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WEDNESDAY, MAY 1, 2024

SESSION OF 2024 208TH OF THE GENERAL ASSEMBLY

No. 13

SENATE

WEDNESDAY, May 1, 2024

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend SCOTT LILL, of Our Lady of Mount Carmel Polish National Catholic Church, Lilly, offered the following prayer:

Let us pray.

Father in heaven, we come before You with humility and gratitude, acknowledging our complete reliance upon You as the One in whom we live and move and have our being, and ask that You bless this Session of the Senate of the Commonwealth of Pennsylvania. Enlighten them with Your great gift of wisdom, and bestow upon them the virtues of justice, temperance, fortitude, and compassion, so that together they may rightly embrace the work that lies ahead of them, that You, in accord with Your providence, may bring forth from it abundant fruits. Rooted in an ever-deeper regard for the inherent dignity of every human person and with mutual respectfulness and committed cooperation, may all of their decisions, deliberations, and discussions be undertaken with integrity and selflessness in a manner that is pleasing to You for the sake of the common good, and to the benefit of all the citizens of Pennsylvania. In Your holy Name we pray. Amen.

The PRESIDENT pro tempore. The Chair thanks Father Lill, who is the guest today of Senator Langerholc.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

May 1, 2024

Senators KANE, FONTANA, HAYWOOD, COMITTA, COSTA, CAPPELLETTI, BREWSTER and STREET presented to the Chair **SB 1125**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, providing for electric vehicle charging stations; in creation, alteration and termination of cooperatives, providing for electric vehicle charging stations; and, in creation, alteration and termination of planned communities, providing for electric vehicle charging stations.

Which was committed to the Committee on TRANSPORTATION, May 1, 2024.

Senators GEBHARD, FLYNN, PENNYCUICK, ROBINSON and MILLER presented to the Chair **SB 1161**, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, in preliminary provisions, further providing for definitions; in vehicles, further providing for grounds for disciplinary proceedings and repealing provisions relating to recreational vehicle shows, recreational vehicle off-premise sales, recreational vehicle exhibitions and recreational vehicle rallies and to off-premise sales, shows, exhibitions or rallies on Sundays; and, in recreational vehicles, further providing for definitions and for warranty obligations and providing for recreational vehicle events and for recreational vehicle events on Sundays.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 1, 2024.

Senators COMITTA, CAPPELLETTI, FONTANA, KANE, KEARNEY, COSTA, SCHWANK, MUTH and MILLER presented to the Chair **SB 1163**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for recovery of advertising expenses; and, in restructuring of electric utility industry, providing for membership in regional transmission organization.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 1, 2024.

Senators CAPPELLETTI, COLLETT, HAYWOOD, KANE, COMITTA, KEARNEY and FONTANA presented to the Chair **SB 1164**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in management of the condominium, providing for solar access; in management of cooperatives, providing for solar access; and, in management of planned community, providing for solar access.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, May 1, 2024.

Senators PHILLIPS-HILL, ARGALL, ROTHMAN, COSTA, COLEMAN, J. WARD and DiSANTO presented to the Chair **SB 1183**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions.

Which was committed to the Committee on STATE GOVERNMENT, May 1, 2024.

Senator PHILLIPS-HILL presented to the Chair **SB 1184**, entitled:

An Act authorizing the sale and transfer of title for a 0.232 acre of Project 70 lands owned by Springettsbury Township, York County, to the Department of Transportation for highway right-of-way.

Which was committed to the Committee on STATE GOVERNMENT, May 1, 2024.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

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

May 1, 2024

HB 1633 -- Committee on Health and Human Services.

BILLS REPORTED FROM COMMITTEE

Senator HUTCHINSON, from the Committee on Finance, reported the following bills:

SB 77 (Pr. No. 85)

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

SB 269 (Pr. No. 1575) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax credit and tax benefit administration, further providing for definitions; providing for volunteer certified emergency medical technician tax credit; and imposing duties on the Department of Revenue.

SB 1149 (Pr. No. 1576) (Amended)

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

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 gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Madam President, I request temporary Capitol leaves for Senator Costa, Senator Hughes, and Senator Schwank, and legislative leaves for Senator Brewster, Senator Haywood, and Senator Anthony Williams.

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

Senator Tartaglione requests temporary Capitol leaves for Senator Costa, Senator Hughes, and Senator Schwank, and legislative leaves for Senator Brewster, Senator Haywood, and Senator Anthony Williams.

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of March 18, 2024, is now in print.

The Clerk proceeded to read the Journal of the Session of March 18, 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 yeas and nays were required by Senator PITTMAN and were as follows, viz:

YEA-50

Argall	Culver	Langerhole	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 pro tempore. The Journal is approved.

**GUESTS OF SENATOR PATRICK J. STEFANO
PRESENTED TO THE SENATE**

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

Senator STEFANO. Madam President, today I rise to introduce an outstanding group of involved citizens from Fayette County, members of the New Meadow Run and Spring Valley Bruderhof community. Located in Farmington, Fayette County, their group regularly collaborates with neighboring churches, organizations, or community clubs on service projects--designed a better life for all area residents, businesses, and even visitors of the Laurel Highlands. Nearly 500 members live, work, and

worship on their campuses located off the historic National Road. There, they house the offices of manufacturing facility of Community Playthings, which produces classroom and play equipment for schools and early childhood care centers across the country; and Rifton Equipment, which produces adaptive equipment for children and adults with disabilities. Today, we are joined by the 10- and 11-year-old students of New Meadow Run Church community school [New Meadow Run School] and their chaperones. I ask the Members of the Senate to please join me in welcoming the young students and our friends visiting us from the New Meadow Run and Spring Valley Bruderhof communities in Farmington.

Thank you, Madam President.

The PRESIDENT pro tempore. Would the guests of Senator Stefano please rise for a warm Senate welcome.

[Applause.]

**GUESTS OF SENATOR
STEVEN J. SANTARSIERO
AND SENATOR FRANK FARRY
PRESENTED TO THE SENATE**

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

Senator SANTARSIERO. Madam President, today I rise to recognize my guests, along with my colleague from Bucks County, Senator Farry. They are the Council Rock North Boys' Cross Country Team, our 2023 AAA State champions in Pennsylvania. The Council Rock North Boys' Cross Country Team started the season unranked, but they were committed to having a strong season and making it to the State championship. A true underdog story, their coach, in describing the season, said: we were all believers. Their season was not about one superstar, but instead, their success came from teamwork, dedication, and perseverance, things that will serve them well as they go on throughout their lives. The team went undefeated in the league season and won their District 1 meet. Going into the State championships, they were not favored to win, but together as a team, they emerged as State champions. This may be starting to sound like a storyline in "Ted Lasso," but I think we could all use a feel-good story to start off our season here in the legislature, and for that matter, for all of our kids throughout Pennsylvania to hear this example of how you can, through perseverance, succeed. I would like to take a moment to recognize each of the team members in attendance today. They are Ben Mischel, Matt Gosling, Jack Gosling, Andrew Young, Lucas Polisenio, Joe Crowne, Brady Ott, and Jayden Neels. The young men are joined today by their coach Dave Marrington and assistant coach Robert Rogers. Congratulations to all of you on an exceptional season, and I would ask that we extend our warm Senate welcome to them. I do not know if Senator Farry would like to add a few comments as well, Madam President, but I am sure all the Members would be happy to extend that welcome. Thank you.

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

Senator FARRY. Madam President, I would just like to join my colleague Senator Santarsiero in congratulating the Council Rock North Boys' Cross Country Team. It is a great story as the Senator alluded to, a true underdog story. These memories will last a lifetime for these fine young men, and I just ask my

colleagues to give them a warm Senate welcome and congratulate them on their tremendous accomplishments.

The PRESIDENT pro tempore. Would the guests of Senator Santarsiero and Senator Farry please rise for a warm Senate welcome.

[Applause.]

LEGISLATIVE LEAVE CANCELLED

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

**GUESTS OF SENATOR JUDY WARD
PRESENTED TO THE SENATE**

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

Senator J. WARD. Madam President, I rise today to welcome the Bishop Guilfoyle Girls' Basketball Team to the Pennsylvania Senate. These Lady Marauders did something remarkable recently. They won the PIAA State championship, the 8th in school history and the 2nd under coach Kristi Kaack, beating Mountain View by almost 20 points. Their overwhelming defense forced an incredible 21 turnovers and put toughness and grit on display. However, winning a championship is more than just winning a game. To succeed at that level, these girls needed to be more dedicated, more resilient, and stronger than everyone else. They had to train and sacrifice for months and years to reach this incredible goal. Their example is one for all of us. If we want to achieve success, we must be willing to put in the hard work and never give up. I am so proud of these impressive young ladies, and I am grateful for their example. I would like to introduce the team. Please rise as I call your name: Sarah Geishausser, Gia Adams, Hannah Homan, Payton Ronan, Delaney Lechner, Lyla Steward, Emma Marasco, Riley Gofus, Mary Zhang, Maurie Querry, Morgan Ruggery, Amberlyn Petrecca, Stella Yeskey, Alana Lightner, Alyssa Hite; Athletic Director Joe Landoffi; and Assistant Coach Rich Consiglio. Thank you, ladies, for showing everyone how the ladies in Blair County get it done. Please join me in giving a warm welcome to the Bishop Guilfoyle Girls' Basketball Team to the Senate of Pennsylvania. Thank you.

The PRESIDENT pro tempore. Will the guests of Senator Judy Ward remain standing for a warm Senate welcome.

[Applause.]

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

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

Senator MARTIN. Madam President, as a proud Lancaster County [Catholic] alum, it is my distinct honor to introduce some incredible athletes and their coaches from the varsity girls' basketball team and to congratulate them on recently winning the PIAA Class AAA Girls' Basketball Championship. The Lancaster Catholic Crusaders took on a tough opponent in Westmont Hilltop, and after shooting the lights out, held a 6-point lead at the half. Determined, and with incredible coaching from Head Coach Charlie Detz and his amazing coaching staff, these young ladies leaned on both the experience of having been in this game just last year and their talented seniors to rise to the occasion.

Ultimately, that 6-point lead opened up, ending the game with a final score of 56-39. This was Lancaster Catholic's 5th State title in the 50-year history of women's championships.

Throughout the season, these young ladies demonstrated exceptional skill, resilience, and sportsmanship on and off the court. Their commitment to excellence and positive attitudes are a reflection not only on themselves, but on their parents, coaching staff, and the entire Lancaster Catholic and Lancaster County community. Winning a State championship is no small feat, it is the culmination of countless hours of practice, sweat, and sacrifice that each one of these athletes have put in. And as you bask in the glory of this well-deserved victory, remember that this is just the beginning of your bright futures. The lessons you have learned on the basketball court--teamwork, perseverance, and leadership--will serve you well in all aspects of your lives. I ask that my colleagues join me in welcoming our special guests, the PIAA Class AAA Girls' Basketball State champions, the Lancaster Catholic Crusaders.

Thank you, Madam President.

The PRESIDENT pro tempore. Will the guests of Senator Martin please rise for a warm Senate welcome.

[Applause.]

GUESTS OF SENATOR WAYNE LANGERHOLC PRESENTED TO THE SENATE

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

Senator LANGERHOLC. Madam President, I rise today to introduce and thank our guest Chaplain, Father Scott Lill from Our Lady of Mount Carmel Polish National Catholic Church in Lilly, Pennsylvania. Father Lill attended the Pittsburgh Theological Seminary and currently resides in Lilly. He is very active in the community, and most notably gave a wonderful prayer at a veterans' breakfast that I had this past year. He is married to his wife, Shelley. They have three children, Thomas, Anna, and Clare, and he is joined here on the floor by his daughter Clare. Again, Madam President, I wish to introduce our guest Chaplain, Father Scott Lill, thank him for his inspiring words this morning, and ask for a customary warm Senate welcome.

The PRESIDENT pro tempore. Will the guests of Senator Langerholc please rise for a warm Senate welcome.

[Applause.]

GUESTS OF SENATOR TRACY PENNYCUICK PRESENTED TO THE SENATE

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

Senator PENNYCUICK. Madam President, I am very pleased and honored today to welcome over 40 cadets from the Valley Forge Military Academy and College. Established in 1928, Valley Forge Military Academy and College is a leadership institution comprised of a middle school, high school, and college and has been designated by the Governor and the legislature as the Military College of Pennsylvania. Since its founding, it has established a long tradition of developing young men and women of character. Its philosophy is built on five cornerstones: academic excellence, character development, personal motivation, physical development, and leadership. Cadets forge lifelong friendships through shared experiences and hold each other

accountable to the values and traditions of the academy. Valley Forge stands as a beacon, inspiring young people to reach their full potential, both morally and as leaders, and all in service to our great nation.

As you know, my predecessor, Senator Bob Mensch, attended the academy and played a significant role throughout his career in promoting this great institution. I would be remiss if I did not acknowledge the two gentlemen who are also graduates of Valley Forge Military Academy of whom I had the privilege of serving with: Lieutenant General, retired, H.R. McMaster, the National Security Advisor from 2017-2018; as well as General Schwarzkopf, the man behind Desert Storm. I am honored to have met these impressive young men and women. I ask that you join me in welcoming the cadets from the Valley Forge Military Academy and College.

The PRESIDENT pro tempore. Would the guests of Senator Pennyquick please rise for a warm Senate welcome.

[Applause.]

GUESTS OF SENATOR NIKIL SAVAL PRESENTED TO THE SENATE

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

Senator SAVAL. Madam President, today I am honored to introduce as my guests Aramark workers at the Wells Fargo Center in South Philadelphia, members of the union UNITE HERE Local 274. These workers are the essential workers of our sports and entertainment venues in Philadelphia. Their skill and dedication ensure that every game and every event is a memorable experience for Philadelphians and for anyone visiting our city. Despite their importance, these workers are often forced to choose between paying rent or getting medical treatment. And yet, despite the incredible value their labor adds for our region, these workers have gone without a union contract since March. Earlier this year, the members voted overwhelmingly to authorize a strike, and late last week, they made the brave decision to go on a second 1-day strike in a month's time. Today is May Day, a day to recognize the struggles and celebrate the victories of workers across the world. In the spirit of justice and solidarity, let us listen to their stories, understand their grievances, and commit ourselves to advocating for the policies that protect the rights and well-being of all workers, all communities, and all of us. Their decision to take these difficult actions was not made lightly. They deemed it necessary to fight for good wages and healthcare coverage for themselves and their families.

Today, they are here to speak with legislators throughout the Commonwealth about their struggles against a wealthy corporation that thought its last wage proposal of 25 cents was enough, even as the company brings in billions of dollars from its workers' labor. Let these workers and their determination be a testament to the power working-class people have when they come together and fight. Please join me in giving the brave members of UNITE HERE our usual warm Senate welcome.

The PRESIDENT pro tempore. Will the guests of Senator Saval please stand for a warm Senate welcome.

[Applause.]

LEGISLATIVE LEAVE CANCELLED

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

ANNOUNCEMENT BY THE PRESIDENT PRO TEMPORE

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

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senators ROTHMAN, MARTIN, HUTCHINSON, CULVER, FARRY, ARGALL, BREWSTER, VOGEL, COSTA and J. WARD, by unanimous consent, offered **Senate Resolution No. 279**, which was read by the Clerk:

A Resolution honoring the life and achievements of former State Representative Fred C. Noye and expressing condolences on his passing.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cumberland, Senator Rothman.

Senator ROTHMAN. Madam President, Fred Noye was a State Representative from Cumberland, Juniata, and Perry Counties. Born in Duncannon, Perry County, on May 13, 1946, he graduated from Susquenita High School, the Harrisburg Area Community College, Mansfield State Teachers College--now, the Commonwealth University of Pennsylvania--and received a master's degree from Shippensburg State College, now known as Shippensburg University. In 1971 he taught social studies at Cumberland Valley High School, and then in 1972, became the youngest legislator in the history of the Pennsylvania House of Representatives, elected at the age of 25. From 1972 until 20 years later in 1992, he served as a State Representative for Juniata, Perry, and portions of western Cumberland County. The 20 years made him the longest tenure of any Representative from Perry County. During that time, he was elected by his peers to serve as the Republican Caucus chair and became a national leader and the national chairman of the American Legislative Exchange Council.

After he retired, he spent 20 years in real estate, most recently for Hower and Associates in Mifflintown, until his passing on Saturday, February 24, at the age of 77. Fred was married for 50 years to Debra Kay, and they raised their two sons, Jeremy Wade and his wife, Mayes, and their daughters, Grace, Katarina, and Valentina; and son, Andrew Charles Noye and his wife, Angie, their daughters, Edyn and Isla, plus Jack and Gracie. Fred had great-granddaughters, Georgia and Morgan. He was extremely proud of his family and their accomplishments, and he loved talking about history, politics, and playing board games. I knew Fred. I knew him as a State Representative, and I also knew him as a real estate agent, but most of all, I knew him as a giant in Perry County. We will miss him, I know his family misses him, and I ask for unanimous consent. Thank you.

The PRESIDENT pro tempore. Senator Rothman, would you like to request a moment of silence?

Senator ROTHMAN. I would, Madam Chair. Thank you.

The PRESIDENT pro tempore. Before we vote on the condolence resolution, Senator Rothman has requested a moment of silence. Will the Members as well as all the staff and guests please rise for a moment of silence.

[Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of former State Representative FRED C. NOYE.]

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

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

The PRESIDENT pro tempore. The resolution is unanimously adopted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 358 (Pr. No. 1798) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for awards to first responders.

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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Baker and Senator Mastriano have returned, and their temporary Capitol leaves are cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 365 and **SB 667** -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 832 (Pr. No. 1567) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, 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.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator COSTA. Madam President, Senate Bill No. 832, in our opinion, is unvetted and provides for sweeping changes to our State energy and environmental policy.

The PRESIDENT pro tempore. Senator Costa.

Senator COSTA. Oh, I apologize. I thought you called me. I apologize.

The PRESIDENT pro tempore. That is okay. I think Costa and Yaw sound a lot alike, you know.

Senator COSTA. I think Senator Yaw said he is going to adopt my comments anyhow, so, yeah. I apologize.

The PRESIDENT pro tempore. It is okay; that is all right. You started to talk. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Madam President, Senate Bill No. 832 establishes an Independent Energy Office, IEO, within the Commonwealth. The IEO would be modeled after Pennsylvania's Independent Fiscal Office, which was created by Act 120 of 2010 and Act 100 of 2016. The Independent Energy Office can provide impartial, timely, and data-driven analysis to guide our State in determining and meeting future energy needs. Additionally, Senate

Bill No. 832 overhauls the former Pennsylvania Energy Development Authority by replacing the 19-member board with an 11-member board of the Pennsylvania Opportunities with Energy Reliability Authority, or POWER. Combined, the Independent Energy Office and POWER board will establish a new energy framework that brings transparency and unbiased energy analysis into policy development and places Pennsylvania as a national leader in energy development. Madam President, I believe Pennsylvania Republicans and Democrats can advance policies that promote energy development and protect our environment simultaneously. They are not mutually exclusive. Pennsylvania has one of the most diverse energy portfolios in the United States. There is no question, we can capitalize on our State's energy riches, but first we need to stop apologizing for what we have. We are the largest exporter of electricity in the nation, Madam President, and Senate Bill No. 832 is a proactive step in ensuring Pennsylvania continues to be the engine that powers our region. I respectfully ask my colleagues for an affirmative vote.

Thank you, Madam President.

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

Senator COSTA. Madam President, I apologize again to Senator Yaw.

Madam President, we have concerns about Senate Bill No. 382 [832]. As I indicated earlier a few moments ago, it is unvetted and provides for sweeping changes in our State's energy and environmental policy. Our Democratic Caucus, and I imagine many Republican Members as well, only saw the language of this amendment earlier this week, and just in fact, we just received it yesterday. This amendment that was adopted yesterday completely reorganizes the Energy Development board [Authority] and provides for significant overhaul of DEP permit review. It creates a process to avoid complying with regulations of this Commonwealth--which were duly adopted--and certain State laws and creates a redundant and unnecessary new State office. This is a substantial reform on our energy sector that is completely new to our Members and, quite frankly, to our public and our stakeholders. We, Madam President, at a minimum, should be providing more time to solicit feedback, feedback from our constituents and from our stakeholders who will be impacted. That being said, I think we can all agree that we need to make changes and update our Pennsylvania energy policy.

However, the Alternative Energy Portfolio Standard, something that is important to this Commonwealth, has not been updated in over a decade. The Energy Efficiency and Conservation Act is nearly as old and needs to be addressed as well. And we need to address carbon emissions to reduce the Commonwealth's unfortunate contribution to our climate crisis. Despite this rhetoric that Pennsylvania is falling behind, we are one of the largest natural gas producers in the world, and we are one of the largest electric generators in the world. And while our Majority, the colleagues on the other side of the aisle, are claiming that we are failing these two points, it seems to be the opposite when it comes to Pennsylvania's energy policy. But that also means we also have one of the largest polluters and one of the largest contributors to the climate crisis, as I mentioned earlier, in this world. We need to find a balanced way to address our energy sector. We need to find balance between our public and our environment. The people who I represent in my district in southwestern Pennsylvania, they

recognize that we have to address issues regarding public health, our climate, and the environment rather than expanding permits and waiver regulations. I am also open to having a conversation about how we can accomplish all these goals, how we can expand our economy, and protecting the public and our environment and creating jobs. Last-minute uninvited amendments that are not agreed to and have not had the opportunity to be vetted and discussed are not the ways in which we can accomplish that goal. I think the underlying legislation had an opportunity to be discussed by colleagues and was worked through the Senate committees through that process. The portion that I object to is the amendment that was inserted yesterday--again, as I mentioned, at the last minute--and deserves the appropriate vetting and discussion of all of our stakeholders and many areas of this Commonwealth. So, I ask for a negative vote on Senate Bill No. 832.

Thank you, Madam President.

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

Senator PITTMAN. Madam President, today is the feast day of St. Joseph the Worker. And I think it is very apropos that we will consider this piece of legislation today because, ultimately, this legislation is about working families, because when we unleash our energy opportunities, we create economic opportunity for working families. You know, we hear a lot about prevailing wage, we hear a lot about unemployment, we hear a lot about a lot of things as it relates to working families and to workers, but none of those are relevant if we do not have jobs. Now, I recognize that the Governor in his budget address pointed out that he is tired of losing to Ohio. Well, I have bad news, we are not just losing to Ohio, we are losing to West Virginia. Even our friends at the University of Pittsburgh can beat the West Virginia football team from time to time, but we are losing to West Virginia, and that was on full display yesterday when it was announced that West Virginia is receiving a \$3 billion investment for a 2,000-megawatt natural gas plant. A \$3 billion investment for a 2,000-megawatt natural gas plant in West Virginia, not in Pennsylvania. And you know what that means? That means that my boilermakers, my steamfitters, my bricklayers, my pipefitters, my plumbers are not packing lunchboxes, they are packing suitcases because we do not have energy development in this Commonwealth. And those who work in our energy trades who rely on this kind of capital investment to feed their families are going to have to pack a suitcase and go to West Virginia to make a living wage. I want them to pack lunchboxes; I do not want them to pack suitcases. And this bill is about unleashing that opportunity to allow working families in this Commonwealth who rely on the production of energy to pack a lunchbox. We lost Renovo, we lost Allegheny County. We lose, we lose, we lose whenever it comes to energy production. And so, the Governor is right to say he is tired of losing to Ohio; so am I; but I am really tired of losing to West Virginia. And so, if we do not get our act together real quick, we are going to keep losing, and that is what this legislation is about. It is about enacting a commonsense energy policy that allows us to use our natural resources, that expedites the process, that makes sure that the dollars that we invest in energy are ultimately put into economic opportunity.

So, I encourage on this feast day of St. Joseph the Worker that we support workers, that we vote for this legislation, and we tell

working families in this Commonwealth, we want them to pack a lunchbox and not a suitcase. Vote "yes," Madam President.

The PRESIDENT pro tempore. Thank you. [Cell phone ringing.] It is Miss America asking me if I want to run.

And the question recurring,
Shall the bill pass finally?

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

YEA-28

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

NAY-22

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

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

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

BILLS OVER IN ORDER

SB 916, SB 973, SB 1058 and SB 1087 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

LEGISLATIVE LEAVE

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

Senator COSTA. Madam President, I request a temporary Capitol leave for Senator Saval.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1109 (Pr. No. 1461) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for ineligibility for compensation.

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

L. WILLIAMS AMENDMENT A4216 DEFEATED

Senator L. WILLIAMS offered the following amendment No. A4216:

Amend Bill, page 1, line 16, by inserting after "for" where it occurs the first time:

qualifications required to secure compensation and for

Amend Bill, page 1, lines 19 through 21, by striking out all of said lines and inserting:

Section 1. Section 401(e)(1) of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, is amended and the section is amended by adding a subsection to read:

Section 401. Qualifications Required to Secure Compensation.-- Compensation shall be payable to any employe who is or becomes unemployed, and who--

(e) (1) [Has] Except as provided in subsection (h), has been unemployed for a waiting period of one week.

(h) For a claim for a period of unemployment beginning after the effective date of this subsection, is unemployed due to a stoppage of work caused by a labor dispute: Provided, That the claimant shall not be provided benefits for a thirty-day period following a stoppage of work caused by a labor dispute other than a lockout.

Section 2. Section 402(a), (b) and (d) of the act, amended November 3, 2022 (P.L.2153, No.156), are amended to read:

Amend Bill, page 3, by inserting between lines 5 and 6:

(b) In which his unemployment is due to voluntarily leaving work without cause of a necessitous and compelling nature, irrespective of whether or not such work is in "employment" as defined in this act: Provided, That a voluntary leaving work because of a disability if the employer is able to provide other suitable work, shall be deemed not a cause of a necessitous and compelling nature: And provided further, That no employe shall be deemed to be ineligible under this subsection where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization, or to accept wages, hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation, or would be denied the right of collective bargaining under generally prevailing conditions, and that in determining whether or not an employe has left his work voluntarily without cause of a necessitous and compelling nature, the department shall give consideration to the same factors, insofar as they are applicable, provided, with respect to the determination of suitable work under section four (t): And provided further, That the provisions of this subsection shall not apply in the event of a stoppage of work which exists because of a labor dispute within the meaning of subsection (d)]. Provided further, That no otherwise eligible claimant shall be denied benefits for any week in which his unemployment is due to exercising the option of accepting a layoff, from an available position pursuant to a labor-management contract agreement, or pursuant to an established employer plan, program or policy: Provided further, That a claimant shall not be disqualified for voluntarily leaving work, which is not suitable employment to enter training approved under section 236(a)(1) of the Trade Act of 1974: Provided further, That a claimant shall not be disqualified for voluntarily leaving work if the claimant left such work to accompany a spouse who is on active duty with the United States Armed Forces and is required to relocate due to permanent change of station orders, activation orders or unit deployment orders and such relocation would make it impractical or unreasonably difficult, as determined by the department, for the claimant to continue employment with the claimant's employer. For purposes of this subsection the term "suitable employment" means with respect to a claimant, work of a substantially equal or higher skill level than the claimant's past "adversely affected employment" (as defined in section 247 of the Trade Act of 1974), and wages for such work at not less than eighty per centum of the worker's

"average weekly wage" (as defined in section 247 of the Trade Act of 1974).

[(d) In which his unemployment is due to a stoppage of work, which exists because of a labor dispute (other than a lock-out) at the factory, establishment or other premises at which he is or was last employed: Provided, That this subsection shall not apply if it is shown that (1) he is not participating in, or directly interested in, the labor dispute which caused the stoppage of work, and (2) he is not a member of an organization which is participating in, or directly interested in, the labor dispute which caused the stoppage of work, and (3) he does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in, or directly interested in, the dispute.]

Amend Bill, page 3, line 6, by striking out "2" and inserting:

3

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

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

Senator L. WILLIAMS. Madam President, this amendment would extend unemployment compensation eligibility to striking workers. The amendment language is identical to the language introduced in Senate Bill No. 434 that was referred to the Committee on Labor and Industry on March 9, 2023, and my bill last Session. I first introduced this legislation after 1,300 steelworkers at Allegheny Technologies Incorporated, or ATI, were forced to strike due to unfair labor practices in 2021 for 3 months, 1 week, and 6 days at 9 different locations, including the Brackenridge plant in my district. Pittsburgh Post-Gazette reporters and production employees are currently on strike and have been for 18 months--18 months--even after the National Labor Relations Board ruled that the Post-Gazette failed to bargain in good faith and illegally imposed work conditions on the union. In both of these cases, the striking workers spent months and months and months navigating a complicated unemployment system trying to secure benefits. Many of them came into my office seeking help. They were frustrated, angry, disheartened, and often desperate. They were looking at gigantic healthcare bills, struggling to pay their rent and mortgage and put food on the table. They knew that they were doing the right thing in exercising their federally protected right to strike against employers who are bargaining in bad faith and committing unfair labor practices. But it was at great personal cost.

On the other hand, their employers were still able to make money. ATI stockpiled material prior to the strike and then hired scabs--non-union workers--to cross the picket line and keep the plant running while steelworkers walked the line outside in the rain and snow. The Post-Gazette hired scabs to continue producing the paper and move production out of town and away from observation. Employers have tremendous economic advantage, and they use it to try to break the workers, but it does not have to be that way. We can help level the playing field just a little bit. And the United Steelworkers, District 10, Allegheny/Fayette [Central] Labor Council, and the Philadelphia labor council all agree and support this amendment. We can make it clear that workers who would otherwise qualify for unemployment can still receive it if they are unemployed due to a stoppage of work caused by a labor dispute. Our neighbors, our economic

competitors in New York and New Jersey, have already done so. It is long past time for this body to put its money where its mouth is and truly support workers in our Commonwealth. On this May Day, International Workers' Day, I encourage you to be on the side of workers, the true backbone of our economy.

Thank you, Madam President.

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

Senator PITTMAN. Madam President, I respectfully request a negative vote.

LEGISLATIVE LEAVE

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

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

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

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

The yeas and nays were required by Senator L. WILLIAMS and were as follows, viz:

YEA-23

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

NAY-27

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

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

The PRESIDING OFFICER (Senator Ryan P. Aument) in the Chair.

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

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Kane.

Senator KANE. Mr. President, I rise in opposition to Senate Bill No. 1109. Despite voting for this bill in committee, in the

hope of facilitating compromise and agreement, I find myself unable to support the current version. The existing unemployment compensation law already prevents refusal of suitable employment offers. However, Senate Bill No. 1109 seeks to add unwarranted layers of requirements. These new conditions not only risk stripping away unemployment compensation benefits, but it also could pressure unemployed folks into accepting unsuitable positions. A further troubling subsection of this bill mandates that unemployment compensation claimants cannot decline job offers without first interviewing for them, regardless of how unsuitable the positions may be. This could lead to situations where, for example, a fast-food establishment could force a college graduate or a master plumber to interview for an entry-level job. Even more, the bill could potentially provide an avenue for employers against which UC claims have been filed to manipulate the system to their advantage and cut off benefits. For these reasons, I urge my colleagues to join me in voting against Senate Bill No. 1109. There is a simple, more effective solution to address this issue this bill seeks to tackle: employers offering competitive pay, health insurance, retirement, and paid family leave benefits to attract and retain employees who are right for these positions.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, I rise in opposition to this aggressively anti-worker bill, especially on International Workers' Day, and I would like to note for the record that the Pennsylvania AFL-CIO is opposed to the bill. Thank you.

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-31

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

NAY-19

Brewster	Dillon	Kane	Schwank
Cappelletti	Flynn	Kearney	Street
Collett	Fontana	Muth	Tartaglione
Comitta	Haywood	Santarsiero	Williams, Lindsey
Costa	Hughes	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 1132, SB 1133, SB 1134, SB 1139 and HB 1419 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1661 (Pr. No. 3026) -- 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 schedules of controlled substances; and providing for secure storage of xylazine.

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

Senator TARTAGLIONE. Mr. President, I rise in support of House Bill No. 1661, and I applaud our Chamber and our colleagues on the other side of the building for taking up this important issue. Xylazine, or "tranq" as it is known on the street, is a veterinary drug with no human use. While xylazine has been found both across the Commonwealth and nation, it has been especially devastating in my district, which contains Kensington and Allegheny, ground zero for the tragic opioid epidemic. K&A and surrounding communities have been through hell throughout this epidemic, and just as the drugs have evolved over time, so have our strategies to combat the addiction crisis.

Mr. President, last April, I stood together with Governor Shapiro just blocks from K&A when he announced the temporary scheduling of xylazine as a Schedule III drug, and I fully support its permanent scheduling as provided in this bill. Xylazine has no place in our society, not in my district, not in your district. It is important to note that this legislation also outlines and allows its proper use. Veterinary clinics using xylazine in its FDA-approved way will not be subject to enforcement. Instead, this legislation enables our partners in law enforcement to go after dealers and suppliers who are poisoning our communities by intentionally putting this venom into drug supplies. I ask my colleagues for an affirmative vote.

And the question recurring, Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Culver, Dillon, DiSanto, Dush, Kearney, Langerholc, Laughlin, Martin, Rothman, Santarsiero, Schwank, Stefano

Table with 4 columns of names: Boscola, Brewster, Brooks, Brown, Cappelletti, Coleman, Collett, Comitta, Costa, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Hutchinson, Kane, Mastriano, Miller, Muth, Pennycuick, Phillips-Hill, Pittman, Regan, Robinson, 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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 85 (Pr. No. 1562) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

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

BILLS OVER IN ORDER

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

BILL LAID ON THE TABLE

SB 501 (Pr. No. 469) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 501 TAKEN FROM THE TABLE

Senator PITTMAN. Mr. President, I move that Senate Bill No. 501, Printer's No. 469, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDING OFFICER. The bill will be placed on the Calendar.

BILLS OVER IN ORDER

SB 525, SB 577, SB 645, HB 775, SB 800, SB 1017, SB 1021, SB 1102, SB 1104 and SB 1108 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 1150 (Pr. No. 1555) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1151 (Pr. No. 1556) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1152 (Pr. No. 1557) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1153 (Pr. No. 1558) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1154 (Pr. No. 1559) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1155 (Pr. No. 1560) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1157 (Pr. No. 1536) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1150, SB 1151, SB 1152, SB 1153, SB 1154, SB 1155 and SB 1157 -- Upon motion of Senator Pittman, and agreed to by voice vote, the bills were rereferred to the Committee on Appropriations.

SB 1165 (Pr. No. 1534) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 1173 (Pr. No. 1542) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 1174 (Pr. No. 1543) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL OVER IN ORDER

HB 1567 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

**UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION**

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

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

SB 77, SB 269 and SB 1149.

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

MONDAY, MAY 6, 2024

Off the Floor RULES AND EXECUTIVE NOMINATIONS Rules Committee
(to consider Senate Bills No. 37 and 269; Conference Room
Senate Resolution No. 252; and certain
Executive Nominations)

TUESDAY, MAY 7, 2024

10:00 A.M. BANKING AND INSURANCE (to consider Room 461
Senate Bill No. 1084; and House Bill No. 660) Main Capitol

WEDNESDAY, MAY 8, 2024

9:30 A.M. LABOR AND INDUSTRY (to consider Senate Room 8E-A
Bill No. 1026) East Wing
(LIVE
STREAMED)

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Mr. President, I rise because today marks 6,506 days since our Commonwealth's legislature last passed an increase in our minimum wage. And, Mr. President, as time has passed and the weeks turn into months, the months turns into years, the years turn into more than a decade and a half, it

becomes clear the status quo is unacceptable. We cannot allow our Commonwealth's minimum-wage earners to suffer in prolonged, State-sanctioned poverty. At a time when my home city, Philadelphia, is the poorest major city in our nation, we do not have to look far to understand why. Workers in Philadelphia and every other city and municipality across our State are subject to our embarrassing \$7.25 an hour minimum wage. According to a recent report by the Urban Institute, in 2021, nearly 22 percent of Philadelphia's households fall at or below the Federal poverty level. The report also found that nearly 4 in 10 Pennsylvanians struggled to pay for basic expenses, and no kidding, how could you make ends meet at \$7.25 an hour? As of 2018, nearly 10 percent of Philadelphia's workforce made \$7.25 an hour or less. Mr. President, that is about 44,000 people.

Contrary to popular beliefs and myths surrounding minimum-wage workers, they are not mostly teens working their first job. In fact, Mr. President, in Philadelphia, only 7 percent of workers earning minimum wage are teens. And, Mr. President, our minimum wage keeps our constituents in a cycle of nearly unbreakable poverty. Mr. President, expecting our low-wage and minimum-wage earners to make ends meet on our minimum wage does not make sense. That is why, according to the United States Government Accountability Office, approximately 70 percent of adults who receive public assistance work full time. Our minimum-wage earners cannot make ends meet on our current minimum wage. That is why I have introduced legislation to raise the minimum wage to \$20 an hour. Our workers across the Commonwealth need our help. They need their government to stand up and say: enough is enough; and, our workers deserve better. Well, the time has come, Mr. President, enough is enough. Let us finally pass meaningful minimum wage reform and provide a lifeline to the Pennsylvanians who need it most.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise today in observance of National Nurses Month, which is celebrated each year here in Pennsylvania in the month of May. My colleagues and I in the Senate Democratic Caucus firmly believe that delivering excellent, affordable healthcare to every Pennsylvanian, and we know that by supporting our nurses in this Commonwealth is critical to achieving that goal. Our colleague from Montgomery County, Senator Maria Collett, has been a leader in this space as a nurse herself, and I am proud to say that my daughter is serving as a nurse practitioner back in Allegheny County. This year's theme is "Nurses Make the Difference," and it could not be more true. Across this Commonwealth, patients, regardless of where they are at--nursing homes, hospitals, and doctors' offices--rely on nurses who trust them to deliver the appropriate, necessary, high-quality care. In the healthcare space, Mr. President, the Governor's budget includes a number of critical proposals, including \$4 million from Representative Arvind Venkat's Medical Debt Relief plan [Act]. It is important to note that this \$4 million will result in more than \$400 million of medical debt being wiped away across this Commonwealth. A \$10 million initiative to support the Long Term Care Transformation Office, whose activities including build LTC workforce resiliency. Also, a \$2.6 million investment towards mental health to help reduce maternal health deserts throughout our Commonwealth.

My colleagues on both sides of the aisle also have legislation in this place, in this Chamber, that would make the lives of our nurses much easier and empower them to be able to continue to provide and deliver the best possible care. Senate Bill No. 25 from Senator Bartolotta and Senator Boscola would expand access to high-quality healthcare by removing archaic restrictions on advanced practice registered nurses that no longer reflect modern medicine and the delivery of healthcare in that regard. Senate Bill No. 247 from Senator Collett would establish the safe patient limits under the care of the individual nurses in Pennsylvania hospitals, also known as the Patient Safety Act. Senate Bill No. 378, again led by Senator Muth and Senator Collett and Senator Cappelletti, would ensure that operating rooms utilizing surgical smoke evacuation systems to combat the negative health effects of surgical smoke. Senate Bill No. 668 from Senator Judy Ward and Senator Collett would amend the Health Care Facilities Act by adding the position of certified medication aide. Under the bill, the Department of Health would establish a medication aide training program that includes a minimum number of 8 hours of classroom training for CNAs. Senate Bill No. 905, again with Senator Collett, in this case, Senator Boscola, would amend the Professional Nursing Law that will remove the process by the State Board of Nursing to review and approve applications for the ability to take the State nursing board license exam. This efficiency will benefit prospective nurses despite employers and consumers vying for healthcare. And finally, Senator Pennycuik and Senator Collett are working on a bill that would provide scholarships administered by PHEAA to students pursuing careers in nursing and healthcare at our community colleges in Pennsylvania. As we continue to work through this year's budget process, it is important that we show not only our gratitude for the Pennsylvania's nurses by working collaboratively to support their profession. Together we can address these nursing shortages, we can support our brave nurses and ensure that all of our patients get the best possible care from highly qualified and highly trained nurses.

Thank you, Mr. President.

LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Schwank and Senator Judy Ward have returned, and their temporary Capitol leaves are cancelled.

PETITIONS AND REMONSTRANCES (Continued)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, I rise today--I am doing a follow-up on Senate Bill No. 832, which ran earlier today, and I want to reflect on something that our Majority Leader brought up. He and I both share Jefferson County and I used to have--and when I was in the House--a significant number of people from Indiana County who are involved with our energy production. He made reference to the fact that our constituents are having to pack, instead of lunchboxes, suitcases now to travel down to West Virginia in order to work. The Governor is--the Majority Leader had said--said he is tired of our butts getting kicked by Ohio. Meanwhile, West Virginia is also handing us our lunch.

I have this little town called Renovo. That town was supposed to have a billion-dollar investment that would clean up a

brownfield site, provide jobs, and now, with the investor is pulling out of that as a result of our Department of Environmental Protection and the lawfare that has been occurring from people from out of this Commonwealth and the lack of support from both this administration and the prior administration, now I have got a hospital that is on the verge of closing in that small town. If that hospital closes, we have people who are going to be an hour and 10 minutes--one way, one direction--to get to an emergency room. That is unacceptable. The lack of the jobs, the loss of those jobs, to the people of my communities is unacceptable. We have got to start doing things like we did with Senate Bill No. 832 to start making sure that Pennsylvania is directing any kind of resources that we get with regard to energy to the places where it will produce real jobs, lasting jobs, and provide sustainable electricity and power for the people of this Commonwealth, not intermittent. It is finally coming out in these Federal reports that they are now calling solar and wind intermittent sources of power. Had not seen that on any Federal reports before, but now, all of a sudden, they are producing it, and it is because of the rolling brownouts that are already occurring in places that have gone heavily invested in this stuff ahead of the proof that the concept works. And now our own PJM--the people who distribute electric power to the people of the Commonwealth of Pennsylvania and as well as to Washington, DC, and Maryland--they are talking about rolling brownouts based on the course of action that this administration has chosen to take.

Mr. President, it is time for the people of the Commonwealth of Pennsylvania to wake up. Senate Bill No. 832 passed out of this Chamber, unfortunately it was not a bipartisan effort in the way that I would have chosen--I would have liked to have seen--but perhaps when it gets over to the House, there will be people who wake up and actually say, you know what, our senior citizens who are living on a fixed income in the midst of this huge inflation where they are having trouble making ends meet and having to make decisions between their medication and their food, maybe legislators will wake up to the fact that if we are going to drive electrical prices through the roof and in the meantime also make them suffer through brownouts or maybe even blackouts in the middle of the cold winter, maybe it is time we wake up and start getting us back to something that we have known for so long because of the energy capabilities here in the Commonwealth of Pennsylvania.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Saval has returned, and his temporary Capitol leave is cancelled.

PETITIONS AND REMONSTRANCES (Continued)

The PRESIDING OFFICER. The Chair recognizes, for a second time, the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, we have had some recent developments that, again coming from the Federal government, that have been surprising and welcome in my eyes. The Third Circuit Court of Appeals has told the people who are trying to overturn Pennsylvania law that says one must properly sign and date absentee ballots. In other words, starting a proper chain of custody on those pieces of evidence that are called ballots. The Third

Circuit Court of Appeals has upheld the Third Circuit on its first initial ruling. They requested an en banc--which to those who do not know, means the entire Third Circuit--and they have uniformly come back and said, we are not going to reconsider this. So, chain of custody has been brought back to that extent when it comes to signature verification and dating of ballots the way evidence is supposed to be collected and preserved, that has been upheld.

Now, we need it with the elimination of something that the State Supreme Court created with the drop boxes, because quite honestly, those drop boxes were never brought up one time in either Chamber of this legislature, the Pennsylvania legislature, the body that is supposed to create rules. I have made this challenge to the other side several times: show me in the Constitution where the Supreme Court has the authority to write law; it does not exist. And yet, they have arbitrarily changed the Election Code and Title 25. We are on the road to getting this stuff uncovered. And another piece of information that came out here recently, Secretary of State Antony Blinken said the U.S. has been seeing evidence of Chinese attempts to influence and arguably interfere with the upcoming U.S. elections.

Mr. President, I have been talking about the vulnerabilities, and now I have recently come into possession of some things that we have been blocked from having access to that shows that the Federal government does have concerns about the security of our machines. We successfully showed in a recent hearing that the ballot marking device machines that E&S [sic] provides have significant vulnerabilities, and there was, thankfully, bipartisan agreement on that during the hearing. We have our work cut out for us, but it is my commitment, and I am hoping it is the commitment of this body, that we bring out into the open what our vulnerabilities are and immediately begin the process of moving to fix those vulnerabilities. Again, these are vulnerabilities that the Federal government has acknowledged, that were kept from the Committee on State Government, and last year the Committee on Intergovernmental Operations, but now we know those vulnerabilities exist, and we are going to take a responsible approach to making sure those vulnerabilities are addressed.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I would like to be able to respond to just some of the comments of my colleague who spoke about two issues. One, certainly related to Senate Bill No. 832, but also relating to election law and things of that nature. You know, as we are speaking about court cases and the role of the courts, I think it is important we recognize that our Supreme Court this past year--during this year--made a very clear ruling that this, one of our committees--the Committee on Intergovernmental Affairs [Operations] was referenced earlier--when they issued subpoenas seeking about 7 million records of voters across Pennsylvania, the Supreme Court indicated very clearly that that action was an overstep of their authority and struck that particular process.

More importantly, Mr. President, it is our understanding that there was an Envoy report that was supposed to be provided or submitted, which I believe we paid hundreds of thousands of dollars for, that we have yet to see a report from any entity or organization that participated in that process. So, when we think about

the role of the courts, and if we want to go back and relitigate the things that happened in 2020, I guess we can do that. But now we are upon a 2024 election process where it has been very clear that our electoral process in this Commonwealth and in this country is clear, it is clean, it is safe, it is secure, and it is fair, and we need to continue to make certain that we let folks know that. In fact, I find it ironic the same people who are trying to do away with the mail-in balloting process we have here in Allegheny County, Members of their same party are asking Republicans to go and use mail-in balloting now. In fact, I saw there was an increase this past year in use of that type of balloting process.

So, I mean, if we want to go back and talk about many of these election processes, we can do that. There continue to be a number of things that our electoral folks, election directors have asked us to talk about. Certainly, with respect to the pre-canvassing, something we definitely need in this Commonwealth. Making sure people have the opportunity to vote and register on same-day registration. All the things that we talked about for a number of years, and our measures that have been put forth on this floor that were either voted down or tabled, are things that people have asked us to put forward with respect to how we deal with our elections across this Commonwealth. But also, with respect to Senate Bill No. 832, the comment was made that this administration and previous administration had taken steps to stymie the development of jobs in this Commonwealth as it relates to our energy sector. I think my colleagues remember that it was just last year or in 2022 when we put for a number of years, multi-year commitment of \$15 million a year in tax credits to be able to help infuse the energy industry in this Commonwealth as it related to nuclear reactors, or excuse me, hydrogen, and taking place in this Commonwealth. That is just one example of the things that we have done. I can go back to a number of years ago in the Rendell years when we did a whole bunch of different type of energy-producing type things, whether it be solar, whether it would be geothermal, whether it be whatever else it might be, all those types of things that were designed to be able to grow jobs in Pennsylvania. And, by the way, we are one of the States that produces the most green jobs in this country. It is something we need to continue to talk about. You may not deem it to be sustainable or maybe intermittent power--however it was described--but at the end of the day, it is an alternative, and it is another form of clean energy that should be part of that broader conversation as we go forward.

Our objection to Senate Bill No. 832 was it was legislation as it related to developing a whole new energy policy in this Commonwealth that came out of a discussion that apparently took place on the other side of the aisle that was not revealed to anyone. So, we talk about revealing information, let us talk about the fact that we never heard anything at all about an energy plan to reorganize the energy programs in this Commonwealth about an hour before we had to vote on it--a couple of hours before we voted on it--and now it is moving out of this Chamber over to the other side of the building where we know it is not going to go anywhere. We know because it has not been the appropriate dialogue. Certainly, with the Members on this side of the aisle, certainly not with the administration, certainly not with our House colleagues, and more importantly, not with the people of Pennsylvania and our stakeholders. That is the way we do legislation.

I would contrast that to what is taking place in the energy space. Several weeks ago, Republicans came forward with their

education proposal. What do we have? We saw it; we examined it; we had the opportunity to look at. We do not agree with, but it went through the committee process. And all those bills went through the committee process; came out of the committee process; came here on the Calendar; and then today we are moving them up, I presume, for consideration next week. That is the way we should be doing things. We should not be throwing comprehensive, complex legislation into our laps at the last minute and expect us to support it without the proper vetting. That is the major problem with that legislation as we go forward; those are the reasons why. But also, I would be remiss if I did not recognize that the work that this Governor has done with respect to permitting. That has always seemed to be one of the things that folks looked to when they want to complain about not being able to get things done. Take a look at the record of the number of permits that have been reduced significantly in terms of the amount of time that those permits are working through the process. It is like now compared to what was done previously, much more significant, much quicker, and that process is going to continue.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, I move that the Senate do now recess until Monday, May 6, 2024, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:38 p.m., Eastern Daylight Saving Time.