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SESSION OF 2020 204TH OF THE GENERAL ASSEMBLY

No. 20

SENATE

WEDNESDAY, May 13, 2020

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

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

PRAYER

The following prayer was offered by Senator JOHN M. DiSANTO:

Thank you.

May we, who are merely inconvenienced, remember those whose lives are at stake. May we, who have no risk factors, remember those most vulnerable. May we, who have the luxury of working from home, remember those who must choose between preserving their health and making their rent. May we, who have the flexibility to care for our children when their schools close, remember those who have no options. May we, who have to cancel our trips, remember those who have no safe place to go. May we, who are losing our margin money in the torment of the economic market, remember those who have no margin at all. May we, who settle for the quarantine at home, remember those who have no home. As fear grips our country, let us choose love. During this time when we may not be able to physically wrap our arms around each other, let us yet find ways to be the loving embrace of God to our neighbors. Amen.

PLEDGE OF ALLEGIANCE

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

BILL SIGNED

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the presence of the Senate signed the following bill:

HB 1076.

LEGISLATIVE LEAVE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a legislative leave for Senator Laughlin.

The PRESIDENT pro tempore. Senator Corman requests a legislative leave for Senator Laughlin. Without objection, the leave will be granted.

LEAVES OF ABSENCE

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

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

CALENDAR

THIRD CONSIDERATION CALENDAR

HB 280 CALLED UP OUT OF ORDER

HB 280 (Pr. No. 881) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

BILL RECOMMITTED

HB 280 (Pr. No. 881) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on third consideration?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I move that House Bill No. 280, Printer's No. 881, be recommitted to the Committee on Appropriations.

On the question,

Will the Senate agree to the motion?

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

YEA-48

Argall	DiSanto	Leach	Schwank
Arnold	Farnese	Martin	Stefano
Aument	Fontana	Mastriano	Street
Baker	Gordner	Mensch	Tartaglione
Bartolotta	Haywood	Muth	Tomlinson
Blake	Hughes	Phillips-Hill	Vogel
Boscola	Hutchinson	Pittman	Ward, Judy
Browne	Iovino	Regan	Ward, Kim

Collett	Kearney	Sabatina	Williams, Anthony H.
Corman	Killion	Santarsiero	Williams, Lindsey
Costa	Langerholc	Scarnati	Yaw
Dinniman	Laughlin	Scavello	Yudichak

NAY-0

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

The PRESIDENT pro tempore. The bill will be recommitted to the Committee on Appropriations.

PERMISSION TO ADDRESS

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

Senator COSTA. Mr. President, we here in the Senate, both present who are here and Members who served before us, have always recognized each other as part of a large extended family that not only includes the individual Members, past and present, but also the members of our collective families. Times like today, when we lose one of those members of our family, a family member, it hits all of us, and it is something that we all need to recognize as a painful situation for our colleagues.

On behalf of all my Senate colleagues, Mr. President, I share with all of you our deepest sympathy to our friend and colleague, Senator Brewster. This past week, his daughter, Jamie Brewster Filotei, one of his three daughters, lost a long battle with cancer just yesterday. She was 46 years old. Jamie was a mom, first and foremost, a wife, a daughter, and also an aunt. Jamie leaves behind our colleague, Jim Brewster, and his wife, Linda; but also a husband, Ken; son, TJ; and daughter, Nina. I know the joy that Jim spent with his family. Many times we would try to reach Senator Brewster and he was either working out with his grandson, TJ, preparing for football at McKeesport High School, Jim's alma mater, as well as his time at Thiel College, and if you tried to get hold of Senator Brewster on a Saturday afternoon in the fall, he was there.

His family was very important to him, particularly his daughters, each of his daughters, Jill and Jodi, along with Jamie. Jamie graduated with high honors from McKeesport Area High School in 1991, and after graduation, she was awarded a basketball scholarship to attend Mansfield University, where she earned her teaching degree. She remained at Mansfield to further her education, earning a master's degree and earned a graduate assistant position which included managing dormitories and student athletes. She also worked part time as a college basketball coach. Jamie's dream was to come back to her community to educate and be a teacher, and that led her back to McKeesport in 1997, where she became a schoolteacher and remained there until her passing. She spent many years helping others coach, coaching seventh and eighth grade girls' basketball teams, and worked with the local high school team as well. She was also a person who followed in the footsteps of her father. As many of you know, Senator Brewster talked about his local government career in McKeesport, where he served as mayor and a council person, and also for 20-plus years as the director of the housing authority in McKeesport.

As they say, the apple does not fall far from the tree. Jamie picked up the Brewster mantle as it related to public service in McKeesport and has been serving on the McKeesport City Council

as vice president for the past couple of years, and this was her second term. She was awarded many types of awards over her lifetime, and more recently, one that came to mind was her work with the Burt Foster American Legion Post in McKeesport and the work that she did with veterans programs, but she also did a lot of work managing some of the other programs for veterans in that community. In 2018, as I mentioned, she was given the Mon River Fleet Woman Achievement Award, and I know that Senator Brewster, on that particular day, was extremely proud of his daughter, as he is with each of his daughters and grandchildren.

Jim, as I mentioned, is dedicated to his family: his wife, Linda; two remaining daughters, Jill and Jodi; and their seven grandchildren. I cannot imagine the grief that Senator Brewster and his family are dealing with right now and will be dealing with in the months to come. I express that all of our collective hearts, our thoughts, and our prayers are being extended, and thoughts are being presented to Senator Jim Brewster on the passing of his wonderful daughter, Jamie. Mr. President, I ask that we take a moment of silence to remember Jamie Brewster Filotei.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the Members of the Senate please rise for a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of JAMIE BREWSTER FILOTEI.)

RECESS

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of off-the-floor committee meetings to be held immediately on the Senate floor, beginning with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations.

The PRESIDENT pro tempore. For purposes of off-the-floor committee meetings, beginning with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

HB 64, HB 102, SB 107 and SB 276 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 327 (Pr. No. 3678) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations, liquor, alcohol and malt and brewed beverages, providing for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and reenacting provisions relating to local option.

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-48

Table with 4 columns of names: Argall, Arnold, Aument, Baker, Bartolotta, Blake, Boscola, Browne, Collett, Corman, Costa, Dinniman, DiSanto, Farnese, Fontana, Gordner, Haywood, Hughes, Hutchinson, Iovino, Kearney, Killion, Langerholc, Laughlin, Leach, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Sabatina, Santarsiero, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

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.

BILLS OVER IN ORDER

SB 331, HB 355, SB 377, HB 422, SB 494, SB 530, SB 532, SB 594, SB 606, SB 679 and SB 693 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 716 (Pr. No. 2007) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, providing for joint task force on misclassification of employees.

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

HB 716 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 716, Printer's No. 2007, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

SB 763, SB 798, SB 915, SB 927, SB 932, SB 952, SB 957, SB 958, SB 968, SB 969, HB 1036, HB 1045, HB 1048 and HB 1050 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 1210 (Pr. No. 1490) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, repealing provisions relating to report of racial and ethnic groupings, to study of public schools that provide Internet instruction, to corporate seal, to submission of plans, to disapproval of plans, to Department of Public Instruction to prepare plans, to establishment of reorganized school districts, to advance establishment, to special school watchmen-school districts in townships of the second class, to copies of school laws, to educational broadcasting, to residences for teachers and janitors, to heating stoves to be shielded, to ventilation and thermometer, to fireproof construction, to doors to open outward and fire escapes, etc., to completion of abandoned WPA projects in districts of the third and fourth class, to condition of grounds and shade trees, to summer schools, etc., to possession of telephone pagers prohibited, to nonprofit school food program, to antitrust programs, to medical care for children under six with defective hearing, to report, to care and treatment of pupils, to local wellness policy, to foreign language academies, to monthly reports to school directors of the districts second, third and fourth class, to Read to Succeed Program, to department duties and powers, to schools or classes, supervisors, principals, instructors, etc., to estimate of expenses and reimbursements and appropriations, to teachers of evening schools, to duties of public institutions of higher education, to medical education loan assistance and to special study on the revenue impact of out-of-State tax credits.

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

HB 1210 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1210, Printer's No. 1490, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

HB 1379 and HB 1405 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1522 (Pr. No. 1917) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, further providing for minors serving in volunteer emergency service organizations.

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-48

Table with 4 columns of names: Argall, Arnold, Aument, Baker, Bartolotta, Blake, Boscola, Browne, Collett, Corman, Costa, Dinniman, DiSanto, Farnese, Fontana, Gordner, Haywood, Hughes, Hutchinson, Iovino, Kearney, Killion, Langerholc, Laughlin, Leach, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Sabatina, Santarsiero, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

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.

BILL OVER IN ORDER

HB 1907 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 207, SB 258, SB 284, SB 531, SB 766 and SB 784 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

SB 809 (Pr. No. 1387) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in Judicial Conduct Board, further providing for staff and operations and establishing the Pennsylvania Commission on Legislative Conduct.

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

SB 809 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 809, Printer's No. 1387, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

SB 954, SB 1123 and HB 1174 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1538 (Pr. No. 3666) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for parole procedure.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

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

BILLS REPORTED FROM COMMITTEES

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

HB 2388 (Pr. No. 3719) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for emergency COVID-19 provisions.

HB 2412 (Pr. No. 3720) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for emergency COVID-19 provisions.

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

SB 327 (Pr. No. 1700) (Amended) (Rereported) (Concurrence)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements, for COVID-19 debt cost reduction review and for COVID-19 Cost and Recovery Task Force; in powers and duties of the

Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased; providing for emergency regulatory tolling and for COVID-19 county emergency mitigation plan for businesses; and making an appropriation.

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

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 2388 (Pr. No. 3719) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for emergency COVID-19 provisions.

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

A.H. WILLIAMS AMENDMENT A5617 OFFERED

Senator A.H. WILLIAMS offered the following amendment No. A5617:

Amend Bill, page 6, by inserting between lines 20 and 21:
Section 110-A. Nonretaliation of employees.

An employee of a business granted a waiver under this article whose residence or place of business is located in a county under a stay-at-home order or other restriction so ordered by the Governor shall not be fired, demoted or in any other way retaliated against for refusing to return to work out of concern for the employee's health or safety. The employee shall remain eligible for all applicable Federal and State unemployment assistance until such time that the residence or place of business is operating in full compliance with the Department of Health and the Centers for Disease Control and Prevention guidelines.

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

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

Senator A.H. WILLIAMS. Mr. President, I am offering a very simple amendment. There is a debate about whether and how we open our economy, or do we continue to follow the advice of the administration in terms of keeping certain businesses closed and stay-at-home orders followed. My amendment simply says if you choose to open your business in a place that has not been waived or allowed to open, and those that are being proposed in regard to this waiver are specifically the ones I am directing it at, if you are desirous of opening those locations, then you should understand that there may be employees who are concerned about their health and choose not to put themselves in harm's way and, therefore, they should not be penalized, demoted, or fired under those conditions. What you do with your business is your decision.

Understand, I am coming from an unconventional perspective. I am an unconventional Democrat, my background is business. I have a degree in economics. I worked for PepsiCo, a large corporation. I have done marketing and branding. I have owned my own small business, and so I understand the economy in the context that many of us are suffering through and the tragedies that

will be a part of the after-story of how we come out of this. I also recognize, though, that one of the first things that large companies and small businesses like mine do, we have to recognize the value of our employees. PepsiCo used to regularly survey and poll their employees who worked for me. I felt that was unfair at the time because I felt they might be biased. The reality was that many of the people who worked for me came back with either they liked me, did not like me, did not understand me, or care for me, but they were objective about their concerns. Therefore, ultimately, the employer became much more sensitive and understanding about where the employee was standing.

Consequently, all of us who are in business, anyone who has been in business knows this: you will only be as successful as the employees who work for you. As the people who work for us, they are the front line, if you will, who make us successful. They are the ones who will be greeting someone, be it in telemarketing or in person, when it comes to these waivers that we are talking about. They are the ones who are concerned about returning to their business. They are also the ones who are the example of the meatpacking places across this country, and, frankly, come from all across Pennsylvania, not just Philadelphia, not just central places that have a significant congregation, not those places that are alarmingly red. These are people calling us from all across Pennsylvania who are concerned about their well-being, and, most importantly, they are concerned about their job. They feel, if we decide to make these decisions across Pennsylvania allowing certain businesses to open, without their input, that they will direct their employees to immediately show up to work, and if they do not, they will be fired.

So, for those who are for the economy or against the economy, I suggest to you it is something different. It shows up in the polling data that the Governor of Pennsylvania has, overwhelmingly, Pennsylvanians, regardless of whether you are rural, suburban, or urban Pennsylvania, support this policy of making sure we are safe and that we continue to be safe, that Pennsylvania is a leader of the east coast States as it relates to public safety and this pandemic. The reason why is because they trust the information they are receiving, and most importantly, they do want to return to work, but they are the employees who want to return to work safely. They are not the employers, with all due respect, who are concerned about the bottom line, losing their millions of dollars, as opposed to those who are in meatpacking places who are concerned about losing their lives.

In this conversation where people, unfortunately, are wanting to pit small business against those of us who are blocking the way, I say to my friends who call me on a regular basis to get to the administration, who are asking for waivers as we talk on this floor today, for those of us using all of their advantages to talk to this administration, whether you are a Democrat or a Republican, stop trying to suggest that we are against you advancing your business and start looking at the reality that we are not going to allow you to put an employee in harm's way. That is what this simply does. It does not ask for anything more than fair consideration of your employee, and if that employee feels unsafe, they should have a right to say to their boss, look, you go ahead and have a great time, I do not want to be a part of it. I do not want to be denied unemployment because of it, I do not want to have a background or a record that reflects that, and so I ask my colleagues to look at this objectively, Democrat or Republican, rural, urban, or suburban. Should a worker, an employee, not have

the same right as the employer, the same influence in the middle of a pandemic that all of us would want? I know that those who work for me, who have worked hard for me over the years, did that because they trusted me. They believed in me. They thought I had a vision for them. They knew that I would be there for their families in good times and bad times.

By the way, if I was in the middle of a pandemic, they know what I would have done. I would have sacrificed. So, I do not want this to come down to a simple political stunt where it looks like we are advancing and fighting for small business and small business owners when our Governor has already said he is going to veto it, I want to do something substantive. So, if you decide to include this amendment, I guess I will be obligated to support the bill. If you choose not to, I will be obligated to say what is most obvious, it was a political stunt, not of substance. To those who are in parts that I represent, it was a political stunt in fear, put on the backs of employees and workers who are fearful of losing their jobs. By the way, there are many more of them in our communities than there are those employers who are knocking on our doors and saying please open back up so that I can make more money.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I thank the gentleman for the amendment and his concern for workers. I do believe, though, already in current law, there is a process for individuals who do not wish to go to work and can show good cause that they can preserve their unemployment. But the Governor's blanket statement, which he really did not quite have the authority to do, that workers would not have to work, I think that the process of the Department of Labor and Industry for those employees would do very well, since he controls the Department of Labor and Industry. So, I do not believe the scenario that the gentleman described in his amendment is necessary because there is something already in place through the Department of Labor and Industry. I ask for a negative vote.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

FONTANA AMENDMENT A5585 OFFERED

Senator FONTANA offered the following amendment No. A5585:

Amend Bill, page 1, line 21, by striking out the period after "provisions" and inserting:
relating to extension of waiver provisions, and for responsible return to action protocols.

Amend Bill, page 2, lines 1 and 2, by striking out "an article" and inserting:

articles

Amend Bill, page 6, by inserting between lines 20 and 21:

ARTICLE XXI-C

COVID-19 RETURN TO WORK PROTOCOLS

Section 2101-C. Scope of article.

This article relates to responsible return to action protocols.

Section 2102-C. Definitions.

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

"Business." A for profit, not-for-profit and non-profit entity that offers or produces goods or services for consideration.

"COVID-19." The novel coronavirus as identified in the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

"Department." The Department of Health of the Commonwealth.

Section 2103-C. Department functions.

(a) Authority.--The department may do all of the following for the implementation, administration and enforcement of this article:

(1) Promulgate regulations, publish guidelines and issue orders as necessary.

(2) Investigate violations and impose sanctions as authorized under this article.

(3) In consultation with the Department of Community and Economic Development, submit a monthly report regarding the administration and enforcement under this article that includes:

(i) Businesses that have opened or resumed operations under this article.

(ii) The number of investigations initiated under this article.

(iii) The number of enforcement actions taken under this article and penalties imposed.

(iv) The number of reports, plans and applications filed by businesses for resumption of business activities.

(v) The number of plans approved and applications processed.

(4) File the report with all of the following:

(i) The Health and Human Services Committee of the Senate.

(ii) The Health Committee of the House of Representatives.

(iii) The Labor and Industry Committee of the Senate.

(iv) The Labor and Industry Committee of the House of Representatives.

Section 2104-C. Filing of business plans and applications.

A business shall file with the Department of Community and Economic Development on or before May 15, 2020, a business plan that details how the business will comply with all of the following:

(1) Regulations, guidance and orders of the department.

(2) Regulations, guidance and orders of the Centers for Disease Control and Prevention.

(3) Regulations, guidance and orders of the Occupational Safety and Health Administration.

(4) Implementation and continuation of a paid sick-leave policy for employees that meets the following minimum standards:

(i) If an employee has the symptoms of COVID-19. Under this policy, the employee:

(A) shall be put on leave immediately upon the exhi-

bition of symptoms; and

(B) must remain on leave until a physician indicates that return to employment is safe.

(ii) If a member of an employee's household is ill, the employee may be put on leave to care for the ill individual.

(iii) A COVID-19 positive test result is not required to take sick leave.

(5) Providing personal protective equipment to employees and other sanitary devices, equipment and supplies for all employees returning to work at the business site.

(6) Ensuring that there is a minimum of six feet between employees and any other individual on the site of the business.

(7) Implementation of sanitary policies and a regular cleaning schedule to reduce exposure to COVID-19. This paragraph includes:

(i) Disinfecting restrooms, work spaces and areas with access to the public.

(ii) Maintaining adequate cleaning supplies, tissues, hand sanitizers, gloves, medical masks and other necessary sanitary products.

(8) Encouraging as many employees as possible to work from home.

(9) Conducting meetings online as much as possible.

(10) Suspending nonessential operations.

(11) Implementation of minimal staffing.

(12) Limiting interaction with individuals who are not employees.

(13) Not permitting an employee to work in an area open to the public if any of the following is in the employee's household:

(i) An individual who is ill. The prohibition under this subparagraph continues until a physician indicates that return of the employee to work in the area is safe for the public.

(ii) An individual who is at high risk for suffering severe consequences from contracting COVID-19.

(14) Not permitting an employee who is at high risk of suffering severe consequences from contracting COVID-19.

(15) No permitting employees to share tools, equipment, desks or chairs.

(16) Closing break rooms and dining areas.

Section 2105-C. Sanctions and penalties.

(a) Warning.--If the department determines that a business is in violation of this article, the department shall order the business to correct the violation within 24 hours.

(b) Penalty.--A business that does not comply with an order under subsection (a) is subject to a civil penalty as follows:

(1) For a first offense, a fine of \$5,000.

(2) For a second offense, revocation of any permit to open issued by the Department of Community and Economic Development and closure for a period of 15 days. The business shall be required to pay all wages, salaries, benefits and commissions due all employees for the period of closure for payment to the employees.

(3) For a third or subsequent offense, revocation of any permit to open issued by the Department of Community and Economic Development and closure for a period of 30 days. The business shall be required to pay all wages, salaries, benefits and commissions due all employees for the period of closure for payment to the employees.

(c) Administrative agency law.--Subsection (b) is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 2106-C. Expiration.

This article shall expire on the earlier of:

(1) publication of the notice of the expiration of the declaration of disaster; or

(2) January 15, 2021.

On the question,

Will the Senate agree to the amendment?

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

Senator FONTANA. Mr. President, the intention of this amendment is about workers and customers being made aware

every day that reopening a business is about safety first and saving lives. This amendment reinforces the awareness that businesses and their employees should be following an aggressive mitigation plan for their safety and the customer's safety. This responsible return to action plan gives the Department of Health the ability to declare regulations and publish guidelines. They will be able to investigate violations and impose sanctions and submit monthly reports to the House and Senate committees. A business plan is required to be submitted to DCED detailing how the businesses will comply with the guidelines of the Department of Health, the CDC, and OSHA. Mr. President, two vital, important components of the plan will need to be: paid sick leave for employees who cannot work because of a positive COVID-19 test, and to provide personal protective equipment, among all of the other CDC and Department of Health guidelines.

The amendment also enables the Department of Health to order a business that is in violation of their plan to correct their violation within 24 hours. If a business does not comply, the first offense would be a \$5,000 fine; the second offense would close down the business for a period of 15 days, but continuing to pay their employees; and the third offense would constitute the business closing for 30 days, again paying their employees. This would expire when the publication of the notice of expiration of the declaration of disaster is issued or January 15, 2021, whichever is earlier. I would also like to mention that much of the language I have used for this amendment is from Senator Mastriano's Senate Bill No. 1103. So, I look at it as a bipartisan amendment, and I am asking for an affirmative vote from all of my colleagues. Thank you.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I thank the gentleman for offering the amendment. This bill would open up some businesses that are currently not allowed to operate under the Governor's order. They would have to operate in the exact same way as all of the other businesses the Governor and Secretary of Health are allowing to operate today and under the same standards. So, this bill would make it consistent with the Governor's regulations. We certainly believe the Governor and Secretary of Health have the best interests in mind of the employees who are already allowed to work, and this bill would be consistent with that. I ask for a negative vote.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel

Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

SCHWANK AMENDMENT A5572 OFFERED

Senator SCHWANK offered the following amendment No. A5572:

Amend Bill, page 1, line 21, by inserting after "provisions":
and for employee unemployment compensation protection
Amend Bill, page 2, lines 1 and 2, by striking out "an article" and inserting:
articles
Amend Bill, page 6, by inserting between lines 20 and 21:

ARTICLE II-B
EMPLOYEE UNEMPLOYMENT COMPENSATION
PROTECTION

Section 201-B. Definitions.

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

"Business." A business, industry or trade operating with a physical location in this Commonwealth regardless of whether that physical location is open to the public.

"Business reopening plan." A multiple phase plan developed by the Commonwealth for the gradual reopening of businesses that are subject to a business closure order pursuant to a declaration of public health emergency.

"CARES Act." The Federal Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136, 134 Stat. 281).

"COVID-19." The novel coronavirus, otherwise known as COVID-19.

"Employee." An individual employed by a business.

"Infectious disease." A disease that is caused by a microorganism, such as a bacterium, virus, or protozoan, that is not normally found in the human body and is capable of causing infection. Some, but not all, infectious diseases are contagious, meaning they can spread from person to person, including COVID-19 or the coronavirus. Other infectious diseases can spread from animals or insects to humans, but not from person to person.

"Intermediate reopening phase." A phase of a business reopening plan developed to address business operations during a public health emergency where specific non-life-sustaining businesses within a specified county of the Commonwealth are authorized to reopen and conduct limited in-person and physical operations in compliance with guidance issued by the Centers for Disease Control and Prevention for businesses to plan and respond to COVID-19 or any other infectious disease, and the guidance on business practices issued by the Department of Health to address COVID-19 or any other infectious disease.

"Life-sustaining business." A business that is designated as a life-sustaining business pursuant to a declaration of public health emergency issued by the Governor and any subsequent guidance.

"Public health emergency." An emergency declaration by the Governor of an occurrence or imminent threat of a disease or condition of critical public health importance with the following characteristics:

(1) Is believed to be caused by any of the following:

(i) the emergence and spread of a novel or previously controlled or eradicated infectious disease; or

(ii) an infectious disease epidemic in this Commonwealth or a pandemic.

(2) Poses a high probability of any of the following in the affected population:

(i) Death.

(ii) Serious or long-term disabilities.

(iii) Widespread exposure to an infectious disease that poses a significant risk of substantial present or future harm to the public health and safety.

Section 202-B. Employee unemployment compensation protection.

Notwithstanding any provision of law, an employee who is employed by a business that is subject to a business closure order issued by the Governor during a public health emergency shall remain eligible for the following assistance during the period when the business is authorized for limited operations under an intermediate reopening phase, if the employee is recalled to work at the business and the employee declines to return to work due to a concern that returning to work at the business during the intermediate reopening phase will place the employee's health at risk:

(1) Pandemic unemployment assistance under section 2102 of the CARES Act.

(2) Emergency increase in unemployment compensation benefits under section 2104 of the CARES Act.

(3) Pandemic emergency unemployment compensation under section 2017 of the CARES Act.

(4) Unemployment compensation received from the Commonwealth under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law.

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

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, my amendment simply would allow those employees and businesses that are either moving from red to yellow, or opening as a result of this legislation, and are concerned about their own health, the ability to decline to go back to work and still be eligible for pandemic unemployment assistance. It is a real concern for many people who are going back to work that they may be in danger. They may have situations at home that give them pause to think about whether it is better to go back to work or stay home because of their own personal health or their loved ones.

I have been very active in helping many businesses successfully apply for waivers, and even in spite of that, have received many calls in my office from employees who were very, very concerned about going back, and being able to keep their families supported if they refuse to go back and were denied unemployment compensation. So my amendment would allow those who want to stay home due to the risk of getting COVID-19, or someone in their family, to do so without fear of losing benefits.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I thank the Senator for the amendment. Similar to a previous amendment that was offered, there is a process in place and a statute through the Department of Labor and Industry for employees who show good cause why they cannot go to work and, again, the Governor's blanket statement that would be supportive of that. I think the amendment is not necessary, and I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione

Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

L. WILLIAMS AMENDMENT A5600 OFFERED

Senator L. WILLIAMS offered the following amendment No. A5600:

Amend Bill, page 6, by inserting between lines 20 and 21:
Section 110-A. Protection from retaliation.

(a) General rule.--It shall be unlawful for a business operating under a waiver to the order to discharge, threaten or otherwise retaliate or discriminate against an individual employed by the business regarding compensation or other terms or conditions of employment because the individual:

(1) makes a complaint regarding the business' failure to comply with the mitigation measures defined by the Centers for Disease Control and Prevention or the order of the Secretary of Health directing public health and safety measures for businesses permitted to maintain in-person operations to the business or the Department of Community and Economic Development; or

(2) participates in an investigation regarding the business' failure to comply with the mitigation measures defined by the Centers for Disease Control and Prevention or the order of the Secretary of Health directing public health and safety measures for businesses permitted to maintain in-person operations.

(b) Actions.--An individual who suffers retaliation or discrimination in violation of this section may bring an action in a court of common pleas in accordance with established civil procedures of this Commonwealth. The action must be brought within three years from the date the individual knew of the retaliation or discrimination.

(c) Relief.--If an individual prevails in an action commenced under this section, the individual shall be entitled to the following relief:

(1) reinstatement of the individual as an employee, if applicable;

(2) restitution equal to three times the amount of the individual's wages and fringe benefits calculated from the date of the retaliation or discrimination;

(3) reasonable attorney fees and the cost of the action; and

(4) any other legal and equitable relief as the court deems appropriate.

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

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

Senator L. WILLIAMS. Mr. President, this amendment provides protections for employees who make a complaint regarding a business's failure to comply with CDC guidance or an order from the Secretary of Health. The protections in this amendment are modeled after the protections that were given to construction

industry employees in House Bill No. 1170 that this Chamber passed overwhelmingly and is now in effect. I believe that all employees should have these same strong protections against retaliation. No employee should be afraid to speak up about issues in the workplace, but if we are granting waivers to businesses to open in opposition to advice from public health experts, then those employees should absolutely know that if they speak up about health and safety issues, that they are protected from retaliation. I know there are plenty of good employers out there who are taking the necessary precautions to protect their employees, but there are ones who are not. I know that because I have talked to those employees. They are scared for their health and for their family's health, and they are afraid of losing their jobs for voicing their concerns. Do you know how else I know that there will be businesses that fail to comply? Because Members of this Chamber have violated CDC guidelines and the Governor's orders on this floor. Some of my colleagues do not wear masks on the floor, despite being well within 6 feet of other Members and Senate staff. I have watched on ZOOM as fellow Members have multiple staff members in their district offices sitting right next to them without masks on.

These remedies for retaliation are needed because there is an imbalance of power between employees and employers in the workplace. That imbalance can create a culture of fear, fear that if you speak up about a safety issue, you will lose your job. That is not an unreasonable fear. It happens every day. It happened to me. I did not speak up about a safety issue, but I was illegally fired in retaliation for speaking up in the workplace. I am an attorney who works in labor and employment law, I am someone who knows my rights, and yet I was illegally fired from an employees' rights organization. It can happen to anybody.

Another reason why this is not an unreasonable fear is because an elected official went on KDKA radio on Monday and called people who reported issues that threatened the health and safety of workers and their families to the Department of Health, rats. Rats. He threatened to RTK the information submitted to the department and release those names publicly. I believe that the department will fight that RTK and try to protect the identity of those whistleblowers, but if you are someone who is witnessing serious safety issues and then you hear an elected official say on the radio that he will publicly expose your name, it is going to chill you from speaking up and saving lives.

This State Senator wants you to know that I will fight to protect you. This amendment is for you. What you are doing is not anti-business. You are protecting people, and we are looking to you to blow the whistle so that we can avoid another spike in cases that cost lives and forces us to close businesses again. Whistleblowers save lives. That is why law enforcement tells us, see something, say something. We are all safer when we have an atmosphere where people feel free to speak up when something is wrong. This amendment helps us create that atmosphere. I ask for an affirmative vote. Thank you.

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

Senator A.H. WILLIAMS. Mr. President, I greatly appreciate the comments of my colleague. I think her articulation was eloquent, concise, and, most importantly, accurate and honest. Anyone on this floor should understand that they are honest. I only add in, because I have heard, and probably will be the following disclaimer, that those who are unemployed can file for unem-

ployment benefits. While that is a plight and political comment to be added, it is not sufficient with what we are discussing today. But those who will be fired because they simply choose not to go to work because they know they may be in a work space that is compromised by the virus, suggesting that they get fired and can file for unemployment as a compensation, the equity and dignity of work is extraordinarily indignant to the worker. I would suggest that we need to be reminded that getting fired from anyplace has always been a stain on one's career record and one that you are required to explain away.

Second, you also should remember that all of us, Democrats and Republicans, have had many of our constituents call our offices and say, look, I cannot get my unemployment benefit processed because I cannot get through. That still remains an obstacle. So they will be at home without food, without protection, without coverage because we simply said, look, file for unemployment. The PUA system, which is a disaster because previous administrations chose not to invest in the technology necessary for a pandemic, has reared its ugly head. Unfortunately, unemployment is not the answer to the many questions which we have asked of you today.

Unfortunately, for those who want to advance this who suggest to the folks they are representing that they are fighting to open up the economy, they are playing a cruel joke, and it should be documented as such. The Governor has said he is going to veto this. If the Governor says he is going to veto something, I would suggest you go back to the table and figure out how we compromise. That is how we get budgets done, that is how we got a number of bipartisan bills passed during this pandemic, because nobody has gotten all, we had to compromise. We have suggested amendments today, look, you can open the economy back, we have compromised. Even those of us who are stringently supportive of increased testing before you open anything back up have compromised and said, look, at a minimum, let us make sure workers and employees have their voices heard, and most importantly, their health is protected. That does not seem to be a hill too steep to climb or request to honor. But to simply banter back, go file for unemployment, even though you will not be able to get it for months; or your PUA system does not work; or, most importantly, you will be required to say I got fired from my last job, does not seem to be consistent with anyone who cares, even in small business, even those who are desirous to get the economy back open.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I thank the Senator for the amendment. I believe there is a process already in place through OSHA that if an employee blows the whistle or reports unsafe conditions, that Federal agency would do an investigation and prevent any type of retaliation while that is going on. So, we believe there is a process in place, the amendment is not necessary, and I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

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

On the question,
Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, thank you. I am now unmuted, and I can speak. Thank you, sir.

During the last month, I was not sure what I should do, so I have been having continual discussions with my constituents. Last night at our town hall, which we all have and which are a fair representation of our districts, I took a poll and asked my constituents where they stood. I asked them whether they felt lawn and garden centers should reopen. Eighty-nine percent of my constituents said yes, and only 11 percent said no. I did not try to tailor that, I did not try to push them into that, I simply asked. I asked, when we later got to real estate, do you think we should continue real estate, 85 percent said yes, 15 percent said no. So, I am elected to represent my constituents, and I will vote what my constituents have told me to do.

Second, I understand all the health issues. I do not want to die, I do not want anything unhealthy. I am going on 76, and so are some of the other Senators who might vote for this. But we cannot do anything until we have enough tests and protective equipment. I thoroughly understand that. But the question we have to ask is, why? What my county has done, another reason why I am more comfortable voting yes, we, on our own and on our own dime, have purchased 3.5 million pieces of protective equipment. We went to our community and economic office, we identified several people who had factories in China who lived here, they called the heads of the factories in China, who walked down the street with a credit card, and we already have 400,000 pieces in and they will be distributed.

In terms of these swab tests, when we could not get the swab tests, we purchased, on our own dime, 30,000 swab tests which we are using to protect our citizens. What is going on with the Commonwealth? When we wanted to do antibody tests as a fol-

low up, do you know what happened? I had to fight the Department of Health on this for over a month in a bipartisan way, Representative Lawrence in the House and myself in the Senate. All kinds of obstacles were put in our way. This was our money, by the way, it was not State money. Every other State--I should not say every other State, most other States have started antibody testing, and within 10 hours of when a bipartisan Committee on Health and Welfare approved these tests and said that the Department of Health had to work with the counties on these tests, all the objections from the Department of Health were withdrawn and the county is now doing point-of-contact tests, first for first responders, then for health workers, then for people who are old, and eventually for all of the residents of the county. We will eventually have a million of these tests, which is going to be at our expense. In all this work, we worked closely with Berks County, Delaware County, and with other counties that wanted to cooperate on this buy.

So, what I am saying is, I care about health, but we are in a position here to give this equipment or to have it purchased from the county. In fact, I just arranged for 1,000 of these masks, and we have N95 masks, good quality equipment, to be given to everyone who is involved in passing out food to the people here in this county. So, I do care about health. I was the one who brought up, 3 weeks ago, the nursing home issue. Other Senators have proceeded.

I have also taken into consideration this fact: we are one of the lowest counties - Chester, Lancaster, and I think Schuylkill Counties are the three low guys on this list. I know if you want to talk about new cases that have occurred, we are hurt because the majority of the deaths and new cases have occurred in the Southeastern Veterans Center in East Vincent Township, which is not controlled by the county but is controlled by the State. I, personally, do not think any county, whether it is Beaver County, Chester County, or any other county, should be punished when the State has not done what it is supposed to do.

Finally, let me say this, we must enforce. I voted for every amendment that my colleagues presented, and I am sorry that the whole Senate did not vote in favor, and they should have. They should vote to protect the worker. If necessary, we in our own county will do it on our own dime, but I wish the State was doing it. But we have to begin to enforce these regulations. You know, my friends and colleagues, what has happened now is that everyone knows where to get things done. There is a whole underground market that exists. If you want to groom your dog, and I think dog grooming is part of this or will be part of the next one, you know who is open and who is not open. Just go to the neighborhood Internet site if you want, or you can go to a vet and the vet has a groomer on the side, and since the vet is open, you can get the dog groomed. If you want to get your shrubbery, they could not find tree centers open in Chester County, they did not want to go to Walmart because they did not have Pennsylvania trees there, do you know what they did? They went over the border into Lancaster County and a store was open. So the person said, why are you open? The answer was, because we sell chicken feed, therefore, it is an animal product and we can be open, and on the side, because no one enforces or comes around to check, the person was able to purchase their shrubbery as well.

Listen, I do not place fault in any way. The Governor is a good person, a good human being, Secretary Levine is doing her best, but we all know how messed up the waiver system got

without a testing plan. I, ultimately, need to do what my constituents have asked me to, and they have asked me to enlarge numbers. I need to be concerned about the health of my constituents, and if the State did not do it, then we are doing it in this county and we will make sure that every worker is protected with our 3.5 million pieces. I mean, the other question is, why could the State not do the same thing we did just walking down the street and getting this stuff? We do not know the amount of protective equipment and we do not know the number of tests available. We have our swab tests, we have our antibody tests, that will be done.

So, listen, I understand both sides of the issue, and I am very disappointed that my colleagues on the other side would not vote to enforce the matters for our workers. Senator Lindsey Williams is absolutely right when she speaks about how employees will be hurt. I wish that was part of it, but it is not. What we have to insist on is better enforcement. We have to insist on getting people the proper equipment, which we, as a county, have already done on our own dime. We did not ask the State for any money. The State, we had to fight them, but, finally, I am not assigning blame on anyone, okay? All I am saying is, we feel we deserve an opportunity.

Another problem is, we do not know exactly what is on that dashboard, so we do not know what goes into that decision, and no one comes back to the county and discusses it with us. So, I am just trying to explain where I stand. I support every amendment my colleagues have done, but my constituents talked, they talked in huge numbers, and they know how to keep themselves healthy. We have to make sure the CDC guidelines are actually being enforced, and that is my position. I do not think anyone who feels differently is wrong. This is a good debate, a robust discussion, and it should take place. I am just trying to explain to you where I am coming from, and I hope I am respected for where I am coming from because I respect each and every one of my colleagues on both sides of the aisle for where they are coming from.

Thank you so much, Mr. President. Sorry if I spoke too long, but I feel very strongly about this and I pondered this for over a month, talking to what has to be almost a thousand constituents. I have asked these questions at three town halls and I have gotten exactly the same kind of answers back: open certain places up, insist on CDC regulations, and, for Pete's sake, enforce what we have out there.

Thanks again, Mr. President.

The PRESIDENT pro tempore. We thank the Senator for his comments, and we accept his apology.

The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, one of my best friends closed his business as a result of the closure orders, not to return to business. Primex is a lawn and garden operation that has been in operation for 75 years, we celebrated their anniversary, and they have been closed. Friends of mine who are realtors are closed and they are ready to open. All these closings started on or about March 19, and that was a direct result of an effort to try to reduce deaths, it was called flattening the curve. Flattening the curve was essentially about trying to make sure that we did not reach the projected 33,000 deaths in Pennsylvania, a projection by the University of Washington study. These efforts have largely been successful, and right now we are at about 3,800

deaths as opposed to 33,000 as projected. This morning, Drexel University released a study that indicated that we would have had over 6,000 deaths in Philadelphia alone. These lives have been saved because of the stay-at-home orders. I know that preventing deaths is sometimes difficult to appreciate. I think someone who prevents someone from jumping into a pool, you put your hand out, you block them from jumping into the pool, you probably do not get noticed. The person who jumps into a pool to save someone who is drowning, that could enter the front page.

So this is the challenge, I believe, we face in part today, appreciating that the stay-at-home orders have worked, that the stay-at-home orders have saved lives. Yes, over 1.7 million are unemployed. Yes, businesses have been closed. Yes, the waiver process has some in and some out. Yes, we have saved lives. It has been a national tragedy that the PPE was not available and hampered our efforts at the beginning, it hampers our efforts now. It is a national tragedy that we did not have the testing supplies early and that we do not have the required amounts now. But this bill to permit more businesses to open undermines the stay-at-home order, it undermines the closing of businesses which saves lives. Social distancing is not enough, and that is why the businesses had to close in the first place. We are asking the wrong question. The question is not, will social distancing work? The question is, will we have more people in circulation in the communities where there is already a virus spreading, will we allow more people to enter the neighborhoods where the virus is spreading? That is the question that closing businesses addresses and social distancing does not.

I am reminded of General George McClellan. I am a Civil War buff. When General McClellan was at Antietam, a well-known, documented Civil War battle, he had the opportunity to put an end to the Confederacy by going after General Lee. General Lee's forces had been significantly depleted, but he did not stay the course, and as a result, there were over 2 years of continued Civil War, continued death, and up to 300,000 people died because he did not take the course that he was on. This is no time for retreat. Today is no time for retreat. Over 37 counties are already open, at least in the yellow phase. That is more than half of the Commonwealth headed toward opening. Dr. Fauci; the CDC; Dr. Val Arkoosh, chair of the Montgomery County Commissioners; Dr. Levine, they have all cautioned us to go slowly, otherwise we will encounter and suffer needless death.

I shared at the meeting of the Committee on Appropriations that southeastern Pennsylvania provides about 40 percent of the revenue for the State, and we are all in the red zone in the southeast. The virus is circulating in our communities. If we get another outbreak, which has been predicted by those who say that if we go too fast, then the southeastern engine for the entire Commonwealth will be severely undermined. We may have a second outbreak, which means a second closing. As I shared at the meeting of the Committee on Appropriations, that could equal a billion dollars a month not going into the Commonwealth, affecting every county in the Commonwealth.

So I urge us to adopt the approach of the public health experts, even though people in our community may have a view that is different. Our leadership means that we have to rise against what may be a popular opinion and go with what is the right approach. Now is not the time to bend. I urge a "no" vote on this legislation.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, I rise in opposition to this bill. We have come a long way in just over a month. At the beginning of April, there was broad bipartisan support in this Chamber to pass legislation that would truly meet the needs of our State during this crisis. Toward that end, we gave school districts the flexibility they needed. We pushed our primary back to a date when it could be conducted in a safer manner. We worked together on those and a host of other issues to help the people of Pennsylvania in an unprecedented crisis, but something happened since then, Mr. President. Something changed. Strange voices that had not been heard in our State in a decade, when they were last heard decrying false boogeymen-like death panels to defeat Obamacare and brandishing "Do Not Tread On Me" flags and semi-automatic weapons in some grotesque parody of the Founders of this country, were heard again. Yes, not since Barack Obama left the White House have we heard from them, but indeed, they were back. And as they returned, the current occupant of the White House, the former reality TV star, Donald Trump, began to see his chances of reelection this November collapse as his well-documented mishandling of the pandemic and the resulting economic downturn began to cause what he would no doubt call his ratings to go into free fall. His reaction was by now predictable. He lashed out at the Democratic governors in States such as New York, New Jersey, Michigan, and of, course--

POINT OF ORDER

Senator CORMAN. Mr. President, point of order.

The PRESIDENT pro tempore. Would the gentleman please yield.

Senator Corman, point of order.

Senator CORMAN. Mr. President, the point of order is, it is in our rules that the comments during the final passage are to be on the legislation. I think the gentleman's comments have gone far afield and would be more appropriate during Petitions and Remonstrances, not the substance of the bill. So I would ask the gentleman to contain his comments to the substance of the bill.

The PRESIDENT pro tempore. Would the gentleman please keep his comments to the bill, and I remind all Members of our rule. Thank you.

The Senator may proceed.

Senator SANTARSIERO. Mr. President, I am mindful of that and I am talking about the substance of the bill, as the Majority Leader will no doubt hear in just a moment, so I do ask your indulgence, Mr. President.

It is with this backdrop that the legislative agenda here in the Senate took an abrupt turn. Suddenly, we are being asked to consider, one by one, a litany of bills, like this one, designed to open up one sector of the economy at a time, in violation of the Governor's mitigation order. They were bills, again, like this one that all carried with them a constituency who, understandably, are anxious to get back to work and who no doubt would remember those who supported their cause and those who did not.

Now, Mr. President, I do not question the motives of any Member of this Chamber in offering legislation. It would not be proper for me to do so. I merely point out facts that are relevant

to this debate, and they are facts that cannot be disputed. The Governor has made it clear that he will veto this bill and others that seek to open select parts of the economy. Indeed, these bills are very likely unconstitutional under the Governor's order. Nonetheless, the Majority brings them forward for a vote. Again, Mr. President, I do not question the motive of any Member of this Chamber in offering legislation such as this. It would not be proper for me to do so. I am merely pointing out facts that are relevant to this debate. In support of this bill, and those similar pieces of legislation that would transform the Governor's order to mitigate the spread of this virus and thereby save lives into the legal equivalent of Swiss cheese, we have heard Members speak passionately about the need to reopen the economy. So they have positioned themselves as true defenders of working families and businesses, and implicit in their comments, and sometimes explicit, is the incredible notion that those who oppose the legislation somehow want to hurt the economy. It is a narrative that may play well in a political campaign, but perhaps not. Again, Mr. President, I am not questioning the motive of any Member in this Chamber.

Of course, Mr. President, there is another path available for these self-appointed champions of the economy to take, one that is, in fact, legal, one that would open the whole economy, not just parts of it, immediately, one that would not be defeated by the Governor, one that could not be challenged in court. They could advance the concurrent resolution proposed in this Chamber or the one in the House that would terminate the statewide disaster declaration. I would vote "no" of course, but, presumably, the Majority would have the votes to pass it, both here and in the House. Curiously, Mr. President, the Majority has chosen not to do that. They have, instead, chosen to amend a bill that would allow counties, effectively, to do that, a bill that they must know will be vetoed by the Governor. Again, Mr. President, I am not questioning the motive of any Member of this Chamber. It would not be proper to do that.

Fortunately, Mr. President, the vast majority of the people of Pennsylvania see clearly, despite what my friend from Chester County suggested earlier. They know that this virus has the potential to kill many times more than the number of victims it has claimed so far. They realize that mitigation has to be undertaken to prevent that outcome and know that the mitigation the Governor has taken to date has done just that. They are willing to be patient because they know that if we reopen before we are ready to do so, we risk not only a spike of cases of the virus, just as Dr. Fauci said in his testimony yesterday before a committee of the United States Senate, they know that people will not be willing to go back to restaurants and stores and other businesses if we are not ready, and that would cause the reopening to do little to bring the economy back.

So, Mr. President, while my faith in this institution may have been shaken by the proffering of this and similar bills, my faith in the people of Pennsylvania is stronger than ever. With their hard work and perseverance and the Governor's leadership, we will get through this crisis. I pray only that this Chamber resumes its former place as a responsible partner in that work. I urge my colleagues to vote "no" on this legislation.

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

Senator BOSCOLA. Mr. President, I am not going to speak long because I spoke extensively on the Senate floor yesterday,

giving my opinion about how the Lehigh Valley should be moving forward with COVID-19. I spoke specifically about two infectious disease doctors with whom I have been in communication, and, of course, it has all been public record because it was all done publicly. I can tell you one or two things about how they believe the Lehigh Valley can safely open up today, slowly. Nobody is talking about going into the green phase, because that would be a total reopening of restaurants and concerts and things. Nobody is even talking about that in the Lehigh Valley. I just want that on the record. But what they did say was that beauty salons were specifically called out as okay if you would only do some proper social distancing, masking, et cetera. Here is the quote, because I guess I better use some direct quotes here. Dr. Jahre said, if an uncrowded beauty shop or nail salon had an operator and a patron wearing masks, and this is what he said, quote, "you are not sitting cheek by jowl next to someone else, and that there is an adequate distance and there is no crowding, then I do not see any reason why that business could not open up." An infectious disease doctor who is dealing with patients on a daily basis.

Dr. Jahre--however, I have to put this on the record--did say that he did believe that hospitalization rates and mortality figures are a more objective measure on this disease than just case numbers. Then he goes on to say, which is really interesting in the Lehigh Valley, quote, "At the peak of the epidemic in our area, which is roughly about a month ago,"--now, we are talking the peak a month ago--"we were seeing about 150 to 170 people were being admitted daily to our network hospital with COVID-19. The number right now"--and this was a week ago--"is 30 or less, so we have seen a tremendous decrease."

Then we have Dr. Rhodes. Some of what I am going to say might not please some people, but Dr. Rhodes said, quote, this region's residents, Lehigh Valley residents, are "sort of locked into this initial recoil" of the red phase, and went even further to say, this red phase "appears to be now more dangerous than beneficial." He says much has been learned about this disease. He said he has learned about precautions since the new virus hit. Quote, "There are no medical contra-indications at all to getting people, I think, out and about with precautions, with masks, with common sense, with social distancing." Then he gave some more examples of businesses that he felt could open.

Now, when I look at this, and I was like, wow, I did not know what he was going to say, but he did, they did. I am looking at this now from a commonsense perspective because I was taking in the science like I am supposed to do, or we were told to do. I am looking at the commonsense approach as well. So, the other day I am out and about in the Lehigh Valley, which I usually am, whether to the grocery store, Lowe's, or wherever I go. Those stores are packed. They are packed with people because people have nowhere to go except for grocery stores, Lowe's, Home Depot. I refuse to go in them. I do not want to be standing packed in with people. So the way I look at this is, should we open up slowly, just a few small businesses, ones that only take one or two people sitting at a table across from each other, like real estate. You can do this in a hair salon, masks, partitions, and only have two or three people in a building, or five. In Lowe's, Home Depot, and grocery stores you have hundreds. If it is okay and all right to do that, why can we not slowly, bit by bit, allow a little bit of businesses to open? I am not saying go to that green phase, I do not think a lot of us are saying go to the green phase,

but I do believe we need to get a little bit more out and about because now we are all hunkered in or into certain locations that are packed with people, and that cannot be healthy. It just cannot be.

Therefore, with the commonsense approach, and backed up by science and doctors, I am saying, let us open up businesses just a little bit more slowly, let us get some people back to work if it makes sense, if they are abiding by the rules, and if they are social distancing. I think that is more than appropriate. As far as conversations about the national level, look, if you are looking at this countrywide, I do not know how we are going to make law, because, listen, some States, like 23 of them, are completely open. So, when their doctors at the national level say please do not open, yeah, not quickly, because some of them have quickly opened. I mean, totally opened. That is not what Pennsylvania is doing. We are very conservative based on what we have been doing, the approach here, and how we are going to open here in Pennsylvania. That is clear. Very, very conservative compared to what other States are doing.

Knowing that, that is why I am saying, let us slowly open up while others are--and my fear is, and I hope it does not happen, is because all these other States opened up with everybody all over the place, and what we do know is that people move, right? They move around. They go State to State. I can tell you right now, people in Pennsylvania are going to New Jersey constantly. In my district, they are going there to buy liquor, even though our liquor stores are open. They are going to buy it because it is more convenient and it is close, about 5 minutes away if you are from Easton and you are going to Phillipsburg, and they are going to the Jersey Shore. So people are traveling all over the place, and if all these other States that are not handling this well right now, that are willy-nilly just opening everything and people are moving around, what I fear is, with our approach in the Lehigh Valley, when we know we can open up slowly, and all of a sudden because of what other States are doing, or maybe other counties, because now some are going into yellow, we all of a sudden get shut down before we even get to reopen because of what these other States are doing. I fear that, I really do.

So all I am saying is, based on what my doctors here are saying, our hospital network is not overwhelmed at all, they are underwhelmed, and maybe we can just open up a little bit. That is all I am asking, just a little. I think we can handle this. I think the Lehigh Valley is in a smart place to handle this.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I rise today in opposition of House Bill No. 2388. As we sat here trying to make this effort to undermine the current precautions a little bit less harmful, the votes continue to be party-line votes with no increased protections, no guaranteed protections for workers or people who have to be out in the community. As we serve as public officials representing our constituencies, it is a very difficult time with economic stressors, it is a difficult time without all of the answers to something that we have never dealt with before. I am puzzled, I am troubled, and I am fearful that because of the attitudes of just let us go back to the way it was without the necessary protections in order, it will happen. The death number will continue to rise. The positive case numbers will continue to rise. I had a lot of prepared remarks to talk about this, but prior to this

voting Session I sat on the phone with a nurse who works in the longest-standing COVID-positive unit in the Southeastern Veterans Center in my district, and she has zipped up over 17 body bags of people who she has taken care of for many years. She had to manage isolation units by herself with no backup. As we all sit here and talk about reopening, the safety that is compromised of our frontline workers with an irresponsible, unprotected, truly planned reopening effort, the impact is immeasurable.

As we all continue to navigate through this and try to figure out what is best, what is best is to save lives, what is best is to put people first. I am really disappointed that the efforts that we tried to put into this bill, whistleblower protections, how important is that right now? I can tell you, because I have had over 20-some employees from one place in my district contact me. Not for a pay raise, not for hazard pay, not because they were going to quit, because they cannot quit because they take care of human lives. So we should all be looking at that. Our job is to take care of human lives, to keep the most people unharmed from this pandemic, and this body is failing to do that. The failure to pass some of these amendments, all of these amendments, we have no protections in place. We shut down the State with few number of cases because of how dangerous this virus is. Nothing about that has changed. This virus does not care what county you are in. This virus does not care if you have five cases, zero cases, it does not care that you cannot get your hair or nails done. It does not discriminate. It impacts every single person, and you may not even know you have it.

So, again, Mr. President, I rise to express extreme opposition to this piece of legislation that truly puts more people at harm, and now is not the time to continue to further the spread. It has harmed enough people, it has harmed enough lives. It is harming our workers as we speak. Let us work on those pieces that still need to be fixed. Let us figure out a real solution and not open the floodgates to let this virus spread 10 times worse than it did before.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, I want to touch upon a couple of points. Let us be clear in terms of where our Members on this side of the aisle are coming from. We all certainly want to see the opportunity for all of our businesses to open up under the appropriate circumstances. As has been demonstrated by the thoughtful plan the Governor has put forth, we are not quite there yet. We have 37 counties in the yellow phase beginning Friday, and beyond that, the remaining 30. What this legislation does, Mr. President, is provide for special categories for special entities to be able to open up in the red phase because nearly all of these entities covered today, in this bill, would be permitted to operate in the yellow phase. My hope is that this week, Friday, if the Governor makes additional announcements, there will be other counties that may be appropriate for that. We do not know that right now. What we do know is there are red counties that have not been able to meet the threshold that the Governor and Dr. Levine have put forth. Commonsense, thoughtful measures we need to put in place as it relates to what needs to be done to move from red to yellow. It is also complemented not only by what they are saying but what other experts in the health field are saying, and also looking at data and, more impor-

tantly, looking at other trends and things that are going on in each of the individual counties to be able to allow it to occur, to come to a consensus of what is appropriate in a particular county or not.

Mr. President, the other theme that our Senate Democrats have been talking about is protection of our workers to insure that our workers have adequate levels of things that need to be done. The amendments that we have consistently tried to offer in committee around the lines of protecting our workforce and frontline workers, in particular, is a big part of what we are talking about. Certainly, we were disappointed yesterday; an amendment was entered into the bill that, quite frankly, stripped out language which we think was essential. This is the second time today that I have agreed with things that happened over in the House of Representatives, particularly with our Republican Leadership colleagues in the House Republican Caucus, who put things into measures specifically for a purpose. They, too, thought it was appropriate to protect workers. We--not we, my colleagues on the other side of the aisle--did not think that was the case and they stripped this language out.

Let me be very specific about what that language said. The language would have: *(Reading)*

Required protection for employees, all businesses that receive a waiver and operate under subsection (A) shall also provide, at minimum, the following protections for an essential employee: additional hazard pay, relative to the employee's risk of exposure--**cannot happen now because it has been deleted**--appropriate new PPE, or personal protective equipment, at the start of every shift, personal protective equipment shall include, but not be limited to, gloves and a mask--**not going to happen if this legislation passes**--a work environment that maximizes the safety of the employee and the public, including, but not limited to, social distancing and barriers.

Mr. President, those are just a couple of the issues that are here in this measure. Probably most disturbing is that there is nothing in the current bill--again, it has been deleted--that relates to violations. A business operating, and this is under the previous printer's number that was deleted from the current version, a business operating in this Commonwealth under a waiver under subsection A that violates any of the requirements under subsection B, which I just read most of, shall be immediately closed and may not be permitted to reopen until the business is in compliance. Mr. President, those are protective measures that were inserted in this measure over in the House that this Chamber deleted. That is concerning to me, because we opted not to provide these protections to our workers but rather to simply pass this bill without providing the protections that we tried to offer many times. I applaud my colleagues on the other side of the building for including these provisions that are not part of this amendment now and not part of the final version.

For those couple reasons that I have stated, I am in opposition and voting "no" on this measure.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, I will be as brief as I can. I want to make clear for the record that I represent a district that when you look at business, when you look at commerce, this really is, in many ways, the heart and soul of the Commonwealth's business and industry. Looking at this, our side of the

aisle agrees, we want to see the Commonwealth go back and try to return to what we can see as normal. But the reckless piecemeal approach to opening businesses without regard to worker or public safety is exactly what Governor Wolf said it is, it is a surrender. It is a surrender. The surrender, Mr. President, comes at a time when public health experts, not just here in Pennsylvania but across our country, are warning us of this very approach, this very short-sighted approach. We have heard the comments streamed to us in committee meetings over the last several weeks, time and time again, from elected officials, local officials, saying everything is fine based on what they see. We heard it today, everything is fine in my district based upon what I see. Well, Mr. President, the problem is what they cannot see.

We are not anywhere close to doing enough testing to send more workers to those already making their lives on the front lines of this. We are in no way ready to do that. I understand the implicit comparison between big box stores and local garden centers, I get that. But the bottom line here is that more unprotected workers are dealing with the public, and that is more that we do not know and it creates a potential for a dramatic backlash. That is the problem. When we begin to infuse more unprotected workers dealing with the public, that is where the problem lies.

We know this, Mr. President, we know that the Majority is not concerned about worker safety, despite the comments we heard at the beginning of today with the prayer. Read that prayer. Go back and read it. Read what the hell you said today in the Chamber, because what we heard this afternoon at the beginning of Session is not what these bills stand for. It is not the compassion that we heard earlier today. Voting down each amendment giving workers more protection or a choice in whether to risk their health for their job is a clear sign about where the steam behind this bill is being generated. Let me say that again: voting down each amendment giving workers more protection--because we have seen it not just today, Mr. President, but time and time again over the last several weeks--is a choice in whether to risk their health on the job, is a clear sign about where the steam behind this bill is being generated.

The cynical citation of so-called CDC guidelines is that the CDC itself says they are not to be used as guidelines. Again, we play this game. We reference CDC guidelines and then we say that we cannot see it, so there must not be a problem there. If you believe that risking more lives to save the economy is worth the cost, consider, Mr. President, that you are more likely to lose both. In his Senate testimony yesterday, Dr. Fauci said it best when he testified before the United States Senate: "There is a real risk that you will trigger an outbreak that you may not be able to control." Which, in fact, is paradoxical, will set you back not only leading to suffering and death that could be avoided, but could even set you back on the road to try to get economic recovery. That is where we are headed to, Mr. President. That is where this short-sighted approach is headed.

I join my colleagues on this side of the aisle and I join my colleagues on the other side of the building in saying that we are not ready, this approach is not what Pennsylvania needs, and I will be voting "no."

Thank you, Mr. President.

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

Senator STREET. Mr. President, I rise to oppose this legislation, not because I, like other Members, do not want to see our economy open, I certainly do, folks want to get back to work and are frustrated, but we simply do not have in place the appropriate worker protections. If we were to allow vast numbers of industries to come back online, workers would receive notices compelling them to come back, some of them up in age and many of them vulnerable. These citizens should not have to choose between being fired or remaining safe.

Why are we in this place, many would ask? Well, we are in this place because we simply do not have the tests to do population testing, so we do not know who is asymptomatic and could be a carrier and who is actually infected. Why do we not have the tests? We do not have the tests, not because of the decisions made by the Governor, but because of a failure by the Trump administration in Washington to make sure we had adequate population testing. Population testing would have allowed us to isolate people, to do contact tracing, and to make sure that we understand who is and who is not infected. It would allow us to move forward with a more rapid pace of business opening because we would understand exactly what is going on. But what we know now is that people continue to be infected and, unfortunately, people continue to die.

That being said, all is not lost. The Wolf administration has developed a set of criteria by which we can begin to evaluate, given the limitations that it has received, ways for us to safely begin to open parts of the economy. In fact, many Members, and I would say a significant number of Members across the aisle, represent areas that have moved from red to yellow as the Wolf administration has taken careful steps to reopen the portions of the economy that can be responsibly done so. But for us to, in a broad way, begin to open sectors of the economy that are still in the red phase, that still do not meet the criteria developed by the medical personnel and the Wolf administration to open the economy, would only put us in a place where we would likely have to shut down again, further damaging business and further damaging the economy. So, unfortunately, we do not have the tests because our President failed us. That being said, I think we have to trust that the Governor's process is moving forward and do the best we can.

So I urge a "no" vote on this bill and I urge Members to continue to work with the administration to open businesses in a manner that can be done in a reasonable, safe way.

Mr. President, I yield and I thank the President for this time.

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

Senator HUGHES. Mr. President, thank you for the opportunity to offer a few comments. We can approach this argument, this legislation, from a number of vantage points. Every time we look around, the information is startling and it stares us in the face. While we were speaking earlier today, I believe it was in front of the Committee on Appropriations, I came upon an article, the headline from today's *Philadelphia Tribune*, from a health perspective, we need to look at this conversation. *The Philadelphia Tribune* headline was "Philly investigating 1,742 percent more respiratory deaths, and many at-home deaths." Not all of them relate to the coronavirus, but many relate to people being fearful, not coming into the hospital with a respiratory condition and staying at home. One thousand seven hundred forty-two percent more respiratory deaths, and many of them are

at home. Are we ready to open up with that kind of number, that kind of statistic staring us in our face?

Mr. President, we can look at this as a healthcare conversation. That is startling right there in and of itself. We can listen to the experts, and we all have, I am sure, experts who we can point to. They are all doctors and all kinds of individuals, but I will start with Dr. Fauci. He was quoted earlier in one of our colleague's comments, Mr. President, but there are more, many more in Pennsylvania, in this country, and around the world.

Tom Inglesby, the director of the Johns Hopkins Center for Health Security, said:

"What worries me looking at Singapore is how much capacity they have on testing and contact tracing compared to the United States. Yet, months into the pandemic, even they are having to become more restrictive. Meanwhile, we in America have nowhere near that testing and tracing. Yet, all we are talking about is loosening up our restrictions."

Or Caitlin Rivers, a leading scholar at John Hopkins Center for Health Security, I underscore this:

"We risk complacency in accepting the preventable deaths of 2,000 Americans each day. We risk complacency in accepting that our healthcare workers do not have what they need to do their jobs safely. And we risk complacency in recognizing that without continued vigilance in slowing transmission, we will again create the conditions that led to us to being the worst-affected country in the world."

We risk complacency. We accept, in Pennsylvania, 200 deaths a week and say, that is okay. Or, as Caitlin Rivers said, 2,000 Americans each day dying.

Or Eleanor Murray, an assistant professor of epidemiology at Boston University School of Public Health, "If we open up and do exactly what we were doing in March, we are going to see a huge increase in cases."

Or Jeffrey Shaman, a leading epidemiologist at Columbia University. "The math is, unfortunately, pretty simple. It is not a matter of whether infections will increase but by how much."

Or Jeffrey Konyndyk, who was in charge of the U.S. Foreign Disaster Assistance during the Obama administration, that is President Obama. "The only tool the governors have had so far is to clamp down because it deprives the fire of oxygen. The second you open that up, the fire comes roaring back." This is an individual who, under the Obama administration, shut down pandemics, made sure that they did not touch at any level of depth, pain, hurt, and death of what we are dealing with here under this administration and under the leadership of the gentleman occupying—or the person occupying the White House.

So there are the top experts in the world, the top experts in our country, looking at national data, looking at Pennsylvania data, and looking at the international experience, telling us from a healthcare perspective that if we are not careful, if we are not thoughtful, if we begin the process of opening up, what will happen. The surge will occur, and we will be back to where we were.

Let us talk about what that means for the economy. As I said in the meeting of the Committee on Appropriations about an hour ago, Jerome Powell, chairman of the Federal Reserve, said this morning at a presentation at the Peterson Institute for International Economics, here is the headline, "Powell Warns of Broad Virus Danger." So if you do not want to look at this from a healthcare perspective, if you do not want to recognize the

growth in respiratory deaths that may not be COVID-19, or the growth in other deaths because people are not reporting to the hospital because they are fearful of what might happen to them even though they are deathly sick; they are afraid of what might happen if they go to the hospital. If you do not want to look at it from a health perspective, look at it from an economic perspective. Listen to the concern in the chairman of the Federal Reserve and his concern in the context of him utilizing almost every resource available to him as the leader of the Federal Reserve. Unleashing the spigots, turning on the spigots of dollars being able to go out into the broad national economy to bring this country back. He said in *Bloomberg*--we are not talking about *The Nation* magazine, about *Mother Jones* magazine, we are not talking about the *Washington Post* or the *New York Times*, we are talking about *Bloomberg*--Powell warns of broad virus danger. His job is to look at this from the perspective not just of Wall Street, but also the perspective of Main Street, although he controls the rudders on Wall Street. Powell warns of broad virus danger.

So the economy is in collapse, at least for most of Pennsylvania's citizens. For most of American citizens in every county, unemployment is up. For most of us, it is troubling. I might add, it is an interesting dichotomy that is going on with the stock market soaring but unemployment is over 20 percent. Who is benefiting from this? That is a conversation for another day.

If you do not want to look at it from a healthcare perspective and you do not want to look at it from an economic perspective, all right, how about the perspective of just being humane? We open up with insufficient testing, we open up with limited contact tracing, we open up with workers being forced to go back into harm's way. While all of us are trying to get away from harm's way, these workers are going back into harm's way, we open up and put them back into harm's way with no protection, no worker protection, insufficient PPE, insufficient testing, and a cavalier attitude driven by the person occupying the White House that has permeated too many portions of this nation and of this State. We open up and we put them in harm's way. In fact, we put the Members of this body in harm's way, all of us.

But it is about our people, and that comes to the high point here, the most important point. We are here, we serve a higher calling, Mr. President, we stand here and work at a higher level here, or at least we are supposed to. We are supposed to make decisions, especially in this time of tragedy and anxiety, this time where things are not sure, where we are being shaken to our core. We are elected by the people in our district and by the people of this State to make the tough decisions, the hard decisions. We are elected to be, Mr. President, the voice of the people who cannot be on the telephone town hall. We are elected, Mr. President, to be the voice of the people who cannot be in a ZOOM meeting, who cannot talk to or readily connect with their elected official because they are working one, two, three jobs, extra hours with no security, no protection, worried about their family and their own personal circumstance. We are elected to respond to something higher, especially in the context of a pandemic, Mr. President. We are elected for the people who are currently, right now, on a ventilator. They cannot watch this conversation. They cannot get on a telephone town hall. They cannot involve themselves in a ZOOM meeting. They cannot write a letter or send an email to their legislator or their Senator or to the President because they are sick, and likely dying. We are their voice to make

the hard decisions even when the public may be saying one thing, but science and the data are saying something else. I have watched family members' funeral services on YouTube because we could not get to the actual service itself because we were prevented for health reasons. Our job is to stand up and to step up for them, Mr. President. That is our job, especially now, to be our best selves in the toughest environment, and this is a tough environment. But we are challenged to be our best.

This legislation, Mr. President, is not our best. It is not time. It can slow economically, listen to what the chairman of the Federal Reserve said. Health wise, listen to what these national and international doctors, physicians, and medical researchers are saying. Listen to the doctors who we talk to who know exactly what is going on here, who trace this issue and live this reality. Look at the data, the history, the research, the history of pandemics in this nation and around the world and how this is supposed to be dealt with. Going down this path, Mr. President, ignores that history, ignores that data, ignores that research, and dooms us for likely putting ourselves back in the situation that we are trying to get out of.

Mr. President, this deserves a "no" vote. We deserve to be our best selves. Our people, the 12 1/2 million people of Pennsylvania, need us to be our best selves: thoughtful, wise, and willing to stand against the headwinds to make the best decision, Mr. President. In spite of what may be good intentions, this legislation deserves a "no" vote. Thank you.

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

Senator MARTIN. Mr. President, today I rise and say I am very proud of our efforts in the legislature as we put forth a bill that is transparent, provides fair guidance, and provides consistency and fairness across an entire industry. If anyone could say that has really been the case with what has been coming out of Harrisburg, folks may not have been paying attention. Six thousand one hundred hand chosen, in the dark, we do not yet know on what criteria they were selected, but here we are advocating for a consistent process. Why is that important? It is true, as I heard one of my colleagues say from across the aisle, since we are one of the only States not selling or allowing car dealerships to operate, they are going to Maryland, they are going to Ohio, they are going across the bridge from Philadelphia to New Jersey. It is true, this time of year is one of the most critical times of the year, and I love when I hear colleagues talk about the industries in their area. Well, let me tell you about my number one, which is also number one in Pennsylvania, agriculture. What has it been like during the most important time of the year for their livelihood and for every one of my mom-and-pop garden center stores that were closed? It takes away 375 truckloads of food, every one. If I was not upset enough about a huge industry in my county and the farms that we have there and their ability not to always do these things, it was bad enough, to watch the lines outside of Lowe's and Home Depot and big-box stores gathering hundreds of people, while the little people all over my county, livelihoods were being flushed down the toilet, how is that fair? To think that within 48 hours ago I received a waiver from one of my constituent's business that got revoked at the last minute, and to think that they were handing out garden center waivers to other industries while so many others struggle, while so many people know our food supply chain has been so disjointed.

So, here I am rising on what is right. If anyone wants to tell me that sending 200 or 1,000 people to Costco filling a parking lot, or Lowe's, is safer than sending them down a country road in Colerain Township to stop at a garden center where maybe 10 people at a time are purchasing food, how does that all make sense? Where is the trust of Pennsylvanians to do the right thing? More importantly, with a lot of the concerns that I am hearing, where were the concerns in how those 6,100 businesses were given waivers in the darkness and how they were going to prepare to serve?

I thank my colleague as the cosponsor of the Senate version of the garden center bill. The bill has broad bipartisan support, because other Members, even on the other side of the aisle, realize what this means to their local communities. So today, I rise in the form of transparency. I am glad we are having these discussions out in the open, and I encourage my colleagues to support this bill.

Thank you, Mr. President.

LEGISLATIVE LEAVE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Stefano.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-31

Argall	Dinniman	Mastriano	Stefano
Arnold	DiSanto	Mensch	Tomlinson
Aument	Gordner	Phillips-Hill	Vogel
Baker	Hutchinson	Pittman	Ward, Judy
Bartolotta	Killion	Regan	Ward, Kim
Boscola	Langerholc	Sabatina	Yaw
Browne	Laughlin	Scarnati	Yudichak
Corman	Martin	Scavello	

NAY-17

Blake	Haywood	Muth	Williams, Anthony H.
Collett	Hughes	Santarsiero	Williams, Lindsey
Costa	Iovino	Schwank	
Farnese	Kearney	Street	
Fontana	Leach	Tartaglione	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2412 (Pr. No. 3720) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for emergency COVID-19 provisions.

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

SCHWANK AMENDMENT A5583 OFFERED

Senator SCHWANK offered the following amendment No. A5583:

Amend Bill, page 1, line 21, by inserting after "provisions":
and for employee unemployment compensation protection
Amend Bill, page 2, lines 2 and 3, by striking out "an article" and inserting:
articles
Amend Bill, page 6, by inserting between lines 22 and 23:

ARTICLE II-B
EMPLOYEE UNEMPLOYMENT COMPENSATION
PROTECTION

Section 201-B. Definitions.

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

"Business." A business, industry or trade operating with a physical location in this Commonwealth regardless of whether that physical location is open to the public.

"Business reopening plan." A multiple phase plan developed by the Commonwealth for the gradual reopening of businesses that are subject to a business closure order pursuant to a declaration of public health emergency.

"CARES Act." The Federal Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136, 134 Stat. 281).

"COVID-19." The novel coronavirus, otherwise known as Covid-19.

"Employee." An individual employed by a business.

"Infectious disease." A disease that is caused by a microorganism, such as a bacterium, virus, or protozoan, that is not normally found in the human body and is capable of causing infection. Some, but not all, infectious diseases are contagious, meaning they can spread from person to person, including COVID-19 or the coronavirus. Other infectious diseases can spread from animals or insects to humans, but not from person to person.

"Intermediate reopening phase." A phase of a business reopening plan developed to address business operations during a public health emergency where specific nonlife-sustaining businesses within a specified county of the Commonwealth are authorized to reopen and conduct limited in-person and physical operations in compliance with guidance issued by the Centers for Disease Control and Prevention for businesses to plan and respond to COVID-19 or any other infectious disease and the guidance on business practices issued by the Department of Health to address COVID-19 or any other infectious disease.

"Life-sustaining business." A business that is designated as a life-sustaining business pursuant to a declaration of public health emergency issued by the Governor and any subsequent guidance.

"Public health emergency." An emergency declaration by the Governor of an occurrence or imminent threat of a disease or condition of critical public health importance with the following characteristics:

- (1) Is believed to be caused by any of the following:
 - (i) the emergence and spread of a novel or previously controlled or eradicated infectious disease; or
 - (ii) an infectious disease epidemic in this Commonwealth or a pandemic.
- (2) Poses a high probability of any of the following in the affected population:
 - (i) Death.
 - (ii) Serious or long-term disabilities.
 - (iii) Widespread exposure to an infectious disease that poses a significant risk of substantial present or future harm to the public health and safety.

Section 202-B. Employee unemployment compensation protection.
Notwithstanding any provision of law, an employee who is employed by a business that is subject to a business closure order issued by the Governor during a public health emergency shall remain eligible for the following assistance during the period when the business is authorized for limited operations under an intermediate reopening phase, if the employee is recalled to work at the business and the employee declines to return to work due to a concern that returning to work at the business during the intermediate reopening phase will place the employee's health at risk:

(1) Pandemic unemployment assistance under section 2102 of the CARES Act.
 (2) Emergency increase in unemployment compensation benefits under section 2104 of the CARES Act.
 (3) Pandemic emergency unemployment compensation under section 2017 of the CARES Act.
 (4) Unemployment compensation received from the Commonwealth under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law.

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

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, this amendment is similar to the one I offered on the last bill, but there is one thing that I certainly want to clarify. A statement was made that this is redundant or not necessary because these workers already have protections. But, it is my understanding that if you are in a yellow zone and you are required to come back to work, you will not be covered under unemployment compensation. So if you have misgivings as a worker as to what your personal safety would be, the fact that you may be going into an environment that you do not trust in terms of perhaps contracting the disease or worried about bringing it home, you do not have the opportunity to request unemployment compensation. You have two choices: you quit, or you are fired. I do not think being fired is actually a choice.

So as has been mentioned prior to this, on all of the amendments that we tried to put into the last bill and now into this legislation as well, the point is to protect people. If they are going to go back to work, let us at least protect them. It is just simply unfair to ask people to go into an environment where there is certainly no guarantee that they will be protected. So, I ask for an affirmative vote on this amendment.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, as the Senator said, it is a similar amendment whether you are in the red, green, or yellow phase, or even after the pandemic or before the pandemic, Labor and Industry does have a process for employees to show good cause and why they should not be reporting to work and can maintain their unemployment if it is justified through the process of their appeal. So, again, I ask for a negative vote.

LEGISLATIVE LEAVE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator DiSanto.

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

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

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

FONTANA AMENDMENT A5586 OFFERED

Senator FONTANA offered the following amendment No. A5586:

Amend Bill, page 1, line 21, by striking out the period after "provisions" and inserting:
 c relating to extension of waiver provisions and for responsible return to action protocols.

Amend Bill, page 2, lines 2 and 3, by striking out "an article" and inserting:

articles

Amend Bill, page 6, by inserting between lines 22 and 23:

ARTICLE XXI-C
 COVID-19 RETURN TO WORK PROTOCOLS

Section 2101-C. Scope.

This article relates to responsible return to action protocols.

Section 2102-C. Definitions.

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

"Business." A for profit, not-for-profit and non-profit entity that offers or produces goods or services for consideration.

"COVID-19." The novel coronavirus as identified in the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B 1644 (March 21, 2020).

"Department." The Department of Health of the Commonwealth.

Section 2103-C. Department functions.

(a) Authority.--The department may do all of the following for the implementation, administration and enforcement of this article:

(1) Promulgate regulations, publish guidelines and issue orders as necessary.

(2) Investigate violations and impose sanctions as authorized under this article.

(3) In consultation with the Department of Community and Economic Development submit a monthly report regarding the administration and enforcement under this article that includes:

(i) Businesses that have opened or resumed operations under this article.

(ii) The number of investigations initiated under this article.

(iii) The number of enforcement actions taken under this article and penalties imposed.

(iv) The number of reports, plans and applications filed by businesses for resumption of business activities.

(v) The number of plans approved and applications processed.

(4) The report shall be filed with all of the following:

(i) The Health and Human Services Committee of the Senate.

(ii) the Health Committee of the House of Representatives.

(iii) The Labor and Industry Committee of the Senate.

(iv) The Labor and Industry Committee of the House of Representatives.

Section 2104-C. Filing of business plans and applications.

A business shall file with the Department of Community and Economic Development on or before May 15, 2020, a business plan that details how the business will comply with all of the following:

(1) Regulations, guidance and orders of the department.

(2) Regulations, guidance and orders of the Centers for Disease Control and Prevention.

(3) Regulations guidance and orders of the Occupational Safety and Health Administration.

(4) Implementation and continuation of a paid sick-leave policy for employees that meets the following minimum standards:

(i) If an employee has the symptoms of COVID-19. Under this policy, the employee:

(A) shall be put on leave immediately upon the exhibition of symptoms; and

(B) must remain on leave until a physician indicates that return to employment is safe.

(ii) If a member of an employee's household is ill, the employee may be put on leave to care for the ill individual.

(iii) A COVID-19 positive test result is not required to take sick leave.

(5) Provides personal protective equipment to employees and other sanitary devices, equipment and supplies for all employees returning to work at the business site.

(6) Ensure that there is a minimum of six feet between employees and any other individual on the site of the business.

(7) Implement sanitary policies and a regular cleaning schedule to reduce exposure to COVID-19. This paragraph includes:

(i) Disinfecting restrooms, work spaces and areas with access to the public.

(ii) Maintaining adequate cleaning supplies, tissues, hand sanitizers, gloves, medical masks and other necessary sanitary products.

(8) Encourages as many employees as possible to work from home.

(9) Conduct meetings online as much as possible.

(10) Suspend nonessential operations.

(11) Implement minimal staffing.

(12) Limit interaction with individuals who are not employees.

(13) Not permit an employee to work in an area open to the public if any of the following is in the employee's household:

(i) An individual who is ill. The prohibition under this subparagraph continues until a physician indicates that return of the employee to work in the area is safe for the public.

(ii) An individual who is at high risk for suffering severe consequences from contracting COVID-19.

(14) Not permit an employee who is at high risk of suffering severe consequences from contracting COVID-19.

(15) No permit employees to share tools, equipment, desks or chairs.

(16) Close break rooms and dining areas.

Section 2105-C. Sanctions and penalties.

(a) Warning.--If the department determines that a business is in

violation of this article, the department shall order the business to correct the violation within 24 hours.

(b) Penalty.--A business that does not comply with an order under subsection (a) is subject to a civil penalty as follows:

(1) For a first offense a fine of \$5,000.

(2) For a second offense, revocation of any permit to open issued by the Department of Community and Economic Development and closure for a period of 15 days. The business shall be required to pay all wages, salaries, benefits and commissions due all employees for the period of closure for payment to the employees.

(3) For a third or subsequent offense, revocation of an permit to open issued by the Department of Community and Economic Development and closure for a period of 30 days. The business shall be required to pay all wages, salaries, benefits and commissions due all employees for the period of closure for payment to the employees.

(c) Administrative agency law.--Subsection (b) is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 2106-C. Expiration.

This article shall expire on the earlier of:

(1) Publication of the notice of the expiration of the declaration of disaster; or

(2) January 15, 2021.

On the question,

Will the Senate agree to the amendment?

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

Senator FONTANA. Mr. President, this is the same amendment that I offered to House Bill No. 2388. At that time, it was stated as a reason to vote "no" on my amendment that there is a process already in place, but I point out what is not in place, and that is the sufficient oversight and enforcement of the mitigation commitments made by the businesses that are reopening. This amendment, Mr. President, requires safety violations to be corrected through more than a slap on the wrist or just ignoring, in some cases, those violations, which is already being done in a lot of places. Mr. President, this amendment authorizes larger fines and shutdowns, which would get reopening businesses' attention and make a needed difference in protecting their workers, their employees, and their customers. Mr. President, I have a tough time understanding why, what is wrong with effective oversight and enforcement of businesses reopening? Thank you.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, again, as previously asked, I ask for a "no" vote. Again, any business that would open up under this legislation or the previous legislation would have to follow the Governor's guidelines, guidelines set up by the Governor and the Secretary of Health. I understand the theme here of worker protection and I support it, and I guess my colleagues are frustrated with the Governor and the Secretary of Health, who are not doing enough. I guess that is what the message is here. We are just trying to be consistent with the legislation so when businesses reopen, they are treated the exact same way as all the other businesses that the Governor has already opened, and they would have to follow the same guidelines. So maybe my colleagues do not think the Governor is doing enough, that he is failing at his job of protecting the workers. We are just trying to be consistent so these employees, who are going to go back to work, will do it in the same fashion that the Governor has already set into place when they go back to work. We are trying to

follow the Governor's lead here. I guess my colleagues think the Governor is not doing a good enough job, but we will stick by the Governor.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Fontana, for the second time.

Senator FONTANA. Mr. President, there are some of us who would like to do more. What is wrong with that? We want to make sure there are bigger and better protections for our workers. I do not see what is wrong with that. It has nothing to do with not agreeing with the Governor. It has to do with us as a legislative body, and a lot of us presented amendments here today to do just that, it was to make sure that those protections are in place, that they can be enforced and they should be enforced, and I do not see where that is a big deal as far as what the Governor is doing or what the Secretary of Health is doing. There is no relationship there for what we are doing and what we are trying to do. We are trying to make it better. It is not about consistency, it is about making things better for our workers and our customers. We want to save lives and we want to be safe. That is what we are trying to do. We are trying to make it better than it is right now. Thank you.

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

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

YE A-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

COSTA AMENDMENT A5591 OFFERED

Senator COSTA offered the following amendment No. A5591:

Amend Bill, page 1, line 21, by striking out the period after "provisions" and inserting:
, for COVID-19 hazardous duty work, for isolation or quarantine orders, for public health emergency leave and for employee protections.

Amend Bill, page 2, lines 2 and 3, by striking out "an article" and inserting:

articles
Amend Bill, page 6, by inserting between lines 22 and 23:

ARTICLE I-B

COVID-19 HAZARDOUS DUTY WORK

Section 101-B. Work-related hazardous duty.

(a) Presumption of work-related hazardous duty.-- Notwithstanding any other provision of law or regulation to the contrary, an individual employed by a life-sustaining business or occupation who contracts, has symptoms of or is otherwise exposed to an infectious disease, including COVID-19 (coronavirus) or any other novel virus or infectious disease during the declaration of a disaster emergency under 35 Pa.C.S. § 7301 (relating to general authority of Governor), the declaration of an epidemic or a public health emergency in this Commonwealth by the Governor or a pandemic, which results in a period of hospitalization, quarantine, isolation or other control measures due to such infection or exposure, shall establish a presumption that the individuals medical condition or inability to work is work-related hazardous duty.

(b) Hazardous duty deemed on-duty time.--An individual with an established presumption of work-related hazardous duty under subsection (a) may not be required to use sick time, vacation time, personal time or any other accrued paid time off or contractual time off to cover the period of incapacitation or inability to work.

(c) Eligibility and qualification; unemployment and workers' compensation.--

(1) Notwithstanding any provision of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, an individual with an established presumption of work-related hazardous duty under subsection (a) shall be eligible and qualified for unemployment compensation for the duration of the period of incapacitation or inability to work.

(2) Notwithstanding any provision of the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, an individual with an established presumption of work-related hazardous duty under subsection (a) shall be eligible and qualified for workers compensation for all medical costs related to such infection or exposure.

(d) Applicability.--Notwithstanding subsection (a), this section shall apply to individuals who work for a non-life-sustaining business or occupation that receives a waiver from the Department of Community and Economic Development authorizing the non-life-sustaining business or occupation to continue business operations during the period of time that a declaration of a disaster or public health emergency is effective.

Section 102-B. Definitions.

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

"COVID-19." The novel coronavirus, otherwise known as COVID-19.

Individual employed by a life-sustaining business or occupation. Front-line employees and other individuals employed by or under contract with a life-sustaining business or entity who work during the declaration of a disaster emergency or a public health emergency. The term shall include, but not limited to:

(1) First responders, including law enforcement officers, firefighters, emergency medical technicians and other individuals who are considered to be first responders.

(2) Corrections officers.

(3) Emergency services dispatchers.

(4) Ambulance drivers.

(5) Retail workers, including restaurant, food services and grocery store workers, cashiers and other support staff.

(6) Food and agriculture workers.

(7) Medical, health care and public health workers, including doctors, nursing professionals, physician assistants and paramedics, and other support staff.

(8) Pharmacists and any cashiers and other pharmacy support staff.

(9) Home healthcare workers.

(10) Public utility workers, including workers engaged in providing telecommunications, energy, water and wastewater services and public works.

(11) Any employee of State or local government.

(12) Trash collectors.

(13) Warehouse workers.

(14) Any other individual employed by a life-sustaining business or occupation who is required to work during the declaration of a disaster emergency or public health emergency.

"Infectious disease." A disease which is caused by a microorganism, such as a bacterium, virus, or protozoan, which is not normally found in the human body, and which is capable of causing infection. Some, but not all, infectious diseases are contagious, meaning they can spread from person to person, including COVID-19 or the coronavirus. Other infectious diseases can spread from animals or insects to humans, but not from person to person.

"Life-sustaining business or occupation." A list of businesses or occupations, as designated by the Governor, which performs or conducts a range of vital operations, functions and services that are essential to assisting the Commonwealth and its political subdivisions in protecting people and their communities while ensuring continuity of functions critical and essential to public health and safety, as well as economic and homeland security, and which should continue normal operations, appropriately modified to account for the Centers for Disease Control and Prevention and the Department of Health workforce and customer protection guidance, during the declaration of a disaster or public health emergency.

"Public health emergency." An emergency declaration by the Governor of an occurrence or imminent threat of a disease or condition of critical public health importance with the following characteristics:

(1) Is believed to be caused by any of the following:

(i) the emergence and spread of a novel or previously controlled or eradicated infectious disease; or
(ii) an infectious disease epidemic in this Commonwealth or a pandemic.

(2) Poses a high probability of any of the following in the affected population:

(i) Death.
(ii) Serious or long-term disabilities.
(iii) Widespread exposure to an infectious disease, which poses a significant risk of substantial present or future harm to the public health and safety.

ARTICLE I-C

Isolation or Quarantine Orders

Section 101-C. Employees subject to isolation or quarantine.

(a) Prohibition.--Notwithstanding any other law to the contrary, an employer in this Commonwealth may not terminate or retaliate or discriminate against an employee who is complying with any isolation or quarantine order or an employee who is the primary caregiver of a family member who is complying with any isolation or quarantine order.

(b) Reinstatement.--

(1) An employee who meets the criteria specified under subsection (a), other than an employee in a temporary position, shall be reinstated to a position of like seniority, status and pay after being released from isolation or quarantine if the employee:

(i) receives a certificate of completion of isolation or quarantine issued by a public official, the Department of Health or a local health facility;
(ii) is still qualified to perform the duties of the position;
and

(iii) submits an application for reemployment to the employer within 90 days after being released from isolation or quarantine.

(2) Paragraph (1) shall not apply if an employer's circumstances have changed during the isolation or quarantine period to make it unreasonable for the employer to comply with paragraph (1).

(c) Penalties.--

(1) If an employer fails or refuses to comply with the provisions of this section, an individual may bring a civil action against the employer in a court of competent jurisdiction to compel the employer to:

(i) comply with the provisions of this section; or
(ii) compensate the individual for any loss of wages or benefits suffered by reason of the employer's failure or refusal to comply with the provisions of this section.

(2) An individual who brings a civil action under paragraph (1) may be represented by counsel, or upon submitting an application to the Office of Attorney General, request that the Office of Attorney General represent the individual in accordance with section 204 of the act of October 15, 1980 (P.L.950, No.164), known as

the Commonwealth Attorneys Act. If the Office of Attorney General is reasonably satisfied that the individual has been aggrieved by the employer in violation of this section, the Attorney General may represent the individual.

(3) No fees or court costs shall be assessed against an individual who brings a civil action under paragraph (1). Attorney fees shall be awarded to the counsel of the individual awarded damages in a civil action under paragraph (1) or the Office of Attorney General if the Office of Attorney General represents the individual.

ARTICLE I-D

PUBLIC HEALTH EMERGENCY LEAVE

SUBARTICLE A

PRELIMINARY PROVISIONS

Section 101-D. Definitions.

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

"Department." The Department of Labor and Industry of the Commonwealth.

"Employee." An individual who is employed by an employer doing business in this Commonwealth.

"Employer." As defined in the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968.

"Family member." Any of the following:

(1) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner or a child to whom the employee stands in loco parentis, regardless of age.

(2) A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee or the employee's spouse or domestic partner was a minor child.

(3) A person to whom the employee is legally married under the laws of any state or a domestic partner of an employee as registered under the laws of any state or political subdivision.

(4) A grandparent, grandchild or sibling, whether of a biological, foster, adoptive or step relationship, of the employee or the employee's spouse or domestic partner.

(5) A person for whom the employee is responsible for providing or arranging care, including helping that individual obtain diagnostic, preventive, routine or therapeutic health treatment.

(6) Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.

"Health care professional." A health care center or person, including a corporation, university or other educational institution licensed or approved by the Commonwealth to provide health care or professional medical services as a physician, certified nurse midwife, podiatrist, hospital, nursing home or birth center or any other person licensed under Federal or State law to provide medical or emergency services.

"Paid sick time." Time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked and is provided by an employer to an employee for the purposes of section 110-D, but in no case shall this hourly amount be less than the hourly amount under The Minimum Wage Act of 1968.

"Public health emergency." A threat to public health or sufficient threat to be the subject of an emergency or disaster declaration made by a Federal, State or local official with the authority to declare the emergency.

"Public health emergency leave." Paid sick leave which must be provided by an employer to an employee affected by a public health emergency.

"Retaliatory personnel action." Denial of a right guaranteed under this or any actual or threatened discharge, suspension, demotion, reduction of hours, reporting an employee's suspected citizenship or immigration status, or the suspected citizenship or immigration status of a family member of the employee to a Federal, State or local department, or any other adverse action against an employee for the exercise of any right guaranteed herein, including any sanctions against an employee who is the recipient of public benefits for rights guaranteed under this article. Retaliation includes interference with or punishment for in any manner participating in or assisting an investigation, proceeding or hearing under this article.

SUBARTICLE B

EMERGENCY LEAVE

Section 110-D. Establishment of public health emergency leave.

(a) Requirement.--Each employer of the Commonwealth shall provide paid sick time to employees whose residence or employment is affected by a public health emergency. An employer shall provide the paid sick time in addition to any other leave benefits available to employees by contract or policy. Public health emergency leave shall be made available in accordance with the following:

(1) An employee who normally works 40 or more hours in a week shall be provided at least 112 hours of paid sick time.

(2) An employee who works fewer than 40 hours in a week shall be provided an amount of paid sick time equal to the amount of time the employee is otherwise scheduled to work or works on average in a 14-day period.

(b) Immediate provisions.--The public health emergency leave required under subsection (a) shall be provided to employees immediately for the use of employees under section 113-D, regardless of how long the employee has been employed.

(c) Usage.--An employee may use public health emergency leave from the first date of the emergency or disaster declaration until two weeks following the termination of the declaration.

Section 111-D Notice.

Immediately after a declaration of a public health emergency within the Commonwealth, an employer shall provide notice to all employees of the eligibility to receive public health emergency leave if the employee's residence or place of employment is part of the area affected by the public health emergency.

Section 112-D. Ongoing threat.

If a public health emergency was declared before and remains in effect on the effective date of this section, public health emergency leave under this shall be:

(1) provided to employees under section 110-D on the effective date of this section; and

(2) made available retroactively to employees employed on the effective date of this section.

Section 113-D. Use of public health emergency leave.

(a) Uses.--Nothing in this shall be construed to require an employee to use public health emergency leave if the employee is able to perform work remotely. An employee may elect to use public health emergency leave for any of the following purposes regardless of the ability to work remotely:

(1) To care for oneself because:

(i) The employee is diagnosed with a communicable illness related to a public health emergency.

(ii) The employee is experiencing symptoms of a communicable illness related to a public health emergency.

(iii) To seek or obtain medical diagnosis, care or treatment if experiencing symptoms of a communicable illness related to a public health emergency.

(iv) To seek preventive care concerning a communicable illness related to a public health emergency.

(2) To care for a family member who:

(i) Is self-isolating due to being diagnosed with a communicable illness related to a public health emergency.

(ii) Is self-isolating due to experiencing symptoms of a communicable illness related to a public health emergency.

(iii) Needs medical diagnosis, care or treatment if experiencing symptoms of a communicable illness related to a public health emergency.

(iv) Is seeking preventive care concerning a communicable illness related to a public health emergency.

(3) To adhere to a determination by a Federal, State or local public official, a health authority having jurisdiction or a health care provider that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to a communicable illness or exhibiting of symptoms, regardless of whether the employee has been diagnosed with a communicable illness.

(4) To provide care to a family member due to a determination by a Federal, State or local public official, a health authority having jurisdiction or a health care provider that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to a communicable illness or exhibiting of symptoms, regardless of whether the family member has been diagnosed with a communicable illness.

(5) Closure of the employee's place of business by order of a Federal, State or local public official or health authority or at the discretion of the employer due to a public health emergency.

(6) An employee's inability to work or telework while under an individual or general Federal, State or local quarantine or isolation order, including a shelter-in-place order, related to the public health emergency.

(7) Care of a child or other family member when the care provider of the individual is unavailable due to a public health emergency or if the child's or family member's school or place of care has been closed by a Federal, State or local public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely.

(b) Notice.--The employee shall provide notice to the employer of the need for paid sick time as practicable only when the need for paid sick time is foreseeable and the employer's place of business has not been closed.

(c) Limitations.--An employer may not require, as a condition of an employee's taking paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using paid sick time.

(d) Increments.--Paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

(e) Documentation.--Documentation may not be required for paid sick time under this article.

Section 114-D. Additional leave.

If an employee is entitled to paid sick time under Federal law for any of the purposes under this article, paid sick time under this article shall be in addition to that paid sick leave to the extent permitted by Federal law.

Section 115-D. Subrogation.

An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the public health emergency leave under this article.

Section 116-D. Overtime.

Employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1) (relating to exemptions) of the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.) will be assumed to work 40 hours in each work week for purposes of paid sick time under this article unless their normal work week is less than 40 hours, in which case paid sick time under this article is based upon that normal work week.

Section 117-D. Termination.

Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement or other separation from employment for paid sick time that has not been used.

SUBARTICLE CENFORCEMENTSection 121-D. Duties of department.

The department shall:

(1) Have authority to enforce this article.

(2) Be authorized to coordinate implementation and enforcement of this article.

(3) Promulgate appropriate guidelines or regulations for this article.

(4) Post the regulations and information about the rights and duties of employees and employers under this article on the department's publicly accessible Internet website.

Section 122-D. Enforcement.

This article shall be enforced under section 9 of the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968.

Section 123-D. Exercise of rights protected and retaliation prohibited.
(1) It shall be unlawful for an employer or any other person to interfere with, restrain or deny the exercise of or the attempt to exercise any right protected under this article.

(2) An employer may not take retaliatory personnel action or discriminate against an employee or former employee because the person has exercised rights protected under this article. These rights include the following:

(i) The right to request or use paid sick time under this article.

(ii) The right to file a complaint with the department or courts or inform any person about any employer's alleged violation of this article.

(iii) The right to participate in an investigation, hearing or proceeding or cooperate with or assist the department in its investigations of alleged violations of this article.

(iv) The right to inform any person of his or her potential rights under this article.

(3) It shall be unlawful for an employer's absence control policy to count paid sick time taken under this article as an absence that may lead to or result in discipline, discharge, demotion, suspension or any other adverse action.

(4) Protections of this section shall apply to any person who mistakenly, but in good faith, alleges violations of this article.

(5) There shall be a rebuttable presumption of unlawful retaliatory personnel action under this section whenever an employer takes adverse action against a person within 90 days of when that person:

(i) files a complaint with the department or a court alleging a violation of any provision of this article;

(ii) informs any person about an employer's alleged violation of this article;

(iii) cooperates with the department or other persons in the investigation or prosecution of any alleged violation of this article;

(iv) opposes any policy, practice or chapter that is unlawful under this article; or

(v) informs any person of his or her rights under this article.

Section 124-D. Notice and posting.

(a) Notice.--Unless an employer's place of business is closed due to a public health emergency, an employer shall give employees written notice of their rights under this article, at the commencement of employment or by the effective date of this section, whichever is later, and annually thereafter. The notice shall contain the following information:

(1) That employees are entitled to public health emergency leave.

(2) The amount of public health emergency leave guaranteed under this article.

(3) The terms of use of public health emergency leave guaranteed under this article.

(4) That retaliatory personnel action against employees who request or use public health emergency leave is prohibited.

(5) That each employee has the right to file a complaint or bring a civil action if public health emergency leave as required by this article is denied by the employer or the employee is subjected to retaliatory personnel action for requesting or taking public health emergency leave.

(6) The contact information for the department where questions about rights and responsibilities under this article can be answered.

(b) Languages.--The notice required in subsection (a) shall be in English, Spanish and any other language that is the first language spoken by at least 20% of the employer's workforce, if the notice has been translated and provided by the department.

(c) Amount available.--The amount of paid sick time available to the employee, the amount of paid sick time taken by the employee to date in the year and the amount of pay the employee has received as paid sick time shall be recorded in or on an attachment to the employee's regular paycheck.

(d) Display.--Unless an employer's place of business is closed due to a public health emergency, an employer shall display a poster that contains the information required in subsection (a) in a conspicuous and accessible place in each establishment where the employees are employed. In cases where the employer does not maintain a physical workplace, or an employee telecommutes or performs work through a web-based platform, notification shall be sent via electronic communication or a conspicuous posting on the web-based platform. The poster displayed shall be in English, Spanish and any language that is deemed appropriate by the department, if the poster has been provided by the department.

(e) Templates.--The department shall create and make available to employers model notices and posters that contain the information required under subsection (a) for employers' use in complying with subsections (a) and (d).

(f) Waiver.--If an employee's business is closed due to a public

health emergency, the notice and posting requirements under subsections (a) and (d) shall be waived for the period in which the place of business is closed.

(g) Violations.--An employer who willfully violates the notice and posting requirements of this section shall be subject to a civil fine in an amount not to exceed \$100 for each separate offense.

SUBARTICLE D ADMINISTRATION

Section 131-D. Employer records.

(a) Records.--For a period of three years, an employer shall retain records documenting hours worked by employees, paid sick time and public health emergency leave taken by employees and allow the department access to these records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this article.

(b) Presumption.--If an issue arises as to an employee's entitlement to public health emergency leave under this section, if the employer does not maintain or retain adequate records documenting hours worked by the employee, paid sick time and public health emergency leave taken by the employee or does not allow the department reasonable access to such records, it shall be presumed that the employer has violated this article, absent clear and convincing evidence otherwise.

Section 132-D. Confidentiality and nondisclosure.

Any health or safety information possessed by an employer regarding an employee or employee's family member must:

(1) be maintained on a separate form and in a separate file from other personnel information;

(2) be treated as confidential medical records; and

(3) not be disclosed except to the affected employee or with the express permission of the affected employee.

Section 133-D. No effect on more generous policies or laws.

Nothing in this article shall be construed as:

(1) Discouraging or prohibiting an employer from the adoption or retention of a paid sick time policy more generous than the one required in this article.

(2) Diminishing the obligation of an employer to comply with a contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous paid sick time to an employee than required under this article.

(3) Diminishing the rights of public employees regarding paid sick time or use of paid sick time as provided in the laws of this Commonwealth relating to public employees.

(4) Superseding any provision of a local law that provides greater rights to paid sick time than the rights established under this article.

Section 134-D. Other legal requirements.

This article provides minimum requirements pertaining to paid sick time and may not be construed to preempt, limit or otherwise affect the applicability of any other law, regulation, requirement, policy or standard that provides for a greater amount, accrual or use by employees of paid sick time or that extends other protections to employees.

Section 135-D. Public education and outreach.

The department shall develop and implement a multilingual outreach program to inform employees, employers, parents, elder care providers and persons who are under the care of a health care provider about the availability of public health emergency leave under this article.

ARTICLE I-E EMPLOYEE PROTECTIONS

Section 101-E. Definitions.

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

"COVID-19." The novel coronavirus, otherwise known as COVID-19.

"Employee." An individual who is not able to work remotely during employment for an employer.

"Employer." Any business industry or trade operating with a physical location in this Commonwealth, regardless of whether that physical location is open to the public.

"Infectious disease." A disease which is caused by a microorganism, such as a bacterium, virus, or protozoan, which is not normally found in the human body, and which is capable of causing infection. Some, but not all, infectious diseases are contagious, meaning they can

spread from person to person, including COVID-19 or the coronavirus. Other infectious diseases can spread from animals or insects to humans, but not from person to person.

"Public health emergency." An emergency declaration by the Governor of an occurrence or imminent threat of a disease or condition of critical public health importance with the following characteristics:

(1) Is believed to be caused by any of the following:

(i) the emergence and spread of a novel or previously controlled or eradicated infectious disease; or

(ii) an infectious disease epidemic in this Commonwealth or a pandemic.

(2) Poses a high probability of any of the following in the affected population:

(i) Death.

(ii) Serious or long-term disabilities.

(iii) Widespread exposure to an infectious disease, which poses a significant risk of substantial present or future harm to the public health and safety.

Section 102-E. Employee personal protective equipment.

Notwithstanding any other provision of law, during a public health emergency, an employer shall provide employees with appropriate personal protective equipment, including the provision of face masks to and use by employees, that complies with guidance issued by the Centers for Disease Control and Prevention for businesses to plan and respond to COVID-19 or any other infectious disease, and the guidance on business practices issued by the Department of Health to address COVID-19 or any other infectious disease.

Section 103-E. Protection from retaliation.

(a) General rule.--It shall be unlawful for an employer to discharge, threaten or otherwise retaliate against an employee regarding compensation or other terms or conditions of employment because the employee:

(1) makes a complaint regarding noncompliance with section 102-E to the employer or a governmental entity; or

(2) participates in an investigation regarding noncompliance with section 102-E.

(b) Action.--An employee who suffers retaliation or discrimination in violation of this article may bring an action in a court of common pleas in accordance with established civil procedures of this Commonwealth. The action must be brought within three years from the date the employee knew of the retaliation or discrimination.

(c) Relief.--If the employee prevails in an action commenced under this article, the employee shall be entitled to the following relief:

(1) Reinstatement of the employee, if applicable.

(2) Restitution equal to three times the amount of the employee's wages and fringe benefits calculated from the date of the retaliation or discrimination.

(3) Reasonable attorney fees and the cost of the action.

(4) Any other legal and equitable relief as the court deems appropriate.

Section 104-E. Penalties.

An employer operating in this Commonwealth that fails to comply with the requirements of section 102-E shall be:

(1) Subject to a civil penalty of \$1,000 for each finding of noncompliance.

(2) Immediately closed and may not be permitted to reopen until the employer is in compliance.

On the question,

Will the Senate agree to the amendment?

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

Senator COSTA. Mr. President, my colleagues are familiar with this amendment. It is one that I have offered on multiple occasions with no success. My hope is that things may change. The third time, as they say, is the charm. Mr. President, this amendment would provide for the following protections for employees of life-sustaining businesses who contract COVID-19, or any other infectious disease, during the emergency that we are dealing with now, for example. It creates a presumption that a

work-related hazardous duty caused the infection; it also requires that no requirement for the employee with the disease to use sick, vacation, or personal time while unable to work because of the virus; it also would make eligibility for unemployment compensation and workers compensation where folks are unable to go to work; provides employees, subject to isolation or quarantine order, with protections from termination, retaliation, or discrimination by an employer, provides for reinstatement to employment, and provides for further penalties in relation to that; provides for public health emergency leave by requiring all employers in PA to notify and provide employees with paid sick time in addition to any other type of leave benefits; and, finally, Mr. President, it requires employers in Pennsylvania to provide appropriate PPE, including face masks, to employees who are unable to work remotely, provide employee protection from retaliation, as I mentioned, and discharge due to reporting noncompliance, as well as providing for various penalties for noncompliance.

Mr. President, this is something, as I said earlier, that has been a consistent theme in terms of our worker protections that we think are essential and need to be part of measures leaving this Chamber and back over to the House. I ask for an affirmative vote.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I ask for a negative vote.

PARLIAMENTARY INQUIRY

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

Senator A.H. WILLIAMS. Mr. President, it is not on the amendment, it is on the process. On two occasions, and I recognize you are doing everything possible, but on the previous speaker, not on the gentleman, Senator Costa, but on the previous speaker, there was a comment made by my colleague, Senator Corman. I wanted to react to that and was not able to because I was not acknowledged. I am only following the process, because you control the muting process and nonmuting process, which I will respect, but there have been two times on which comments have been made that I wanted to react to, and if I were on the floor, I would have been allowed to do it. Is there something you can suggest that we can do differently? Please, if you can, give us time between acknowledging that comments have been made before the vote is occurring. I would appreciate that because I believe our side is trying to be recognized in that process. Thank you.

The PRESIDENT pro tempore. Senator Anthony Williams, your camera needs to be turned back on. Your camera has been off, Senator. We were unable to recognize you.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

NAY-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel
Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

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

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

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

On the question,
Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, all I say is this, those of us who are Democrats, we do not look upon our actions as retreat. I think that the fine lady from Northampton County explained that we believe there is a balance that we can achieve between opening up parts of the economy and preserving safety itself. I am disappointed, however, that the Majority is not going further in protecting our workers. I think Senator Fontana's amendment was one which would allow great enforcement. It does not matter whether you think the Governor is doing enough or not doing enough. All that I am trying to say, and I think many of us are trying to say, is let us show that we really care about our workers and we have the proper enforcements.

Let me make a couple other brief comments. On the safety issue, when in our county the greatest challenge to our safety of our residents is what is happening in the Southeastern Veterans Center, over 35 deaths, whose responsibility is that? It is a State institution and the State had that responsibility. When the initial waivers were given, one of the waivers was given to continue construction of Mariner East in my district. Myself, our county commissioners, all of us begged the Governor's Office to hold off on that waiver, but the construction continues even today. You know, that involves very hazardous gases that are going through. Another point we heard, that other parts of the Mariner East construction could continue, then the next day we heard it cannot continue. So, on the matter of safety, we have to make sure that our waiver process is fair and takes everything into consideration.

Like Northampton County, Lehigh Valley, as brought out by the Senator from Lehigh Valley, our hospitals are nowhere near capacity. We are back doing elective surgery now. In fact, even on that, it was not that the State ended elective surgery, it was that some hospital systems, including one of the biggest in the

State, UPMC, just went ahead and did it. Then, everyone else was given permission.

Finally, let me say this. If it is vetoed, hopefully, we will have further discussion on how to protect our workers. In my judgment, that is the greater thing that is missing. I valued input from my constituency. We deeply care about health. We do not want anyone to get ill. We understand that we all have to wear masks and stay 6 feet apart. Every single business that has called has pledged themselves to do that. Many of these are very small businesses, mom and pops, that might only have one or two people. Many of them are in the poorest areas of our county, by the way, with a family running a business, and people coming in, and they are now closed. So we are just trying to achieve a balance. I mean, there are some amazing things that go on. While we are worried about someone getting a haircut, do you know that waivers have been granted to spas so they can give Botox treatment? Right in your face, right where your eyes are is where that treatment takes place.

So, let us get real on all this. Let us try to achieve that balance. Let us go slow, as the fine woman from Northampton County has said. Our hospitals have the capacity, they are back doing elective surgery again. In the end, in terms of real estate, which is what this is about, we are one of the fastest growing counties in Pennsylvania, if not the fastest growing. I can tell you that I have received at least two dozen calls from people who have two houses, one they want to sell and the other they already signed the contract to buy. These people are caught in the middle. For a realtor to meet the person in a house to sell it with no one else present but the realtor and their family, it is hardly a challenge to the safety of our community. Yes, we have to keep it safe. Yes, we have had examples of regulations that keep it safe. We have examples of those not enforced so that safety is not kept. We have things that the State should have had the responsibility for, such as the Southeastern Veterans Center not being safe. In fact, on the Mariner East operations that are still under construction, I wrote three letters to the Secretary of DEP asking a simple question. I said, unfortunately, the Trump administration has stopped the enforcement of any environmental regulations, is DEP doing the same? I never received an answer.

So, let us get real. We have to be safe, and that safety has to come from our administration, that safety has to come from passing the types of legislation that Senator Fontana has mentioned, and I praise him for that effort, and I join him in that effort, and we all have to come together. Maybe, if it is vetoed, we will have the opportunity to solve some of these issues. I am not blaming anyone. We all agree blame lies with a lot of people. All I want to do is try to achieve a balance. Everyone has used the words "common sense." The difference today is that different people have different views of common sense. Different views of what the balance can be. Maybe, in some ways, it is because we each come from different counties who have different situations, who have different rates in terms of the 50 per 100,000 and who -- you know, there is a big difference between ours that is just over 100 and Philadelphia that is over 300.

The key thing, and this will save everyone from having to listen to a remonstrance on my part today, is this, we cannot do any of this. We cannot achieve that balance. We cannot actually keep people safe. We cannot reopen the economy until every single person has access to every piece of data, every single piece of information. The problem now is there are so many

different stories out there, people are not believing the statistics, they are not believing what the State and Federal government are saying, they want to be safe but they want real information, accurate information, and that is not being provided. The one thing the legislature can do is to insist on accurate information from all sources, be they business, the Governor's Office, the President, and that is what is missing, and we cannot protect our citizens without it.

So, thank you, Mr. President, and you do not have to listen to a remonstrance now because I got my point out about information. Thank you so much.

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

Senator BOSCOLA. Mr. President, I just want to say that I really do believe real estate is not only a critical component to Pennsylvania's economy, but it is also a basic necessity for people. This issue is vital, so much so that I introduced a similar measure in the Senate last month. Pennsylvania is the only State in the country which does not permit real estate services. The only one. Up until a few weeks ago there were two others, Michigan and Vermont, and they have since revised their business openings to include real estate. This bill does provide safeguards to protect agents, to protect services related to real estate and to protect home buyers and sellers. CDC guidelines must be practiced and followed during the entire process. So I did introduce a similar measure in the Senate, and I introduced it because I met with various real estate agents and they gave me a 12-point COVID-19 mitigation plan. A real serious plan on how they were going to social distance from each other and make this work safely. They recognized that in these serious times they have fought long and hard about how they are going to practice their profession during this crisis, and that is what I want to say to everybody. The word "profession" means a lot to them. The realtors I have worked with and have spoken to have repeatedly said one thing, we are professionals, please treat us like one. Some of them have said, we are professionals, Lisa, we are not children. We can do this safely. We do not want to get sick, we do not want our clients to get sick, but people do need to move, leases come to an end, and things need to happen in life when moving your place of residence becomes essential.

The health crisis does not stop many of those sad situations from occurring, but housing is a basic necessity, and that is why I am supporting allowing our realtors to go back to work today in a safe environment. Thank you.

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

Senator PHILLIPS-HILL. Mr. President, there are three basic essentials of life: food, clothing, and shelter. Pennsylvania is the only State in the nation where you cannot purchase a home to shelter your family. My good friend, the gentlewoman from Northampton County, and I have partnered with several other colleagues here in the Senate on companion legislation that essentially does the same thing that this bill does. It empowers real estate licensees who have the ability to abide by and adhere to Department of Health and CDC guidelines during real estate transactions to keep people safe, to allow them to empower people to shelter their families and put them in homes. As the gentlewoman from Northampton County shared earlier, real estate professionals have put together a 12-point COVID-19 mitigation plan.

I have heard stories from realtors from my district. One of the ones that tugged on my heartstrings the most was of the real estate agent who was trying to help a couple from Delaware move to York County, Pennsylvania. Both of them are members of the National Guard, one of them a medical professional who is coming to Wellspan York Hospital to serve on the front lines of this pandemic and care for people in our communities. They cannot purchase a home. They have no place to live. I have heard from families with young children who sold their homes and got stuck, they have no place to go other than a hotel. Imagine living with your small children in a hotel. The stories go on and on.

Mr. President, I believe that our citizens deserve the right to put a roof over their heads, and I believe that our real estate professionals are capable of providing safe conditions not only for themselves, but for their clients as well. That is why I support this legislation to provide a waiver to the real estate industry.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I am in opposition to this bill simply for the fact that there is not a finalized plan or secured supply chain to insure that any industry can have access to the appropriate sanitizing and PPE measures that would need to be secured in order to operate any business safely. That seems to be a topic of conversation that is getting lost in this debate. If we do not have a secured supply chain for what we need to actually keep people safe from contracting this deadly virus, especially since it is a virus that even if you do a simple walk-through of a home that is for sale, what is the measure in place to assure that whoever is part of that does not have COVID-19, and if they do, that it is eliminated from surfaces within the household, especially if it is a house where people live currently? Those measures are not in place, and I hope that we can work toward those solutions not just for this industry but every industry, so that there are safe ways of operating while we figure out how to truly beat this virus. Until then, any legislation that does not have a full protocol in place, one that is also not just effective but enforced, it puts everyone in extreme risk and harm for contracting this virus. It is a silent virus.

While I certainly can agree with aspects of the frustration that everyone in this Chamber has dealt with both hearing from constituencies and even as a legislator feeling as though not all information is necessarily available or the answers are not there, we should really be looking for solutions that work, and reacting to frustrations with the administration or anyone else is not a solution. Yes, I also have issues with the pipeline being built through my constituents' neighborhood, but the answer is not to allow then, suddenly, for everyone to have tours of homes. So if there is not a safe solution, then why would we implement it? It is our job to protect people and provide true solutions to problems, not make more problems by expanding the spread. If we do not have these solutions in place for every single industry to operate safely with minimal harm and spread, then this spreads to workers who go into our hospitals, who go into our nursing homes, and it just continues this problem.

So the concept of this bill, yes, I would like things to start to reopen, but until we have a supply chain and enforced protections, we are asking for a disaster in a few weeks when we irresponsibly permit things to operate without protections in place.

Thank you, Mr. President.

The PRESIDING OFFICER (Senator John R. Gordner) in the Chair.

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

Senator A.H. WILLIAMS. Mr. President, when we first started out I was scratching my head, trying to figure out what this was really about, but eventually somebody sort of revealed it: the Governor is not doing his job and we are trying to correct it with what some have described as a transparent, straightforward process. And they continue to point out things like we are the only State that does this. Unfortunately, if we were to follow that logic, then you would remove a whole host of what Pennsylvania is doing that we are the only ones doing. I can Google that, there is a list of things that we are the only ones doing, and by the way, some of them are just not good for the economy.

Further, when we talk about, and I heard my colleague interject, we are here because the Governor is -- maybe we do not agree with how he is doing his job, but one of my other colleagues earlier interjected and suggested that it is really not the Governor but the President of the United States who put us here because of his incompetence, he was reprimanded. So this is about winners and losers, a process that we arbitrarily select one industry versus another, and I could pick some and say they can social distance, and we should just say that to the public, because that is all this moment is about. This moment is not about realtors, it is not about car dealerships, it is about winning. It is about proving I got the numbers and we can stick it up the Governor's you know what. It is about proving a point that does not necessarily make sense to the public in general. While I have great respect for those people who are in business and trying to make their way, certainly the realtors are amongst them, every place in the world has recognized that the moment they opened up their economy, there were drawbacks and consequences, which is death. I listened to the heart rendering story of the couple coming from Delaware and moving into a house with a real estate agent, none of whom have been probably tested. Furthermore, when the follow-up story goes that the couple moves in and the agent dies or the couple dies, please bring that story to the floor.

I agree with Senator Dinniman when he says there are inconsistencies with waivers. I agree with all of that. I think all of us, Democrat and Republican, are clear that the waiver process was not the way we would have wanted it to work, but all of us are clear that the pandemic was nothing that we were prepared for, and it has nothing to do with our Governor, nothing to do with our Secretary of Health, nothing to do with rules that we did not have prepared, nothing to do with any of that other than we had something in place that dealt with pandemics nationally and we destroyed it. So if it is about the Governor not doing the job, let us point the finger at somebody else.

Our colleague pointed out fairly, adequately, and accurately, that we are in this space because the Commander in Chief failed to do his job and left the governors across the country to clean up the mess that he left us. So if a small business person in Pennsylvania is greatly concerned, annoyed, or angry, at least point your finger at the right person. Do not point it at somebody who happens to be run over by the circumstances which are presented to them, the leftovers that were given to us, and the hand that we

have to draw. Picking winners or losers and acting as if some are more concerned about human beings than others, I do not know how we get to that point in a pandemic. I do not know how we point out these heart wrenching stories as if they are individualized to your constituency. They are in everybody's constituency. Death, loss, business closing, all of that is a part of our collective story.

Most importantly, in these moments of great crisis in this nation, there has always been leadership, strong leadership. So when we were at war, physical war, there was sacrifice, there was commitment, there was a plan, and we as a nation, whether we liked it or not, went into a global community and fought the greatest war that the world has ever seen. By the way, not every American agreed with that. But we had to do it, and we stayed the course, and now we are the greatest nation in the world. By the way, Pennsylvania may be one of the safest States in the country. Yes, it may not sell real estate, but when it is compared to Delaware, who shut down its entire State and said, if you do not live here, do not come here; and New York, New Jersey, and Ohio, I do not want to have those numbers. Pennsylvania is a leader in terms of its plan, as conservative as it may be.

So my simple point is, real estate or not, realtors or not, the point today, apparently, is to make a statement that the Governor is failing in his job. He is not. He gets an A for safety and health. He is not the one who cut off all the resources and did not prepare for a pandemic that was planned for in the previous administration. He is not the one who did not provide adequate testing a month before when he was notified. He is not the one who is now saying, planning out, maybe I will marginalize this life compared to that life. He is doing something that I guess for some it is politically unpopular, and for others they want to use the expediency of the moment. The Governor is doing what we should have done a long time ago show strong, firm leadership even to our friends, who we know the moment that their economies open back up, the same as has happened in China and other places globally, you will find other incidents of the virus spreading. But, unfortunately, with this virus it is very different than others. It will probably never go away even with a vaccine because there will be other iterations of it. We have already seen it happening rapidly, which we have not seen this before.

I am not suggesting that we never open our economy or decide a way that a waiver process is fair and more transparent. I am not suggesting that we do not work through the fact that we may not be able to test everyone. What I am suggesting is let us be honest. This should not be a political football. This should not be about the Governor versus us. This should be about what we have done thus far in a bipartisan manner to support each one with unpopular decisions but get the necessary resources to our constituents and to Pennsylvanians.

Mr. President, I think what I have seen thus far today falls woefully short of the work we have done previous to today. I tip my hat to those who sincerely want to move Pennsylvania forward, sincerely want to protect lives, and sincerely want to make sure we can put food on the table from an economy that is real, but this, what we are doing today, does not suggest any of that. Mr. President, all of us who recognize what we have to do in this space, that is find reasonable approaches to opening up an economy which is safe, thoughtfully and fairly thought out, we will support. But reckless, irresponsible, knee-jerk actions, no one should support.

Thank you, Mr. President.

POINT OF ORDER

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

Senator FONTANA. Mr. President, I ask for a ruling from the Chair under Senate Rule 20, as I hold an active real estate brokerage license in Pennsylvania.

The PRESIDING OFFICER. Senator Fontana, the Chair thanks you for your inquiry about the conflict of interest in the situation that you just gave. The Chair would rule that there is no conflict of interest and that in accordance with Senate Rule 20(c)(2), the Senator must vote on House Bill No. 2412 for two reasons. First, the Chair finds that the gentleman is a member of a class of individuals as a realtor who may or may not be affected by any of the actions on House Bill No. 2412. Second, the Chair does not find that any votes that you may cast would be particularly personal to you or privately affect you. So in that regard, you must vote on House Bill No. 2412.

Senator FONTANA. Thank you, Mr. President.

LEGISLATIVE LEAVE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a legislative leave for Senator Scarnati.

The PRESIDING OFFICER. Senator Corman requests a legislative leave for Senator Scarnati. Without objection, the leave will be granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-33

Argall	DiSanto	Mastriano	Tomlinson
Arnold	Fontana	Mensch	Vogel
Aument	Gordner	Phillips-Hill	Ward, Judy
Baker	Hutchinson	Pittman	Ward, Kim
Bartolotta	Killion	Regan	Yaw
Boscola	Langerholc	Sabatina	Yudichak
Browne	Laughlin	Scarnati	
Corman	Leach	Scavello	
Dinniman	Martin	Stefano	

NAY-15

Blake	Haywood	Muth	Tartaglione
Collett	Hughes	Santarsiero	Williams, Anthony H.
Costa	Iovino	Schwank	Williams, Lindsey
Farnese	Kearney	Street	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

LEGISLATIVE LEAVE CANCELLED

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

MOTION PURSUANT TO SENATE RULE 12

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No.2, Senate Bill No. 327, and move that the Senate proceed to consider Senate Bill No. 327, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2

SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS AS AMENDED

SB 327 (Pr. No. 1700) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements, for COVID-19 debt cost reduction review and for COVID-19 Cost and Recovery Task Force; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased; providing for emergency regulatory tolling and for COVID-19 county emergency mitigation plan for businesses; and making an appropriation.

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the House, to Senate Bill No. 327?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the House, to Senate Bill No. 327.

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

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

Senator COSTA. Mr. President, very briefly, I rise to oppose Senate Bill No. 327. In my view, there are three principal parts to the legislation. One, dealing with the composition of a task force that addresses the COVID-19 virus. Mr. President, as I mentioned before on this bill, there are measures that were in here that the composition is not appropriate to provide for a balanced approach to addressing this issue of how we deal with COVID-19. So I offered amendments that would try to rectify

that and provide a more balanced one without either party having any control of that process, but at the end of the day, that failed. That continues to be a part of it.

Mr. President, I said before, the provisions that came back over from the House—we inserted the language with regard to the counties. Our colleagues on the House side, principally the House Republican Caucus, stripped that language out. I believe they were right in doing that. I believe the Governor's approach to addressing how we deal with the phasing in, as we have done, and now phasing out of our counties and what is being done in our regions is thoughtful, methodical, data-driven, and based upon information from our health experts, as well as Carnegie Mellon University, in terms of a process by which they make those determinations. That is a provision that I think is not necessary in a bill.

Finally, Mr. President, the piece that I am very much concerned about, the more I think about it, relates to the tolling or freezing of the process of the regulations. Many regulations that have been proposed by our various agencies are working their way through the process, and now, Mr. President, that all will be tolled, or stopped. Mr. President, those types of things need to continue to go through the process to be able to be in position to allow us when we begin to work and try to address some of the policy matters that are not necessarily related to COVID-19, or being done for that purpose, that we have the opportunity to be able to address those measures and those things as we go forward because they are implemented for our Commonwealth and by our agencies.

At the end of the day, one of the most important ones are some of the environmental regulations that are going forward. What this bill will do today, and if it gets to the Governor's desk, hopefully he will veto it again, but I do think the issue is going to relate to what needs to be done with regard to those regulations. They need to move forward right now. Agencies are able to deal with that, folks are able to make comments to those regulations, we need to proceed with them. Particularly, the Governor's process by which he is working on the Regional Greenhouse Gas Initiative, something that is going to manage and control our emissions across this Commonwealth and allow us to participate in a consortium of States, working together to control the environment and making certain that we can address climate change issues, as well as emissions, and also bring resources back to our Commonwealth that we then can turn around, put those resources back into technologies, and allow us to be able to transition to a renewable energy environment that is going to be beneficial to the people of Pennsylvania. Beyond that, those resources will go into retraining those men and women whose jobs need to be retrained because we will be transitioning from fossil fuel-type activity to the renewable energy-type work that Pennsylvania is becoming, something that a region of our Commonwealth has been doing very well in that sector. This would prevent those types of things from going forward. That is why Senate Bill No. 327 is inappropriate for us to deal with right now. I ask for a negative vote from my colleagues.

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

Senator AUMENT. Mr. President, I rise in support of Senate Bill No. 327. I believe it is time for a new approach. I think my colleagues on both sides of the aisle know that I prefer to work in a bipartisan manner. My approach on this floor has never been

combative. In fact, I do not even recall the last time I took to this floor to criticize Governor Wolf. I have worked with Members of this Chamber from both parties and I have worked with the Governor on a number of issues over the years, just recently on needed changes to our teacher evaluation system. Last Session, we worked together to combat waste, fraud, and abuse in public programs by enhancing the power of the Office of Inspector General after a gubernatorial veto. So I do not relish what I say next. Those counties who wish to implement their own plan to both protect public health and restore their local economies are not cowards, they are not surrendering. With his comments earlier this week, the Governor stooped below the dignity of his office. We can, and we must, do better.

Let me speak briefly of what is possible. The tremendous work that is now being done in Lancaster County, due to the efforts of our healthcare workers, our healthcare system is not being overwhelmed. We have adequate ICU beds and ventilators available to meet the needs of our community. Lancaster County has intentionally included representatives from our local hospitals as members of a collaborative working group that has been convened to oversee a Lancaster County reopening plan so that their input is included in any action taken by county leaders. As such, Lancaster County is prepared to stay in tune with the needs of our communities and be able to identify and swiftly respond to increased numbers in the event of a resurgence. This individualized plan is data-informed in real time, and we believe that Lancaster County is best positioned to immediately respond to the healthcare needs in Lancaster County. No, Lancaster County is not surrendering to this virus. In fact, we are fighting back with collaboration, transparency, and appropriate resources. Anyone who has read Lancaster County's plan knows that it is comprehensive, collaborative, and sensitive to the individual needs of our community. We are not backing down in the fight against coronavirus, rather, we are standing up for the citizens of Lancaster County, whose needs do not align with a one-size-fits-all approach to reopening the Commonwealth. This is not some haphazard knee-jerk reaction to political pressure, but rather a well-thought-out plan that details exactly how assistance and support will be provided to local hospitals and healthcare systems, the business community, and vulnerable populations, such as our nursing homes.

In brief, the Lancaster County plan includes a detailed framework to deploy Federal CARES Act funding, a four-prong strategy to aid and protect nursing homes and long-term care facilities, a Lancaster County economic recovery plan developed by the Lancaster Economic Development Company and Chamber of Commerce to insure that the business community is ready from both a public health and financial standpoint, and the appointment of a highly qualified public health emergency advisor to provide dedicated, technical, administrative, and logistical advice. The county is prepared to put in place massive public testing and contact tracing, a robust business recovery project, and universal testing of long-term care staff and residents. Lancaster County leaders have been working collaboratively with a group consisting of representatives of all hospital systems in Lancaster County, the Lancaster County Emergency Management Agency, county commissioners, the State legislative delegation, our Congressman, the Pennsylvania Department of Health, and others. This working group was established at the outset of this crisis and will continue to convene a weekly con-

ference call to review data and metrics and discuss issues and ways to work together to safely reopen the economy in a way that will not jeopardize public health. Lancaster County is fighting the virus with every resource available to us.

Let me share just a few facts with you. Lancaster County's COVID-19 deaths peaked on April 22 and have been decreasing since then. Ninety percent of Lancaster County's COVID-19 deaths originated in nursing homes, which our county commissioners have a comprehensive plan to mitigate moving forward. As of this past weekend, Lancaster General Hospital has 43 COVID-19 patients, with 6 patients requiring ventilators. Wellspan Ephrata Hospital has two COVID-19 patients. All hospital systems report an ample supply of beds and ventilators, so much so that they are in the process now of resuming normal operations.

With the knowledge that our hospitals stand ready and able to provide the care necessary to protect our constituents, it is time for us to begin to look forward. Let me be very clear: not one leader in Lancaster County is urging businesses to risk the lives of their employees, patrons, nor their communities. Rather, our county officials are urging businesses to use the Department of Health's guidelines for social distancing and the CDC's guidelines for health and safety. Businesses in Lancaster County may not reopen if they cannot safely follow the guidelines that are recommended to protect residents. I am proud of the work being done in Lancaster County. Our county is committed to waging this battle and to implement a plan that fits our county's needs for protecting public health, reopening our economy, and restoring, rebuilding, and reimagining a stronger Lancaster County. I know this work is being done, and it can be done in counties all across our Commonwealth.

I urge a vote in support of Senate Bill No. 327.

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

Senator HUGHES. Mr. President, I want to be brief, the hour is getting late. I rise as a "no" vote on this piece of legislation. We have come to learn, in the most unfortunate of ways, of the value of having significant operations of public health officers, public health workers, and public health leaders who are trained, knowledgeable, studied, and thoughtful about what it is that has to be done with respect to our public health infrastructure in the Commonwealth of Pennsylvania for its health, safety, and security. In fact, we have learned that when there is not an investment in public health and public infrastructure, that we suffer. When there is an investment in public health infrastructure, then we are healthy, and maybe the case is sometimes we are so healthy that we ignore those things that were put in place that allow us to be healthy.

I am obligated to say this, Mr. President: do not allow decisions to be driven locally on a pandemic. Again, I urge folks to remember, this is a pandemic. It is not tonsillitis, this is not pneumonia, this is not anything like any other disease. This requires the best and brightest individuals making hard, data-driven decisions on significant data and shared across the board in terms of the health outcomes that could potentially come. They are driven by strong public health officers. That is what Dr. Fauci is. He is not a surgeon, he is not a brain surgeon, he is not a plastic surgeon, he is not an orthopedic surgeon, he is a public health officer who led this nation through some of the most difficult public health scourges in its history. His work in HIV is known, it is

phenomenal, it is significant. So we have to have a strong public health infrastructure. We have a Department of Health in the Commonwealth of Pennsylvania at the State level to assist communities and to determine the reality of public health threats across the entire Commonwealth of Pennsylvania. The fact that 62 of Pennsylvania's 67 counties do not have departments of public health is a significant thing to understand. If we are driving decisions down to the local level and we understand that many counties, the overwhelming majority, 90 percent of the counties of Pennsylvania, do not have offices of public health, then we are driving decisions down to communities and constituencies who may not best be equipped to looking at a pandemic from the broad public health context. Sixty-two of Pennsylvania's 67 counties do not have public health offices, do not have departments of health. That is a problem, Mr. President, if you are driving decisions down to local levels.

Now, they probably have--and I know they have--strong, committed, smart individuals working in a collaborative fashion, in many respects, in a collaborative fashion to try to make the best decisions, but a pandemic requires much more than that. To see this issue in a broad lens, not in my town, my township, my borough, my county. It requires us to see it in a broad lens because a pandemic does not know borders, does not know county lines. A pandemic knows that it can kill and will seek, search out, and do the most destruction that is available to it if it is not fought back in smart and data-driven ways.

Because of that fact, Mr. President, I ask for a "no" vote. I do not believe that, in spite of the best intentions of so many talented people across the Commonwealth of Pennsylvania, we are equipped to allow our county infrastructure to make these kinds of serious decisions that extend beyond their community and impact the entire State and, in fact, impact the entire nation. I ask for a "no" vote, Mr. President.

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

Senator SCHWANK. Mr. President, I have listened to comments this entire afternoon. If you include the committee time, we have put in almost 4 1/2 hours, we have been here discussing these issues with all seriousness, determination, and, I believe, with all of us with the best intentions. Now, we come down to this legislation that is probably one of the most important parts of what we are doing this afternoon. It is about taking control of how we deal with a global pandemic and putting it in the hands of 67 different counties. My friend and colleague from Lancaster County has described, really, an admirable plan. Every bit that he discussed, I have to admit, it sounds really good, and I believe that my county has done some of the very same things, as well. But there are some things that we cannot control that are not bound by political boundaries like county lines. This disease cannot be controlled by just one county. You can put in place the best plans, but that does not mean that the virus is going to listen to them. I do not believe that is going to happen. You cannot control the people who are driving on highways, who are stopping at businesses in your county. I myself visit other counties to shop, at least I did prior to what has happened here.

There is another piece that I will bring from my experience as a county commissioner myself. One of the things we had to do was to learn more about emergency management, and I went to a training, ironically, in Lancaster County about incident command, about having someone in charge of an emergency. An

overarching leadership that has control, looks at all of the geographic regions, looks at all of the issues that are occurring, and tries to make the best decisions with guidance, of course, from the people who are on the ground.

Now, when we talked about incident command, we were talking more about maybe a huge disaster on an interstate, and we have had those, right, a number of them, unfortunately. This is probably the biggest challenge we have ever dealt with as a Commonwealth. It just means, to me, that we have got to look to leadership. I will point out that that leadership starts at the top, right? So maybe it is above Governor Wolf as well. Look to Washington. Look to what our Commander in Chief has said regarding this pandemic: I am going to let the States take it, the governors know what they need to do. To me, that is the biggest failure of all. Our local leaders actually have done an incredibly good job, and I think the Governor, with the guidance of Dr. Levine, and all of our legislators are trying to do their best job as well, but we really need that leadership at the top.

So I come back to, here we are sitting here 4 1/2 hours, and I am not helping it, am I, by continuing to speak, but I do not speak often. When I do, I do it out of passion and because I recognize that we are not doing the right thing. Believe me, I am not against the realtors, garden centers, or small business people. My husband is a small businessman, but we cannot pick winners and losers, and we cannot divert our attention from what the biggest problem is of all, this virus, and how we are going to move forward. I think we are wasting time.

Imagine, had we spent this time, the Leaders of both the Senate and the House, both parties in a bipartisan way, sat down with the Governor, Dr. Levine, PEMA and others, and county leaders at the table, too, to try to talk about what are the next steps? Where are we going? That is what frustrates me the most is that we are not actually getting anything done. We know this legislation will be vetoed, and I also believe it points out to a lack of leadership, but that is not at the State, county, city, or the borough level, it is in Washington, it is in the White House.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, I truly appreciate the comments of my colleague and the gentleman on the other side of the aisle. I think he presents a really extraordinary glimpse into what the possibilities are if all opportunities and options are used and resources are used at a local level. I agree that identifying people less than what they should be identified within the middle of a pandemic is probably not our best moment, and so on those points I think that we can agree. The fact that he has come across the aisle on occasion and worked in a collaborative way is appreciated. But what I point out to the gentleman is this: that a State that is as broad, expansive, and frankly, as underresourced as it is, means there are a lot of counties, rural and urban, which are underfunded in a lot of areas and, quite frankly, poor. They did not have adequate healthcare to start with before the pandemic, and there has been nothing in this space that, frankly, has gotten to the level that makes us equitable. So the plan that the gentleman laid out, if we were uniform, maybe I might consider it. But the truth is, and I think you have to acknowledge it, we are not uniform. All parts of Pennsylvania cannot achieve that kind of coordination because they do not have the resources to support that kind of coordination. There-

fore, there are parts of my district that would certainly be able to achieve it and there are other parts that would never achieve it. I do not want to pick one part versus the other part.

I would suggest, further, that when the gentleman looks at the extraordinary genius of Americans when it comes to solving pandemics and disease, we are quite adequate at it. We entered into this space where we have cured smallpox, polio, malaria, and hookworm, but we have not solved things like sickle cell, HIV, and other diseases. Most of that is because one demographic is larger than another, so some of those things are followed as opposed to others. Most importantly, there is no uniformity, so when we go into this measure where we are talking about someone at a local level making a decision about how we deal with this pandemic and do a rollout and make their own decisions, I do not know about his area, but I know I have nine boroughs in Delaware County. They are quite small and, frankly, they are mostly volunteers working tireless hours in the middle of this, with confusion. We are going to add, on top of that, making life-and-death decisions, without resources from the State, without the necessary resources from the Federal government, and, further, without resources from scientists or infectious disease doctors. I am not sure that any of that is the intention or motivation behind what the gentleman is proposing. I do know that all of us have common desires to move past the space and use what we have all seen as Americans, and that is to achieve things that people do not think we can achieve. But if we commit half of it to our effort, we will never get there. So, I would hope that we reconsider.

While he may have an extraordinary plan for his area, there are many in rural and urban Pennsylvania who do not, will not, and cannot. That is why we turn to the leadership of a Governor. That is why we turn to the leadership of a Secretary of Health. That is why all of us cry out with some level of frustration about what we think is the most appropriate and fastest way to solve these problems. I do not think any of us should think that some of the things that are cited as shortcomings or imperfections or acknowledge the fact that we are not always at our best every single day in the middle of this extraordinary virus and that the pain of that is not felt because we do not all have stories of a lost loved one or a closed business or someone not having enough food. All of us feel that. That is what requires us to get back to the table to say, we are a Commonwealth doing common good for all common people. This plan, unfortunately, does not present that. This process has not presented that today. So I hope that we reconsider some of the things that we are discussing, and certainly this bill is one of those.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, as we close out our debate, I look back at a week ago and it really was not a good look for the Commonwealth. It was borne out of frustration, but when the Governor, a week ago tomorrow, on Thursday, extended the stay-at-home order until mid-June and then announced some of the counties that were going to be going to yellow and others were staying in red, you saw that frustration boil over. You saw county officials, elected officials, speaking out, whether they be sheriffs, district attorneys, or county commissioners, speaking out in defiance of the Governor that we have cooperated, we have done what we can, but the frustration level is so high that

they were going to move forward in defiance, no better word for it, clearly, of the Governor. Which then, of course, led to the Monday morning, I guess, press conference of the Governor, which was clearly not a good look for the Commonwealth. To have the chief executive threatening local communities at a press conference and calling them cowards is not a good look for anybody. I think the Governor, today, would think it was probably not a great look. Maybe he thought it was deserved because of the open defiance of him, but in his concern of this virus--and I think it is important for me to say this very clearly, I said it during Petitions and Remonstrances, I truly believe the Governor, the Secretary of Health, and everyone else in his administration are doing what they believe is their level best for the Commonwealth and the citizens of Pennsylvania. This is not black and white, that easy to read, this is gray, and we are all doing what we can. But as we go through this, people get frustrated, and so you have the local elected officials getting frustrated and you have the Governor getting frustrated.

So this bill, I think, comes at a very appropriate time. It tries to bring clarity, it tries to end the conflict between local elected officials and the Governor. For the counties who do want to go forward and say they are going to go forward no matter what the Governor says, they are in conflict of a stay-at-home order, and that presents a problem for businesses, it presents a problem for individuals. This legislation would clear up that conflict. It would allow communities to develop a plan, as well articulated by the Senator from Lancaster County, to move forward. Here is the thing that I think gets lost. In the beginning of this pandemic, I remember having a meeting with President Barron of Penn State University and he was giving me an update, and he said, basically, we are just doing whatever we have to do and we will count it up later. That is essentially what the Commonwealth was doing. We are attacking the virus, you are attacking this, and we will figure out later what the costs are. That goes okay for a while, but eventually the ledger starts getting pretty high on the costs, to the point where all of a sudden the cure is now becoming as damaging as the virus itself.

We have been holding hearings the last 2 weeks looking at some of that carnage that is being created by the cure. So as that balances out, and maybe even in some minds, tipping in the other direction, it is time for us to act. As elected officials, who we are, we hear from our constituents, and our constituents are voicing their frustration saying, what are you doing? What are you doing to help? We do not live in an autocracy where just one person rules. What are you doing? You are legislators, we elected you. So this is what this legislation was borne of. And if the Governor vetoes it, he vetoes it, but just because he says he is going to veto it, that does not mean we should not stand tall and say we are here to stand up for our communities.

You know, the Governor called this a war, and I do not want to quibble with that, I suppose that it is. I can remember in the early 2000s when President Bush sent our troops off to Iraq and Afghanistan and it was so bizarre to me; I even saw in some of the movies about the war, particularly the sniper movies, where we sent these poor men and women off to war and there was no war effort back home. President Bush said we should just keep shopping, we should keep doing our life, keep our economy going, but to me, if we are going to war, we needed to be part of it. Everyone needs to be part of it, everyone needs to have a role, there needs to be some sacrifice back home to support our troops,

our men and women. So, in this particular war, as the Governor has called it, initially was stay home, and we all did it. I think, to his credit, getting out early, we were able to level that curve. That was the big thing, level the curve, flatten the curve, and keep our hospitals from being overrun, and we accomplished that. But at some point we as citizens want to be part of the cure. We want to be part of it and not just sitting home.

So instead of the "I can't" mentality, as Pennsylvanians, as Americans, we are part of the "I can" generation. I can do this. It is not that we--you know, they talked about whether we should open our schools in the fall. We are going to open our schools in the fall and we are going to figure out how to do it. We are going to open our universities in the fall and we are going to figure out how to do it. Not we might, we cannot -- we are going to figure it out. How many of our communities are representatives of higher education institutions all over the Commonwealth, small ones I represent in Huntingdon, Pennsylvania, Juniata College. They are all over the Commonwealth. It is so important to our communities to have those kids come back. The education is so much better for them to be there. Our schools, our high schools, are so much better for the education for them to be there.

So we want to be part of the "we can do this," not, "we do not know if we can." We can do this. You see that in Lancaster County. You see that with local elected officials coming together and putting a plan together. We can do this, Governor. Let us do this. Please, let us do this. Together we can. That is what this bill is about, allowing the people of Pennsylvania to unite together in their local communities to say, yes, we can. Yes, we can do this. That is what this is about.

I understand the concerns for areas where the virus is hotter that they will not open right away, but allow the local elected officials to get together and do what is best for their communities, because nobody has more at stake for the health and safety of these communities than the people who are elected to represent them locally. That is what this bill is about, and I encourage a "yes" vote.

Thank you, Mr. President.

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Regan, and a legislative leave for Senator Stefano.

The PRESIDING OFFICER. Senator Corman requests a temporary Capitol leave for Senator Regan, and a legislative leave for Senator Stefano. Without objection, the leaves will be granted.

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

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

YEA-28

Argall	DiSanto	Mastriano	Stefano
Arnold	Gordner	Mensch	Tomlinson
Aument	Hutchinson	Phillips-Hill	Vogel

Baker	Killion	Pittman	Ward, Judy
Bartolotta	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Scarnati	Yaw
Corman	Martin	Scavello	Yudichak

NAY-20

Blake	Farnese	Kearney	Schwank
Boscola	Fontana	Leach	Street
Collett	Haywood	Muth	Tartaglione
Costa	Hughes	Sabatina	Williams, Anthony H.
Dinniman	Iovino	Santarsiero	Williams, Lindsey

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

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

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator AUMENT, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve until January 22, 2021, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Ferruzza, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 13, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice George Khoury, Bridgeville, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF MEDICINE

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 13, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Medicine, to serve until April 17, 2022, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Losee, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF MEDICINE

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Medicine, to serve until June 19, 2021, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Nirmal Joshi, Mechanicsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice William Tunke, Wescosville, removed.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

May 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 13, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until February 5, 2022, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Davis Haire, Meshoppen, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

May 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 28, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Annie Cestra, Pittsburgh, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

May 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice David Gallick, Forty Fort, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS IN
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

May 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language

Pathology and Audiology, to serve until June 18, 2021, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Brian McKinnon, Philadelphia, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION

May 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 13, 2020, of Rebecca Dombrowsky, 669 Rockwood Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years, and until the successor is appointed and qualified, vice Barry T. Drew, Mechanicsburg, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

May 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 6, 2020, of Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years, until the successor is appointed and qualified, but not longer than six months beyond that period, vice Juanita Monteiro, Harleysville, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator AUMENT. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDING OFFICER. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator AUMENT, from the Committee on Rules and Executive Nominations, reported the following nominations made by

His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Camilla Greene, 5265 Rockrose Lane E16, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified, vice Brad Mellon, Harleysville, resigned.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elaine Jenkins, 230 Mallard Drive, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified, vice George Gunn, Jr., Lansdale, resigned.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sherrie Shade, 718 South 19th Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2022, and until the successor is appointed and qualified, vice Gwendolyn Ogle, Moon Township, resigned.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Vogel II, 219 Emerald Avenue, Reading 19606, Berks County, Eleventh Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Deborah Wisinski, 238 East 37th Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2022, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF BLOOMSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dan Klingerman, 376 Selkirk Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Patrick Wilson, Williamsport, whose term expired.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sandra Guthrie, 45 Chesterfield Drive, Scenery Hill 15360, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Michele Mandell, Pittsburgh, whose term expired.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

February 13, 2020

To The Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Justin Nwokeji, 1988 McKinney Road, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Thomas Uram, Eighty-Four, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Danny Jones, 527 West Seventh Street, Erie 16502, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Kathy Pape, Mechanicsburg, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joyce Fairman, 414 Randall Court, Du Bois 15801, Clearfield County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
LINCOLN UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

February 10, 2020

To The Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Owen Cooks, 26 South 28th Street, Apt. 305, Pittsburgh 15203, [data missing], Forty-third Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University of the Commonwealth System of Higher Education, to serve until August 31, 2021, and until the successor is appointed and qualified, vice Nathaniel Nichols, Media, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Krystjan Callahan, 3 Fox Field Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 1, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert Jones, 82 North Parsons Drive, Mill Hall 17751, Clinton County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Guy Graham, Clearfield, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Max Gannon II, 28 Main Street, PO Box 327, Towanda 18848, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Karen Russell, 958 Odell Road,

Mansfield 16933, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

February 3, 2020

To The Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Saul Fink, 12 Bennington Court, East Brunswick, New Jersey 08816, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified *[sic]*, vice William McIlwaine, Millersville, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Frerichs, 128 Creekgate Court, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rick Rodgers, 301 East Orange Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Brian Rider, Mechanicsburg, whose term expired.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the Honorable William Barrett, 36 Wilcox Drive, Wilkes Barre *[sic]* 18705, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Gabriel Campana, Williamsport, resigned.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jason Brinker, 48 Cold Springs Drive, Manchester 17345, York County, Forty-eighth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until May 23, 2021, and until the successor is appointed and qualified, vice Christopher Delozier, New Cumberland, resigned.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bart Burne, 37 Old Mill Road, Laffin 18702, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

April 1, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anthony Clements, 420 East Willow Street, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Municipal Police Officers'

Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Robert Carroll, Swarthmore, whose term expired.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kristen Denne, 2760 Shelburne Road, Downingtown 19335, Chester County, Forty-fourth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Jacob Bierling, Drexel Hill, resigned.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Dombrowsky, 125 Bungalow Road, Enola 17025, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Corey Meyer, 1826 Windrow Drive, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Sonia Stopperich, Canonsburg, resigned.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael D'Agostino, Esquire, 3121 William Road, Garnet Valley 19060, Delaware County, Ninth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Chris Guilday, Media, whose term expired.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Keller III, 1738 South Second Street, Philadelphia 19148, Philadelphia County, First Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice James McDermott, Philadelphia, resigned.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sean Schafer, Esquire, 45 Canal Run West, Washington Crossing 18977, Bucks County, Tenth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Edward Kisselback, Jr., Bensalem, whose term expired.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Matthew Sullivan, 1095 Hatches Mill Drive, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Roy Pino, Newtown Square, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE

April 1, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Khadija T. Diggs, Esquire, 102 Urban Drive, Verona 15147, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Everett Gillison, Philadelphia, whose term expired.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE

April 1, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles James Fox, 202 Lebanon Avenue, P.O. Box 235, Mount Gretna 17064, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Gindlesperger, 165 Highfield Lane North, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alfonso Angelucci, 809 National

Way, Ellwood City 16117, Lawrence County, Forty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dan Lavalley, 4038 Haldane Street, Pittsburgh 15207, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Thomas Breth, Butler, whose term expired.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William McCarrier, 175 Evans Road, Butler 16001, Butler County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS COLLEGE OF TECHNOLOGY

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Baldrige, 1531 Quarry Lane, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until January 21, 2025, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS COLLEGE OF TECHNOLOGY

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Hopson-Shelton, 1821 Old Farm Lane, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until January 21, 2025, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Christopher Franklin, 8 Greenbriar Lane, Paoli 19301, Chester County, Twenty-sixth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jonathan Ireland, 150 Springdell Road, Coatesville 19320, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF Governor

NOMINATIONS LAID ON THE TABLE

Senator AUMENT. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDING OFFICER. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator AUMENT, That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

Senator AUMENT. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Camilla Greene, 5265 Rockrose Lane E16, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified, vice Brad Mellon, Harleysville, resigned.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elaine Jenkins, 230 Mallard Drive, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified, vice George Gunn, Jr., Lansdale, resigned.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sherrie Shade, 718 South 19th Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to

serve until October 8, 2022, and until the successor is appointed and qualified, vice Gwendolyn Ogle, Moon Township, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Vogel II, 219 Emerald Avenue, Reading 19606, Berks County, Eleventh Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2021, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 12, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Deborah Wisinski, 238 East 37th Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2022, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dan Klingerman, 376 Selkirk Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Patrick Wilson, Williamsport, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sandra Guthrie, 45 Chesterfield Drive, Scenery Hill 15360, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Michele Mandell, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

February 13, 2020

To The Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Justin Nwokeji, 1988 McKinney Road, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Thomas Uram, Eighty-Four, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Danny Jones, 527 West Seventh Street, Erie 16502, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Kathy Pape, Mechanicsburg, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joyce Fairman, 414 Randall Court, Du Bois 15801, Clearfield County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF LINCOLN
UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

February 10, 2020

To The Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Owen Cooks, 26 South 28th Street, Apt. 305, Pittsburgh 15203, [data missing], Forty-third Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University of the Commonwealth System of Higher Education, to serve until August 31, 2021, and until the successor is appointed and qualified, vice Nathaniel Nichols, Media, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Krystjan Callahan, 3 Fox Field Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 1, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert Jones, 82 North Parsons Drive, Mill Hall 17751, Clinton County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Guy Graham, Clearfield, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Max Gannon II, 28 Main Street, PO Box 327, Towanda 18848, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Karen Russell, 958 Odell Road, Mansfield 16933, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

February 3, 2020

To The Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Saul Fink, 12 Bennington Court, East Brunswick, New Jersey 08816, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified and until the successor is appointed and qualified [sic], vice William Mellwaine, Millersville, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Frerichs, 128 Creekgate Court, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF MILLERSVILLE UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 19, 2019

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rick Rodgers, 301 East Orange Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Brian Rider, Mechanicsburg, whose term expired.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the Honorable William Barrett, 36 Wilcox Drive, Wilkes Barre [sic] 18705, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Gabriel Campana, Williamsport, resigned.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jason Brinker, 48 Cold Springs Drive, Manchester 17345, York County, Forty-eighth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until May 23, 2021, and until the successor is appointed and qualified, vice Christopher Delozier, New Cumberland, resigned.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bart Burne, 37 Old Mill Road, Lafflin

18702, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

April 1, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anthony Clements, 420 East Willow Street, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Robert Carroll, Swarthmore, whose term expired.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kristen Denne, 2760 Shelburne Road, Downingtown 19335, Chester County, Forty-fourth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Jacob Bierling, Drexel Hill, resigned.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Dombrowsky, 125 Bungalow Road, Enola 17025, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 11, 2020

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Corey Meyer, 1826 Windrow Drive, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until the successor is appointed and qualified, vice Sonia Stopperich, Canonsburg, resigned.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael D'Agostino, Esquire, 3121 William Road, Garnet Valley 19060, Delaware County, Ninth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Chris Guilday, Media, whose term expired.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Keller III, 1738 South Second Street, Philadelphia 19148, Philadelphia County, First Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice James McDermott, Philadelphia, resigned.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sean Schafer, Esquire, 45 Canal Run West, Washington Crossing 18977, Bucks County, Tenth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Edward Kisselback, Jr., Bensalem, whose term expired.

TOM WOLF
Governor

MEMBER OF THE NAVIGATION COMMISSION
FOR THE DELAWARE RIVER AND
ITS NAVIGABLE TRIBUTARIES

March 3, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Matthew Sullivan, 1095 Hatches Mill Drive, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until the successor is appointed and qualified, vice Roy Pino, Newtown Square, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

April 1, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Khadija T. Diggs, Esquire, 102 Urban Drive, Verona 15147, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Everett Gillison, Philadelphia, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

April 1, 2020

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles James Fox, 202 Lebanon Avenue, P.O. Box 235, Mount Gretna 17064, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Gindlesperger, 165 Highfield

Lane North, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alfonso Angelucci, 809 National Way, Ellwood City 16117, Lawrence County, Forty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dan Lavallee, 4038 Haldane Street, Pittsburgh 15207, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified, vice Thomas Breth, Butler, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William McCarrier, 175 Evans Road, Butler 16001, Butler County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THADDEUS STEVENS COLLEGE OF TECHNOLOGY

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Baldrige, 1531 Quarry Lane, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until January 21, 2025, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THADDEUS STEVENS COLLEGE OF TECHNOLOGY

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Hopson-Shelton, 1821 Old Farm Lane, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until January 21, 2025, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Christopher Franklin, 8 Greenbriar Lane, Paoli 19301, Chester County, Twenty-sixth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

December 27, 2019

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jonathan Ireland, 150 Springdell Road, Coatesville 19320, Chester County, Nineteenth Senatorial Dis-

trict, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until the successor is appointed and qualified.

TOM WOLF
Governor

On the question,
Will the Senate advise and consent to the nominations?

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

YEA-48

Argall	DiSanto	Leach	Schwank
Arnold	Farnese	Martin	Stefano
Aument	Fontana	Mastriano	Street
Baker	Gordner	Mensch	Tartaglione
Bartolotta	Haywood	Muth	Tomlinson
Blake	Hughes	Phillips-Hill	Vogel
Boscola	Hutchinson	Pittman	Ward, Judy
Browne	Iovino	Regan	Ward, Kim
Collett	Kearney	Sabatina	Williams, Anthony H.
Corman	Killion	Santarsiero	Williams, Lindsey
Costa	Langerhole	Scarnati	Yaw
Dinniman	Laughlin	Scavello	Yudichak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator AUMENT. Mr. President, I move that the Executive Session do now rise.
The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS
WEDNESDAY, MAY 20, 2020

10:30 A.M. JUDICIARY (public hearing to discuss the conduct of the reprieve process pursuant to the April 10, 2020, order of the Governor regarding individuals incarcerated in State Correctional Institutions) Senate Chamber (LIVE STREAMED)

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. Senator Tartaglione has submitted remarks for the record. Without objection, the remarks will be spread upon the record.

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

tor TARTAGLIONE:)

Mr. President, today marks 5,057 days since the Pennsylvania legislature last raised the minimum wage. That is more than 13 1/2 years, and it is far too long.

Mr. President, as we all contemplate the great public health and economic challenges that confront the Commonwealth during the COVID-19 disaster emergency, and as I consider the long-term prospects of raising our minimum wage, I am reminded of a children's fable that we all know and appreciate. I am reminded of *The Boy Who Cried Wolf*.

I have spent many years advocating for a higher minimum wage in Pennsylvania. I remain confident that it would put more money into workers' pockets and inject more money into our consumer-driven economy. I have always been confident of this. Yet, since 2006, I have faced opposition at every turn from those who cite a multitude of reasons for refusing to support this form of worker relief. They have never hesitated to sound their alarms. In 2008 and 2009, they said we could not raise the wage because we were in the midst of the Great Recession. In 2010 and 2011, they said we could not raise the wage because we would disrupt the economic recovery. As recovery took hold and the nation experienced the longest period of economic growth in its history, critics warned that raising the minimum wage would force businesses to raise prices and cut staffing. Many would shut their doors permanently, we were told. As our unemployment rate hits historic lows, critics insisted that the free market would ultimately correct our lingering wage stagnation. This would happen organically, without raising the minimum wage, we were told. I will be the first to acknowledge that assessments of wage growth and its relation to other economic factors can be largely subjective. Some analysts say wages have been stagnant while others say growth has been proportional to other indicators. Yet, I can say with certainty that the strong labor market did not make life any easier for many Pennsylvanians. Before the COVID-19 emergency, one in eight were living in poverty. One in four working Pennsylvanians were struggling to pay for their basic needs. In Philadelphia, the problem was much worse than that. About 45 percent of working people were struggling to make ends meet before the pandemic. Now that we are 2 months into the COVID-19 emergency, countless Pennsylvania businesses have felt a negative economic impact. Likewise, close to 2 million workers have sought unemployment benefits to compensate for lost income.

Predictably, anytime the idea of raising the minimum wage is approached, it is met with the same litany of criticisms that have been recited over and over again for many years. This dynamic is not unique to Pennsylvania. *Bloomberg* recently reported that business groups in Illinois, Michigan, Virginia, California, and Massachusetts are pressuring elected officials to postpone planned minimum wage increases. In some places, postponements have already been adopted, but there is a big difference between what is happening in those States and what is happening in our Commonwealth. Here in Pennsylvania, we have nothing to postpone. Even in the best of times, our General Assembly could not agree on a reasonable plan to raise the minimum wage. Mr. President, minimum wage understandably is not atop our list of priorities at this moment, in the midst of a public health crisis, but it should, and it must, remain on our agenda as we plan for our future after the COVID-19 pandemic.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I move that the Senate do now recess to the call of the President pro tempore.

The motion was agreed to by voice vote.

The PRESIDING OFFICER. The Senate stands in recess to the call of the President pro tempore.

AFTER RECESS

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

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

RECESS

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I move that the Senate do now recess until Monday, May 18, 2020, at 1:35 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 10:59 p.m., Eastern Daylight Saving Time.