love, and go into the world and serve; connect, grow, and go. With a passion for outreach, Pastor Holz works diligently to develop long-lasting relationships and connections within the community. Thank you, Pastor Holz, for opening the Senate with your thoughtful prayer. Joining Pastor Holz today is her family. Her father, William Beckum, Jr., is seated with her on the floor; and her husband, Michael, and bonus mom, Gail Beckum, are seated in the gallery. Would my colleagues please join me in giving a warm welcome to our guest Chaplain, Pastor Holz, and her family.

Thank you, Mr. President.

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

[Applause.]

**GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE**

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

The PRESIDENT pro tempore. Mr. President, today I have the distinct pleasure of welcoming Project 18 to the Pennsylvania Senate. Project 18 is at our Hempfield High School in Westmoreland County, and it is always a privilege to honor them here. They come every single year, but this year it is just a little bit

different because this year, we are not only honoring these students, but also the success of this program as Project 18 celebrates their 50-year milestone. It is amazing to think that in the fall of 1974, Project 18 was introduced to the Hempfield Area School District by social studies department chair Jim Steeley, Sr. The project took off and has been thriving ever since. It is a hands-on, comprehensive program focused on teaching young adults about the ins and outs of government. Project 18 requires each student to complete 10 hours of community service or [and] 10 hours of service related community service or [sic] to a political event, or put their service to a candidate of their choice.

It was originally a pilot initiative statewide when the 26th Amendment lowered the voting age from 21 to 18 in 1971. Project 18 was such a success, it continued to flourish in the district I represent at Hempfield. The success of this program in Westmoreland County says something about the people of our community and their commitment to engaging in public service. In fact, many local officials in Westmoreland County can thank Project 18 for giving them their start in public service and elected office. And actually, while I am up here, I will say that the chief of staff in my office, Rob Ritson, was a Project 18 student many, many years ago, but most importantly--I guess that was next and I was not reading my thing--Rob Ritson is a Project 18 alum.

I would like to thank Ken Stough, who leads the program at Hempfield High School. You have done a fantastic job at educating our community through experience. You know, this program--I have been going in and out of there speaking to these students, and they are very up to date on issues. For years, I have been going since the mid-90s; I do not get there every year, but I get there some years. They are up to date on the issues, and these are our future community leaders, our volunteers, our advocates, our government officials. And I see great promise in these students being involved in this program and really getting in and being part of their government and part of their community. So, congratulations on helping Project 18 be the success, Ken, that it has been for 50 years. Let us keep it going for 50 more. Please join me and give the students of Project 18 a warm Senate welcome.

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

[Applause.]

**GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I am pleased today to welcome advocates from Transit for All [PA!] from Pennsylvania who are here in the Capitol today drawing attention to the importance of visionary baseline transit services in Pennsylvania for all residents across the Commonwealth. Transit riders from all across Pennsylvania have gathered here in Harrisburg today to share how and show how important public transit is to their daily lives. And earlier today, they had a rally with Lieutenant Governor--yourself--Lieutenant Governor Davis, calling for increased sustainable funding for transit and support for public transit workers. Public transit allows workers to get to jobs, get students to school, and allows seniors to age in place. And for folks with disability, public transit is a way to safely navigate their communities. Dollars invested in public transit go to supporting our local

workforce, our small businesses, and our families, as well as our climate. Today they are asking us legislators to support funding for public transit in the '24-'25 budget presented by Governor Shapiro, and to continue ensuring that all 67 counties enjoy a public transportation system that meets the unique needs of all residents. Thank you for those folks who are here today for your advocacy about this important issue, and I look forward to working [with] each of you and all of my colleagues in the administration here as we move through this budget process.

There are a number of folks who are here today, and I will very briefly just say a few of those individuals: Kelda Gorman; Lionel Randolph; Sarah Cruz; Connor Descheemaker--Connor, I hope I said that right; Jim Keener, along with family Anne, Rosalind and Isaac; John Porter; Jasmine Velez; Sarah Corchran; as well as, I believe, Laura Wiens from Pittsburghers for Public Transit. Thank all of you for being here and your advocacies for public transit across Pennsylvania and allowing us the opportunity to hear how important transit is to each of you and your advocacy for all Pennsylvanians. Mr. President, I ask that my colleagues join me in giving a warm Senate welcome to the guests I just mentioned. Thank you.

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

[Applause.]

**GUESTS OF SENATOR MICHAEL R. REGAN  
AND SENATOR KRISTIN PHILLIPS-HILL  
PRESENTED TO THE SENATE**

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

Senator REGAN. Mr. President, I rise today to welcome our guests, the State champions from Central York High School Boys' Basketball Team. The team finished with a record of 29-3, including their thrilling 53-51 win over the District 11 champions, Parkland High School, to win the school's very first State title. This championship season did not come without the Panthers having to overcome adversity. After a heartbreaking loss in the District 3 quarterfinals to their archrival Red Lion Area High School, they had to bounce back to qualify for the State tournament by winning the remaining district consolation games. With the odds against them and their promising season hanging in the balance, they went off, winning seven straight victories, including avenging their loss to Red Lion in the second round of the State tournament. Head Coach Jeff Hoke and the Panthers are the first York-Adams Interscholastic Athletic Association basketball team to win a title in the 6A, which is the largest and most competitive in the PIAA. Even more impressive is that these young men are the first non-private school in the YAIAA to win a State basketball title. Mr. President, the proud members of this team are Ryan Brown, Ben Natal, Brooklyn Nace, Saxton Suchanic, Greg Guidinger, Nasir Ruppert, Ryan Jackson, Doug Layer, Boden Pease, Ben Rill, JoJo Woodard, Az'mir Ludvig, Eric Tati, and Bryon Pinkney; head coach is Jeff Hoke; assistants are Rick Mosley, Drew Markle, Dyllon Hudson-Emory, Gary Sutton, Anthony Handy, Joshua Stambaugh, Cody Leham, and Dakota Hartlaub. Mr. President, Senator Phillips-Hill would like to speak about this team, so we will delay the applause until after she speaks if it is okay with you, sir.

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

Senator PHILLIPS-HILL. Mr. President, I rise alongside my colleague from York County to welcome the 6A State champions, the Central York High School Boys' Basketball Team, to the Senate of Pennsylvania. A lot of firsts for the Panthers this year; they are the first YAIAA basketball team to win a State title in the largest classification; they are the first ever York County public school to win a State title; and most importantly, this is the first State title in their program's history. The Panthers, led by Coach Jeff Hoke, said it best about his team's effort: "This is so deserving." Named 6A Coach of the Year, Jeff has instilled confidence in his players, and it really shows. Throughout the entire championship game, the Panthers, they had to dig deep. Down to the final seconds, the Panthers never quit, they never stopped playing, and their defense held off Parkland to clinch the sweetest victory of the season in front of a packed Giant Center in Hershey. To the players, your hard work and dedication paid off. You are going to take these moments with you through the rest of your life: your tenacity, your dedication, and proving the doubters wrong. There are a lot of good life lessons to be learned there. But remember this, it is a key takeaway from your victory: defense wins championships. Up by two with a little under 7 seconds remaining, you did not flinch, you did not break, you held it together, and you made your coaches, your peers, your parents, your community, and all of us fans so very proud. Would our colleagues please join us in welcoming the Central York High School Boys' Basketball Team.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Regan [and Senator Phillips-Hill] please rise.

[Applause.]

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

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

Senator MUTH. Mr. President, I rise today to recognize some very special guests to the Senate. author Justin Nobel and Fayette County resident Sean Guthrie. Mr. President, Justin Nobel is an author and an investigative journalist who writes on science and environment for US magazines--investigating sites with contamination of toxic waste--as well as literary journals. He has been published in "Best American Science and Nature Writing" and "Best American Travel Writing." A book he co-wrote with a death row exoneree, "The Story of Dan Bright," was published in 2016 by University of New Orleans Press. Justin's writing has helped lead to lawsuits for justice, public dialogue, academic research, and have been taught at Harvard's School of Public Health. His 2020 Rolling Stone magazine story, titled "America's Radioactive Secret," won an award from the National Association of Science Writers and inspired his latest book, which was just released this week, "Petroleum-238: Big Oil's Dangerous Secret and the Grassroots Fight to Stop It." Mr. President, I have been reading this--Justin's latest book--over this week and I have not been able to put it down. I would recommend it to all of my colleagues because it would certainly allow for some additional information regarding the health hazards in the oil and gas industry that these workers face. His book outlines how oil field waste workers face

stunning exposure risks yet are often told nothing about radioactivity and provided no appropriate protections against it. It includes stunning worker accounts to reveal that at some fracking waste treatment facilities, the industry has relied on workers recently released from prison--and often addicted to drugs--to do the horrifically dangerous work of, quote, treating radioactive oil-field waste, yet granted those workers no appropriate knowledge on the dangers they are facing or protections against it.

Mr. President, my second guest is Sean Guthrie, one of the bravest people I know. A resident of Fayette County, he also knows these dangers from frack waste working all too well. He worked for 10 years in the fracking waste industry, including at frack waste treatment plants in Indiana, Pennsylvania, and another in Canonsburg, south of Pittsburgh. He also worked at the notorious Fairmont Brine facility in Fairmont, West Virginia, which has documented an ongoing radioactivity releases into the soil, water, and air. When Sean took his first job in the fracking waste hauling business in 2009, he knew nothing about the industry. But now, nearly after a decade of working in the fracking waste industry, he understands the job was leading him and his coworkers into a living radioactive nightmare. Sean now suffers from a range of health issues and has seen two of his former coworkers die from cancer. Mr. President, both Justin and Sean are here today to talk about the dangers of this toxic radioactive waste that it presents to workers all across the States, including Pennsylvania, where oil and gas operations occur. Also in the gallery are Dr. Yuri Gorby, a geomicrobiology expert who assisted with investigating the Fairmont Brine facility where Mr. Guthrie worked, as well as Jill Hunkler, founder of Ohio Valley Allies and a self-proclaimed fracking refugee, assisting workers and making sure that they are heard. I encourage all of my colleagues to attend our press conference later today, and also to look into Justin's book. Even if you do not think it is your cup of tea, it is a highly recommended read to make us better policymakers and to help protect workers from these dangerous harms. Mr. President, I ask my colleagues to please give my guests, author Justin Nobel, Sean Guthrie, Jill, and Dr. Yuri Gorby, a warm Senate welcome. Thank you.

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

[Applause.]

### **LEGISLATIVE LEAVE CANCELLED**

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

### **GUESTS OF SENATOR DEVLIN ROBINSON AND SENATOR LINDSEY M. WILLIAMS PRESENTED TO THE SENATE**

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

Senator ROBINSON. Mr. President, I am so honored to introduce special guests today from my district, the North Allegheny High School Varsity PIAA State champion swimming and diving team. The girls won their second straight PIAA Class AAA crown and third title in the past 4 years, and the boys won third place, which is their best finish since winning a State title in 2019. The Lady Tiger divers edged out second-place team Upper Dublin by 8 points with junior Juliet Hood winning the PIAA silver and Lola

Malarky winning State bronze. Maggie Lapina also had impressive dives as they claimed 10th place. Natalie Sens won State gold in 100-yard backstroke [breaststroke], and Eva Ogden, Claire Bacu, Dani Hinkson, and Greta Mott placed an outstanding 4th place in the 400 free relay. The boys also swam stellar races, with a strong 5th-place performance in the 400 free relay swam by Zachary Totin, William Gao, Gus Miller, and Danny Lesinski. Led by head swim coach Patrick Wenzel; assistant coaches Brittany Glass, Alex Mathews, Beth Mock, and Steve Kraus; head diving coach Patti McClure; and assistant diving coaches Brian Wright and Celia Manza. Each and every swimmer and diver on the team contributed in a strong way to the incredible success the Tigers saw last month in the PIAA championships. Please join me and my friend [Senator] Lindsey Williams as she introduces the team as well.

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

Senator L. WILLIAMS. Mr. President, I join my colleague today in welcoming the North Allegheny High School Girls' Varsity Swim Team to the Pennsylvania Senate. I will not repeat the incredible feats that this team has done this season, but I do want to echo that they have been undefeated in their regular season for at least the last 10 years. I am told it is even longer than that, but that is as far back as the website goes. This program has a lot to be incredibly proud of, and this year's wins are not a fluke but the result of years of hard work and dedication. I was a swimmer in high school, so I know the sacrifices that these students have made: early mornings at the pool before school starts, late-night meets, and weekend tournaments, all while balancing school-work, family time, and other school clubs, activities, and friends. I want to congratulate each of you for an amazing season for your hard work and dedication, and I want to encourage you to continue to swim throughout your life, even if it is just for fun. I ask that the Senate please join Senator Robinson and I in giving the North Allegheny High School varsity swim team our traditional warm Senate welcome.

The PRESIDENT. Would the guests of Senator Robinson [and Senator Lindsay Williams] please rise and be welcomed by the Senate.

[Applause.]

### **GUESTS OF SENATOR FRANK FARRY PRESENTED TO THE SENATE**

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

Senator FARRY. Mr. President, I am pleased to welcome a family of constituents from the Bensalem Township section of my district here today. Joseph Williams and his daughter, Nora, are here. Unfortunately, his son, Ty, was under the weather and unable to join us today. Joe is a dedicated father who enjoys golfing, cooking, and many sports. Ty, who is unable to be here today, is preparing to head off to college and is passionate about U.S. history and civics. Nora, who joined us here today, is a student at Villa Joseph Marie High School and is glad to have the opportunity to join us here at the Capitol. Mr. President, I ask that we please give a warm Senate welcome to Joe and Nora on their visit to the State Capitol today.

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

[Applause.]

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Farry, for a second time.

Senator FARRY. Mr. President, I am pleased to welcome to the Senate a constituent of mine from Ivyland in Bucks County, Gerald Bowen, Jr. Gerry is a proud husband of Doreen and has two children, Grace and Shannon. He is a local attorney and an author. He is also the managing partner of his law firm in Southampton. He is a former adjunct college professor and a former member of the board of a local Philadelphia regional hospital. He is currently the president of Southampton Business and Professional Association. He is a very benevolent guy, and we want to give him a warm Senate welcome for his tour of the Capitol today.

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

[Applause.]

### **GUEST OF SENATOR JOHN I. KANE PRESENTED TO THE SENATE**

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

Senator KANE. Mr. President, I rise to recognize Mia Corsaro, an exceptional intern from our district office who joins us in the Senate today. Mia is a diligent student at West Chester University; has been nothing short of remarkable in her service to our office and Ninth Senatorial District. It is not every day that you find someone who can juggle multiple tasks with a smile. We often assign Mia a day's worth of work from all different departments, and before we can even blink, there she is with her smile, the work done, and asking for more. With her ready-for-anything and bring-it-on mindset, we are always confident when an assignment ends up on Mia's desk. But Mia's dedication does not stop at the office door. She has represented us at various events, including our senior fair and our district pet expo.

Now, if you thought I had a soft spot for parrots, you should have seen Mia at a pet expo, when not one, but four parrots on her shoulder enjoying every moment. Our office thrives on laughter, personality, hard work, and an unwavering commitment to serving our community, and Mia is a prime example of all these values. Whether Mia is responding to constituents, analyzing policy hearings, or offering us the refreshing viewpoint of a young, vibrant college student, Mia brings an irreplaceable value to our team. And if you are looking for a good anime show recommendation, Mia is definitely the one you should talk to while she is here. We are beyond fortunate to have Mia in our office, and I have no doubt that she will achieve great things in life. And as she continues to grow and serve our world, remember, it all started in the beautiful Ninth Senatorial District.

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

[Applause.]

### **GUESTS OF SENATOR DAVID G. ARGALL PRESENTED TO THE SENATE**

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

Senator ARGALL. Mr. President, Senator Lynda Culver and I have a large number of residents of the greater Hazleton area in

the gallery right now. I will begin with an introduction for my job shadow for the day, Evan Polanco. Evan is a resident of Berwick, an eighth grader from MMI Prep in Freeland, where he serves as a student council member, student ambassador, part of the drama club, baseball, basketball, concert band, singing in the choir--he is a pretty busy guy; joined today by his mother, Esther. There are 40 additional guests in the gallery representing the Greater Hazleton and White Haven Chambers of Commerce, including the incumbent mayor of Hazleton, Jeff Cusat, and one of his illustrious predecessors. We have frequently said back home that mayor of Hazleton is one of the most challenging jobs in anywhere to be found in Pennsylvania. Both of these gentlemen have done it with style. Today this group has had a busy day meeting with State officials, our State Representatives, the Transportation Secretary, Mike Carroll, representatives of DCED, and I would ask that our colleagues help me in welcoming all these guests to the Pennsylvania State Senate today.

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

[Applause.]

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

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

Senator DILLON. Mr. President, today I have the privilege of celebrating remarkable achievements at one of the Fifth Senatorial District's most amazing high schools, Archbishop Ryan, for recognizing excellent student-athletes and celebrating a community that molds champions. When I joined the Senate, I looked for ways to partner with Archbishop Ryan, because we share a common purpose. We want to give local kids the opportunity to reach their full potential and succeed in life. That is why I am proud to acknowledge the Archbishop Ryan Cheerleading Team.

Earlier this year, they clinched the PIAA State championship in the AA Large Varsity Division. Their dedication and hard work have set a new standard of excellence at Archbishop Ryan. After almost 60 years of great team sports, this squad is the first team to bring a State title back to Academy Road. My heartfelt congratulations to coaches Angela Roman, Mia Hagerty, Marissa Hershock, and every young athlete on this team.

Turning our attention to the lanes, I am also here to honor Joey McNally. This little Lebowski rolled his way to an individual State title at the Pennsylvania High School Bowling Championships. But he is quick to point out that this win was not an individual effort. Coached by Matt Gerner, and his dad, Assistant Coach Joseph McNally, Joey had the backing of his family and fellow Catholic League bowlers as he clinched victory against fierce competition. Kids, please remember that this piece of your accomplishment, it also belongs to your parents. Through tears of pride, they watch you pursue your dreams that demanded endless drives to practices and tournaments, along with some hefty uniform and tournament entry fees. It also belongs to the coaches who led the way to become mentors, friends, and supporters for life. As a coach myself and a former athlete, I talk a lot about the positive influence of youth sports. It is a world I know well, and one where I have seen firsthand the impact it can have on our children's lives.

As we celebrate these young athletes and their achievements, let us also acknowledge that their victories are more than just titles, they represent the potential our kids can achieve when we believe in them, we support them, and we motivate them to go the distance. Thank you to President Joe Sanginiti; Principal Joe McFadden; Athletic Director Joe Zeglinski; and the entire Ryan community for fostering an environment where student-athletes are not only encouraged to achieve their dreams of potential, but they are given the tools to surpass it. Keep aiming high, keep making us proud, and remember that northeast Philly will always be cheering you on. I ask that everybody please join me in applauding our student-athletes from Archbishop Ryan with our usual warm Senate welcome.

Thank you, Mr. President.

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

[Applause.]

**RECESS**

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

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

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

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

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVE CANCELLED**

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

**LEGISLATIVE LEAVES**

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

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

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Muth, and a legislative leave for Senator Haywood.

The PRESIDENT. Senator Pittman requests a temporary Capitol leave for Senator Regan.

Senator Costa requests a temporary Capitol leave for Senator Muth, and a legislative leave for Senator Haywood.

Without objection, the leaves will be granted.

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**SB 67, SB 346, HB 358 and SB 365** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 479 (Pr. No. 510)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to retirement for State employees and officers, further providing for definitions.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEA-50**

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

**NAY-0**

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

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

**BILL OVER IN ORDER**

**SB 667** -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

**BILL AMENDED**

**SB 832 (Pr. No. 1277)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in boards and offices, establishing the Independent Energy Office.

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

#### BOSCOLA AMENDMENT A4202 OFFERED

Senator BOSCOLA offered the following amendment No. A4202:

Amend Bill, page 1, line 1, by striking out "Title" and inserting:  
Titles 27 (Environmental Resources) and

Amend Bill, page 1, line 2, by inserting after "Statutes,":  
adding provisions relating to energy resources; establishing the Energy  
Department; providing for its powers and duties; transferring powers  
and duties from other departments;

Amend Bill, page 1, line 3, by inserting after "Office":  
; and making repeals

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines  
and inserting:

Section 1. Title 27 of the Pennsylvania Consolidated Statutes is  
amended by adding a part to read:

#### PART IV-A ENERGY RESOURCES

##### Chapter

##### 51. Department of Energy

##### CHAPTER 51

##### DEPARTMENT OF ENERGY

##### Subchapter

##### A. Preliminary Provisions

##### C. Powers and Duties of Department

##### E. Defining Rulemaking Authority of Department of Environmen- tal Protection.

##### G. Miscellaneous Provisions

##### SUBCHAPTER A PRELIMINARY PROVISIONS

##### Sec.

##### 5101. Statement of purpose.

##### 5102. Scope of chapter.

##### 5103. Definitions.

##### § 5101. Statement of purpose.

(a) Intent.--It is the intent of the General Assembly and the purpose  
of this chapter:

(1) To establish the Department of Energy of the Common-  
wealth to exercise oversight over State energy resources, policy,  
strategy, siting and programming.

(2) To transfer and consolidate powers and duties of other ad-  
ministrative departments relating to energy to the department.

##### § 5102. Scope of chapter.

This chapter relates to the Department of Energy.

##### § 5103. Definitions.

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

"Department." The Department of Energy of the Commonwealth  
established in section 5121 (relating to establishment of department).

"Plan." The State energy plan required under section 5122(a) (relat-  
ing to powers and duties).

"Secretary." The Secretary of Energy of the Commonwealth.

##### SUBCHAPTER C POWERS AND DUTIES OF DEPARTMENT

##### Sec.

##### 5121. Establishment of department.

##### 5122. Powers and duties.

##### 5123. Energy programs.

##### 5124. Facility development.

##### 5125. Advisory committees.

##### 5126. Contracts and agreements.

##### 5127. Transfer of funds.

##### 5128. Transfer of administrative resources.

##### 5129. Civil service status.

##### 5130. Regulations.

##### § 5121. Establishment of department.

The Department of Energy is established as an administrative de-  
partment within the executive branch of the Commonwealth. The depart-  
ment shall be headed by the secretary. The secretary shall be appointed  
by the Governor, subject to the approval of a majority of the members  
elected to the Senate.

##### § 5122. Powers and duties.

(a) State energy plan.--One year after the effective date of this sub-  
section, and each year thereafter, the department shall publish and deliver  
to the General Assembly a State energy plan. The plan shall include at a  
minimum:

(1) Information and data relating to the health and sustainability  
of the State energy portfolio.

(2) Current costs associated with State energy exploration, pro-  
duction and distribution.

(3) Goals and strategies to increase the supply of energy for  
State energy demands.

(4) Goals and strategies to decrease the cost of energy for State  
customers.

(5) Recommendations that cover coal, natural gas and oil, elec-  
tric power, energy efficiency, solar, wind, hydro, geothermal, bio-  
mass, landfill gas and renewable natural gas, nuclear and other en-  
ergy technologies.

(6) Analysis of laws, regulations and policies that relate to en-  
ergy generation, production or distribution.

(7) A review of the use of fossil, renewable and energy effi-  
ciency initiatives designed to advance energy resource development  
opportunities and provide energy services to businesses, communi-  
ties and homeowners in this Commonwealth.

(8) Planning for sustainable energy alternatives.

(b) Oversight and administration.--The department shall exercise  
the powers and duties conferred upon other State agencies and officials  
relating to the following:

(1) The development and siting of energy production facilities.

(2) The procurement of Federal funding for energy resource  
research and development.

(3) The permitting and siting of energy projects and production  
facilities.

(4) The policy and planning of State energy strategy.

(c) Data collection.--The department shall collect, store and serve  
as a central repository for data relating to State energy generation, pro-  
duction or distribution.

##### § 5123. Energy programs.

(a) Energy Conservation and Assistance Act.--The Department of  
Energy has the powers and duties previously vested in the Department  
of Environmental Protection by the act of July 10, 1986 (P.L.1398,  
No.122), known as the Energy Conservation and Assistance Act.

(b) Building Energy Conservation Act.--The Department of Energy  
has the powers and duties previously vested in the Department of Envi-  
ronmental Protection by the act of June 28, 1995 (P.L.89, No.18), known  
as the Conservation and Natural Resources Act.

(c) Alternative fuels.--The Department of Energy has the powers  
and duties previously vested in the Pennsylvania Energy Office by 75  
Pa.C.S. Ch. 72 (relating to alternative fuels).

(d) Other powers and duties transferred.--Any reference to the  
Pennsylvania Energy Office in any other act shall be construed to mean  
the department, and any such powers and duties in acts and other func-  
tions currently performed or administered by the Pennsylvania Energy  
Office are transferred to the department.

##### § 5124. Facility development.

The department has all powers and duties previously vested in the  
Department of Environmental Resources to design, construct, improve,  
maintain and repair those lands and facilities which the Department of  
Energy deems necessary or appropriate in the exercise of the powers and  
duties transferred by this chapter.

##### § 5125. Advisory committees.

(a) Authorization to form.--The department may form advisory  
committees to help develop or discuss proposed regulation, final regula-  
tion or policy guidance and to provide continuing advice on implement-  
ing programs administered by the department.

(b) Organization.--Membership on an advisory committee shall be  
balanced and shall be representative of the interests affected by the par-  
ticular regulation, policy, issue or program assigned to the committee.



(c) Appointments.--The secretary shall appoint the members of an advisory committee.

(d) Chairperson.--A chairperson shall be chosen by a majority vote of the advisory committee members present at a regularly scheduled meeting. A person employed by the department shall not chair an advisory committee.

(e) Expenses.--Members of an advisory committee may be reimbursed for their travel expenses to attend committee meetings as authorized by the Executive Board. Employees of the Commonwealth who serve as members of an advisory committee shall only be entitled to the compensation and expenses they receive as public employees.

(f) Support.--The department shall provide the appropriate administrative and technical support needed by an advisory committee in order to accomplish its objectives.

§ 5126. Contracts and agreements.

The department may enter into contracts and agreements with persons, associations, corporations, partnerships, municipalities, municipal authorities and units of Federal, State and local government to exercise the powers and fulfill the duties established by this chapter.

§ 5127. Transfer of funds.

The administration of the following funds or portions of funds, as may be administered by the Pennsylvania Energy Office, shall be transferred from the Pennsylvania Energy Office to the department:

- (1) Energy Conservation and Assistance Fund.
- (2) Alternative Fuels Incentive Grant Fund.
- (3) Any other fund or portion of a fund currently administered by the Pennsylvania Energy Office.

§ 5128. Transfer of administrative resources.

(a) Transfer enumerated.--The following are transferred to the department:

(1) All bureaus, organizations and divisions in the Department of Environmental Protection responsible for the functions enumerated in this chapter.

(2) All personnel, allocations, appropriations, equipment, files, records, contracts, agreements, obligations and other materials which are used, employed or expended by the Department of Environmental Protection in connection with the functions transferred by this chapter to the department in the first instance and as if the contracts, agreements and obligations had been incurred or entered into by the department.

(3) All personnel, allocations, appropriations, equipment, files, records, contracts, agreements, obligations and other materials which are used, employed or expended by the Department of Conservation and Natural Resources in connection with the functions transferred by this chapter to the Department of Energy in the first instance and as if the contracts, agreements and obligations had been incurred or entered into by the department.

(b) Apportionment.--The personnel, appropriations, equipment and other items and material transferred by this section shall include an appropriate portion of the general administrative, overhead and supporting personnel, appropriations, equipment and other material of the appropriate agency and shall also include, where applicable, Federal grants and money and other benefits from any Federal program.

(c) Status of employees.--All personnel transferred under this chapter shall retain any civil service employment status assigned to the personnel.

§ 5129. Civil service status.

All positions in the department shall be deemed to be included in the list of positions identified in section 3(d) of the former act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, and the provisions and benefits of that act shall apply to the employees of and positions in the department.

§ 5130. Regulations.

Regulations, guidelines or statements of policy issued by the Pennsylvania Energy Office for the functions transferred to the department shall remain in effect until such time as the department determines the need to amend such regulations, guidelines or statements of policy.

SUBCHAPTER E

DEFINING RULEMAKING AUTHORITY OF DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sec.

5141. (Reserved).

5142. Continued authority of Department of Environmental Protection.

§ 5141. (Reserved).

§ 5142. Continued authority of Department of Environmental Protection.

(a) Powers and duties.--The Department of Environmental Protection shall continue to exercise the same powers and perform the same duties and functions by law vested in and imposed upon the Department of Environmental Protection not otherwise amended or transferred by this chapter to the department.

(b) Administrative officers.--All appointive administrative officers holding office in the Department of Environmental Protection who exercise powers and duties that are transferred to the department under this chapter when this section takes effect shall continue in office in the Department of Energy until the term for which they were respectively appointed shall expire or until they shall die, resign or be removed from office.

SUBCHAPTER G

MISCELLANEOUS PROVISIONS

Sec.

5161. Savings provision.

§ 5161. Savings provision.

(a) Matters transferred to Department of Energy.--All orders, permits, regulations, decisions and other actions of the Department of Environmental Protection related to the functions transferred to the department shall remain in full force and effect until modified, repealed, suspended, superseded or otherwise changed by appropriate action of the department.

(b) Matters remaining with Department of Environmental Protection.--All other orders, permits, regulations, decisions and other actions of the Department of Environmental Protection shall remain in full force and effect until modified, repealed, suspended, superseded or otherwise changed by appropriate action of the Department of Environmental Protection.

(c) Construction.--The provisions of this part, insofar as they are the same as those of existing laws, shall be construed as a continuation of these laws and not as new enactments.

Section 2. Part V of Title 71 is amended by adding a chapter to read:  
Amend Bill, page 5, line 19, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

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

Senator BOSCOLA. Mr. President, you know, we spend a lot of time talking about energy both nationally and in this building. It is a critical issue of the day and across the globe. Pennsylvania is a leader in the energy sector. We are a net exporter due to our diverse and robust generation portfolio, and second only to Texas in the production of natural gas in this country, yet our energy policy is fragmented because it is implemented by so many different departments, whether it is DEP, DCED, DCNR, the PUC, along with the Governor's Office. So, what my amendment would do would establish the Pennsylvania Department of Energy as a cabinet-level position and office with a secretary appointed by the Governor and confirmed by the Senate. It would oversee our energy programs, set policy, and create accountability for implementation. A conversation about energy policy in Pennsylvania is very timely. Given all that is happening in our energy sector right now--whether it deals with carbon recapture, hydrogen hubs, renewables, fossil fuels, nuclear--Pennsylvania would be better served having one department be accountable for our policy and energy and all the needed authority to implement it. Actions like managing and signing mineral and gas leases, assisting with permitting, and driving energy policy all exist in different parts of our government today. And unfortunately, because it is so fragmented, it leads to confusion on where to go for even answers.

So, now is the time to pull this under one roof, and that is why I believe an energy secretary makes sense. It is the issue of the decade, in my opinion.

Thank you, Mr. President.

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

BOSCOLA AMENDMENT A4202 TABLED

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

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

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

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

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

YEA-28

Argall	Culver	Laughlin	Robinson
Aument	DiSanto	Martin	Rothman
Baker	Dush	Mastriano	Stefano
Bartolotta	Farry	Pennycuick	Vogel
Brooks	Gebhard	Phillips-Hill	Ward, Judy
Brown	Hutchinson	Pittman	Ward, Kim
Coleman	Langerholz	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. The amendment will be laid upon the table.

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

PITTMAN AMENDMENT A4251 ADOPTED

Senator PITTMAN offered the following amendment No. A4251:

Amend Bill, page 1, lines 1 through 3, by striking out all of said lines 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," in Energy Development Authority and emergency powers, further providing for definitions and for Energy Development Authority; providing for Energy Development and Electric Generation Permit Review Program, for Accelerated Energy Development and Electric Generation Permit Review Program and for Pennsylvania Opportunities with Energy Reliability Authority Regulatory Waiver Program; and making editorial changes.

Amend Bill, page 1, lines 6 through 18; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 19; by striking out all of said lines on said pages and inserting:

Section 1. Article XXVIII-C heading of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended to read:

ARTICLE XXVIII-C  
[ENERGY DEVELOPMENT] PENNSYLVANIA OPPORTUNITIES WITH ENERGY RELIABILITY AUTHORITY AND EMERGENCY POWERS

Section 2. The definitions of "authority" and "project" in section 2801-C of the act are amended to read:

Section 2801-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:

"Authority" means the [Energy Development] Pennsylvania Opportunities with Energy Reliability Authority.

\* \* \*

"Project" means an activity, entirely or largely conducted in Pennsylvania, which cannot be effectively funded using privately available resources, relating to:

(1) basic and applied research concerning energy use, renewable energy resources and energy extraction, transmission, storage or conversion;

(2) limited scale or large-scale demonstration of innovative or commercially unproven technology to promote the production, use or conservation of energy; [or]

(3) activities to promote or remove obstacles to the utilization and transportation of Pennsylvania energy resources, including but not limited to limited scale synthetic fuel facilities and the conversion or technological improvement of industrial, commercial or agricultural systems to utilize Pennsylvania coal or renewable energy resources: Provided, That no such facility unreasonably interferes with private waste recycling industries[.];

(4) energy generation activities seeking review under Article XXVIII-J, XXVIII-K or XXVIII-L;

(5) a small-scale energy project that proposes to construct or modify an electricity generator with a nameplate capacity of less than 25 megawatts; or

(6) a large-scale energy project that proposes to construct or modify an electricity generator with a nameplate capacity equal to or greater than 25 megawatts.

Section 3. Section 2803-C heading, (a), (b)(1), (8) and (9) and (d) of the act are amended and subsection (b) is amended by adding a paragraph to read:

Section 2803-C. [Energy Development] Pennsylvania Opportunities with Energy Reliability Authority.--(a) There is hereby established the [Energy Development] Pennsylvania Opportunities with Energy Reliability Authority.

(b) The authority shall be governed and all of its corporate powers exercised by a board of directors which shall be composed of the following individuals:

(1) [Nine members to be appointed by the Governor, one of whom shall be designated as chairman. At least two members shall be members of the general public. The members initially appointed shall serve for terms of two, three and four years, respectively, the particular term of each to be designated by the Governor at the time of appointment. The

terms of all of their successors shall be four years each, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Every member's term shall extend until his successor is appointed and qualified. Any appointment of a member of the authority shall be subject to the advice and consent of a majority of all of the members of the Senate. Any appointed member of the authority shall be eligible for reappointment.] (Reserved).

\* \* \*

(8) The Consumer Advocate or his designee shall serve as a non-voting member.

(9) The Chairman of the Public Utility Commission or his designee shall serve as a nonvoting member.

(10) The Secretary of Transportation or his designee.

\* \* \*

(d) The board of directors shall provide for the holding of regular and special meetings. [Ten directors attending shall constitute a quorum for the transaction of any business and at least six votes shall be required to adopt any action, except that at least nine votes shall be required to approve financial assistance for any project.] The board shall meet at least ten times in a calendar year. Five members of the board shall constitute a quorum, and the following shall apply:

(1) The consent of at least five members of the board, with at least four of the consenting members being appointed under subsection (b)(6) and (7), shall be necessary to take action on behalf of the authority for any of the following:

(i) Adopting bylaws.

(ii) Hiring professionals.

(iii) Authorizing bonds.

(iv) Approving projects and contracts.

(v) Adopting guidelines.

(vi) Approving recommendations and applications under Articles XXVIII-J, XXVIII-K and XXVIII-L.

(2) At its first meeting after the effective date of this subsection, the board shall elect a chairperson.

Section 4. Section 2806-C(8) of the act is amended to read:

Section 2806-C. Powers and Duties.--The authority, as a public corporation and governmental instrumentality exercising public powers of the Commonwealth, is hereby granted and shall have and may exercise all powers necessary or appropriate to carry out and effectuate the purposes of this article, including the following powers, in addition to others herein granted:

\* \* \*

(8) To accept grants from and to enter into contracts or other transactions with any Federal agency. Money awarded to the authority from the Federal Government shall be considered money of the Commonwealth and subject to appropriation by the General Assembly.

\* \* \*

Section 5. The act is amended by adding articles to read:

#### ARTICLE XXVIII-J

#### ENERGY DEVELOPMENT AND ELECTRIC GENERATION PERMIT REVIEW PROGRAM

##### (a) Preliminary Provisions

Section 2801-J. Scope of article.

This article relates to energy development and electric generation permit review.

Section 2802-J. 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:

"Account." The Advanced Permit and Regulatory Review Program Account established under section 2815-J.

"Authority." The Pennsylvania Opportunities with Energy Reliability Authority.

"Board." The board of directors of the authority.

"Initial application." An application submitted to a qualifying State agency which seeks a permit that is necessary for a small-scale energy project and which seeks any of the following:

(1) A new permit.

(2) A permit renewal.

(3) A permit amendment.

(4) A permit modification.

(5) A permit transfer.

(6) A change of ownership of a permit.

"Nameplate capacity." The maximum electrical output in megawatts that a generator can sustain over a specified period of time when not restricted by seasonal or other deratings as measured in accordance with the United States Department of Energy standards.

"Qualified licensed professional." An individual who is approved by the board to conduct permit review on behalf of a qualifying State agency under the review program.

"Qualifying State agency." A State agency authorized by statute to issue permits related to a small-scale energy project.

"Review petition" or "petition." A petition submitted to the board under section 2814-J(a) seeking third-party review of an initial application filed with a qualifying State agency, which may include, in addition to the initial application, any other documents created during the course of the qualifying State agency's consideration of the initial application.

"Review petitioner" or "petitioner." An individual, corporation, municipality, municipal authority or political subdivision that files a review petition with the board seeking third-party review of an initial application.

"Review program." The Energy Development and Electric Generation Permit Review Program established under section 2812-J.

"Small-scale energy project." A project that proposes to construct or modify an electricity generator with a nameplate capacity of less than 25 megawatts.

#### (b) Energy Development and Electric Generation Permit Review

Section 2811-J. Scope of subarticle.

This subarticle relates to the Energy Development and Electric Generation Permit Review Program.

Section 2812-J. Energy Development and Electric Generation Permit Review Program.

(a) Establishment.--The Energy Development and Electric Generation Permit Review Program is established in the authority. The purpose of the review program shall be to provide an alternative method, through the use of qualified licensed professionals, of reviewing initial applications for small-scale energy projects when the qualifying State agency has not issued a decision to approve or deny an initial application within the time period provided for by statute, regulation or agency policy, or within 120 days, whichever occurs first.

(b) (Reserved).

(c) Fees.--The board shall establish a fee to be paid upon submission of a review petition, which shall be paid in addition to any fees collected by the qualifying State agency in connection with the initial application. Fees shall be deposited into the account. If the board's cost of reviewing the review petition exceeds the sum of the review petition fee and permit fee, the authority shall assess an additional fee to cover all costs. Upon payment of a fee under this subsection, any fees paid to a qualifying State agency shall be returned to the petitioner.

Section 2813-J. Selection of qualified licensed professionals.

(a) General rule.--The authority shall, through a request for proposals procedure, select qualified licensed professionals to perform a technical review in accordance with this article.

(b) Eligibility.--In order to be selected as a qualified licensed professional, an individual must satisfy the following criteria:

(1) Be a professional engineer, land surveyor, geologist, landscape architect or other licensed professional, which may be necessary to review applications under the review program.

(2) Have at least three years of relevant permitting experience in this Commonwealth.

(c) List to be compiled.--The authority shall compile and publish on the authority's publicly accessible Internet website a list of approved qualified licensed professionals. The authority shall update the list every three years.

Section 2814-J. Permit review procedure.

(a) Submission of review petition.--A petitioner may submit a review petition to the authority for permit review if the petitioner has made initial application to a qualifying State agency and has not received a decision on the initial application within the time period provided for by statute, regulation or agency policy, or within 120 days, whichever occurs first. After receipt of the petition and payment of the required fee, within 10 business days, if the board determines that the initial application and the petition meet the requirements of this paragraph, the board shall refer the petition and any other documents submitted to a qualified licensed professional to conduct a technical review.

(b) Conflicts.--The board may not refer a petition to a qualified licensed professional under the review program if the qualified licensed professional has performed services for the petitioner within three years of the initial application being received by the qualifying State agency or any other conflicts of interest as determined by the board.

(c) Technical review by qualified licensed professional.--

(1) After a petition has been referred under subsection (a), the qualified licensed professional shall conduct a technical review and within the time period provided for by statute, regulation or agency policy, or within 120 days, whichever occurs first, provide a recommendation to the board that the application be either approved or denied.

(2) If the qualified licensed professional finds any deficiency, the qualified licensed professional may request additional information from the petitioner.

(3) Upon receipt of a recommendation from a qualified licensed professional, the board shall vote to adopt or reject the recommendation of the qualified licensed professional, either at its next scheduled meeting or within 10 business days, whichever occurs first.

(4) If the board votes by qualified majority to adopt the recommendation, an order to that effect shall be immediately transmitted to the qualifying State agency, directing that the permit or permits be issued or denied in accordance with the board's order.

(5) If the board votes to reject the qualified licensed professional's recommendation to deny the initial application, an order to that effect shall immediately be transmitted to the qualifying State agency, directing that the permit or permits be issued in accordance with the board's order.

(6) Commonwealth Court shall have original jurisdiction of any appeals of board action filed under the authority of this subarticle. The authority shall defend all appeals filed under this subarticle.  
Section 2815-J. Permit Review and Regulatory Waiver Program Account.

The Permit Review and Regulatory Waiver Program Account is established as a separate account within the Energy Development Fund. The following apply:

(1) The account shall consist of fees and costs assessed by the board under Articles XXVIII-J, XXVIII-K and XXVIII-L.

(2) Money in the account shall be used for the administration of the programs established under Articles XXVIII-J, XXVIII-K and XXVIII-L in accordance with program guidelines established by the board.

Section 2816-J. Report to General Assembly.

The authority shall, not later than 12 months after the effective date of this section, submit a written report to the General Assembly relating to the progress in implementing the review program.

#### ARTICLE XXVIII-K

### ACCELERATED ENERGY DEVELOPMENT AND ELECTRIC GENERATION PERMIT REVIEW PROGRAM

#### (a) Preliminary Provisions

Section 2801-K. Scope of article.

This article relates to the Accelerated Energy Development and Electric Generation Permit Review Program.

Section 2802-K. 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:

"Applicant." An individual, corporation, municipality, municipal authority or political subdivision that submits an application to the board for a permit that is necessary for a large-scale energy project.

"Authority." The Pennsylvania Opportunities with Energy Reliability Authority.

"Board." The board of directors of the authority.

"Large-scale energy project." A project that proposes to construct or modify an electric generator with a nameplate capacity equal to or greater than 25 megawatts.

"Nameplate capacity." The maximum electrical output in megawatts that a generator can sustain over a specified period of time when not restricted by seasonal or other deratings as measured in accordance with the United States Department of Energy standards.

"Permit application." An application submitted to the board which seeks a permit that is necessary for any of the following related to a large-scale energy project:

- (1) A new permit.
- (2) A permit renewal.
- (3) A permit amendment.
- (4) A permit modification.
- (5) A permit transfer.
- (6) A change of ownership of a permit.

"Program." The Accelerated Energy Development and Electric Generation Permit Review Program.

"Qualifying State agency." A State agency authorized by statute to issue permits related to a large-scale energy project.

#### (b) Accelerated Energy Development and Electric Generation Permit Review Program

Section 2811-K. Scope of subarticle.

This subarticle relates to the Accelerated Energy Development and Electric Generation Permit Review Program.

Section 2812-K. Accelerated Energy Development and Electric Generation Permit Review Program.

(a) Establishment.--The Accelerated Energy Development and Electric Generation Permit Review Program is established in the authority. The purpose of the program shall be to provide an accelerated method, through the use of qualified licensed professionals, of reviewing permit applications for large-scale energy projects that would otherwise be submitted to a State agency authorized by statute to issue the permits.

(b) Fees.--The authority shall establish a fee to be paid upon submission of a permit application. If the board's cost of reviewing the application exceeds the sum of the fee, the authority shall assess an additional fee to cover all costs. Fees shall be deposited into the Permit Review and Regulatory Waiver Program Account established under section 2815-J.

Section 2813-K. Selection of qualified licensed professionals.

(a) General rule.--The authority shall, through a request for proposals procedure, select qualified licensed professionals to review permit applications submitted under the program.

(b) Eligibility.--In order to be selected as a qualified licensed professional, an individual must satisfy the following criteria:

(1) Be a professional engineer, land surveyor, geologist, landscape architect or other licensed professional, which may be necessary to review applications under the program.

(2) Have at least three years of relevant permitting experience in this Commonwealth.

(c) List to be compiled.--The authority shall compile and publish on the authority's publicly accessible Internet website a list of approved qualified licensed professionals. The authority shall update the list every three years.

Section 2814-K. Accelerated permit review procedure.

(a) Submission of permit application.--In lieu of submitting a permit application related to a large-scale energy project to the qualifying State agency, an applicant may elect to submit its permit application to the board for accelerated energy permit review by a qualified licensed professional. The following shall apply:

(1) After receipt of the permit application and payment of the required fee, within 10 business days, the board shall refer the petition to a qualified licensed professional to conduct a review of the application.

(2) The board may not refer an application to a qualified licensed professional under the program if the qualified licensed professional has performed services for the applicant within three years of the date of submission of the permit application to the board or any other conflict of interest has occurred as determined by the board.

(b) (Reserved).

(c) Review by qualified licensed professional.--

(1) After an application has been referred under subsection (a), the qualified licensed professional shall conduct a review of the permit application. Within the statutory time frame for such a permit or within 120 days, whichever is less, the qualified licensed professional shall present its recommendation to the board.

(2) Upon receipt of a recommendation from a qualified licensed professional, the board shall vote to adopt or reject the recommendation of the qualified licensed professional, either at its next

scheduled meeting or within 10 business days, whichever occurs first.

(3) If the board votes to adopt the recommendation, an order shall be immediately transmitted to the qualifying State agency, directing that the permit or permits be issued or denied in accordance with the board's order.

(4) If the board votes to reject the qualified licensed professional's recommendation to deny the initial application, an order to that effect shall immediately be transmitted to the qualifying State agency directing that the permit or permits be issued in accordance with the board's order.

(5) Commonwealth Court shall have original jurisdiction of any appeals of board action filed under the authority of this subarticle. The authority shall defend all appeals filed under this subarticle.

#### ARTICLE XXVIII-L

### PENNSYLVANIA OPPORTUNITIES WITH ENERGY RELIABILITY

#### AUTHORITY REGULATORY WAIVER PROGRAM

##### Section 2801-L. Scope of article.

This article relates to the Pennsylvania Opportunities with Energy Reliability Authority Regulatory Waiver Program.

##### Section 2802-L. 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:

"Applicant." An individual, corporation, municipality, municipal authority or political subdivision that submits an application to the board for a permit that is necessary for a large-scale energy project.

"Authority." The Pennsylvania Opportunities with Energy Reliability Authority.

"Large-scale energy project." A project that proposes to construct or modify an electric generator with a nameplate capacity equal to or greater than 25 megawatts.

"Nameplate capacity." The maximum electrical output in megawatts that a generator can sustain over a specified period of time when not restricted by seasonal or other deratings as measured in accordance with the United States Department of Energy standards.

"Participant." A person whose application to the board seeking participation in the regulatory waiver program has been approved.

"Regulatory waiver." A waiver by the board of applicable regulations that would otherwise apply to an energy project.

"Regulatory waiver program." The Regulatory Waiver Program established under section 2803-L.

##### Section 2803-L. Regulatory Waiver Program.

The Regulatory Waiver Program is established in the authority.

##### Section 2804-L. Board duties.

(a) Duties.--The board shall administer the regulatory waiver program in accordance with this article as follows:

(1) The board shall create and post to its publicly accessible Internet website an application form to be submitted by an applicant seeking participation in the regulatory waiver program.

(2) An applicant seeking a regulatory waiver in connection with a large-scale energy project shall submit the application to the board for its consideration.

(3) Upon receipt of an application, the board shall do the following:

(i) Post the name of the applicant and each regulation for which the applicant seeks a waiver to the board's publicly accessible Internet website.

(ii) Add the application to its agenda for the next scheduled public meeting or within 45 days, whichever is sooner.

(b) Fees.--

(1) The board shall establish an application fee.

(2) The board may establish additional fees to cover the costs of administering the regulatory waiver program.

(3) Fees shall be deposited into the Permit Review and Regulatory Waiver Program Account established under section 2815-J.

(c) Public meeting.--

(1) The members of the board shall vote to either approve or deny the application at a public meeting. The board shall take public comment before voting.

(2) (Reserved).

(c.1) Judicial review.--The denial of an application submitted under this article shall not be subject to judicial review.

(d) Public notice.--The board shall provide public notice of the board's decision on the application by posting the decision on its publicly accessible Internet website.

(e) Prohibition.--Notwithstanding any other provision of this article, the board may not enter into a written agreement with an applicant which waives or suspends a tax, fee or charge that is administered by the Department of Revenue.

##### Section 2805-L. Effect of application approval.

(a) General rule.--If the board approves an application under this article, a participant shall not be subject to the enforcement of the regulations identified in the application and as approved by the board for a waiver under this article. The following shall apply:

(1) A prosecutor may not file or pursue charges against a participant for failure to comply with a regulation that the board has approved for waiver.

(2) A State agency may not file or pursue any punitive action against a participant, including a fine or license suspension or revocation, for the participant's violation of a regulation that the board has approved for waiver under this article.

(b) Criminal liability.--The following shall apply:

(1) The board's approval of an regulatory waiver shall not provide a participant with immunity for any violation under 18 Pa.C.S. (relating to crimes and offenses).

(2) A participant shall comply with Federal law and regulations governing consumer protection.

(c) Board liability.--The board and its employees shall not be liable for any business loss or the recouping of an application expense or other expense related to a regulatory waiver.

#### ARTICLE XXVIII-M

### INDEPENDENT ENERGY OFFICE

##### Section 2801-M. 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:

"Committee." The Independent Energy Office Selection and Organization Committee.

"Commonwealth agency." Any office, department, authority, board, multistate agency or commission of the executive branch. The term includes:

(1) The Governor's Office.

(2) The Office of Attorney General, the Department of the Auditor General and the Treasury Department.

(3) An independent agency as defined in 62 Pa.C.S. § 103 (relating to definitions).

(4) A State-affiliated entity as defined in 62 Pa.C.S. § 103.

(5) The General Assembly.

(6) The unified judicial system.

"Director." The Director of the Independent Energy Office.

"Office." The Independent Energy Office established under section 2802-M.

##### Section 2802-M. Office established.

The Independent Energy Office is established as a nonpartisan independent agency.

##### Section 2803-M. Duties of office.

(a) Mandatory.--The office shall:

(1) Plan recommendations that cover coal, natural gas and oil, electric power, energy efficiency, solar, wind, hydro, geothermal, biomass, landfill gas, renewable natural gas, nuclear and other energy technologies.

(2) Analyze policies, regulations and laws that relate to energy generation, production or distribution and share relevant analysis with the Pennsylvania Opportunities with Energy Reliability Authority and to the General Assembly.

(3) Provide at least one Statewide energy report each legislative session presented to the General Assembly.

(4) Formulate and review the use of fossil, renewable and energy efficiency initiatives designed to advance energy resource development opportunities, including innovative technologies, and provide energy services to businesses, communities and homeowners in this Commonwealth.

(b) Discretionary.--The office may:

(1) Provide independent studies on other State energy policies to recommend to the Commonwealth.

(2) Track energy use, production and generation statistics from year to year.

(3) Work with the General Assembly to establish a Statewide energy plan.

Section 2804-M. Committee.

The Independent Energy Office Selection and Organization Committee is established within the office. The committee shall create and publish qualifications for director of the office. The committee shall consist of the following members:

- (1) The President pro tempore of the Senate.
- (2) The Speaker of the House of Representatives.
- (3) The Majority Leader of the Senate.
- (4) The Minority Leader of the Senate.
- (5) The Majority Leader of the House of Representatives.
- (6) The Minority Leader of the House of Representatives.
- (7) The chairperson of the Environmental Resources and Energy Committee of the Senate.
- (8) The minority chairperson of the Environmental Resources and Energy Committee of the Senate.
- (9) The chairperson of the Environmental Resources and Energy Committee of the House of Representatives.
- (10) The minority chairperson of the Environmental Resources and Energy Committee of the House of Representatives.

Section 2805-M. Appointment.

(a) Director.--The office shall be headed by a director appointed by the committee by May 30, 2025. The appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the office based on qualifications published by the committee.

(b) Deputy director.--The director shall appoint a deputy director who shall perform such duties as assigned by the director and who shall, during the absence or incapacity of the director or a vacancy, act as the director.

(c) Term.--The term of office of the director shall be six years. An individual appointed as director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as director at the expiration of a term may continue to serve until a successor is appointed.

(d) Removal.--The director may be removed by a concurrent resolution passed by the Senate and the House of Representatives.

Section 2806-M. Powers and duties of director.

(a) Personnel.--The director shall appoint and fix the compensation of personnel as necessary to carry out the duties and functions of the office. All personnel of the office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties.

(b) Experts and consultants.--In carrying out the duties and functions of the office, the director may procure the temporary or intermittent services of attorneys, experts or consultants or organization thereof by contract.

Section 2807-M. Records.

The office shall be a legislative agency for purposes of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Section 2807-M. Access to information.

The director shall secure information, data, reports, statistics or other relevant information from a Commonwealth agency or political subdivision. A Commonwealth agency or political subdivision shall submit to the director information within a reasonable amount of time of the request to assist the director in the performance of the duties of the office, other than material, the disclosure of which would be a violation of the law.

Section 7. Up to \$100,000 shall be transferred from the Energy Development Fund to the Permit Review and Regulatory Waiver Program Account. This sum is appropriated to the Pennsylvania Opportunities with Energy Reliability Authority for use for start-up costs related to the Energy Development and Electric Generation Permit Review Program, the Accelerated Energy Development and Electric Generation Permit and Regulatory Review Program and the Pennsylvania Opportunities with Energy Reliability Authority Regulatory Waiver Program.

Section 8. Activities initiated under the Energy Development Authority shall continue and remain in full force and effect and may be

completed under the Pennsylvania Opportunities with Energy Reliability Authority. Contracts, obligations, grant applications and agreements entered into under the Energy Development Authority are not affected nor impaired by the renaming of the Energy Development Authority to the Pennsylvania Opportunities with Energy Reliability Authority.

Section 9. This act shall take effect in 60 days.

On the question,

Will the Senate agree to the amendment?

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

The speaker waves off.

The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I did not realize the Majority Leader was not going to speak on the amendment. I respectfully ask my colleagues for a negative vote on this amendment. This particular amendment is something that we only received late last evening and have not had the opportunity to thoroughly review it. As my colleagues previously stated, energy is an important issue in this Commonwealth, and to lay into our laps a piece of legislation or an amendment that is complex and has a significant amount of information on it without knowing the impact it is going to have on various parts of our Commonwealth and also many of the resources that come into this Commonwealth, whether it be from the Federal government or other State government programs. This is a complex piece of legislation that we are dealing with, and I ask my colleagues for a negative vote.

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

Senator PITTMAN. Mr. President, I just wanted to see what the good gentleman from Allegheny County had to say first. I just ask my colleagues for an affirmative vote.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-28

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

NAY-22

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

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

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

BILL OVER IN ORDER

SB 916 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL AMENDED AND REREFERRED

SB 920 (Pr. No. 1512) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for definitions; providing for sexual assault evidence tracking system; further providing for rights of sexual assault victims and for report by Pennsylvania State Police; and providing for waiver for victim.

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

PENNYCUICK AMENDMENT A4255 ADOPTED

Senator PENNYCUICK offered the following amendment No. A4255:

Amend Bill, page 1, lines 13 through 16, by striking out all of said lines and inserting:

Section 1. The definition of "PCAR" in section 2 of the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, is amended and the section is amended by adding definitions to read:

Amend Bill, page 2, by inserting between lines 2 and 3: "PCAR." The Pennsylvania Coalition [Against Rape] to Advance Respect.

"Tracking system" or "system." The Statewide tracking system established under section 3.1(a) for evidence collected under the sexual assault evidence collection program.

Amend Bill, page 4, by inserting between lines 26 and 27: (c) Maintenance and operation.--The following shall apply:

(1) The commission, or an entity contracted by the commission, shall have the exclusive responsibility and authority to maintain and operate the tracking system's server. The tracking system shall include a data backup system located on a server that shall at all times be under the control of the commission or the entity contracted by the commission.

(2) For the purposes of this subsection, the term "entity" shall not include a government agency.

Amend Bill, page 5, line 1, by striking out "(d) (C)" and inserting: (d)

Amend Bill, page 5, line 18, by striking out "(d) (D)" and inserting: (e)

Amend Bill, page 5, line 24, by striking out "(E)" and inserting: (f)

Amend Bill, page 5, by inserting between lines 27 and 28:

(g) Resource only.--The tracking system shall serve as a resource for a victim. Notwithstanding any other provision of law or court rule, information entered into the tracking system shall not serve as an official status of the rape kit and shall not be admissible to challenge the chain of custody of evidence in a criminal proceeding.

Amend Bill, page 6, lines 24 and 25, by striking out "established under section 3.1"

Amend Bill, page 7, line 5, by striking out "established under section 3.1"

Amend Bill, page 7, lines 17 and 18, by striking out "established under section 3.1"

Amend Bill, page 7, line 20, by striking out "established under section 3.1"

Amend Bill, page 8, line 28, by striking out "MARCH 15, 2025, OR IN 60 DAYS, WHICHEVER IS EARLIER" and inserting: in 60 days

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

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

Senator PENNYCUICK. Mr. President, this amendment specifies that the commission or the contracted entity shall have the exclusive responsibility to maintain and operating the tracking systems, servers, and backup servers. The amendment also clarifies that the tracking system is to serve as a resource for the victim and shall not serve as an official status of the rape kit admissible to challenge chain of custody evidence in the criminal proceedings. Additionally, this amendment makes a technical correction brought to our attention by my colleague Senator Muth, correcting the name of the Pennsylvania Coalition to Advance Respect.

Thank you, Mr. President, and I urge my colleagues for the adoption of amendment No. A0455 [A04255].

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

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

YEA-28

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

NAY-22

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

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

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

BILL OVER IN ORDER

SB 973 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 998 (Pr. No. 1561) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for racing on highways; imposing penalties; and making editorial changes.

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

On the question, Shall the bill pass finally?

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

Senator DILLON. Mr. President, through many discussions with constituents--there are community meetings, local events, or in grocery store aisles--the message is loud and clear: the people we represent want safety and they want peace, and they want the right to enjoy their community without fear. That brings us to why I rise in strong support of Senate Bill No. 998. This bill, which I cosponsor, is a necessary step forwarding it in our ongoing commitment to public safety. It is focused on protecting our residents, restoring our safety in our neighborhoods, and making sure all Pennsylvanians respect the rules of the road. The core of Senate Bill No. 998 is about evolving with the times. The current legal framework under Title 75 bans certain types of racing on highways, but as our communities grow and change, so do the forms of reckless driving that we need to address. This bill introduces specific measures against drifting, when a driver intentionally causes their vehicle to skid sideways. It is dangerous, it is disruptive, and now it is going to be met with a minimum \$250 fine. We are also increasing penalties for those involved in street racing. We are talking about a \$500 fine for first-time offenders and up to \$2,000 in fines for repeat offenders. If someone uses their vehicle for these illegal activities, that vehicle can and will be impounded for up to 6 months. For those organizing these events, putting people's lives at risk for the sake of entertainment, they will face a \$1,000 fine for each vehicle involved and felony charges in cases resulting in injury or death. While Senate Bill No. 998 introduces necessary fines for reckless behaviors like drifting and street racing, our true aim is to prevent these dangerous acts before they happen, ensuring our streets are safe for everyone. Senate Bill No. 998 delivers a clear message: our roads are for daily commutes; soccer practice runs; and trips to your favorite State park, not for reckless joyriding. I would like to extend my gratitude to the Senator from Bucks County; his leadership has been instrumental in shaping this bill and advancing it through the Committee on Transportation earlier this month. I urge my colleagues to join us in supporting Senate Bill No. 998, and let us stand up for safety and the quality of life of the people who we represent.

Thank you, Mr. President.

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

Senator ROBINSON. Mr. President, I rise today along with my colleagues, Senator Farry, Senator Langerholc, and Senator Dillon, in support of Senate Bill No. 998, our legislation to put the brakes on street racing. Many of us have heard about or witnessed these dangerous stunts on our roadways that we use every day and are used by our constituents as they travel to their jobs, to school, the grocery store, doctor's appointments, and visiting friends and family members. Those individuals involved in high-speed, extremely unsafe street racing put our constituents in grave danger, as these stunts have resulted in speed-related crashes and even death. In fact, last summer in Allegheny County, drivers blocked the Fort Pitt Tunnel and the Fort Pitt Bridge to allow approximately 50 vehicles to drag race and do doughnuts on the one-way bridge, which resulted in a collision to a police vehicle and narrowly missed 2 police officers. This not only can cause extreme traffic backlogs by blocking a one-way bridge, but it could have been fatal for an unsuspecting driver coming upon a complete gridlock exiting the tunnels. Driving a vehicle is not a constitutional right, it is a privilege, and our streets are not part of a movie set or something to get social media likes. I am grateful to my coprime sponsors who worked with me on this legislation, which will combat this problem by increasing fines and penalties for those participants, the organizers, and the financiers of street racing. And I want to thank my colleagues on both sides of the aisle for supporting this important legislation to keep our communities safe. I ask for an affirmative vote and thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Brown, Cappelletti, Coleman, Collett, Comitta, Costa, Culver, Dillon, DiSanto, Dush, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholc, Laughlin, Martin, Mastriano, Miller, Muth, Pennycuick, Phillips-Hill, Pittman, Regan, Robinson, Rothman, Santarsiero, Schwank, Stefano, Street, Tartaglione, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw.

NAY-1

Saval

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

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



BILLS OVER IN ORDER

SB 1058, SB 1087, SB 1109, SB 1132, SB 1133, SB 1134 and SB 1139 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 1246 (Pr. No. 1415) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for crematory regulation.

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

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

BILL OVER IN ORDER

HB 1419 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

BILL AMENDED

HB 1661 (Pr. No. 2091) -- The Senate proceeded to consideration of the bill, entitled:

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 definitions and for prohibited acts and penalties; and providing for secure storage of xylazine.

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

VOGEL AMENDMENT A4198 ADOPTED

Senator VOGEL offered the following amendment No. A4198:

Amend Bill, page 1, lines 10 through 12, by striking out "further providing for" in line 10 and all of lines 11 and 12 and inserting: further providing for schedules of controlled substances; and providing for secure storage of xylazine.

Amend Bill, page 1, lines 15 through 22; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 14; by striking out all of said lines on said pages and inserting:

Section 1. Section 4(3) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, is amended by adding subclauses to read:

Section 4. Schedules of Controlled Substances.--The following schedules include the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated.

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(3) Schedule III--In determining that a substance comes within this schedule, the secretary shall find: a potential for abuse less than the substances listed in Schedules I and II; well documented and currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence or high psychological dependence. The following classes of controlled substances are included in this schedule:

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(x) Xylazine, including any of the following substances, their salts, isomers and salts of isomers whenever the existence of the salts, isomers and salts of isomers is possible within the specific chemical designation:

1. Xylazine.

- 2. Xylazine-M (2,6-Mich dimethylaniline).
3. Xylazine-M (N-thiourea-2,6-dimethylaniline).
4. Xylazine-M (Sulfone-HO-) isomer 2.
5. Xylazine-M (HO-2,6-dimethylaline isomer 1).
6. Xylazine-M (HO-2,6-dimethylaline isomer 2).
7. Xylazine M (oxo-).
8. Xylazine-M (HO-) isomer 1.
9. Xylazine-M (HO-) isomer 1 glucuronide.
10. Xylazine-M (HO-) isomer 2.
11. Xylazine-M (HO-) isomer 2 glucuronide.
12. Xylazine-M (HO-oxo-) isomer 1.
13. Xylazine-M (HO-oxo-) isomer 1 glucuronide.
14. Xylazine-M (HO-oxo-) isomer 2.
15. Xylazine-M (HO-oxo-) isomer 2 glucuronide.
16. Xylazine-M (sulfone).
17. Xylazine-M (sulfone-HO-) isomer 1.
18. A compound, mixture or preparation which contains any quantity of the substances referred to in this clause.

(xi) Xylazine as described in subclause (x) is not a controlled substance when used in any of the following manners:

1. Dispensing or prescribing for, or administering to, a nonhuman species of a drug containing xylazine that:

(A) has been approved by the United States Secretary of Health and Human Services under 21 U.S.C. § 360b (relating to new animal drugs); or

(B) is authorized under 21 U.S.C. § 360b(a)(4).

2. The manufacturing, distribution or use of xylazine as an active pharmaceutical ingredient for manufacturing an animal drug approved under 21 U.S.C. § 360b or an animal drug that has been issued an investigation use exemption under 21 U.S.C. § 360b(j).

3. The manufacturing, distribution or use of a xylazine bulk chemical for pharmaceutical compounding by a licensed pharmacist or veterinarians.

4. Any other use approved or authorized under 21 U.S.C. Ch. 9 (relating to Federal Food, Drug, and Cosmetic Act).

5. Another use approved or permissible under Federal or State law.

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Amend Bill, page 5, line 15, by striking out "3" and inserting:

2

Amend Bill, page 5, line 21, by striking out all of said line and inserting:

Section 3. This act shall take effect immediately.

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

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

YEA-50

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Brown, Cappelletti, Coleman, Collett, Comitta, Costa, Culver, Dillon, DiSanto, Dush, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholf, Laughlin, Martin, Mastriano, Miller, Muth, Pennycuik, Phillips-Hill, Pittman, Regan, Robinson, Rothman, Santarsiero, Saval, Schwank, Stefano, Street, Tartaglione, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw.

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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 99, SB 219, SB 250, SB 454, SB 501, SB 577, SB 645 and HB 775 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1014 (Pr. No. 1356) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in city revitalization and improvement zones, further providing for definitions, for establishment or designation of contracting authority, for approval, for transfers, for restrictions, for transfer of property and for review.

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

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

BILLS OVER IN ORDER

SB 1017, SB 1021 and HB 1567 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 85, SB 525, SB 800, SB 1102, SB 1104, SB 1108, SB 1150, SB 1151, SB 1152, SB 1153, SB 1154, SB 1155, SB 1157, SB 1165, SB 1173 and SB 1174.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS

WEDNESDAY, MAY 1, 2024

- 9:45 A.M. TRANSPORTATION (public hearing to collect testimony on "The Role of Parking Authorities in the Transportation System") Room 461 Main Capitol
10:30 A.M. FINANCE (to consider Senate Bills No. 77, 269 and 1149) Room 8E-A East Wing (LIVE STREAMED)

Off the Floor RULES AND EXECUTIVE NOMINATIONS Rules Committee (to consider certain Executive Nominations) Conference Room

TUESDAY, MAY 7, 2024

10:00 A.M. BANKING AND INSURANCE (to consider Senate Bill No. 1084) Room 461 Main Capitol

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentlewoman from Northumberland, Senator Culver.

Senator CULVER. Mr. President, I rise today to speak on Senate Resolution No. 259, recognizing April 2024 as Pennsylvania Donate Life Month. Many of us donate to worthy causes on a regular basis. We donate our time, we donate our effort, and we donate our money. But how often do we have the opportunity to donate life? This is the opportunity Pennsylvanians have when they sign up to become organ and tissue donors. Each person who donates organs, eyes, and tissue can potentially save or enhance more than 75 lives. Perhaps just as important, they can take eight people off the organ transplant waiting list. There are more than 100,000 people awaiting life-saving organ transplants in the United States. On average, 17 people will die each day in the United States waiting for an organ transplant.

In Pennsylvania, approximately 7,000 people of all ages are awaiting life-saving organ transplants. The problem is disheartening, but there is promising news. In 2023, approximately 16,000 individuals in the United States elected to give the gift of life through organ donation after death. That figure includes 789 individuals in Pennsylvania. Pennsylvania also has 15 transplant centers and is recognized as a world leader in this field. These numbers, however, are only one part of the story. Imagine the joy of a blind person being able to see for the first time or receiving a second chance at life through the phrase: we have found a donor.

Some of you may know my story, but others may not. I stand here today as a grateful recipient of an organ donation. A little more than 3 years ago, I underwent successful kidney transplant surgery. I am living proof that organ donation transforms lives. I was on the organ donation list for approximately 3 years, and in that time only received one call. I was called to tell me I was a perfect match for a kidney, but I was fourth on the list for that kidney. I was told not to get my hopes up, but be prepared just in case. Sadly, no one received the kidney that day. The donor kidney became unviable. I was fortunate enough to have a sister graciously donate her kidney to me, and it was a blessing beyond words. I stand here today because of an organ donation. For those of us who have received the gift of an organ donor, we can tell you what the gift of life means and all about second chances. For many, our stories include years we never thought we would live. I am honored to sponsor Senate Resolution No. 259, making April 2024 Pennsylvania Donate Life Month. My hope is this resolution will encourage more Pennsylvanians to consider giving the gift of life. I want to thank my colleagues for their support of this most worthy cause.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, I rise to join my colleague, Senator Culver, in recognizing April as Donate Life Month. As of March 2024 in the United States, there were 89,101

people on the kidney transplant list; 9,862 people on the liver transplant list; 832 people on the pancreas transplant list; 2,054 people on the kidney/pancreas transplant list; and 943 people on the lung transplant list. That is over 102,000 Americans waiting for transplants who could receive an organ from a living donor. Seven thousand of these individuals live in Pennsylvania, and thousands of those are waitlisted are from 1 of 4 transplant centers in Allegheny County.

Across the country, 17 people die every day waiting for an organ transplant, and every 8 minutes, another person is added to the transplant waiting list. I am proud to join my colleague in co-sponsoring Senate Resolution No. 259, designating April as Donate Life Month here in Pennsylvania. I am also proud that we are taking action to lessen the financial burden on living donors by sponsoring legislation that will allow them to deduct unreimbursed expenses associated with their organ donation on their taxes. Because, despite medical advancement, the transplant waitlist is growing longer. We must do more to encourage living donations. If only a tiny percent of adult Americans become living donors, we could eliminate the waitlist entirely and quickly.

The need for organ donation has touched so many lives, including my family. It is an issue that impacts communities as a whole. I am fortunate to have a brave friend who donated a kidney to a son of a mutual friend when she was able. And I am incredibly grateful for advocates, especially Bobbie and Candie, who have brought their personal stories to my office and fought to improve protections for both donors and recipients. As Donate Life Month draws to a close, I ask all of my colleagues to cosponsor our legislation and help reduce the waiting list for organ transplants here in Pennsylvania. We can reduce the burden on living donors and encourage more people to step up and give, because living donors give their recipients more than just time, they give them the gift of life.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Monroe, Senator Brown.

Senator BROWN. Mr. President, I rise to highlight Senate Resolution No. 278, which I have introduced designating the month of April 2024 in Pennsylvania as Distracted Driving Awareness Month. According to the National Highway Traffic Safety Administration, distracted driving is any activity that could divert a person's attention away from the primary task of driving. Examples of distracted driving include, but not limited to, texting, eating, grooming, talking to passengers, and more. The Pennsylvania Department of Transportation maintains and publishes crash data, including distracted driving crashes. In 2021, there were 12,703 crashes involving a distracted driver. Additionally, from 2017 to 2021, there were 274 fatalities and crashes involving a distracted driver, or an average of 58 fatalities per year, a statistic that has remained relatively stagnant in this period. While these statistics are guides, it has been documented that many drivers will not admit to distracted driving, causing these statistics to be lower than in reality.

As many of you know, I have been a strong proponent of addressing the issue of distracted driving on our roadways. For over 10 years, I have worked with families who have lost loved ones to distracted driving. Specifically, my legislation, Senate Bill No. 37, was initiated for Paul Miller, Jr., who passed away at the age of 21 as the result of a distracted driver in Monroe County. Paul's

tragic death, and the pain his family has endured because of the crash, was preventable. Consider if something was to happen to one of your loved ones. Would you believe the law was strong enough to educate, protect, and build accountability to reduce cell phone distractions on our roadways? I advocate that Senate Bill No. 37 will work to prevent crashes and save lives--helping to change behaviors. While Senate Resolution No. 278 brings awareness to all forms of distracted driving, every act we take in a positive direction helps to make our roadways safer. In April, and throughout the year, please encourage safe and responsible behavior, safe driving habits, and remember the dangers posed by distracted driving, whether you are a driver or a passenger.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise and offer remarks on behalf of Senator Tina Tartaglione regarding the fact that it has now been 6,505 days since our last Commonwealth increase in the minimum wage, and I ask it to be admitted for the record.

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

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

Mr. President, I rise because today marks 6,505 days since our Commonwealth's legislature last passed an increase in our minimum wage. That is nearly 18 years of this legislature failing to act and pass reasonable, commonsense minimum wage legislation. This hits close to home for a lot of us, Mr. President. Our neighbors and constituents need to be able to survive on the work they do and earn a livable wage.

Mr. President, it often takes help from family members and friends, charity, and perhaps public assistance for many of our minimum-wage and near-minimum-wage workers to scrape by. We are not talking about luxuries here; we are talking about basic necessities: food, housing, healthcare, you name it, Mr. President. While raising our minimum wage to a livable wage is a moral fight, it is also smart economics. When people have more money in their pockets, they spend it. That means more business for local shops, more money flowing through our local economy, and more opportunities for everyone.

So, as we enter this budget season and begin to fight for our Commonwealth's economic future, it is clear what we must do. We need to come together, Mr. President, to provide relief for the tens of thousands of Pennsylvanians who struggle to make ends meet and raise our poverty-level minimum wage to a livable wage. We need a wage where our neighbors do not need to ration medication just to be able to put food on the table; a wage where a household of minimum-wage earners and their children are not rationing food just to be able to afford to pay rent; a wage that lifts up our lowest earners, not continues to keep them down. It is not that complicated, Mr. President. Let us pass a living wage.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise today along with my colleagues in the Senate Democratic Caucus in recognition and honor of Small Business Week here in the Commonwealth of Pennsylvania. For more than 60 years, the United States Small Business Administration has celebrated National Small Business Week, which acknowledges the critical contributions of America's entrepreneurs and small business owners. In Pennsylvania, Mr. President, our small businesses are the backbone of our

economy, and Pennsylvania is home to 1.1 million small businesses and employs 2.5 million individuals, about half of the State's private workforce. Small businesses play a vital role in Pennsylvania's economy, accounting for 99.6 percent of businesses in our Commonwealth. In Allegheny County, Mr. President, we have a vibrant community of small businesses spanning retail, food service, robotics, and much more. I am always inspired to talk to our local entrepreneurs who run their businesses. They are creative, they are brave, persistent, and are crucial to ensuring that our neighborhoods continue to thrive and are stable.

Mr. President, our Governor has proposed \$25 million for a new Main Street Matters program in his budget this year to support small businesses, to support main streets and commercial corridors that, as I mentioned, are the backbone to our communities all across our Commonwealth. This new program will build upon and modernize the Keystone Communities Program and is also a critical part of the Governor's economic development strategy, which includes other key proposals, including \$500 million in PA SITES funding to bring more commercial and industrial sites online and to ensure companies have options for attractive business environments when they can move quickly and thrive; \$20 million to support large-scale innovation and leverage Pennsylvania's best-in-class research and development assets. This funding will be used to incentivize additional private ventures and prioritizing Pennsylvania as a national leader in innovation while proactively investing in entrepreneurs who have historically lacked access to venture capital funding. And finally, \$3.5 million to create and launch a Pennsylvania Regional Economic Competitive [Competitiveness] Challenge, which will incentivize regional growth and also relate to resilient regions.

Now, Mr. President, in addition to these measures that the Senate Democrats support as part of the Governor's Budget Address, our own Members have continued to champion some incredibly important bills that will make it easier, easier for entrepreneurs to start businesses, small businesses in particular. Senator Street's Senate Bill No. 334 would expand the Research and Development Tax Credit and establish an Angel Investor [Investment] Tax Credit to encourage private investment and to spur job creation in our Commonwealth. Senator Hughes, Senator Dillon, and Senator Miller have two bills that would support small businesses. Senate Bill No. 683 [663] would reduce or eliminate business startup fees for small businesses, and Senate Bill No. 664 would create small business tax-deferred savings accounts and allow small businesses in Pennsylvania to deposit profits into a small business tax-deferred program and savings account subject to annual limits. Senator Anthony Williams has Senate Bill No. 1031, which would remove unnecessary and burdensome requirements for the licensing of natural hair braiders in Pennsylvania; and our colleague Senator Wayne Fontana has Senate Bill No. 1158, which would expand the Local Economic Revitalization Tax Assistance, or LERTA, program cap to 20 years, which will incentivize redevelopment of aging and deteriorating properties.

As we move forward, Mr. President, in our budget conversation, I look forward to having the opportunity to have these bills I just mentioned from Senate Democrats, as well as the Governor's initiatives that he has put forth in his budget address, be a part of a budget process and conversation that takes place here in this Chamber, but also across this Commonwealth that ultimately

results in all these measures in this conversation elevating to legislation that makes it to his desk by June 30.

Thank you, Mr. President.

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Wednesday, May 1, 2024, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:55 p.m., Eastern Daylight Saving Time.