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TUESDAY, MAY 7, 2024

SESSION OF 2024 208TH OF THE GENERAL ASSEMBLY

No. 15

SENATE

TUESDAY, May 7, 2024

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

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

PRAYER

The Chaplain, Reverend J. LOUIS FELTON, of Mt. Airy Church of God in Christ, Philadelphia, offered the following prayer:

Good afternoon.
Let us pray together.

Gracious and eternal God, our Father from whom all blessings flow, we thank You for welcoming us to come boldly to the throne of grace, that we may obtain mercy and find grace to help us in the time of need. And if we ever needed You before, we need You now. For in these end times, we are in the midst of wars across the globe: Ukraine and Russia, Israel, Hamas, Sudan, Senegal, Somalia, as well as the streets of America, where an unbridled and ungodly flood of guns have proliferated among our youth, along with illegal drugs, gangs, and other criminal activity. We sincerely believe that You will give us direction to find a way to end the opioid crisis, to raise the minimum wage, to increase healthcare for the underprivileged.

Yes, Lord, we pray earnestly for America, but especially for the Commonwealth of Pennsylvania, as the DNA of Pennsylvania is indelibly imprinted upon the psyche of our nation, consciously and subconsciously. But were it not for Your divine hand upon Pennsylvania, there would be no United States of America. We thank You for strategically positioning Pennsylvania to order the trajectory of our nation. It is Pennsylvania where America was conceived and birthed and its capital established at Philadelphia. It is Pennsylvania where the momentum of the Civil War was shifted at Gettysburg, repelling a massive force of Confederate invaders who treasonably betrayed the unity of America and its commitment to equality and freedom for all its citizens. We sincerely pray that once again, You will raise up Pennsylvania, even the sacred deliberations of this Senate Chamber, to rebirth America's promise to rebuke the contagious and vicious disease of ignorance and to repel all enemies of liberty, justice, and equality for all God's children. We pray in the spirit of agape love. Amen.

The PRESIDING OFFICER. The Chair thanks Bishop Felton, who is the guest today of Senator Haywood.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGE

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1661**.

RESOLUTIONS INTRODUCED AND REFERRED

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

May 7, 2024

Senators MASTRIANO, BROWN, COSTA, CULVER, PHILLIPS-HILL and VOGEL presented to the Chair **SR 291**, entitled:

A Resolution designating the week of July 1 through 8, 2024, as "Gettysburg Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 7, 2024.

Senators K. WARD, TARTAGLIONE, FARRY, VOGEL, BROOKS, KANE, LAUGHLIN, LANGERHOLC, ROBINSON, PENNYCUICK, HUGHES, MARTIN, COMITTA, HAYWOOD, SANTARSIERO, COSTA, BOSCOLA, FONTANA, BREWSTER, AUMENT, SCHWANK and MILLER presented to the Chair **SR 292**, entitled:

A Resolution designating the month of May 2024 as "Mammography Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 7, 2024.

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The Chair wishes to announce the President pro tempore has made the following appointment:

Mr. Duane E. Mowery as a member of the Department of Environmental Protection's Citizens Advisory Council.

BILLS REPORTED FROM COMMITTEES

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

SB 1084 (Pr. No. 1440)

An Act amending Titles 13 (Commercial Code) and 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, extensively revising the Uniform Commercial Code to accommodate emerging technologies utilized in commercial transactions: In general provisions: Further providing for general definitions, for value, for territorial applicability and parties' power to choose applicable law and for waiver or renunciation of claim or right after breach. In sales: Further providing for scope and certain security and other transactions excluded from division, for definitions of "contract," "agreement," "contract for sale," "sale," "present sale," "conforming" to contract, "termination" and "cancellation," for formal requirements and statute of frauds, for final written expression and parol or extrinsic evidence, for seals inoperative, for firm offers and for modification, rescission and waiver. In leases: Further providing for scope, for definitions and index of definitions, for waiver or renunciation of claim or right after default, for statute of frauds, for final written expression and parol or extrinsic evidence, for seals inoperative, for firm offers, for modification, rescission and waiver and for exclusion or modification of warranties. In negotiable instruments: Further providing for negotiable instrument, for issue of instrument, for signature and for discharge by cancellation or renunciation. In funds transfers: Further providing for payment order and definitions, for security procedure, for authorized and verified payment orders, for unenforceability of certain verified payment orders, for misdescription of beneficiary, for misdescription of intermediary bank or beneficiary's bank, for rejection of payment order, for cancellation and amendment of payment order and for liability for late or improper execution or failure to execute payment order. In letters of credit: Further providing for formal requirements and for choice of law and forum. In warehouse receipts, bills of lading and other documents of title: Further providing for definitions and index of definitions and for control of electronic document of title. In investment securities: Further providing for definitions, for rules for determining whether certain obligations and interests are securities or financial assets, for control, for applicability and choice of law and for protected purchaser. In secured transactions: Further providing for definitions and index of definitions, for control of deposit account and for control of electronic chattel paper. Providing for control of controllable electronic record, controllable account or controllable payment intangible. Further providing for attachment and enforceability of security interest, proceeds, supporting obligations and formal requisites, for after-acquired property and future advances, for rights and duties of secured party having possession or control of collateral, for additional duties of secured party having control of collateral, for duties of secured party if account debtor has been notified of assignment, for request for accounting and request regarding list of collateral or statement of account, for law governing perfection and priority of security interests, for law governing perfection and priority of security interests in deposit accounts and for law governing perfection and priority of security interests in investment property. Providing for law governing perfection and priority of security interests in chattel paper and for law governing perfection and priority of security interests in controllable accounts, controllable electronic records and controllable payment intangibles. Further providing for when filing required to perfect security interest or agricultural lien and security interests and agricultural liens to which filing provisions do not apply, for perfection of security interests in chattel paper, deposit accounts, documents, goods covered by documents, instruments, investment property, letter-of-credit rights and money, perfection by permissive filing and temporary perfection without filing or transfer of possession, for when possession by or delivery to secured party perfects security interest without filing and for perfection by control. Providing for perfection by possession and control of chattel paper. Further providing for effect of change in governing law, for interests which take priority over or take free of security interest or agricultural lien, for priorities among conflicting security interests in and agricultural liens on same collateral, for future advances and for priority of purchase-money security interests. Providing for priority of security interest in controllable

account, controllable electronic record and controllable payment intangible. Further providing for priority of purchaser of chattel paper or instrument, for priority of rights of purchasers of instruments, documents and securities under other divisions, priority of interests in financial assets and security entitlements under Division 8, for transfer of money and transfer of funds from deposit account, for priority of security interests in fixtures and crops, for bank's rights and duties with respect to deposit account, for rights acquired by assignee and claims and defenses against assignee, for discharge of account debtor, notification of assignment, identification and proof of assignment, restrictions on assignment of accounts, chattel paper, payment intangibles and promissory notes ineffective, for restrictions on assignment of promissory notes, health-care-insurance receivables and certain general intangibles ineffective, for persons entitled to file a record, for termination statement, for rights after default, judicial enforcement and consignor or buyer of accounts, chattel paper, payment intangibles or promissory notes, for unknown debtor or secondary obligor, for application of proceeds of collection or enforcement and liability for deficiency and right to surplus, for notification before disposition of collateral, for contents and form of notification before disposition of collateral, general, for contents and form of notification before disposition of collateral, consumer-goods transaction, for application of proceeds of disposition and liability for deficiency and right to surplus, for explanation of calculation of surplus or deficiency, for transfer of record or legal title, for acceptance of collateral in full or partial satisfaction of obligation and compulsory disposition of collateral, for notification of proposal to accept collateral, for waiver and for nonliability and limitation on liability of secured party and liability of secondary obligor. In controllable electronic records: Providing for short title of division, for definitions, for relation to Division 9 and consumer laws, for rights in controllable account, controllable electronic record and controllable payment intangible, for control of controllable electronic record, for discharge of account debtor on controllable account or controllable payment intangible and for governing law. Providing for transition. In decedents, estates and fiduciaries, in powers of attorney: Further providing for authority that requires specific and general grant of authority. Making editorial changes.

HB 660 (Pr. No. 2785)

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for pet insurance; and imposing penalties.

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

SB 795 (Pr. No. 1587) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Pennsylvania Award for Student Success Scholarship Program.

HB 1097 (Pr. No. 1288)

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 moment of silence on September 11 anniversary.

LEGISLATIVE LEAVES

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

Senator PITTMAN. Mr. President, I request temporary Capitol leaves for Senator Kim Ward and Senator Regan.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Hughes, Senator Saval, and Senator Lindsey Williams.

The PRESIDING OFFICER. Senator Pittman requests temporary Capitol leaves for Senator Kim Ward and Senator Regan.

Senator Costa requests temporary Capitol leaves for Senator Hughes, Senator Saval, and Senator Lindsey Williams.

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDING OFFICER. The Journal of the Session of March 19, 2024, is now in print.

The Clerk proceeded to read the Journal of the Session of March 19, 2024.

Senator PITTMAN. Mr. 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	Langerholz	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 PRESIDING OFFICER. The Journal is approved.

GUESTS OF SENATOR PATRICK J. STEFANO AND SENATOR CAMERA C. BARTOLOTTA PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I rise today to recognize a special guest. Hadyn Chipps, a senior at Albert Gallatin High School, is the 2023 Bituminous Coal Queen. She is joined on the floor today by her parents, Ed and Amanda Chipps of McClellandtown. The Bituminous Coal Queen pageant is a long-standing tradition in southwestern Pennsylvania, where high school junior girls from Greene and Fayette Counties compete for the opportunity to showcase the importance of the coal industry as a great economic driver in the Commonwealth. As the father of a former coal queen, I understand how difficult the selection process is. Hadyn participated in various competitions, including an on-stage questions segment, a personal interview, and a talent competition. She is the 68th young woman to hold this title since the award's inception in 1954. Hadyn is an honors student with a 4.0 GPA and a member of the varsity cheer and softball teams at

Albert Gallatin High School. Her crowning is particularly significant as she comes from a multi-generational coal mining family with deep roots in our southwestern Pennsylvania heritage. As you will hear from her, Hadyn has been a great advocate for the bituminous coal industry during her time as queen. Her actions truly showcase the grit, determination, and hardworking spirit that thrives throughout our coal-town-founded communities in and around Fayette County. I wish Hadyn good luck in all her future endeavors and now introduce Senator Bartolotta to speak on behalf of the Coal Queen; Senator.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, thank you Senator Stefano. Again, as was said, we have a very, very special guest from Fayette County, Hadyn Chipps, who was crowned Miss Pennsylvania Bituminous Coal Queen in the summer of 2023. And as many of you do know from the history that we have had here on the Senate floor, we have had 68 years of the Bituminous Coal Queen, and Hadyn does not look a day over 19. So, we are very, very happy that you are here. I am really proud that Hadyn is able to be here with her parents, Ed and Amanda, and to let you know that the Pennsylvania Bituminous Coal Queen Pageant is an annual event that is held in my district in Greene County and is hosted by the King Coal Association. It is a week-long celebration of events and festivities with a primary focus on ending the week with the Pennsylvania Coal Queen Pageant. Contestants for the pageant are selected from their respective area high schools, and as Senator Stefano said, it includes Fayette and Greene Counties. Each district is only permitted to send one young lady to the annual pageant. This past year, Hadyn was selected to represent Albert Gallatin Area High School, 1 of 12 young ladies selected to compete. Hadyn is an honor roll student at Albert Gallatin and plays varsity softball. Over the winter, Hadyn received the Waynesburg University Yellow Jacket award as part of her recognition as Coal Queen. Many thanks go out today to the pageant director, Lisa Allison, a Greene County constituent who has been running this amazing organization for many years. This pageant has provided so many young ladies with the opportunity to highlight their talents and their achievements. So, please join me today in giving Hadyn Chipps, 2023 Pennsylvania Bituminous Coal Queen, and her family a very warm Senate welcome.

Thank you, Mr. President.

The PRESIDING OFFICER. Would the guests of Senator Stefano and Senator Bartolotta please rise and be welcomed by the Senate.

[Applause.]

**SPECIAL ORDER OF BUSINESS
2023 BITUMINOUS COAL QUEEN
PRESENTED TO THE SENATE**

The PRESIDING OFFICER. Ms. Chipps, it would now be our honor if you would address the Senate.

Ms. CHIPPS. Good afternoon. I come before you today not just as a speaker, but as someone deeply connected to the heartbeat of our communities, the coal industry. Last May, with encouragement from my family, I took a leap and auditioned to represent my school in the Coal Queen Pageant. It was my goal to show young girls that winning did not require conforming to a specific image. During my high school days, I have worn many

different hats. On some days, it was a ball cap on the softball field; on others, it may have been a sparkly headband during a dance competition; and finally, the crown that came with the role as Coal Queen. Securing the title of Pennsylvania Bituminous Coal Queen enabled me to infuse mining with a touch of my own sparkle and glimmer, all while highlighting the coal industry's significance to a fresh, youthful audience. During my time as Coal Queen, I have had the opportunity to take part in many rewarding experiences, whether it was judging a pet parade, reading to elementary-age students during Read Across America Week, or making pizza and funnel cakes during the coal show. Through these activities, I have been honored to represent Greene and Fayette Counties, the Albert Gallatin Area School District, my family, and the King Coal Association.

Growing up, I saw firsthand the impact of having family members working in the coal industry. My father lost his job when Hatfield Ferry Power Station, a coal-fired power station, was closed. My grandfather would share stories of camaraderie and hard work underground, while my uncle, a supervisor in a coal mine, compared stories and jobs with everyone he knew. Everywhere we would go, my grandfather would find someone he knew that he was connected to in coal mines. He could talk for what seemed like hours. Whenever I would ask what they were talking about, my mother or aunts would say: he was mining coal. Listening to their experiences taught me that the coal industry is not just about extraction, it is about the dedicated people powering our communities and shaping our history.

I live in a town where coal was more than just a commodity. It was the source that powered homes, fueled dreams, and provided for families. I saw firsthand the dedication and hard work of coal miners when I recently toured Bailey Mine in West Virginia. If I am going to be honest, the scariest part for me was the elevator descending into the mine. Once I reached 750 feet below the surface, I had the chance to run the long wall for a brief period, mining 60 tons of coal in just a few minutes. I am still waiting for my paycheck on that shift. To the coal workers, I stand with you and support you. Your sweat and toil have built nations, powered progress, and kept our lights on during the darkest of times.

In conclusion, I wish to extend my gratitude to the King Coal Association for entrusting me with the opportunity to represent them today. I am also thankful to Rachel Gleason from the Pennsylvania Coal Alliance, Senator Stefano, and Representative Charity Grimm Krupa for graciously hosting my family and I during our visit. Lastly, a special thanks to Joe Scaffano, Mike Williamson, and Rusty McHenry for their patience during the Bailey tour. I believe we can all agree that I am better suited to wear a crown than a hard hat. Thank you.

[Applause.]

The PRESIDING OFFICER. Thank you, Ms. Chipps.

GUESTS OF SENATOR FRANK FARRY PRESENTED TO THE SENATE

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

Senator FARRY. Mr. President, I would like to give a warm Senate welcome to the Archbishop Wood High School Girls' Basketball Team, who just won their fourth straight PIAA State championship at the Class 5A level. It is a pretty remarkable feat

to win four titles in a row, which actually ties a State record. In doing so, they actually set a State record. It is their ninth State championship since 2010. Along the way to win the championship this year, they defeated Cathedral Prep School 37-27. During the season, they won 26 games and also won the District 12 title. They are coached by Head Coach Mike McDonald; assistant coaches, Wendy Young, Ray Horn, and Tom McGill. The managers and support staff include Julia Yogis, Avery Dineen, Mia Vizza, Bailey Lyons, and Colleen Besachio. The players--only three of whom are seniors, but those three seniors have won four State titles, which is very, very remarkable--the players are: Mia Koritko, Sophia McDonald, Regan Przepioski, Ava Renninger, Emma Yogis, Sophia Topakas, Mackenzie Rogers, Makayla Finnegan, Emma Seckinger, Makenna Campbell, Maggie Waltrich, Emily Knouse, Lauren Greer, Alexa Windish, Paige Barats, MaryKate Garry. I apologize in advance if I pronounced any of those names wrong. But ladies and coach and to everybody in the Archbishop Wood family, congratulations on your remarkable records. Winning one State title alone is quite an accomplishment, and to win four in a row, nine since 2010, really speaks very highly of the program and the character of these young ladies. So, can we give a warm Senate welcome to the Pennsylvania 5A girls' basketball State championship team, the Archbishop Wood.

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

[Applause.]

GUESTS OF SENATOR ARTHUR L. HAYWOOD PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, I rise today with two very fortunate sets of guests. First, I rise to welcome my friend, Bishop J. Louis Felton, to the Senate this morning, who was our Chaplain. Bishop Felton is senior pastor and a dedicated servant leader, and he has led the famous Mt. Airy Church of God congregation for much time. But even before his dedication at that church, he has been in the ministry for over 5 decades. The Mt. Airy Church of God in Christ is a vibrant church right in the heart of my district. It is the home church of my chief of staff, Dwight Pedro Lewis, as well. Under Bishop Felton's leadership, the church has witnessed a remarkable growth of over 2,000 souls. Under his leadership in 2017, they held a National Men Perfecting Men Conference, solidifying the power and possibility of men. Further, the church celebrated a monumental celebration in 2016 with a golden jubilee. Pastor Felton holds degrees from Western Michigan, McCormick Theology, Western Theological Seminary, Grand Rapids Theological Seminary. He is joined today and is happily married to first lady evangelist Priscilla Felton, who also shares his dedication to church and community. Together they are proud parents of two children and doting grandparents to five grandchildren. Driven by his passion for social justice and community empower, Bishop Felton has left an indelible mark on community and the nation. Beyond the pulpit, he is now the president of the organization Black Clergy of Philadelphia and Vicinity. He is also first vice president of the Philadelphia NAACP. We are joined today with a number of members of Black Clergy of Philadelphia and Vicinity, and they are in the gallery and the Capitol with us. This organization was founded in

1984, has over 11 denominations as part of it, has been very active in gun violence prevention, particularly in leading the 57 Blocks Initiative, and more. And so, I am glad to be here and ask all of my Senate colleagues to give a warm welcome to Bishop Felton, his wife, and all of the members of Black Clergy who have joined us this morning.

The PRESIDING OFFICER. Would the guests of Senator Haywood please rise and be welcomed by the Senate.

[Applause.]

The PRESIDING OFFICER. The Chair recognizes, for a second time, the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, so, I am also glad to welcome students and staff from the West Oak Lane Charter School in my district. They are celebrating a remarkable milestone, 25 years of service to our children. Founded in 1998, the charter school has been a beacon of excellence, providing high-quality education to students in grades K through eight. It is dedicated to a student-centered model for learning and has an emphasis on literacy, math, and the sciences. The charter school, however, goes beyond academics. It has offered targeted intervention for our young people and numerous enrichment programs to ensure that all graduates are well prepared and accepted to the highest-performing high schools in the city. Families beyond West Oak Lane want to get into this charter school, and they have a long waitlist, but we know that education is the foundation to opportunity. And as Frederick Douglass once said: "Once you--~~can~~--learn to read, you will be forever free." I would like to highlight that several parts of the leadership team, as well as seventh and eighth graders, are here with us today. I would like to acknowledge a few members of the leadership team: Debbera Peoples-Lee, CEO, who has been there for approximately 18 years providing unbelievable leadership; Ms. Michele Jones, senior director of development and external affairs; and Ms. Tina Lloyd, assistant principal. This is one of the oldest charter schools in our Commonwealth and has had a tremendous impact on bringing opportunities, primarily to African American youth in our city. So, I would like to have a warm welcome to the staff and students of West Oak Lane Charter School for their 25th year of service.

The PRESIDING OFFICER. Will the guests of Senator Haywood please rise and be welcomed by the Senate.

[Applause.]

GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, I rise today to welcome here to Harrisburg, and to our Capitol building, ladies from Alpha Kappa Alpha Sorority, Inc., who are here today to find out what it is that we do here in Harrisburg and as part of their annual visit here to the Capitol building. Mr. President, this is an international service organization founded at Howard University on January 15, 1908, and it is the oldest Greek-lettered organization established by African American college-educated women, celebrating 116 years in existence. Alpha Kappa Alpha Sorority, Inc., is composed of more than 335,000 initiated members in graduate and undergraduate chapters all across the globe. Alpha Kappa Alpha Sorority, Inc., is founded on mission of five basic tenants that have remained unchanged since the sorority's inception. These

missions are as follows: to cultivate and encourage high scholastic and ethical standards; to promote unity and friendship among college women; to study and help alleviate problems concerning girls and women in order to improve their social status [stature]; to maintain progressive interest in college life; and finally, to be of "Service to All Mankind." Now, Mr. President, we are very lucky and blessed here today to have with us in the Senate Chamber members from the following AKA chapters: Alpha Alpha Omega, Epsilon Sigma Omega, Iota Tau Omega, Mu Nu Omega, Alpha Mu Omega, Omega Omega, Omega Zeta Omega, Phi Beta Omega, Rho Theta--excuse me on that--Omega, Tau Delta Omega, Delta Iota, and finally Alpha Beta Chi Omega chapter. The members of the AKA are here to the Capitol building to advocate on issues dealing with education funding, Black maternal health issues, mental health, education protection, and election protection, and public safety concerns. We are very fortunate, Mr. President, to have with us today and recognize our well-respected former State Senate staffer and former PUC chairwoman, Gladys Brown Dutrieuille; and our current staff attorney who is also here with us today, as well as the executive director of the Committee on Health and Human Services, Clarissa Freeman is over to my left here. Mr. President, I ask my colleagues to join me in welcoming all the wonderful ladies of Alpha Kappa Alpha for a warm Senate welcome.

Thank you, Mr. President.

The PRESIDING OFFICER. Before we welcome the guests, Senator Street would like to say a few remarks.

The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I just wanted to join my colleague, Senator Costa, in welcoming my divine nine sisters. As a member of Kappa Alpha Psi, I could not let the moment go not to acknowledge the ladies of Alpha Kappa Alpha, Inc. One, I want to thank you for being here. Thank you for raising your voices both in this building and in our communities. And as your brother, I have to point out you always look good as you do it. So, thank you so much. Welcome to the Pennsylvania Senate.

The PRESIDING OFFICER. Would the guests of Senator Costa and Senator Street please rise and be welcomed by the Senate.

[Applause.]

LEGISLATIVE LEAVE CANCELLED

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

GUESTS OF SENATOR MARTY FLYNN PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lackawanna, Senator Flynn.

Senator FLYNN. Mr. President, I rise today to introduce students and staff from the Scranton School for Deaf and Hard of Hearing Children, which serves deaf and hard-of-hearing students from communities throughout northeastern Pennsylvania. This school opened its doors on September 8, 2009, to 81 students and is located outside of Scranton in South Abington Township. The mission of the school is to prepare deaf and hard-of-hearing children for the aspects of life through a high-quality academic

program along with a variety of engaging athletic and extracurricular opportunities.

The Scranton school adheres to an all-inclusive communication environment that meets the needs of each student. American Sign Language, Sign Supported English, and spoken English are all incorporated to promote academic, social, emotional, and physical development. The school is uniquely designed to serve deaf and hard-of-hearing students because it is a school that uniquely understands what its students need to succeed in the classroom and in life. Today, students from the middle school, along with teachers and other staff from the school, are visiting the Pennsylvania Capitol today to discover more about State government, meet their local elected officials, and enjoy the sights of our beautiful Capitol building. So, please join me in giving the visitors from the Scranton School for Deaf and Hard of Hearing Children a warm Senate welcome. Thank you.

The PRESIDING OFFICER. Would the guests of Senator Flynn please rise and be welcomed by the Senate.

["Jazz hands" sign language applause.]

The PRESIDING OFFICER. The Chair recognizes, for a second time, the gentleman from Lackawanna, Senator Flynn.

Senator FLYNN. Mr. President, I also want to introduce 20 exceptional high school seniors from the 22nd Senatorial District in Lackawanna and Luzerne Counties. These students are participants in my third annual Student Ambassador program, which includes representatives from every high school in my district. These students have joined me for daylong learning sessions since January to learn about Pennsylvania State and local governments. Each month, the student ambassadors have studied integral aspects of each of the three branches of our State government. Thus far, they have learned about the makeup of the legislature, district office functions, and the importance of lobbying and advocacy, the committee process, and how a bill becomes law.

Additionally, the students have had an opportunity to meet with State Representatives from Lackawanna and Luzerne Counties, the Lackawanna County Commissioners, and the mayors of Pittston and Wilkes-Barre. Today the students began their day with meetings with Speaker of the House Joanna McClinton, Pennsylvania Supreme Court Justice Kevin Brobson, and they just finished having lunch with the Secretary of Transportation, Mike Carroll, a proud resident of northeast Pennsylvania. They will conclude their time in Harrisburg with a tour of our magnificent Capitol building. Throughout this experience, these young ambassadors have been working in small groups to develop their own legislative proposals. The program culminates later this month when the groups will present their ideas, research, and final pieces of legislation to a panel of elected officials, including myself, who will choose a winning proposal. The winning proposal will be introduced as a Senate bill—maybe I can get that passed, who knows.

It is additionally imperative that I mention four of our participants specifically. They are Madeline Herold, Dane Huggler, Aidan Lam, and William Newton. In addition to being supporters of our Student Ambassador program, these four students are members of the Abington Heights Mock Trial Team. This mock trial team has already been crowned the State champions of Pennsylvania in March. Most recently, the team traveled to Delaware this past weekend to compete against 48 other States in the

national championship title. Mr. President, I am extremely proud to report to the Senate that the Abington Heights Mock Trial Team won the national championship. It is the first time ever that a Pennsylvania team won the National Mock Trial Championship, and I want to offer them a round of applause for doing so. It is a big accomplishment.

All of these students have demonstrated genuine interest in public service and community activism. They have been enthusiastically engaged in each session, posing insightful questions, and being kind to our guest speakers. They are an incredibly driven group of individuals, and they possessed the motivation and curiosity required to truly make a difference in the world, and I have no doubt they will be future leaders in our Commonwealth. So, please join me in giving the 22nd Senatorial District Student Ambassadors a warm Senate welcome. Thank you.

The PRESIDING OFFICER. Would the guests of Senator Flynn please rise and be welcomed by the Senate.

[Applause.]

LEGISLATIVE LEAVE CANCELLED

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

GUEST OF SENATOR CAMERA C. BARTOLOTTA PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, today we have a very special guest joining us from the 46th Senatorial District, Dr. Susan Morris-Rutledge, who is seated in the Senate gallery. Dr. Morris-Rutledge is an associate professor of education and ESL teacher preparation at Pennsylvania Western University California campus. She has an extensive background in education, with over 25 years' service teaching in the United States and overseas. Dr. Morris-Rutledge has been at Penn West California University for 13 years and is actively involved in their teacher preparation program and is an active advocate for practicing teachers, pre-service educators, and teacher preparation program support and reform. Dr. Morris-Rutledge also served in the United States Army Reserves for 11 years. Mr. President, I ask my colleagues to join me in thanking Dr. Morris-Rutledge for her military service and her ongoing commitment to education.

Thank you, Mr. President.

The PRESIDING OFFICER. Would the guest of Senator Bartolotta please rise and be welcomed by the Senate.

[Applause.]

LEGISLATIVE LEAVE CANCELLED

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

GUESTS OF SENATOR MARIA COLLETT PRESENTED TO THE SENATE

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

Senator COLLETT. Mr. President, it is my great pleasure today to introduce three of my district office interns who are joining

us here at the Capitol today. Ayden Kerrigan, Meghan McMeel, who start their internships this month, and Julia Axler, who just completed her time with my office in April. What an exciting way to kick off their summers. Ayden Kerrigan is a senior at Lower Moreland High School who will be attending the University of Pennsylvania in the fall. Ayden has been an active member of his school and community throughout his high school career. Among numerous extracurricular activities, Ayden has served as a poll worker, played on his school's tennis team, and held leadership positions for several clubs, including the Future Business Leaders of America and Mini-THON.

Meghan McMeel is a senior at Upper Dublin High School. Meghan has been a dedicated member of both her school and club soccer teams, and most recently led the Upper Dublin High School soccer team as captain. She has also spent her time giving back to the community, working with organizations like Food Not Bombs, where she prepared meals for city residents.

Julia Axler is also a senior at Upper Dublin High School and will be attending the University of Pennsylvania in the fall. Julia has been interning in my office since September and has been active in her school community, serving as the president of both the Latin and environmental education clubs, among other leadership positions. Each of these enthusiastic and accomplished students has demonstrated a genuine interest in Pennsylvania's government, and I am hopeful their experiences today will foster an even greater interest in public service. I ask my colleagues to please join me in extending our usual warm Senate welcome.

The PRESIDING OFFICER. Would the guests of Senator Collett please rise and be welcomed by the Senate.

[Applause.]

The PRESIDING OFFICER. The Chair recognizes, for a second time, the gentlewoman from Montgomery, Senator Collett.

Senator COLLETT. Mr. President, I would also like to welcome several groups who joined Senator Cappelletti, Senator Schwank, and I this morning to advocate for the Governor's \$3 million proposed investment in period products for Pennsylvania's public schools. I am pleased to have members of Cadette Girl Scout Troop 14009 with us today. They wrote a letter to me and several other legislators to share their concern about access to period products in schools. They heard from classmates who did not have access to these essential products and learned that school nurses were using their own money to purchase them. The Scouts came together to establish their own period pantry, and since its creation, students have come to visit every day for products.

I am also excited to welcome Fran Held, founder, executive director, and president of Mitzvah Circle, an essential nonprofit in my district that provides community members with basic needs not covered through government assistance programs--from clothing, to food, to toiletry items, and more. In 2023, Fran and her team gave away more than 830,000 period supplies, and they partner with over 110 agencies, schools, and organizations to meet the period supply needs of southeastern Pennsylvania communities. I am so impressed by these community leaders and their initiatives to tackle menstrual equity issues head-on. I ask my colleagues to please join me in extending our usual warm Senate welcome to our guests at the Capitol with us today.

The PRESIDING OFFICER. Would the guests of Senator Collett please rise and be welcomed by the Senate.

[Applause.]

GUESTS OF SENATOR SHARIF T. STREET PRESENTED TO THE SENATE

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

Senator STREET. Mr. President, I rise to welcome to the Senate the folks from EMIR. EMIR stands for Every Murder Is Real. These remarkable young people, many of whom have suffered incredible trauma that should never be faced by anyone in our society, each of these young people today have lost a classmate to gun violence. Unfortunately, it is a phrase--EMIR, Every Murder Is Real--is a phrase we must frequently remind ourselves as a society. EMIR is an organization that services and supports family members and friends who have been affected by a homicide. It was founded in 1997 by Victoria Greene, whose son, Emir, was murdered. Today, they brought students from various schools in my district and across Philadelphia including Imhotep, Global Leadership Academy, Sankofa, and MLK in an ongoing effort to reduce the senseless acts of gun violence in the city of Philadelphia. EMIR is fighting to address the unique needs surrounding the trauma and permanent devastation that follows the loss of a loved one through murder with advocacy and education. I would like to thank them for what they do and especially the students. These young people have endured great trauma, and yet are resilient. They are here to remind us that and put faces to the death and the murders that we see and the people who survive and live through it. I ask them to rise, and I ask the Senate to join and welcome the students from EMIR.

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

[Applause.]

GUESTS OF SENATOR STEVEN J. SANTARSIERO PRESENTED TO THE SENATE

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

Senator SANTARSIERO. Mr. President, I rise today to recognize my guests, Andrew Potterfield and Lauren Braun. Mr. Potterfield moved to Doylestown, Pennsylvania, in 2018 after retiring from a 40-year career as a civilian employee of the Department of Defense. In his 5 years here in the 10th Senatorial District, he has found ways to give back to the community, including serving as an ESL volunteer tutor with Vita Education Services in Doylestown and by delivering food with the Jewish Relief Agency in Philadelphia. Mr. Potterfield also is a wine enthusiast and spends some of his time working at a tasting room at a small vineyard in New Jersey.

Mr. Potterfield is joined today by Lauren Braun. Ms. Braun is a resident of Havertown and is a constituent of my friend and colleague Senator Cappelletti, but for today, I am honored to host her as a guest of the 10th Senatorial District. Ms. Braun is a mom of two children and a doting grandmother to her 1-year-old granddaughter. She is a board member of Havertown Musical [Music] Festival, a citizen scientist for a wetlands monitoring project, and is training to perform ombudsman duties in support of residents of elder care facilities. Thank you for that service, both of you.

Please join me, Mr. President, in giving both Mr. Potterfield and Ms. Braun our customary warm Senate welcome.

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

[Applause.]

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, we have just about emptied out the gallery, so we had a lot of guests today, a lot of people here today, a lot of wonderful individuals who came to visit us, and I too have someone very wonderful to welcome us today. And that is a student from Reading High School, Olivia Caraballo, and her mother. Olivia is a sophomore from the Reading School District, and she is a very active student. Olivia joined us today in the Capitol to advocate for period product funding for public schools in this year's budget. Her advocacy journey began during her middle school years when she collaborated with a group of students to promote menstrual equity and collect products for individuals in need within our community. Olivia was on the ground making sure that students in the schools, both in the Reading School District and others, would have access to the products that they needed but possibly could not afford. Olivia is a very impressive young student, and I think she has got a very bright future ahead of her. I am thrilled that she could join us here today, and I look forward to her coming back again with more of her activities in the Reading School District and the city of Reading. So, would you join me, Mr. President, in welcoming Olivia to the Senate today.

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

[Applause.]

RECESS

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

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

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

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

LEGISLATIVE LEAVE

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

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

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

BILL OVER IN ORDER

SB 37 -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

Senator PITTMAN. For the information of the Members, Senate Bill No. 37 is in need of a corrective reprint. We will consider Senate Bill No. 37 on Supplemental Calendar No. 3.

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 67, SB 346, SB 365, SB 667, SB 916, SB 1058 and SB 1087 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1132 (Pr. No. 1580) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in finance and taxation, further providing for tax levies.

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

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

SB 1133 (Pr. No. 1581) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in taxation and finance, further providing for township and special tax levies.

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 yeas and nays were taken agreeably to the provisions of the Constitution 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 constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

SB 1134 (Pr. No. 1582) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in taxation and finance, further providing for tax levy.

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

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

HB 1419 (Pr. No. 1598) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in foreign associations, further providing for termination of registration.

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	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 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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 77, SB 99, SB 219, SB 250, SB 454, SB 501, SB 525, SB 577, SB 645, HB 775, SB 800, SB 1021, SB 1108, SB 1149 and HB 1567 -- Without objection, the bills were passed over in their order at the request of Senator PITTMAN.

SENATE RESOLUTION No. 252, ADOPTED

Senator PITTMAN, without objection, called up from page 5 of the Calendar, Senate Resolution No. 252, entitled:

A RESOLUTION

Adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2024, including any amendments offered to or for supplemental appropriations for prior fiscal years. RESOLVED, That the Senate adopt a temporary rule to read:

TEMPORARY RULE

I. Budget Amendments on Senate Floor

1. Floor amendments to the General Appropriation Bill or other General Fund or special fund appropriation bills for the fiscal year commencing July 1, 2024, or for any prior fiscal year shall be in order on second or third consideration only.

2. Any amendment offered on the floor of the Senate to the General Appropriation Bill or other General Fund or special fund appropriation bills or other budget implementing legislation (which collectively comprises and shall be referred to as the 2024-2025 Budget) that proposes spending from the General Fund or any special fund for the Commonwealth 2024-2025 fiscal year, or any prior fiscal year, at a level different from the amount contained in the 2024-2025 Budget as reported from the Appropriations Committee shall not be in order and may not be considered unless the amendment contains sufficient revisions or reductions to that 2024-2025 Budget so that the amendment does not result in a net increase to the total spending and yields a balanced budget based on current and projected revenues. Where a proposed alteration in the General Appropriation Bill is balanced, in whole or in part, by a change in other appropriation bills or other budget implementing legislation, the amendment shall have appended thereto a "statement of intent" setting forth the proposed adjustment to the other appropriation bill or bills that will result in no net increase in the total spending from the General Fund or any special fund contained within the 2024-2025 Budget as reported from the Appropriations Committee.

3. For the purpose of this temporary rule, the Legislative Reference Bureau, in drafting any amendment to the General Appropriation Bill or any other appropriation bill, shall append the "statement of intent" required for a proposal which involves more than one bill.

II. Suspension

This temporary rule may be temporarily suspended only by a vote of the majority of the members elected to the Senate.

III. Expiration

This temporary rule shall expire upon the enactment of a General Appropriation Act for the fiscal year beginning July 1, 2024.

On the question, Will the Senate adopt the resolution?

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

YEA-48

Table with 4 columns: Argall, Aument, Baker, Bartolotta, Boscola, Costa, Culver, Dillon, DiSanto, Dush, Kane, Kearney, Langerholc, Laughlin, Martin, Rothman, Santarsiero, Saval, Schwank, Stefano

Table with 4 columns: Brewster, Brooks, Brown, Cappelletti, Coleman, Collett, Comitta, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Hutchinson, Mastriano, Miller, Pennycuick, Phillips-Hill, Pittman, Regan, Robinson, Street, Tartaglione, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Yaw

NAY-2

Muth Williams, Lindsey

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative. The PRESIDENT. The resolution is adopted.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 3

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 37 (Pr. No. 1588) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for learners' permits and for examination of applicant for driver's license; in rules of the road in general, further providing for prohibiting text-based communications and providing for prohibiting use of interactive mobile device; in miscellaneous provisions relating to serious traffic offenses, further providing for the offense of homicide by vehicle and for the offense of aggravated assault by vehicle; in enforcement, providing for data collection and reporting relating to traffic stops; and imposing penalties.

On the question, Will the Senate concur in the amendments made by the House to Senate Bill No. 37, as further amended by the Senate?

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

Senator PITTMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 37, as further amended by the Senate.

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

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

YEA-37

Table with 4 columns: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brown, Cappelletti, Collett, Comitta, Costa, Culver, Dillon, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Kane, Kearney, Langerholc, Laughlin, Miller, Pennycuick, Pittman, Regan, Robinson, Santarsiero, Schwank, Stefano, Tartaglione, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Yaw

NAY-13

Brooks	Hutchinson	Muth	Saval
Coleman	Martin	Phillips-Hill	Street
DiSanto	Mastriano	Rothman	Williams, Lindsey
Dush			

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

RECESS

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

Senator PITTMAN. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations, which will be held immediately in the Rules room.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to be held off the floor in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Kim Ward and Senator Laughlin have returned, and their temporary Capitol leaves are cancelled.

LEGISLATIVE LEAVE

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

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

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

BILLS REPORTED FROM COMMITTEE

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

SB 269 (Pr. No. 1584) (Rereported)

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 imposition of tax; in gross receipts tax, further providing for imposition of tax, providing for transfers to Alternative Fuels Incentive Fund and further providing for establishment of revenue-neutral reconciliation; in tax credit and tax benefit administration, further providing for definitions; providing for volunteer certified emergency medical technician tax credit; imposing duties on the Department of Revenue; eliminating the tax imposed upon each dollar of the gross receipts received from the sales of electric energy; providing for the benefit of consumers and for a civil penalty; and making a repeal.

SB 739 (Pr. No. 981) (Rereported)

An Act relating to telemedicine; authorizing the regulation of telemedicine by professional licensing boards; and providing for insurance coverage of telemedicine.

SB 920 (Pr. No. 1568) (Rereported)

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.

SB 1001 (Pr. No. 1446)

An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2024, to June 30, 2025, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2024; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2024, to June 30, 2025, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2024; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2024, to June 30, 2025, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2024.

SB 1002 (Pr. No. 1447)

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

SB 1003 (Pr. No. 1448)

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2024, to June 30, 2025, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2024.

SB 1004 (Pr. No. 1449)

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

SB 1005 (Pr. No. 1450)

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

SB 1006 (Pr. No. 1451)

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2024, to June 30, 2025, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2024.

SB 1007 (Pr. No. 1452)

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year

July 1, 2024, to June 30, 2025, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2024.

SB 1008 (Pr. No. 1453)

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the fiscal year July 1, 2024, to June 30, 2025.

SB 1009 (Pr. No. 1454)

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2024, to June 30, 2025.

SB 1010 (Pr. No. 1455)

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2024, to June 30, 2025, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2024.

SB 1017 (Pr. No. 1268) (Rereported)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection, further providing for declaration of policy, for definitions, for cash deposits and household information requirements, for payment arrangements, for termination of utility service, for reconnection of service, for public utility duties, for reporting of recipients of public assistance, for liens by city natural gas distribution operations, for reporting to General Assembly and Governor and for nonapplicability and repealing provisions relating to expiration.

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

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) (Rereported)

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.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

BILL AMENDED

SB 739 (Pr. No. 981) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to telemedicine; authorizing the regulation of telemedicine by professional licensing boards; and providing for insurance coverage of telemedicine.

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

VOGEL AMENDMENT A4347 ADOPTED

Senator VOGEL offered the following amendment No. A4347:

Amend Bill, page 1, lines 1 through 3, by striking out all of said lines and inserting:

Amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for telemedicine.

Amend Bill, page 1, lines 6 through 17; pages 2 through 11, lines 1 through 30; page 12, lines 1 through 12; by striking out all of said lines on said pages and inserting:

Section 1. Title 40 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

**CHAPTER 47
TELEMEDICINE**

Sec.

4701. Scope of chapter.

4702. Definitions.

4703. Insurance coverage and reimbursement of telemedicine.

4704. Medical assistance and children's health insurance program coverage.

4705. Standard of care.

§ 4701. Scope of chapter.

This chapter relates to telemedicine.

§ 4702. 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:

"Agreement with the Department of Human Services." As follows:

(1) An agreement between an MA or CHIP managed care plan and the Department of Human Services to manage the purchase and provision of services.

(2) The term includes a county or multicounty agreement with the Department of Human Services for behavioral health services.

"Asynchronous interaction." An exchange of information between a patient and a health care provider that does not occur in real time, including the secure collection and transmission of a patient's medical information, clinical data, clinical images, laboratory results and self-reported medical history.

"Enrollee." An individual who is entitled to receive health care services under an agreement with the Department of Human Services.

"Health care facility." As follows:

(1) An entity that is licensed to provide a health care service under Article X of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, or the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(2) The term includes a federally qualified health center and a rural health clinic as defined in 42 U.S.C. § 1395x(aa)(2) and (4) (relating to definitions).

"Health care provider." A health care facility, medical equipment supplier or person that is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth or another state.

"Health care service." Any treatment, admission, procedure, medical supplies and equipment or other services, including behavioral health, prescribed or otherwise provided or proposed to be provided by a health care provider to a patient for the diagnosis, prevention, treatment, cure or relief of a health condition, illness, injury or disease.

"Health Information Technology for Economic and Clinical Health Act." The Health Information Technology for Economic and Clinical Health Act (Public Law 111-5, 123 Stat. 226-279 and 467-496).

"Health insurance policy." As follows:

(1) A policy, subscriber contract, certificate or plan issued by an insurer that provides medical or health care coverage.

(2) The term includes a dental only and a vision only policy.

(3) The term does not include:

(i) An accident only policy.

(ii) A credit only policy.

(iii) A long-term care or disability income policy.

(iv) A specified disease policy.

- (v) A Medicare supplement policy.
- (vi) A TRICARE policy, including a Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy.
- (vii) A fixed indemnity policy.
- (viii) A hospital indemnity policy.
- (ix) A worker's compensation policy.
- (x) An automobile medical payment policy under 75 Pa.C.S. (relating to vehicles).
- (xi) A homeowner's insurance policy.
- (xii) Any other similar policies providing for limited benefits.

"Health Insurance Portability and Accountability Act of 1996." The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191, 110 Stat. 1936).

"Insurer." An entity licensed by the department that offers, issues or renews a health insurance policy and governed under any of the following:

- (1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, including section 630 and Article XXIV of that act.
- (2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.
- (3) Chapter 61 (relating to hospital plan corporations).
- (4) Chapter 63 (relating to professional health services plan corporations).

"Medical Assistance or Children's Health Insurance Program managed care plan" or "MA or CHIP managed care plan." A health care plan that uses a gatekeeper to manage the utilization of health care services by medical assistance or children's health insurance program enrollees and integrates the financing and delivery of health care services.

"Participating network provider." A health care provider that has entered a contractual or operating relationship with an insurer or MA or CHIP managed care plan to participate in one or more networks of the insurer or MA or CHIP managed care plan to provide health care services under the terms of a health insurance policy or an agreement with the Department of Human Services.

"Remote patient monitoring." The collection of physiological data from a patient in one location, which is transmitted via an electronic communication technology to a health care provider in a different location for use in care and related support of the patient.

"State." A state of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States.

"Synchronous interaction." A two-way or multiple-way exchange of information between a patient and a health care provider that occurs in real time via audio or video conferencing.

"Telemedicine." The delivery of health care services to a patient by a health care provider who is at a different location, through synchronous interactions, asynchronous interactions or remote patient monitoring that meets the requirements of the Health Insurance Portability and Accountability Act of 1996, the Health Information Technology for Economic and Clinical Health Act or other applicable Federal law or law of this Commonwealth regarding the privacy and security of electronic transmission of health information.

§ 4703. Insurance coverage and reimbursement of telemedicine.

(a) General rule.--

(1) A health insurance policy issued, delivered, executed or renewed in this Commonwealth shall provide coverage for medically necessary health care services provided through telemedicine and delivered by a participating network provider who provides a covered health care service through telemedicine consistent with the insurer's medical policies. A health insurance policy may not exclude a health care service from coverage solely because the health care service is provided through telemedicine.

(2) Subject to paragraph (1), an insurer shall reimburse a participating network provider for covered health care services delivered through telemedicine and pursuant to a health insurance policy in accordance with the terms and conditions of the contract as negotiated between the insurer and the participating network provider. A contract that includes reimbursement for covered health care services delivered through telemedicine may not prohibit reimbursement solely because a health care service is provided by

telemedicine. Reimbursement may not be conditioned upon the use of an exclusive proprietary telemedicine technology or vendor.

(b) Applicability.--

(1) Subsection (a) does not apply if the telemedicine-enabling device, technology or service fails to comply with applicable law and regulatory guidance.

(2) For a health insurance policy for which either rates or forms are required to be filed with the Federal Government or the department, this section shall apply to a policy for which a form or rate is first filed on or after 180 days after the effective date of this paragraph.

(3) For a health insurance policy for which neither rates nor forms are required to be filed with the Federal Government or the department, this section shall apply to a policy issued or renewed on or after 180 days after the effective date of this paragraph.

(c) Construction.--This section may not be construed to:

(1) Prohibit an insurer from reimbursing other health care providers for covered health care services provided through telemedicine.

(2) Require an insurer to reimburse an out-of-network health care provider for health care services provided through telemedicine.

(3) Require an insurer to reimburse a participating network provider if the provision of the health care service through telemedicine would be inconsistent with the standard of care.

§ 4704. Medical assistance and children's health insurance program coverage.

(a) MA or CHIP managed care plan payment.--

(1) MA or CHIP managed care plan payments shall be made on behalf of enrollees for medically necessary health care services provided through telemedicine, if all of the following apply:

(i) The health care service would be covered through an in-person encounter.

(ii) The provision of the health care service through telemedicine is consistent with Federal law and the laws of this Commonwealth, applicable regulations and clinical guidance.

(iii) Federal approval, if necessary for the provision of the health care service through telemedicine, has been received by the Department of Human Services.

(2) The MA or CHIP managed care plan shall reimburse a participating network provider for covered health care services delivered through telemedicine in accordance with the terms and conditions of the contract as negotiated between the MA or CHIP managed care plan, the participating network provider and the agreement with the Department of Human Services.

(b) Applicability.--Subsection (a) does not apply if the telemedicine-enabling device, technology or service fails to comply with applicable law and regulatory guidance.

(c) Construction.--This section may not be construed to:

(1) Prohibit a MA or CHIP managed care plan from making payments on behalf of enrollees to other health care providers for covered health care services provided through telemedicine.

(2) Require a MA or CHIP managed care plan to reimburse a participating network provider if the provision of the health care service through telemedicine would be inconsistent with the standard of care.

§ 4705. Standard of care.

A health care provider providing health care services through telemedicine shall be subject to the same standard of care that would apply to the health care services in an in-person setting.

Section 2. This act shall take effect in 90 days.

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

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.

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 920 (Pr. No. 1568) -- 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.

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

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

SB 1017 (Pr. No. 1268) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection, further providing for declaration of policy, for definitions, for cash deposits and household information requirements, for payment arrangements, for termination of utility service, for reconnection of service, for public utility duties, for reporting of recipients of public assistance, for liens by city natural gas distribution operations, for reporting to General Assembly and Governor and for nonapplicability and repealing provisions relating to expiration.

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

SAVAL AMENDMENT A4359 OFFERED

Senator SAVAL offered the following amendment No. A4359:

Amend Bill, page 1, line 10, by striking out "and" where it occurs the first time and inserting a comma

Amend Bill, page 1, line 10, by striking out "repealing provisions relating to" and inserting: for

Amend Bill, page 9, lines 19 through 23, by striking out all of said lines and inserting:

Section 3. Section 1406(b)(1)(i), (iii) and (iv), (c)(1)(iii) and (v), (e)(2)(i) and (ii), (g) and (h)(1) introductory paragraph and (iii) of Title 66 are amended to read:

Amend Bill, page 10, line 21, by striking out the bracket before "at-tempt"

Amend Bill, page 10, line 23, by striking out the bracket after "adult" Amend Bill, page 10, line 23, by inserting after "terminated,":

and shall

Amend Bill, page 11, line 30; page 12, lines 1 through 15; by striking out all of said lines on said pages

Amend Bill, page 12, lines 24 through 30, by striking out all of said lines

Amend Bill, page 13, by inserting between lines 17 and 18:

Section 3.1. Section 1407(b) introductory paragraph, (c)(2)(i) and (3) and (e) of Title 66 are amended and the section is amended by adding a subsection to read:

Amend Bill, page 15, line 11, by striking out "1414(a)" and inserting:

1414(c)

Amend Bill, page 15, line 11, by striking out "and" and inserting a comma

Amend Bill, page 15, line 11, by inserting after "1417": and 1419

Amend Bill, page 17, lines 2 through 16, by striking out all of said lines

Amend Bill, page 17, by inserting between lines 17 and 18:

[(c) Refusal of service.--The commission shall permit a city natural gas distribution operation to refuse to provide service to an applicant if the applicant has a pending lien or civil judgment by the city natural gas distribution operation outstanding against the applicant or against property owned in whole or in part by the applicant unless the applicant enters into a payment arrangement for the payment of the amount associated with the lien or judgment that remains outstanding at the time of the application.]

Amend Bill, page 18, lines 6 and 7, by striking out all of line 6 and the bracket in line 7

Amend Bill, page 18, line 8, by inserting a bracket before "2024."

Amend Bill, page 18, line 8, by inserting after "2024":

] 2034

Amend Bill, page 18, line 8, by striking out the bracket after "2024."

Amend Bill, page 18, line 9, by striking out "6" and inserting: 5

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

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

Senator SAVAL. Mr. President, today we are legislating on basic necessities that all of us need to live safely and comfortably in our homes, whether for lights, cooking, heating, cooling, or accessing the internet. Utility shutoffs mean children with asthma not being able to cool off in record-breaking heat. They mean a senior cannot use the chairlift they need to access multiple floors in their home. They mean parents can lose custody of their children just because they are struggling to pay bills. It is our job to ensure that our constituents have these basic necessities. Yet, a quarter of Pennsylvanians report forgoing food, medicine, and other basic needs to keep up with utility costs. To that end, I offer an amendment to Senate Bill No. 1017, and I want to thank the maker of the bill, my colleague from Northampton County, Senator Boscola, for her important work on this bill. This amendment would remove language that would limit notifications to customers; change current time periods customers have to get a medical delay on a shut off; change the LIHEAP cash program; allow PGW to refuse services to a landlord if there is a lien on any of their properties; and eliminate the sunset so that this body can revisit and address these important issues every decade. So, this amendment removes language from the bill to that effect, and I believe offers further protections to consumers. Thank you.

SAVAL AMENDMENT A4359 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	Langerholc	Regan	Yaw

NAY-22

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

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

The PRESIDENT. Amendment A4359 will be laid upon the table.

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

SAVAL AMENDMENT A4361 OFFERED

Senator SAVAL offered the following amendment No. A4361:

Amend Bill, page 2, line 11, by striking out "1405(a) and (b)" and inserting:
1405

Amend Bill, page 2, line 29, by inserting a bracket before "20%"

Amend Bill, page 2, line 29, by inserting after "20%":

| 5%

Amend Bill, page 2, line 30, by inserting a bracket before "if"

Amend Bill, page 2, line 30, by inserting after "if":

| of

Amend Bill, page 2, line 30, by inserting a bracket before "level"

Amend Bill, page 3, line 3, by inserting a bracket after "level"

Amend Bill, page 4, line 19, by inserting after "emancipated.":

The term shall include a verbal attestation of household income provided by a customer or applicant to a public utility for the purpose of an income-based or other requirement under this chapter.

Amend Bill, page 8, lines 25 through 29, by striking out "The request for a payment arrangement is" in line 25 and all of lines 26 through 29

Amend Bill, page 8, line 30, by inserting a bracket before "The"

Amend Bill, page 8, line 30, by inserting after "arrangements.--The":

| Except as provided under subsection (b.1), the

Amend Bill, page 9, line 18, by striking out all of said line and inserting:

(b.1) Alternative payment arrangement.--If a customer's monthly payment would exceed 20% of the customer's average monthly bill based on the length of the payment arrangement under subsection (b), the commission may extend the applicable length of the payment arrangement not to exceed two times the length of the payment arrangement the customer would otherwise be entitled to under subsection (b).

[(c) Customer assistance programs.--Customer assistance program rates shall be timely paid and shall not be the subject of payment arrangements negotiated or approved by the commission.]

(d) Number of payment arrangements.--[Absent a change in income, the commission shall not] The commission shall establish or order a public utility to establish a second [or subsequent] payment arrangement if a customer has defaulted on a previous payment arrangement established by a commission order or decision. The commission may establish or order a public utility to establish subsequent payment arrangements if the customer experienced a change in income or a significant change in circumstance. A public utility may, at its discretion, enter into [a second or subsequent payment arrangement] additional payment arrangements with a customer.

(e) Extension of payment arrangements.--If the customer defaults on a payment arrangement established under subsections (a) and (b) as a result of a significant change in circumstance, the commission may reinstate the payment arrangement and extend the remaining term for a period not to exceed the payment arrangement period established under subsection (b.1) if not already previously extended under subsection (b.1) or, if previously extended under subsection (b.1), an initial period of six months. The initial extension period may be extended for an additional six months for good cause shown.

(f) Failure to comply with payment arrangement.--Failure of a customer to comply with the terms of a payment arrangement shall be grounds for a public utility to terminate the customer's service. Pending the outcome of a complaint filed with the commission, a customer shall be obligated to pay that portion of the bill which is not in dispute and subsequent bills which are not in dispute.

Amend Bill, page 9, line 22, by striking out "(c)(2)(i)" and inserting:
(c)(2)

Amend Bill, page 14, line 4, by inserting after "customer":

who is not covered under subparagraph (iv).

Amend Bill, page 14, line 11, by inserting a bracket before "three":

Amend Bill, page 14, line 11, by inserting after "three":

| six

Amend Bill, page 14, line 18, by striking out all of said line and inserting:

(ii) [Full payment of any reconnection fees together with repayment] Repayment over 12 months of any outstanding balance incurred by the customer, who is not covered under subparagraph (iv), or applicant if the customer or applicant has an income exceeding 150% of the Federal poverty level but not greater than 300% of the Federal poverty level.

(iii) [Full payment of any reconnection fees together with payment] Repayment over 24 months of any outstanding balance incurred by the customer or applicant if the customer, who is not covered under subparagraph (iv), or applicant has an income not exceeding 150% of the Federal poverty level. [A customer or applicant of a city natural gas distribution operation whose household income does not exceed 135% of the Federal poverty level shall be reinstated pursuant to this subsection only if the customer or applicant enrolls in the customer assistance program of the city natural gas distribution operation except that this requirement shall not apply if the financial benefits to such customer or applicant are greater if served outside of that assistance program.]

(iv) The payment of an outstanding balance in accordance with the terms of a payment arrangement established under section 1405 (relating to payment arrangements) if the customer has not previously entered into a payment arrangement established under section 1405.

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

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

Senator SAVAL. Mr. President, this amendment proposes to add language to Senate Bill No. 1017 to give the Public Utility Commission more flexibility to craft payment plans that take into account individual circumstances, and I ask my colleagues for their support. Thank you.

SAVAL AMENDMENT A4361 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	Langerhole	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. Amendment A4361 will be laid upon the table.

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

KEARNEY AMENDMENT A4358 OFFERED

Senator KEARNEY offered the following amendment No. A4358:

Amend Bill, page 15, line 14, by striking out "(a) General rule.--" and inserting:

(a) Screening.--A public utility shall screen a customer or applicant to determine if the customer or applicant's household income is at or below 300% of the Federal poverty level at the time service is established and on an annual basis thereafter. The public utility shall attempt to update the income information under this subsection at least once a year.

(b) Payments.--

Amend Bill, page 15, line 16, by inserting after "commission),":
when the public utility has information that the customer or applicant is or was payment troubled or when the public utility receives information that the household income of the customer or applicant may qualify the customer or applicant for a universal service and energy conservation program.

Amend Bill, page 15, by inserting between lines 20 and 21:

(1.1) Assess whether the customer or applicant is eligible for the public utility's universal service and conservation programs prior to negotiating a payment arrangement.

Amend Bill, page 16, line 7, by striking out "(b)" and inserting:

(c)

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

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, I want to echo the comments of my colleague from Philadelphia and praise the maker of this bill for something we need to do, but this amendment will help low-income customers pay for the utility bills by requiring public utilities to screen customers for poverty qualifications annually instead of just at the start of service. It would also require utilities to proactively provide information about customer assistance programs to qualified customers rather than customers having to inquire about these programs. This amendment will decrease preventable shutoffs and is needed to correct a flawed process.

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

KEARNEY AMENDMENT A4358 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. This 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	Langerholc	Regan	Yaw

NAY-22

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

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

The PRESIDENT. Amendment A4358 will be laid upon the table.

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

KEARNEY AMENDMENT A4360 OFFERED

Senator KEARNEY offered the following amendment No. A4360:

Amend Bill, page 5, line 18, by inserting a bracket before "or"
Amend Bill, page 5, line 18, by inserting after "or":

1.
Amend Bill, page 5, line 18, by inserting after "assistant":
registered nurse or licensed social worker

Amend Bill, page 11, line 30; page 12, lines 1 through 15; by striking out all of said lines on said pages and inserting:

(f) Medical certification.--
(1) A public utility shall not terminate service to a premises when a customer has submitted a medical certificate to the public utility. The customer shall obtain a medical certificate verifying the condition and shall promptly forward it to the public utility. The medical certification procedure shall be implemented in accordance with commission regulations.

(2) If, prior to termination of service, a public utility employee is informed that a customer is seriously ill or has a medical condition and that the customer is seeking a medical certificate, termination of service may not occur for at least seven days. If a medical certificate is not produced within the seven-day period, the public utility may resume the termination process at the point where the process was suspended.

(3) A public utility may not terminate service for at least 90 days from the date of submission of a medical certificate or six months from the date of submission where a medical certificate indicates a long-term or chronic illness.

(4) A public utility may not limit the number of medical certificates that a licensed medical or social service provider is permitted to issue under this subsection.

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

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, this amendment allows registered nurses and licensed social workers to issue medical certificates, not just physicians, nurse practitioners, and PAs. It also extends the expiration of these certificates to 90 days, or in case of a chronic illness, to 6 months. Additionally, it prohibits utilities from arbitrarily limiting the number of certificates allowed. You do not need to be a physician to verify that someone has a legitimate medical need to prevent a utility shutoff, and nurses and social workers are qualified to do this. The current provisions are too restrictive and result in harmful shutoffs to vulnerable people. We can do better.

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

KEARNEY AMENDMENT A4360 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. This 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	Langerholc	Regan	Yaw

NAY-22

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

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

The PRESIDENT. Amendment A4360 will be laid upon the table.

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

KEARNEY AMENDMENT A4363 OFFERED

Senator KEARNEY offered the following amendment No. A4363:

Amend Bill, page 1, line 3, by striking out the comma after "policy" and inserting:

and
Amend Bill, page 1, line 4, by striking out "for" and inserting:
repealing provisions relating to

Amend Bill, page 1, line 5, by inserting after "requirements,":
providing for security deposits, further providing

Amend Bill, page 1, line 6, by inserting after "service,":
for late payment charge waiver,

Amend Bill, page 2, lines 11 and 12, by striking out all of said lines and inserting:

Section 2. Section 1403 of Title 66 is amended to read:

Amend Bill, page 8, lines 11 through 18, by striking out all of said lines and inserting:

Section 3. Section 1404 of Title 66 is repealed:

[§ 1404. Cash deposits and household information requirements.

(a) General rule.--In addition to the right to collect a deposit under any commission regulation or order, the commission shall not prohibit a public utility from requiring a cash deposit, payable during a 90-day period in accordance with commission regulations, in an amount that is equal to one-sixth of the applicant's estimated annual bill, at the time the public utility determines a deposit is required, from the following:

(1) An applicant who previously received utility distribution services and was a customer of the public utility and whose service was terminated for any of the following reasons:

(i) Nonpayment of an undisputed delinquent account.

(ii) Failure to complete payment of a deposit, provide a guarantee or establish credit.

(iii) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(iv) Unauthorized use of the utility service delivered on or about the affected dwelling.

(v) Failure to comply with the material terms of a settlement or payment arrangement.

(vi) Fraud or material misrepresentation of identity for the purpose of obtaining utility service.

(vii) Tampering with meters, including, but not limited to, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

(viii) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the delivery system of the public utility.

(2) Any applicant or customer who is unable to establish creditworthiness to the satisfaction of the public utility through the use of a generally accepted credit scoring methodology, as provided in a commission-approved tariff, and which employs standards for using the methodology that fall within the range of general industry practice.

(3) A customer who fails to comply with a material term or condition of a settlement or payment arrangement.

(a.1) Cash deposit prohibition.--Notwithstanding subsection (a), no public utility may require a customer or applicant that is confirmed to be eligible for a customer assistance program to provide a cash deposit.

(b) Third-party guarantor.--Nothing in this section shall be construed to preclude an applicant from furnishing a third-party guarantor in lieu of a cash deposit. The guaranty shall be in writing and shall state the terms of the guaranty. The guarantor shall be responsible for all missed payments owed to the public utility.

(c) Deposit hold period.--

(1) A public utility may hold a deposit until a timely payment history is established.

(2) A timely payment history is established when a customer has paid in full and on time for twelve consecutive months.

(3) At the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return or credit any positive difference to the customer.

(4) If service is terminated before the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return any positive difference to the customer within 60 days of the termination.

(5) If a customer becomes delinquent before the end of the deposit holding period as established in paragraph (1), the public utility may deduct the outstanding balance from the deposit.

(6) The public utility shall accrue interest on the deposit until it is returned or credited.

(i) Interest shall be computed at the simple annual interest rate determined by the Secretary of Revenue for interest on the underpayment of tax under section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(ii) The interest rate in effect when deposit is required to be paid shall remain in effect until the later of:

(A) the date the deposit is refunded or credited; or

(B) December 31.

(iii) On January 1 of each year, the new interest rate for that year will apply to the deposit.

(d) Adult occupants.--Prior to providing utility service, a public utility may require the applicant to provide the names of each adult occupant residing at the location and proof of their identity.

(e) Failure to pay full amount of cash deposit.--A public utility shall not be required to provide service if the applicant or customer fails to pay the full amount of the cash deposit within the time period under subsection (a).

(f) City natural gas distribution operation; additional deposit rules for city natural gas distribution operations.--Except for applicants who are subject to a deposit under subsection (a), a city natural gas distribution operation may require a deposit from the applicant as follows:

(1) If an applicant has household income above 300% of the Federal poverty level, one-sixth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required; or

(2) If an applicant has household income no greater than 300% of the Federal poverty level, one-twelfth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required. Applicants who enroll into the Customer Assistance Program made available by the city natural gas distribution operation are not subject to this paragraph.

(g) Estimated annual bill.--When used in this section, an estimated annual bill shall be calculated on the basis of the annual bill to the dwelling at which service is being requested for the prior 12 months or, if unavailable, a similar dwelling in close proximity.

(h) Time for paying deposits upon reconnection.--Applicants and customers required to pay a deposit upon reconnection under subsection (a)(1) shall have up to 90 days to pay the deposit in accordance with commission regulations.]

Section 4. Title 66 is amended by adding a section to read:

§ 1404.1. Security deposits.

Notwithstanding any other provision of law or commission regulation, a public utility may not require a cash deposit as a condition for applicants or customers to obtain or continue public utility service.

Section 5. Section 1405(a) and (b) of Title 66 are amended to read:
Amend Bill, page 9, line 19, by striking out "3" and inserting:

6

Amend Bill, page 9, line 21, by striking out "1407(b)" and inserting:
1407(a), (b)

Amend Bill, page 13, lines 19 through 24, by striking out all of said lines and inserting:

[(a) Fee.--A public utility may require a reconnection fee based upon the public utility's cost as approved by the commission prior to reconnection of service following lawful termination of the service.]

(a.1) Fee prohibition.--A public utility may not require a customer or applicant with an income at or below 300% of the Federal poverty level to provide a reconnection fee. A public utility shall inform a customer or applicant of the prohibition on reconnection fees specified under this subsection at the time a reconnection fee is assessed.

Amend Bill, page 15, line 11, by striking out "4" and inserting:

7
 Amend Bill, page 15, line 11, by inserting after "Sections":
 1409,
 Amend Bill, page 15, by inserting between lines 12 and 13:
 § 1409. Late payment charge waiver.
 A public utility shall waive late payment charges on any customer
 accounts if the charges were improperly assessed. The commission
 [may] shall order a waiver of any late payment charges levied by a public
 utility as a result of a delinquent account for customers with a gross
 monthly household income not exceeding [150%] 300% of the Federal
 poverty level.

Amend Bill, page 18, line 6, by striking out "5" and inserting:
 8
 Amend Bill, page 18, line 9, by striking out "6" and inserting:
 9

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

The PRESIDENT. The Chair recognizes the gentleman from
 Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, the amendment would
 eliminate a public utility's ability to require cash deposits from
 certain customers, to require cash deposits as a condition for ap-
 plicants or customers to obtain or continue service or assessing
 reconnection fees or late fees from customers at or below 300
 percent of the Federal poverty level. Punitive additional fees that
 more affluent customers never have to pay are discriminatory and
 punish Pennsylvanians for being poor. It is a backward policy that
 puts corporate efficiency over people. We should not abide by
 that, and we should do better.

Thank you, Mr. President.

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

KEARNEY AMENDMENT A4363 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 amend-
 ment be laid upon the table. This 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	Pennycuik	Vogel
Brooks	Gebhard	Phillips-Hill	Ward, Judy
Brown	Hutchinson	Pittman	Ward, Kim
Coleman	Langerholc	Regan	Yaw

NAY-22

Boscola	Dillon	Kearney	Schwank
Brewster	Flynn	Miller	Street

Cappelletti	Fontana	Muth	Tartaglione
Collett	Haywood	Santarsiero	Williams, Anthony H.
Comitta	Hughes	Saval	Williams, Lindsey
Costa	Kane		

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

The PRESIDENT. Amendment A4363 will be laid upon the
 table.

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

Senator BOSCOLA. Mr. President, I rise in support of Senate
 Bill No. 1017 and urge my colleagues to vote in favor of its pas-
 sage. This bill seeks to update and reauthorize Chapter 14 of Title
 66, also known as the Responsible Utility Customer Protection
 Act. In 2004, Chapter 14 was adopted to improve upon the rules
 of the Public Utility Commission regarding payment of residen-
 tial public utility services. These rules failed to effectively man-
 age bill payments, resulting in a rise in unpaid bills and threaten-
 ing higher rates for paying customers due to delinquencies. The
 aim of Chapter 14 was to protect customers from rate increases
 caused by other delinquencies while providing public utilities
 with a fair means to reduce uncollectable debt and ensure utility
 service availability on reasonable terms. As chair of the Senate
 Committee on Consumer Protection and Professional Licensure
 and cosponsor of this bill, I strived very hard to maintain the bal-
 ance envisioned in Chapter 14 among the commission, public
 utilities, consumer advocates, and customers. The bill has been
 shaped through numerous public hearings, stakeholder meetings,
 and collaboration with various organizations including the Public
 Utility Commission, Office of Consumer Advocate, the Energy
 Association of Pennsylvania, the Community Legal Services,
 Coalition Against Domestic Violence, and numerous electric, wa-
 ter, wastewater, and natural gas public utilities from across the
 State. And in the end, we provided several important updates in
 the bill, which include adding Pittsburgh Water and Sewer Au-
 thority into the chapter to extend protections to its customers,
 double the duration of medical certifications from 30 days to 60
 days, and providing guardrails granting certainty that medically
 vulnerable customers will be protected from terminations. We up-
 dated Pennsylvania arrangements offered by the PUC to improve
 outcomes for customers with arrearages, lessening the uncollect-
 ible debt passed on to responsible ratepayers; removing jurisdic-
 tion-limiting language to provide support to more domestic vio-
 lent victims facing termination; and we incentivized enrollment
 into customer assistance programs, putting low-income custom-
 ers into a better situation to remain responsible ratepayers,
 providing them a credit on reconnection fees. We also extended
 notice for utility shutoffs, giving customers more time to address
 non-payment. We updated the requirements for final termination
 to improve utility worker safety and preserve customer protec-
 tions and added language to ensure delinquent customers are no-
 tified of utility assistance resources. And in all, Mr. President,

these represent improvements that showcase the bipartisan work that went into this bill, months and months and months of hard work with a lot of stakeholders. And I think we came up with a pretty much-balanced bill.

I want to thank all the stakeholders that worked with my office. I want to thank my fellow chair, Senator Stefano, his staff, and especially Jen Smeltz; my staff, Jesse Monoski and Joe Kelly. We spent a lot of time on this bill and if it were not for them, we would not have this open and collaborative effort in drafting this very good, balanced, comprehensive bill. Now, I understand that this is just another step in the process of reauthorizing this important consumer protection statute. Changes are likely to come as we partner with our colleagues in the House Chamber. So, for today, I urge my colleagues to support Senate Bill No. 1017 to continue this necessary process to meet our reauthorization deadline and to incorporate lessons learned since 2014 for the benefit of our constituents across this Commonwealth.

Thank you very much, 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-42

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

NAY-8

Cappelletti	Hughes	Kearney	Saval
Comitta	Kane	Muth	Williams, Lindsey

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

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

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 269 (Pr. No. 1584) -- 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 personal income tax, further providing for imposition of tax; in gross receipts tax, further providing for imposition of tax, providing for transfers to Alternative Fuels Incentive Fund and further providing for establishment of revenue-neutral reconciliation; in tax credit and tax benefit administration, further providing for definitions; providing for volunteer certified emergency medical

technician tax credit; imposing duties on the Department of Revenue; eliminating the tax imposed upon each dollar of the gross receipts received from the sales of electric energy; providing for the benefit of consumers and for a civil penalty; and making a repeal.

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

HAYWOOD AMENDMENT A4372 OFFERED

Senator HAYWOOD offered the following amendment No. A4372:

Amend Bill, page 1, line 11, by inserting after "TAX" where it occurs the first time:

and providing for alternative special tax provisions for poverty
Amend Bill, page 2, by inserting between lines 18 and 19:

Section 1.1. The act is amended by adding a section to read:

Section 304.3. Alternative Special Tax Provisions for Poverty.--(a) Pursuant to section 2(b)(ii) of Article VIII of the Constitution of Pennsylvania, which provides for establishing as a class or classes of subjects of taxation the property or privileges of persons who, because of poverty, are determined to be in need of special tax provisions, the General Assembly hereby declares its intent and purpose to exercise its power pursuant to that section by enacting the alternative tax provisions of this section.

(b) Having determined that there are certain persons in this Commonwealth whose incomes are such that imposition of an income tax would deprive them and their dependents of bare necessities of life, and having determined that poverty is a relative concept inextricably joined with actual income and the number of people dependent upon such income, the General Assembly deems it to be a matter of public policy to provide special tax provisions for that class of persons to relieve their economic burden.

(c) An individual having one or more dependents shall be entitled to a refund or forgiveness of any money which has been paid over to or would, except for the provisions of this section, be payable to the Commonwealth under the provisions of this article and may claim a refund as follows:

(1) For taxable years beginning after December 31, 2023, in the amount by which fifty per cent of the earned income credit allowable under section 32 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 32), as amended, exceeds the tax imposed under this article for the taxable year.

(2) (Reserved).

(d) An individual eligible for the special tax provisions for poverty under section 304 may claim a refund under subsection (c) in lieu of utilizing the special tax provisions for poverty.

(e) For spouses who file separate Federal tax returns, the credit allowed under this section may only be used by the spouse with the greater tax otherwise due, computed without regard to this credit.

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

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

Senator HAYWOOD. Mr. President, this amendment would provide for a State earned income tax credit that will be half, 50 percent, of the current Federal tax credit. The credit would provide tax relief to low- and moderate-income working families. The average State benefit would be approximately \$1,100 a year. Roughly 800,000 Pennsylvanians would benefit from this tax credit. Thirty-one States, including the District of Columbia, have already offered earned income tax credit. Though not as superior as a \$15 minimum wage, I ask for the support of my colleagues.

HAYWOOD AMENDMENT A4372 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

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Brooks, Brown, Coleman, Culver, DiSanto, Dush, Farry, 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 of names: 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.

The PRESIDENT. Amendment A4372 will be laid upon the table.

LEGISLATIVE LEAVE CANCELLED

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

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

HAYWOOD AMENDMENT A4374 OFFERED

Senator HAYWOOD offered the following amendment No. A4374:

Amend Bill, page 1, line 11, by inserting after "TAX" where it occurs the first time:

and for special tax provisions for poverty

Amend Bill, page 2, by inserting between lines 18 and 19:

Section 1.1. Section 304(d) of the act is amended and the section is amended by adding subsections to read:

Section 304. Special Tax Provisions for Poverty.--* * *

(d) [Any] For tax years prior to January 1, 2025, any claim for special tax provisions hereunder shall be determined in accordance with the following:

(1) If the poverty income of the claimant during an entire taxable year is six thousand five hundred dollars (\$6,500) or less, or, in the case of a married claimant, if the joint poverty income of the claimant and the claimant's spouse during an entire taxable year is thirteen thousand

dollars (\$13,000) or less, the claimant shall be entitled to a refund or forgiveness of any moneys which have been paid over to (or would except for the provisions of this act be payable to) the Commonwealth under the provisions of this article, with an additional income allowance of nine thousand five hundred dollars (\$9,500) for each dependent of the claimant. For purposes of this subsection, a claimant shall not be considered to be married if:

(i) The claimant and the claimant's spouse file separate returns; and

(ii) The claimant and the claimant's spouse live apart at all times during the last six months of the taxable year or are separated pursuant to a written separation agreement.

(2) If the poverty income of the claimant during an entire taxable year does not exceed the poverty income limitations prescribed by clause (1) by more than the dollar category contained in subclauses (i), (ii), (iii), (iv), (v), (vi), (vii), (viii) or (ix) of this clause, the claimant shall be entitled to a refund or forgiveness based on the per centage prescribed in such subclauses of any moneys which have been paid over to (or would have been except for the provisions herein be payable to) the Commonwealth under this article:

(i) Ninety per cent if not in excess of two hundred fifty dollars (\$250).

(ii) Eighty per cent if not in excess of five hundred dollars (\$500).

(iii) Seventy per cent if not in excess of seven hundred fifty dollars (\$750).

(iv) Sixty per cent if not in excess of one thousand dollars (\$1,000).

(v) Fifty per cent if not in excess of one thousand two hundred fifty dollars (\$1,250).

(vi) Forty per cent if not in excess of one thousand five hundred dollars (\$1,500).

(vii) Thirty per cent if not in excess of one thousand seven hundred fifty dollars (\$1,750).

(viii) Twenty per cent if not in excess of two thousand dollars (\$2,000).

(ix) Ten per cent if not in excess of two thousand two hundred fifty dollars (\$2,250).

(3) If an individual has a taxable year of less than twelve months, the poverty income thereof shall be annualized in such manner as the department may prescribe.

(e) Subject to subsection (f), for tax years beginning after December 31, 2024, any claim for special tax provisions hereunder shall be determined in accordance with the following:

(1) If the poverty income of the claimant during an entire taxable year is ten thousand dollars (\$10,000) or less, or, in the case of a married claimant, if the joint poverty income of the claimant and the claimant's spouse during an entire taxable year is twenty thousand dollars (\$20,000) or less, the claimant shall be entitled to a refund or forgiveness of any moneys which have been paid over to, or would except for the provisions of this act be payable to, the Commonwealth under the provisions of this article, with an additional income allowance of thirteen thousand dollars (\$13,000) for each dependent of the claimant. For purposes of this subsection, a claimant shall not be considered to be married if:

(i) the claimant and the claimant's spouse file separate returns; and

(ii) the claimant and the claimant's spouse live apart at all times during the last six months of the taxable year or are separated pursuant to a written separation agreement.

(2) If the poverty income of the claimant during an entire taxable year does not exceed the poverty income limitations prescribed by clause (1) by more than the dollar category contained in subclauses (i), (ii), (iii), (iv), (v), (vi), (vii), (viii) or (ix) of this clause, the claimant shall be entitled to a refund or forgiveness based on the percentage prescribed in such subclauses of any moneys which have been paid over to, or would have been except for the provisions herein be payable to, the Commonwealth under this article:

(i) Ninety per cent if not in excess of two hundred fifty dollars (\$250).

(ii) Eighty per cent if not in excess of five hundred dollars (\$500).

(iii) Seventy per cent if not in excess of seven hundred fifty dollars (\$750).

(iv) Sixty per cent if not in excess of one thousand dollars (\$1,000).

(v) Fifty per cent if not in excess of one thousand two hundred fifty dollars (\$1,250).

(vi) Forty per cent if not in excess of one thousand five hundred dollars (\$1,500).

(vii) Thirty per cent if not in excess of one thousand seven hundred fifty dollars (\$1,750).

(viii) Twenty per cent if not in excess of two thousand dollars (\$2,000).

(ix) Ten per cent if not in excess of two thousand two hundred fifty dollars (\$2,250).

(3) If an individual has a taxable year of less than twelve months, the poverty income thereof shall be annualized in such manner as the department may prescribe.

(f) The poverty income amounts under subsection (e) shall be increased by an annual cost-of-living adjustment calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent twelve-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics, immediately prior to the date adjustment is due to take effect, to the then current poverty income amounts. The department shall determine the percentage increase and the new poverty income amounts prior to the annual effective date of the adjustment and shall transmit notice to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin within ten days of the date the determination is made. The poverty income amounts may not be decreased as a result of a negative percentage change in the CPI-U for the Pennsylvania, New Jersey, Delaware and Maryland area.

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

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

Senator HAYWOOD. Mr. President, this amendment would increase the thresholds to qualify for the tax forgiveness program. The thresholds would be increased from \$6,500 to \$10,000 for single filers; from \$13,000 to \$20,000 for married filers; from \$9,500 to \$13,000 for each dependent. The tax forgiveness thresholds have not been adjusted since 1998 for single and married filers, and 2003 for dependents. These thresholds have not been adjusted for inflation. As a result, nearly 300,000 individuals would have qualified otherwise. The average tax benefit is approximately \$200. This amendment would adjust the thresholds to qualify for the tax forgiveness program and provide tax relief to our lowest-paid families. Though not as effective as a \$15 minimum wage, I ask for the support of all of my colleagues.

HAYWOOD AMENDMENT A4374 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.

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	Langerholc	Regan	Yaw

NAY-22

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

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

The PRESIDENT. Amendment A4374 will be laid upon the table.

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

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

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Gebhard.

Senator GEBHARD. Mr. President, today is a great day. Today is a historic day. Today, we get to return \$3 billion to their rightful owner, the citizens of the great Commonwealth of Pennsylvania. I hear it every day when I am back in my district: Pennsylvania families are struggling to keep up with inflation. They see it every day at the grocery store, at the gas pump, and in their electric bills. For the last year, we have heard a lot of ideas on how to provide some relief to these families. Unfortunately, it seems like every one of them involves more spending, bigger or new programs; simply put, just big government. Bigger is rarely better, especially when we talk about government. Our State government is already big enough. As an example, in 2012, our State budget was \$27.6 billion. Now, in 2024, the current budget proposed by the Governor is \$48.3 billion. When is enough going to be enough?

Here in this Chamber, we have been fighting for years to hold the line on new spending and unneeded tax increases. History has shown us more government is not the answer. We have a great opportunity at this moment, a historic opportunity. If we truly want to help families back in our districts, we need to pass Senate Bill No. 269. This bill, as amended, will allow taxpayers to keep more of their paychecks in their pocket. The reduction of the personal income tax rate--a reduction back to its level in 2004--is the right thing to do. Senate Bill No. 269 will also reduce Pennsylvania families' monthly energy costs by eliminating the gross receipts tax on utility bills. For far too long, government expansion and overreach has driven our basic energy costs through the roof. This is our chance to push back. This is our chance to help our constituents. These historic cuts will make a real, tangible difference on the finances of every Pennsylvanian. These cuts will help improve their lives. This is the logical choice. This is the only choice. Mr. President, I strongly urge my colleagues to support Senate Bill No. 269.

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

Senator HUGHES. Mr. President, I rise personally to be in opposition, largely because of a process question here and in some substance as well, but let us just start with process. This potential multibillion-dollar impact on the State's budget, and I underscore "B" with a billion. This concept was introduced and began its process through the Senate yesterday, 24 hours ago. This multibillion-dollar concept was introduced in the Senate committee 24 hours ago, and now is moving to pass the Senate in less time. This process also prohibited the amendments of two very worthwhile concepts, the poverty exemption concept and the earned income tax cut concept, to be entered into the conversation by having those amendments tabled. And while I utilize that those last two tabling amendments, that conversation about those last two tabling amendments, goes to the issues that there has been no public dialogue, no public discourse, no taking up testimony, no hearing from citizens across the Commonwealth of Pennsylvania about this measure. None at all; none at all; none. Absolutely no opportunity for public conversation across the Commonwealth of Pennsylvania because the concept was introduced 24 hours ago and is now in front of us at this moment poised to pass the Senate.

Process matters, context matters, and this has a significant impact on our budget negotiations. This must be part of an overall budget negotiation conversation. So that all of the interest, all of the issues, all of the concerns are brought to the table and negotiated fully, completely, so we can come up with the best package to move Pennsylvania's people forward. I would add, I would add that we need to always be mindful that we have a court order from the Commonwealth Court of Pennsylvania saying that we must fix our unconstitutionally funded, inadequately funded, and inappropriately funded public education system, and we have that standing out there. Now I believe we have the capacity to do multiple things. That this is not an either-or conversation, but that it does take time, and it does take analysis, it does take research, and it does take hearing from the public, from the people of Pennsylvania, about this issue, funding of our schools issue--based on the order of the Commonwealth Court--and all of the other issues that have been coming to us over the last several months. In fact, even longer, going into when we finished last year's budget. We have to put all of these pieces together. To rush through a process only introduced 24 hours ago, I cannot be supportive of, Mr. President. But that we need to have a much fuller conversation about this, and again, place it in the context of everything else that we must address, including the order from the Commonwealth Court. I will be in the negative, Mr. President. Thank you.

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

Senator ROTHMAN. Mr. President, I rise in support of Senate Bill No. 269, and I want to specifically talk about the provision to cut the personal income tax. There are three reasons to cut taxes and three reasons why I believe it is important for us to do it and to do it now. Pennsylvania has a demographic crisis. We are losing population. Just between 2010 and 2020, we lost a half of a percent of people between the ages of 22 and 64--22 and 64. Those are our workers. We are losing, we are losing to other States our workers. It is estimated by the year 2030, the total Commonwealth demographic growth will be at 0 percent while

the rest of the country is going to grow by 7.5 percent. We are losing population in real numbers. Forty-two percent of the people surveyed in Pennsylvania in a recent survey said they know someone who has considered leaving Pennsylvania or is leaving Pennsylvania. Forty-nine percent of them said they were leaving for a lower cost of living with lower taxes and better opportunities, finishing second and third in that survey. Twenty-six percent of those people who are considering leaving Pennsylvania said they are leaving to go to Florida. We live in the best State in the country. Pennsylvania is the best State in the country. We built America--our steel, our timber. There is no better labor force in the world than Pennsylvanians, no stronger backs, no harder workers, but people are not coming here to work because of the taxes.

Governor Shapiro, in his budget address, proposed a tax credit for nurses, police officers, and teachers to eliminate, essentially, the personal income tax. And our leader at the time, in a Committee on Appropriations hearing, spoke that we do not just need nurses and police officers and teachers, we need truck drivers and welders and contractors and plumbers and pipefitters and electricians and real estate agents and accountants and lawyers and doctors. We need to bring people to Pennsylvania. We need to send a message to the rest of the country, these young people, to come to Pennsylvania. The other thing we need to know about is that this is not a new idea, and its success is not new. It was actually the 1920s, Andrew Mellon, a great Pennsylvanian from Pittsburgh, who proposed 3 sets of tax cuts from 70 percent down to 25 percent. And the result of the Mellon tax cuts: an increase in the Federal revenue of 61 percent. And then in 1964 [sic], President John F. Kennedy cut tax rates from over 20 percent, and then cutting the tax rates in those Kennedy tax cuts--guess what happened? Revenues increased. If you want more revenue for the State, cut the tax rates. I know it sounds paradoxical, but if you understand how the markets work, that is how they work. There are 2 tax rates that generate 0 income for the State: 100 percent and 0 percent, and it is a trade. We want more of something, cut the tax rates. That is what businesses do. That is what the market does. And in 1964 [sic], John F. Kennedy said: [Reading]

Our true choice is not between tax reduction, on [the] one hand, and the avoidance of large Federal deficits on the other. It is increasingly clear that no matter what party is in power, so long as our national security needs keep rising, our [an] economy hampered by restrictive tax rates will never produce enough revenues to balance our budget--just as it will never produce enough jobs or enough profits.... In short, it is a paradoxical truth that tax rates are too high today and tax revenues are too low and the soundest way to raise [the] revenues in the long run is to cut the tax rates now.

And a little more, little more contemporary, my old boss, Congressman Jack Kemp--1981, the Kemp-Roth tax cuts cut the marginal rates from 90 percent down to 28 percent. Ronald Reagan, on August 13, 1981, signed those tax cuts into law. And do you know that it was a Democratic-controlled bipartisan vote? Speaker Tip O'Neill and the Democrats voted with the Republicans 238-95 [sic] to pass that bill in Congress. And then in the Senate, the vote was 89-11 [sic], and included in the majority was the junior Senator from Delaware, a young man who would then go on to become our President. The only way to stop inflation is to produce more. We have to create more production. We need

economic growth. We have needs that we need to meet. My mentor, Jack Kemp, told me towards the end of his life that he had made a fundamental mistake in talking about cutting taxes. He said we should not be talking about cutting taxes because when you talk about cutting taxes, there are a group of people--the voters, the constituents--who hear: wait, you are going to cut my services. Whether that means cutting the military or cutting the police or cutting roads or schools or social services, that is what is heard when people talk about cutting taxes. What Jack Kemp said we should have been talking about, and I want to talk about today, is cutting tax rates, which will actually grow because Ronald Reagan, 1982--when the 1981 tax law went into effect--the Federal government was generating \$517 billion in revenues. By the time he left office in 1989, nearly a trillion dollars. He doubled the revenues to the Federal government by cutting tax rates, and we can do the same thing here. Governor Shapiro gets it; we get it; vote for this. Let us send a message that Pennsylvania is open for business.

Thank you, Mr. President.

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

Senator AUMENT. Mr. President, I rise in support of Senate Bill No. 269. Pennsylvania is at a crossroads. Our working families are being told that the economy is robust. They are being told that Bidenomics is working and that all Americans are thriving. Yet, they do not feel it. Far too many feel left behind. They are paying over \$1,000 more on average each month to purchase the same goods and services they did just 3 years ago before the inflation crisis began. What is worse, Pennsylvanians are feeling the inflationary pressure more than any other State in the country. At the end of 2023, a Consumer Affairs report showed that Pennsylvania was ranked as the worst State in the country for inflation. Costs for necessities like housing, healthcare, transportation, childcare, monthly utilities, and groceries continue to go up while the discretionary income left in the wallets of Pennsylvania's working families continues to shrink. And that is not even taking into account costs for things like clothing, personal care items, pets, sports, insurance, cell phone bills, investing in a savings or retirement account, paying down college debt, and God forbid it if a health emergency prevents a parent from working or the family car needs new tires to pass State inspection or an expensive household appliance, like a washing machine, breaks down and needs replaced. Our working families need help, and they need it now. Household expenses are out of control and the minimum income that families need to take home in order to break out of this cycle of living paycheck to paycheck keeps getting higher and higher. We have an opportunity and a responsibility to help Pennsylvanians break out of this cycle and put the American dream, the Pennsylvania dream, back within reach once again. Tinkering with the system and making minor tweaks here and there simply will not cut it anymore. We cannot nibble around the edges. We have to make bold moves that completely realign the system to work for Pennsylvanians, not against them.

This is our moment of choosing. On the one hand, we have the Governor's budget proposal that lays out for Pennsylvania, that lays out a vision for Pennsylvania that relies heavily on expanding government and recklessly spending down our reserves and recurring expenses. A tactic that will, without question, result in tax increases in the future to pay those bills. We cannot spend our

way to growth or spend our way to higher revenue. On the other hand, we have this proposal, Senate Bill No. 269, that invests \$3 billion into the people of Pennsylvania by lowering their utility bills and adding more money to their paychecks. Senate Bill No. 269 throws Pennsylvania families the lifeline they so desperately need at just the right time as ever-increasing household expenses threatens to swallow them up. This proposal gives working Pennsylvanians the break they deserve by cutting their taxes and leaving more of their money in their wallets. This proposal represents the largest tax cut for working families in this Commonwealth's history, and it comes at a time when they need it most, and it follows up the historic bipartisan efforts to reduce the corporate net income tax, putting us in a position, if fully leveraged, to accelerate economic growth here in Pennsylvania.

Beyond giving a tax cut to provide relief to current residents, this proposal would also do much, as has been said, to attract new residents to move here and invest in our communities. This is especially valuable considering Pennsylvania is dealing with declining population that, left unaddressed, will apply significant pressure to our fiscal situation in the years to come. The Center for Rural Pennsylvania estimates that the State's population will grow by just 1.6 percent through 2050 compared to 20 percent population growth nationally. This is not sustainable. We are losing residents faster than 46 other States, and our fastest-growing age demographic is adults aged 85 and above who are beyond working age. If we do not reverse these trends, we will suffer bigger budget deficits, higher taxes, and increase cost to care for an aging population. This Commonwealth's inability to retain residents or attract new ones will continue to result in less representation in Congress, less Federal funding returning to Pennsylvania, and fewer career opportunities for those who remain here in Pennsylvania. Beyond the statistics, demonstrating these distressing trends, many Pennsylvanians have seen this outbound migration in action as they watch the dream of having their children live nearby fade away as economic opportunity pulls our younger generations out of the Commonwealth to jobs and opportunity in other States where there is greater promise of upward mobility. We need to do more to attract people to our State. We need a bold stroke. This is that bold stroke. We need to advance aggressive pro-growth policies that strengthen our economy, improve the quality of life for Pennsylvanians, and provide our residents with the opportunity to succeed and prosper in this Commonwealth. When given the same choice we are grappling with now between cutting taxes on one hand and spending more on government programs on the other hand, in December of 1962, in the very same speech that my colleague from Cumberland County mentioned that President Kennedy gave in New York, the President said: [Reading]

...our practical choice is not between a tax-cut deficit and a budgetary surplus. It is between two kinds of deficits: a chronic deficit of inertia, as the unwanted result of inadequate revenues and a restricted economy, or a temporary deficit of transition, resulting from a tax cut designed to boost the economy, increase tax revenues, and achieve, I believe--and I believe this can be done--a budget surplus. The first type of deficit is a sign of waste and weakness; the second reflects an investment in the future.

And we are not considering a deficit of transition. We are investing in the future. This is our moment of choosing. Some

prefer to invest in bigger government. We are choosing to invest in the future and in the people of the Commonwealth. Some have chosen to nibble around the edges. We are choosing to go big and give the system a jolt that it needs to start working for our people instead of against them. Some prefer to spend down our reserves on recurring expenses. We are choosing to give that money back where it belongs to the people. The best way to ensure every Pennsylvanian has the opportunity to experience earned success and upward economic mobility is not by spending more of their money, but by leaving more of their money in their wallets. Our plan will do that and much more. And for that reason, Mr. President, I urge a "yes" vote on Senate Bill No. 269.

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

Senator TARTAGLIONE. Mr. President, I really did not have any intention to get up and speak, but my colleague on the other side of the aisle said a few things that I would like to address. The first is lowering the CNI. I have been trying to do that for the last decade and a half, as well as doing combined reporting. Seventy percent of our corporations do not pay tax in Pennsylvania. And he said people are fleeing our State to go to States around us because of taxes. They are going around us because we have the lowest minimum wage. We pay our employees \$7.25 an hour. It is a disgrace. For 18 years I have been trying to raise the minimum wage, and we are the only State, whether it is Delaware, Maryland, New York, [New] Jersey, and Ohio all have a higher minimum wage. I cannot--it is the fact that my blood boils when I try every day to get the minimum wage changed. It is a moral issue that we do this minimum wage. That would keep people in Pennsylvania, and they would not be moving if they had the pay that they deserve. They are doing the same exact job in another State that they do here and get paid half the money. That is how Pennsylvania cares about their workers.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I do want to share a few pieces of information that have come to my attention. The first, Mr. President, is with respect to the 1962 tax rates. And at that time, Americans were taxed as high as 77 percent, 77 percent. So that is the context in which we have a tremendous President Kennedy talking about reductions of taxes, not in the context that we are here in the Pennsylvania Commonwealth or in this General Assembly. He was talking about dealing with 77 percent tax rates, which I think there would be some broad support for a reduction at that level. So, I did want to add that historical context to President Kennedy's remarks. Second, Mr. President, I received a report from the Pennsylvania Policy Center, which has indicated that a family earning about \$67,000 a year would receive a tax cut of \$181--\$67,000 in income, tax cut of \$181. My constituents would in no way consider that bold.

Thank you, Mr. President.

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

Senator MASTRIANO. Mr. President, President Coolidge said "that the power to tax is the power to destroy," and we are seeing it with a heavy taxation in our Commonwealth. We are seeing it in families having trouble making ends meet, and the taxes are showing up everywhere, especially our energy costs. As

we see the energy prices increase this past year, we are hearing more and more from constituents for relief. We have a population and demographic drain on our Commonwealth as well due to the heavy taxation and making business opportunities less appetizing for businesses to invest in our State. Being one of the most heavily regulated and taxed States or Commonwealths in the nation here, we are feeling the burden. Every cycle it seems like there is another tax, another hidden fee. It is biting us all. So, with this legislation here that I stand in support of, it is going to bring much-needed relief to every person in the State that has energy bills. It is going to bring a great relief to the families estimated in the billions of dollars of their own money. We are not returning the money, we are letting the people know, the people get to keep the money that they worked so hard for. Their hard-earned dollars should be in their pockets and not in the pockets of some bureaucrats in Harrisburg.

Thank you, Mr. President.

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

Senator STREET. Mr. President, there has been a lot of talk about how we can grow Pennsylvania. Well, there are a number of factors in what we need to do to grow Pennsylvania. There were lessons learned when Pennsylvania, both in the southeast and southwest, was working to attract Amazon--an Amazon headquarters--which would have brought, literally, tens of thousands of jobs to the region. The number one thing cited for why we ultimately fell short was not our tax structure, it was our ability to provide a well-trained workforce. It was, in fact, our lack of investment in education, both K to 12 education and higher education. Pennsylvania still ranks in State funding, I believe, 48 out of 50 out of the States in investment in higher education. And, in K to 12 education, there are many communities where our test scores lag because of our disinvestment, and yet in other communities where schools are good, those folks are subject to high property taxes. And still, others have to choose to pay another form of real tax, and they are paying for private schools for their children because public education is not a viable option. All of these are factors that companies examine when determining whether to locate here and ultimately were factors that contributed to Amazon choosing to split its headquarters between facilities near New York and DC as opposed to it could have been between southeast and southwestern Pennsylvania. We lost because we failed to make the proper investments. It is not just spending their investments, investing in our young people, investing in Pennsylvanians, literally investing in our future, those are the things that would have attracted jobs, those would have helped us grow.

There are other lessons to be learned. Companies look at our public safety situation; will executives, will workers have a safe place to live? In Pennsylvania, we have failed to make the appropriate investments in crime prevention programs. And moreover, not only have we not made the investments in crime prevention programs, we have some of the most lax gun laws of any State around us. Having safe--

POINT OF ORDER

Senator PITTMAN. Mr. President, point of order. I believe the conversation has gone far afield from the bill at hand, and I would

ask that the gentleman retain his comments to the subject matter before us.

Senator STREET. I will explain the germaneness.

The PRESIDENT. The Chair advises the gentleman to restrict his remarks to the underlying bill, and the gentleman may proceed.

Senator STREET. Mr. President, as there seems to be some confusion, the arguments that have been made in favor of the bill have been specifically around growing Pennsylvania. Every argument that has been made by the proponents of this measure have been, how do we attract jobs to Pennsylvania? How do we grow the economy of Pennsylvania? My counterpoints have been simply addressing that this is not the best way. And, in fact, we are talking about how do we spend money. We are taught investments in public safety are ways to spend money. Those investments are not made in a vacuum. As Chairman Hughes pointed out, this is supposed to be a part of an overall budget discussion. We often do policy decisions, and there are policy decisions around how we advance public safety, and in fact, making our communities safer is a way that we will grow Pennsylvania.

The reality is that simply thinking we can slash taxes without making the appropriate investments in communities where the average person will see a minor tax cut at the State level, and then have to keep receiving major tax increases at the local level, is not something that is going to attract Pennsylvanians. It might make people feel good because we can say we, the General Assembly, reduced obligations. But if that only results in greater obligations that people have to pay out of their pockets because of higher local property taxes, or because they have to pay for private school, or because their company relocates, those are not things that are appropriate, and those are reasons not to support this measure. In fact, the way we support Pennsylvania is investing in Pennsylvania, investing in our infrastructure in Pennsylvania. Our infrastructure includes the crumbling schools. We have billions of dollars of infrastructure in our schools that needs to be invested; lead and asbestos sitting in our schools as well. Those are things that people look at when deciding where to live. When people move into communities they pay more taxes.

We are talking about how we grow our economy. The reality is that when we look at the studies, studies that were done by radical liberal organizations like the Chambers of Commerce of various of the Commonwealth, when they were talking about how we attract Amazon, those organizations talked about making these kinds of investments is how we could attract companies, and they did not cite the overwhelming reason we needed to slash taxes without investing in other things. We have not suggested that there is no place for any tax investments, but this being done in this way without our first addressing the Commonwealth Court's decision about how we invest in education; without addressing our investments in public safety; without investing the fundamental things that Pennsylvanians care about is irresponsible, and it will not attract growth to Pennsylvania. It will not attract jobs, and it is a failed strategy. It makes for a good tweet or a good text, but it does not make for good public policy. I urge a "no" vote.

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

Senator DUSH. Mr. President, I am sure, given where you are from, I am sure you are aware that there is not a State in the

United States that does not have a Steelers bar in it. That is because our best export in Pennsylvania, particularly in western Pennsylvania, has been our working-class kids. Why are they leaving? Because there are jobs in other States, particularly in States that have eliminated the personal income tax. States like Tennessee, Alaska, New Hampshire, Florida, Texas, South Dakota, Wyoming, Nevada, and Washington. In particular, Florida, Idaho, Texas, and South Dakota are eating our lunch, as the Majority Leader said the other day about our guys packing suitcases instead of lunchboxes and going down to West Virginia. They packed suitcases long ago and traveled to other States that have a better tax structure. That is where our well-trained workforce has gone. It has gone to other States. We are presented with an opportunity here now. We have had the corporate net income tax we are doing. This Chamber has led on that. We have got the opportunity now to vote, with Senate Bill No. 269, to do a reduction in the personal income tax from 3.07 to 2.8. That is a significant income tax reduction. You know, that just, it is repealing something that happened during the Rendell Administration that put a pretty significant burden on our citizens. Inflation is eating into the pocketbooks of our people, especially those who are on fixed incomes. Those people on fixed incomes have a tax that we are looking to repeal today called the Gross Receipts Tax on their electric bill. This bill will repeal that and provide relief to those people who are on a fixed income.

Although the gentleman from Cumberland County took most of my thunder with regard to President Reagan, I will go back a little bit further before he was President. He was the Governor of California. And in a flip of what we are doing here as the chief executive, he actually cut spending to the point where when he gave his State of the State Address, he got up and said, we have cut this much, and we are going to give our citizens, our taxpayers, a refund. Well, the legislature blew a gasket over it, but the people were saying that is our money, and that is what the people need to recognize today. That is their money. We need to get it back in their hands. We have been responsible in the way that we have been approaching our budgetary situation in the last few years to the point where we are finally getting the type of Rainy Day Funds that will keep this State afloat in this situation where there is a huge downturn in the economy or a significant downturn in the economy. That is because we have been responsible. Now is the time to reward the citizens of this Commonwealth, not the bureaucrats. It is time to reward the citizens of this Commonwealth with their own money and helping them to keep it and to take care of things, especially with what is going on nationally with this inflationary process. For those reasons, I stand in support of Senate Bill No. 269, and I encourage for the sake of all of those in Pennsylvania, and it is unfortunately with the export of our working-class kids, all those people who are on fixed incomes right now and need this relief.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, as I have sat here listening to the debate on Senate Bill No. 269--to which I rise in opposition--I have been able to discern, I believe, three arguments offered by those who support the bill as to why the Senate should approve it. The first of those arguments is based in history. We have heard several times that President Kennedy supported a

substantial tax break in the early 1960s. As my friend and colleague from Philadelphia noted earlier, he did so because the top rate in the United States at that time was 91 percent, and under the measure that passed Congress and ultimately was signed into law, that was brought down 20 percent. We, of course, have a flat tax here in Pennsylvania, not a graduated tax, and that flat tax is 3.07 percent, as has been noted. It is worth pausing though to think about that for a minute, Mr. President, because as the previous speaker just noted, 8 States have no income tax, 32 have a graduated income tax like the Federal government--which on average is a higher tax rate than what we pay here in Pennsylvania--and 10 States, including Pennsylvania, have a flat tax. And among those 10, our rate of 3.07 percent is the lowest. So, what does that mean? That means other than those eight States that have no income tax, we have one of, if not the lowest income tax in the United States at the State level.

Now, we are told, as the second argument, that this cut--cutting the income tax from 3.07 percent to 2.8 percent--would solve one of the main problems that we have in this State. And I know acknowledgment of this problem is something that actually on both sides of the aisle we acknowledge, which is: we have a demographic problem in Pennsylvania. We are getting older as a State, we are losing young people, and we are not attracting young people here. So, the argument has been put forth today that this tax cut will address that problem. But as has been noted, starting with a relatively low income tax to begin with, this cut, just by way of example, for a family with an income of \$100,000 nets to a little over \$20 a month in a tax cut. Now, I suppose someone might make the argument that that is enough of an incentive for people to move into the State or for people to stay here. But none of these things can be considered in a vacuum, because you have to look at what the alternative is, and the alternative is investment of the kind that the Governor has proposed.

And let us look at what that investment is. It has been described in the third argument today, as big government and bureaucrats. Well, the biggest part of our budget that we pass every year is funding education. Whether it is pre-K, whether it is our K through 12 schools, whether it is our colleges and universities, whether it is job training. And the people who work in those institutions, the teachers, the professors, the people doing the job training, they are not bureaucrats, they are ordinary Pennsylvanians who are trying to create a brighter future for the people in their charge. If we do not invest in those efforts, in education, then we take away opportunity for the next generation, and that, I would submit, will have a greater impact on whether or not we can reverse this trend of becoming an older State. We have other problems in Pennsylvania--aside from the fact that we are toward the bottom of the rung among the 50 States in the amount of help that we give our educational institutions from pre-K on up is the fact that we have a crumbling infrastructure in education. We have schools all across the 500 districts of Pennsylvania that have leaky roofs, that have outdated materials, and classrooms where it is harder for kids to learn. We have some schools that have even been described as toxic because of asbestos; lead paint; lead pipes; and other problems that can cause serious health impacts to our kids, and that needs an investment, a massive investment, to help right those problems and provide a better future for our children.

We have an infrastructure problem with our roads and bridges. We are about a little over \$2 billion a year below where we need to be in order to make sure that we are maintaining our roads and making sure that aging bridges do not become structurally unsound and potentially become life-threatening to Pennsylvania motorists. We have a problem with our mass transit system. It is underfunded. And at a time when we are trying to get more people to use mass transit to lower emissions and to take heavily congested roadways and lessen that congestion, we need to make those investments into mass transit, not just in the southeastern part of the State, but everywhere in Pennsylvania. We are losing the race on economic competition in a number of different sectors. We look out at States like Massachusetts that over a decade ago enacted MassBio, a \$100 million a year in investment in the biotech sector. We have States like North Carolina, California, Illinois, a number of other States throughout the country, that have made massive investments in emerging industries and technologies to compete not only with other States in the United States, but also with other countries. We are losing that race in Pennsylvania because we are not making commensurate investments. It is not about bureaucrats. It is not about big government. It is about being smart and strategic. It is about thinking where we can make a difference to grow our economy and to reverse this demographic trend so that people actually move here, and we keep young people here. These investments are critical for the future of the Commonwealth of Pennsylvania. And if we are looking at decisions that we have to make on the fiscal management of our State, I would submit that making those investments will have a far better outcome for our State than this proposal.

So, Mr. President, we have about a month and a half before our budget deadline. There is much work to be done in that time period. If we can agree on the fundamental point, which is that we have a problem in the State of keeping and attracting people, let us sit down and have a conversation about what the best way to addressing that problem is. And I would submit that this proposal is not that policy, but looking at what the Governor has proposed to make investments in the future of Pennsylvania is the right course. So, I respectfully would request a "no" vote on this bill and further support for the Governor's budget. Thank you.

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

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

Senator MARTIN. Madam President, there is a famous quote: lies, darned lies, and statistics, which is a phrase describing the persuasive power of statistics to bolster weak arguments. Madam President, certainly nobody would look at the Commonwealth of Pennsylvania over the last 15 to 20 years and say that spending has not increased significantly on various programs, because it has. But yet, we still find ourselves--and it really warms my heart to hear people acknowledging the fact, which is probably the truest threat to the Commonwealth, which is our demographic crisis. Folks who are 85 and above being the fastest-growing demographic, most of which are probably living on fixed incomes. The number of kids graduating our high school pipeline continues to decline. We just had the smallest kindergarten enrollment in almost 40 years, the smallest. Yet I think we all have seen where

our educational expenses are at. And the fact that some of the places where we spend the absolute most amount of money, we actually get the worst outcomes. So maybe it is not always about just spending more money. Maybe it is about how you spend your money.

But as we sit here and listen to, and I heard it one more time today, the Governor also used it in his budget address: we are 49th in the country in higher education spending. That would be false. The selective choice of statistics--which actually the entity that took it actually warned you against and not utilizing--is the fact that that only accounts direct appropriations of monies going directly to public institutions. But, when you look at all the State aid that we provide for our public and private institutions, wow, we rank eighth, eighth in the nation. And on a side note, the two highest-spending States in the entire country also happen to be two of the worst in terms of graduation outcomes, but we will talk about that later.

But, you know, we have heard a lot of quotes and a lot of talk today. I am going to use a quote that is very recent, and it is a quote from our Governor. In his budget address in February, Governor Shapiro said, quote: "It is not a badge of honor, nor is it something to be politically proud of for some lawmakers out there to say: I took more money from the good people of Pennsylvania than I needed," end quote. And then he went on to talk about the importance of investing in Pennsylvanians. And this is where this conversation actually falls. Because there is different visions as to what the term "investing in Pennsylvanians" mean. That means do you want politicians and your lawmakers up here making the decision to take our fund balance and actually create new government programs, fund more the existing programs where the government's actually going to say we want it to go here, not here; you deserve it, but you do not deserve it. And very rarely do we have an opportunity that comes before this body that we can look the people that we look for in the face and say no matter who you are, no matter what your skin color is, no matter what you do for a career, if you earn a paycheck, we all want to invest back in you. What we are also saying is, we are now creating an opportunity that all of Pennsylvanians, every single one that opens up those dastardly electric bills, who complain about where the costs of energy are. How often do we get the opportunity to say we actually want to lower your costs of what you pay? And, this is not just about the households, this is small businesses who could be struggling out there. S corporations who are out there, hospitals, charitable organizations, every single person who has to pay an energy bill, guess what, you are going to be invested in through this.

Through my time here we have all had debates on things we believe we want to invest in. How often can we say there is something for everyone in here to help during inflationary, difficult times? This is an investment in everyone. So, as we weigh who are going to be the winners, who are going to be the losers, we have a really clear choice. We can take that fund balance and we can fund certain things in a recurring way that we will have to find a way to close a hole in the future. Or are we going to invest in every Pennsylvanian out there? And, with this historic tax cut, which will be the largest tax cut for working families in our Commonwealth's history, will save taxpayers more and inject more than \$13 billion throughout our economy over the next 5 years.

So, for all of Pennsylvania, we want to do this for you, and I encourage all my colleagues to support this bill.

Thank you, Madam President.

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

Senator COSTA. Madam President, let me first say, I too intend to not support this measure. And I want to say thank you to my colleagues on this side of the aisle who very eloquently raised issues and concerns about this particular matter and how we move forward. I particularly want to pay attention to what my colleague Senator Vincent Hughes talked about at the outset as it relates to this process. Madam President, 2 weeks in a row now we have been landed things on our lap without much opportunity to discuss them, without much opportunity to gather input from folks, and asked to be able to vote with them in a matter of hours. To me, I think it is unfortunate that that is what we have resorted to, how we have been disrespecting our process here and been bastardized in the process as we move forward. I think what needs to be done, Madam President, is we simply need to take time to reflect about the impact of this particular piece of legislation. We know that this is something that is not going to garner the support over in the House of Representatives. We also know that fixing our Commonwealth, as issues that we seem to describe here today, is not something that can be done in a single way. One single change in our income tax is not going to solve many of the issues that many of my colleagues have talked about. I think that is what is important. As we talked about on this side of the aisle, you know, there has been clear choices that have been laid out, as the previous speaker spoke about, how we are going to be able to utilize the resources that we have garnered here in Pennsylvania--the \$14-plus billion that I would also remind folks that we probably are going to project to add another billion dollars in excess revenue to that amount as we go forward. The question is, how are we going to deploy those resources? Are we going to do them in a tax credit program, or, I am sorry, a reduction in income tax, or are we going to make investments as our colleagues have talked about?

What I find troubling is that while we have talked about all these different ways we are going to help people, in a rush, in a rush to be able to dismiss arguments on this side of the aisle with respect to ideas that we may have that could have been a very important part of the conversation over the course of the period of time, I remind folks that the Governor has come out with his proposal back in February. And since that time, we have had 3 weeks of hearings. There has been a lot of discussion and debate about what the Governor would want to do with regard to his budget, the investments he wants to make, that we need to make, in education. He also talked about his economic development plan. He has also talked about many other investments he wants to make in various other aspects of governing. Folks had the opportunity to weigh in and talk about that. That is not what has been taking place here in this General Assembly, in this Senate today, and that is certainly disappointing. But what I do want to point out is that we talked about wanting to help folks and families, and the rush to be able to table our amendment with respect to the earned income tax, I think folks need to realize and understand what you did by doing that. The earned income tax--the Federal level--is something that our proposal, through Senator Haywood--put on the table, could have been part of this

conversation--would result in significantly more, significantly more of a savings to people of Pennsylvania, particularly as you look at the rate. For example, a family of 3 with 3 children at \$58,000, making \$58,000--that is a family of 3 with 3 kids, I should say--would have saved \$3,700 in tax credit, refundable tax credit. Let me repeat that, almost \$57,000 income for a family, \$3,700 compared to the similar amount that, I think, this 0.27 reduction will result, I believe was mentioned by somebody, about \$181.

If we are sincere, if we really want to help people in Pennsylvania--and I recognize that this would have been something that would impact the low- and moderate-income families. Also, the proposal was put forward as it related to the poverty exemption, doubling or increasing that as well, another way in which we could have helped the folks in our Commonwealth who need the most help, the folks who, when you save them \$3,500 or increase the poverty exemption, you provide them with resources because they are the ones who have the least amount of disposable income. Putting money into their pocket allows them to be able to generate that economic activity that we want to see, not providing significant savings to the wealthy people across Pennsylvania who would benefit from the proposal that we are being asked to vote on today. I am just very disappointed that my colleagues on the other side of the aisle would not want to be able to entertain, seriously, a proposal that would have been far more significant to the people making \$60,000 and less going forward. That to me is disappointing. I recognize we cannot help everyone, and that is something that we recognize. But at the end of the day, what this has developed is that we have being put forth between us is just one proposal. We believe that we have to have a comprehensive approach to this conversation.

At the end of the day, we may end up in a place where we do incorporate an earned income tax credit or a poverty exemption tax credit or maybe even a slight reduction in the PIT. We do not know where this is going to go, but what has happened here was the inability or the failure to allow us to be part of the process. That is what is most disturbing, and it is 2 weeks in a row that we have had to deal with this type of activity, and quite frankly, it is disappointing. We have a democracy here, and we need to work together to be able to find out where we need to get to, and not being given the opportunity to be able to properly flush out these issues is disappointing. I do not know whether or not the House is even going to take up this measure. But at the end of the day, it is incumbent upon all of us to get to the table, have a legitimate conversation, incorporate what the Governor has talked about investments, and investments do not necessarily need to be reduction in the PIT. Investments need to be making investments in education as we talked about. Looking at the economic development plan that the Governor has put forth is part of the investment. Coupling that with some of the things that have been talked about here today on both sides of the aisle allows us the opportunity to fashion a proposal, fashion something that we can get to the Governor's desk that allows us the opportunity to best utilize what portion of this \$14 and maybe close to \$15 billion that we will have at our disposal. That is what is important here, and that is what we have to talk about.

Thank you, Madam President.

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

Senator STREET. Madam President, I will be brief. I just want to sum up: look, this proposal, it does not invest in K to 12 education, we need to; it does not invest in higher education, we need to. It puts more money in the hands of rich folks than it does in the hands of regular folks. That is not something we need to be doing. It is not going to grow Pennsylvania, and it is not something we should support. Therefore, because this is putting more money in the pockets of rich folks, not as much money in the pockets of regular folk, and the fact of the matter is, it does not address the underlying problems of Pennsylvania, I urge a "no" vote.

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

Senator PITTMAN. Madam President, what is before us right now is an opportunity. It is an opportunity to unleash the promise of Pennsylvania. It is an opportunity to empower individuals across this Commonwealth. And I have to say, Madam President, that the contrast between the visions of the future of Pennsylvania is on full display here today. I think it needs to be made crystal clear, Madam President, that this legislation in front of us repeals the Gross Receipts Tax on electricity. Madam President, I cannot think of a more regressive tax, a more regressive tax than to tax an individual's electricity use. That is a regressive tax that limits people in their opportunity to grow and prosper. So, if you vote against this legislation today, Madam President, make no mistake, you are voting for higher electricity bills, \$1.2 billion is on the table right now to relieve every consumer of electricity from the burden of paying their bills.

Let us also make it crystal clear, Madam President, that the personal income tax is not just about rich people, the personal income tax supports small businesses. Small businesses pay the personal income tax. When we relieve them of their tax burden, we give them an opportunity to grow and prosper. The personal income tax also applies to savings and investment income. Every age demographic in this Commonwealth has the opportunity to invest and save. And our fastest demographic are seniors, increasingly rely on their savings and their investments to help make ends meet. You know, we hear a lot, Madam President, that we have to help individuals and families repair their homes. What better way to help an individual to repair their home than to keep more of what they earn and to keep more of what they have saved. We hear a lot about the belief that families should have the opportunity to send their children onto higher education, and we agree, and what better way to help families afford to send their children to higher education than allowing them to keep more of what they earn and keep more of what they save.

Madam President, I hear a lot about the process that has unfolded here today, but the last time I checked, this debate on this floor is quite transparent, it is quite open to the public, and the "yeas" and "nays" will be taken, and in this constitutional republic process, the will of the majority will carry the day. Now we recognize that we are in divided government, and we have said many times that we do not seek to make divided government dysfunctional government, but that does not mask the widely different visions we have for this great Commonwealth. And for months, for months, we have heard our friends on the other side of the building give us all kinds of ideas on how we need to spend more for this and spend more for that. Well, we are here today to make a statement as the Majority that we believe the taxpayer who has

created this fund balance, who has created this Rainy Day Fund, needs to have it returned to them. Allow the people of Pennsylvania of all ages, of all stripes, of all walks of life and economic status, have more of what they earn, have more of what they save, and pay less to keep the lights on in their homes. That is what this is about, Madam President. So, if you want to be for lower electricity rates, vote "yes." If you want to be for allowing individuals to keep what they earn, vote "yes." If you want to be for allowing individuals to keep more of what they save, vote "yes." I ask for an affirmative vote, Madam President.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Madam President, I request temporary Capitol leaves for Senator Muth, Senator Lindsey Williams, Senator Comitta, Senator Flynn, Senator Hughes, and Senator Boscola.

The PRESIDENT pro tempore. Senator Pittman requests a temporary Capitol leave for Senator Coleman.

Senator Costa requests temporary Capitol leaves for Senator Muth, Senator Lindsey Williams, Senator Comitta, Senator Flynn, Senator Hughes, and Senator Boscola.

Without objection, the leaves will be granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-36

Argall	Comitta	Kane	Regan
Aument	Culver	Langerhole	Robinson
Baker	Dillon	Laughlin	Rothman
Bartolotta	DiSanto	Martin	Schwank
Boscola	Dush	Mastriano	Stefano
Brewster	Farry	Miller	Vogel
Brooks	Flynn	Pennycuick	Ward, Judy
Brown	Gebhard	Phillips-Hill	Ward, Kim
Coleman	Hutchinson	Pittman	Yaw

NAY-14

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

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.

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

[The Senate was at ease.]

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION

Senator PHILLIPS-HILL. 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 795, SB 1001, SB 1002, SB 1003, SB 1004, SB 1005, SB 1006, SB 1007, SB 1008, SB 1009, SB 1010, SB 1084, HB 660 and HB 1097.

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

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA
COMMITTEE MEETING

WEDNESDAY, MAY 8, 2024

9:30 A.M. LABOR AND INDUSTRY (to consider Senate Room 8E-A
Bills No. 841 and 1026) East Wing
(LIVE
STREAMED)

PETITIONS AND REMONSTRANCES

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

The PRESIDENT pro tempore. Mr. President, a little over a year ago, together, we took a crucial step forward in the battle against breast cancer, both in Pennsylvania and nationwide with the enactment of Act 1 of 2023. I would like to personally thank the Members of this body and the entire General Assembly for working together to pass this life-saving legislation and make it a law. Together, we put our words into action by passing the first-of-its-kind legislation nationwide, eliminating the cost for high-risk individuals to have their MRIs and ultrasounds covered by insurance and BRCA-related genetic testing and counseling. While we all have different political views, we can work together on many issues, especially matters important to families.

Many of you in this Chamber have been affected by this potentially deadly disease, which is a cause that has brought us together. Thank you, Senator Tartaglione, for your continued partnership on the issue and joining as a cosponsor with me on this resolution. Senator Robinson, thank you for your work on the BRCA1 and 2 gene testing, and spreading the work on knowing your family history. Senator Costa, I appreciate your working with me together to advance this important legislation, and I know you have been personally touched in your family with breast cancer. Senator Gebhard, thank you for championing efforts to bring greater awareness to metastatic breast cancer. And, Senator Pennycuick, I could not have gotten Senate Bill No. 8

across the finish line without you. Senator Laughlin, Senator Aument, Senator Martin, and Senator Pittman, thank you for reminding not only the important women in your lives, but also in your communities, to schedule their mammograms, because early detection saves lives. Senator Farry, thank you for cosponsoring this resolution with me and sharing your remarks as well.

Our early-detection-saves-lives efforts have touched more than 34 million people with our early detection saves lives, and we want to keep touching more lives by declaring May Mammography Month. Nationally, an average of 1 in 4 women between 50 and 74 years of age have not received their mammogram in the past 2 years. As we celebrate mothers this week, let us encourage our daughters, mothers, and important women in our lives to get screened and know their family history, because it will make a difference. It is important that we do not let this silent killer take over. So, do not put off your mammogram. Save the Tatas. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northumberland, Senator Culver.

Senator CULVER. Mr. President, I rise today regarding Senate Resolution No. 275, regarding May 7, 2024, as Cancer Action Day in Pennsylvania. I do not know anyone who has not had their life impacted by cancer, whether it be a family member, a coworker, a friend, or even themselves who have been diagnosed with a form of cancer. One of the hardest things to hear, and something no one wants to hear, is you have cancer. Current studies from the American Cancer Society show that 1 in every 2 men, and 1 in every 3 women will develop some type of cancer in their lifetime. It is projected that there will be over 2 million new cancer diagnoses by the end of 2024 in the United States. Of all of these new cases, it is important to note that many of these cancers are often preventable, and early detection and treatment continue to be extremely critical as cancer does not always cause symptoms in its early stages.

Tragically, over 600,000 Americans will lose their battle with cancer by the end of 2024. Unfortunately, Pennsylvania's cancer incidents and mortality rates continue to be higher than the national rates, with a predicted 90,000 Pennsylvanians to face a new cancer diagnosis in 2024, and an estimated 27,000 Pennsylvanians will lose their battle to cancer this year. While no two cancer stories are the same, the fears and concerns are remarkably similar. What comes next; what options will I have for treatments; will I lose my hair; how is this going to impact my family, and am I going to survive this?

The American Cancer Society Cancer Action Network organizes Cancer Action Day each year to give those impacted by cancer a chance to tell their stories. It gives patients, survivors, and their families an opportunity to advocate for evidence-based public policies to reduce the burden of cancer for everyone. I am grateful for the American Cancer Society Cancer Action Network for the efforts to try to reduce the burden of those impacted by cancer across Pennsylvania and the nation. I would like to thank my colleagues for joining me in honoring all Pennsylvanians impacted by cancer by supporting this resolution.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northumberland, Senator Culver, for a second time.

Senator CULVER. Mr. President, I rise today on Senate Resolution No. 283, to designate May 6 through May 12, 2024, as Women's Lungs Cancer Action Week [Women's Lung Health Week] and Turquoise Takeover in Pennsylvania. Today as you look around the Chamber, I, along with many of my colleagues, have worn the color turquoise as a sign of hope for those diagnosed with lung cancer. Turquoise is a signature color of LUNG FORCE, an initiative of the American Lung Association that is celebrating its 10th anniversary this year. Lung cancer has been the leading cause of cancer in women since 1987. Statistics from the American Cancer Society show that 1 in 17 women will be diagnosed with lung cancer, and it is projected that there will be over 118,000 new cases diagnosed this year in American women. In Pennsylvania, it is projected that over 11,000 women will be diagnosed with new cases of lung cancer, and over 5,000 of them will lose their battle to this cancer. However, it is encouraging that we are seeing vast improvements in early detection and treatment. It is proven that lung cancer screenings save lives, and advocacy and increased awareness of this campaign can result in more high-risk women getting screened and seeking treatment. I would like to thank my colleagues today for their support of this resolution and joining me in the Turquoise Takeover and bringing awareness to this critical illness impacting women and men alike.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, I rise today to speak on Senate Resolution No. 287, designating May 2024 as Lyme Disease and Tick-Borne Illness Awareness Month in Pennsylvania. As spring is once again upon us and families start to spend more time outdoors enjoying the weather and outdoor recreations, it is also the perfect time to remind everyone that we will not be the only ones ramping up activity in the great outdoors. Ticks and Lyme disease and the associated health risks they bring need to be part of the outdoor discussion. Lyme disease is a bacterial infection primarily transmitted to humans through an infected blacklegged tick bite. Lyme disease and other tick-borne illnesses pose a serious threat to the health and quality of life of Pennsylvania residents. In 2022 alone, 8,413 Lyme disease cases were reported in this Commonwealth, but the Centers for Disease Control and Prevention estimate underreporting by a factor of 10 and project occurrence rates more accurately near 85,000. About 20 percent of these Lyme disease cases will cause long-term, chronic symptoms. Additionally, approximately 1 in 4 cases of Lyme disease occur in children, and kids ages 5-9 are at the greatest risk.

Mr. President, it is important to note that there are many additional diseases carried by ticks other than Lyme disease. In 2022, 54.9 percent of ticks tested in Pennsylvania were infected with at least one tick-borne pathogen. Early diagnosis and appropriate treatment of these tick-borne diseases and illnesses is critical to recovery, as reactions can affect every system and organ of the human body and often every aspect of an individual's life. This is an epidemic of its own proportion, impacting Pennsylvanians in all corners of our State, not just in rural Pennsylvania, but urban and suburban counties as well. I am proud to say that Pennsylvania is being proactive in the fight against Lyme disease and tick-borne illnesses with a pilot program with East Stroudsburg University's Pennsylvania Tick Research Lab to reduce transmission of these diseases, and the Senate has been incredibly supportive

in establishing and continuing these efforts. Lyme Disease and Tick-Borne Illness Awareness Month provides information on prevention, the cause, effects, potential severity, diagnostic challenges, and treatment options of Lyme disease and other tick-borne illnesses. I am happy to introduce this resolution in a continued effort to benefit the overall health and quality of life of Pennsylvania residents by increasing awareness of tick bites and the potential seriousness of Lyme disease and other tick-borne illnesses and to remind Pennsylvanians to check themselves, their pets, and children for ticks after being outdoors. Should you find a tick, please have the tick tested free of charge at www.ticklab.org, again, www.ticklab.org. Please test that tick. Having your tick tested can provide you and your doctor valuable information regarding your tick bite. Again, please test your tick. Go to www.ticklab.org for free testing. Another valuable resource in our Commonwealth is the Pennsylvania Lyme Resource Network. You can visit their website at palyme.org to find information and support to help navigate Lyme disease and tick-borne illnesses. Mr. President, I would also like to thank my colleague from Monroe County for her work on this issue as well.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I rise to ask my colleagues to join me in supporting Senate Resolution No. 281, which recognizes the month of May as Older Americans Month in Pennsylvania. The 2024 theme is "Powered by Connection," which recognizes the profound impact that meaningful relationships and social connections have on our health and well-being. During this month, we are encouraged to explore the vital role that connectiveness plays in supporting independence and aging by combating isolation, loneliness, and other issues. In 1963, when President John F. Kennedy issued the first proclamation recognizing older Americans, approximately a third of the seniors lived in poverty and close to half were without health insurance. Since then, our Commonwealth and nation have made great strides to support older Americans as they transition into a new phase of life. Let us continue this process. Let us continue to address the systemic issues that face some of our most vulnerable and susceptible people, including our seniors. This month and beyond, I encourage everyone to engage in activities to elevate and support seniors across the Commonwealth, whether it is creating a forum for older adults to share their stories, organizing a community event inclusive of all ages, or fundraising on behalf of local programs that serve older adults. There are many ways we can celebrate older Pennsylvanians. Sixty years after President Kennedy's first proclamation, I, again, ask my Senate colleagues to join me in recognizing May as Older Americans Month in Pennsylvania.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione, for a second time.

Senator TARTAGLIONE. Mr. President, I rise because today marks 6,512 days since our Commonwealth's legislature last passed an increase in our minimum wage. As we move closer to budget season and the end of the fiscal calendar, it feels like the perfect time to take stock of what the rest of the nation is doing regarding minimum wage. First, let us look at our Commonwealth's neighbors who we have fallen behind. Right now, each

and every State that shares a border with Pennsylvania has raised its minimum wage beyond the poverty-level Federal minimum wage of \$7.25: Ohio, \$10.45; Maryland, \$15; New Jersey, \$15.13; New York, \$16; Delaware, \$13.25. Mr. President, even West Virginia has a higher minimum wage than ours: \$8.75 an hour. And when we pull back the curtain even further and look at the entire nation, 22 States have raised their minimum wage just this year to help provide relief to minimum-wage earners. And this just is not happening in Democratic States, Mr. President. The understanding that a low minimum wage is immoral and needs to be addressed by bipartisan. Montana, Nebraska, South Dakota, and Alaska have raised their minimum wage within the last year. These are not liberal havens, Mr. President. Cities and localities nationwide are also adopting minimum wage above their State's. According to the Economic Policy Institute, 48 localities have adopted minimum wages above the State's requirements, and that is great for them, Mr. President. It is something I wish we could do here in Pennsylvania. I think if given the option, cities across our Commonwealth would jump at the opportunity to do something our legislature has failed to do, raise their minimum wage for those who work in their communities. That is why every piece of minimum-wage legislation I have introduced includes removing local preemption. We need to act to ensure our minimum-wage and low-wage earners can earn a living wage and empower local governments and municipalities to act in their residents' best interest. Pennsylvania deserves better than \$7.25 an hour. Pennsylvanians deserve a living wage.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, today I rise to observe National Teacher Appreciation Day. Our Senate Democratic Caucus is committed to delivering an excellent education for every Pennsylvanian, and we can only do that when we support our educators. I know the teachers I had as a young person made an enormous difference in my life, and I imagine many of us in this room can say the same thing. Our appreciation for our teachers and educators must extend beyond words, however, and into actions that support them as they deliver beautiful childhoods to our young children, our young people, and prepare them for a vibrant future in Pennsylvania. Mr. President, Senate Democrats had advanced a number of measures along those lines. My good friend Senator Vincent Hughes has been doing tremendous work securing student teacher stipend, we did last year, dollars for young people who are working towards their teaching degrees, and they need financial support to further their student teacher obligations. Our Governor Shapiro, his budget includes record funding for public schools and teachers, including over \$38 million to support teachers and to address our teacher shortage pipeline. Our Caucus has also had a hand in working on legislation, which we support, that help our educators, including our colleague from Allegheny County, Senator Jim Brewster, Senate Bill No. 856, which increases the minimum teacher's salary in the Public School Code from \$18,500 to \$50,000 annually for the 23-24 school year with annual increases of \$2,500 each school year thereafter, until the minimum salary reaches 60,000 years of age [sic] at the 27-28 school year. Also, it establishes a \$20 per hour education support for professionals including bus drivers, cafeteria workers, custodians, and paraprofessionals. Mr. President, we know from our

school districts and our school boards that the need is great for individuals to work in that capacity at an inappropriate wage, something along those lines will be much needed.

Senator Comitta, Senate Bill No. 826, establishes our Grow Our Own Educators Program in Pennsylvania. This program would provide financial assistance, including pathway for educators to help support high-needs schools in geographic areas that have hard-to-staff teaching positions, which we know takes place across this Commonwealth. Again, our Senator Vincent Hughes, Senate Bill No. 300--with Senator Ryan Aument--creates a new Educator Pipeline Program within the Pennsylvania Higher Education Assistance Agency, PHEAA, to provide stipends for individuals enrolling in that teacher preparation program at an institution of higher education in our Commonwealth and to help the student complete their student teacher requirements, again. Senator Katie Muth has circulated a cosponsor memo which would create American Sign Language teacher certification and classroom instruction grant programs. Senator Schwank, Senate Bill No. 393, amends the qualifications of a teacher by adding that department certified or permitted teachers who hold a valid immigrant visa, work visa, or valid employment authorization document, which allows them to work in the United States, are eligible to teach in public schools in this Commonwealth.

And finally, both Senator Muth and Senator Kane, Senate Bill No. 864, would provide much-needed, long-awaited support for public school employees with a long overdue, as I mentioned, cost-of-living increase. Mr. President, these are all measures the Senate Democratic Caucus has been advancing, and we are hopeful that through this budget process, as we move forward, and we want to make an impact on how we educate our children, both with resources through the budget process with the Governor, but also policies that enhance the ability of our teachers to work in a classroom and to give them the tools that they need to educate our children so they can perform well. These are some of the things that we need to look forward to having a conversation about, as I mentioned, in a bipartisan way to ensure that we allow for an excellent education for all Pennsylvanians.

Thank you, Mr. President.

BILL SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bill was signed by the President (Lieutenant Governor Austin A. Davis) in the presence of the Senate:

HB 1661.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Wednesday, May 8, 2024, at 10 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:22 p.m., Eastern Daylight Saving Time.