

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, SEPTEMBER 9, 2020

SESSION OF 2020 204TH OF THE GENERAL ASSEMBLY

No. 39

**SENATE**

WEDNESDAY, September 9, 2020

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

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

**PRAYER**

The following prayer was offered by DONETTA D'INNOCENZO, Chief Clerk of the Senate:

Let us pray.

Heavenly Father, we pray that Your love will abound, bringing knowledge and insight to those in this Chamber and beyond. We ask that You provide discernment of what is best in our decisionmaking, and that Your righteous hand will guide our ways. We offer our time and talent to You this day. May it be used for the good of Your people and to the glory of Your name. Amen.

**PLEDGE OF ALLEGIANCE**

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

**GENERAL COMMUNICATIONS**

**2020 SERVICE AND INFRASTRUCTURE  
IMPROVEMENT FUND (SIIF)  
ANNUAL REPORT**

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
Department of Labor & Industry  
651 Boas Street, Room 1700  
Harrisburg, PA 17121-0750

July 10, 2020

The Honorable Megan Martin  
Secretary of the Senate  
Pennsylvania State Senate  
462 Main Capitol Building  
Harrisburg, Pennsylvania 17120

The Honorable Dave Reddecliff  
Chief Clerk  
Pennsylvania House of Representatives  
129 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Members of the General Assembly:

Attached is the 2020 Service and Infrastructure Improvement Fund (SIIF) Annual Report as required by Act 60 of 2017.

Should you have any question on the specific areas detailed in the report, please do not hesitate to contact the Department.

Sincerely,

JERRY OLEKSIK  
Secretary of Labor & Industry

The PRESIDING OFFICER. This report will be filed in the Library.

**2019 ANNUAL REPORT OF  
PENNSYLVANIA ONE CALL SYSTEM, INC.**

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

PENNSYLVANIA ONE CALL SYSTEM, INC.  
925 Irwin Run Road  
West Mifflin, PA 15122-1078

July 10, 2020

Donetta D'Innocenzo  
Chief Clerk of the Senate  
104 North Office Building  
Senate Box 203052  
Harrisburg, PA 17120-3052

To whom it may concern:

Enclosed for your archives please find six copies of the 2019 Annual Report of Pennsylvania One Call System, Inc.

Sincerely,  
Pennsylvania One Call System, Inc.

WILLIAM G. KIGER  
President & CEO

The PRESIDING OFFICER. This report will be filed in the Library.

**REPORT ON TAX-EXEMPT BOND  
ALLOCATION FOR MID-YEAR 2020**

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
 Department of Community & Economic Development  
 Commonwealth Keystone Building  
 400 North Street, 4th Floor  
 Harrisburg, PA 17120-0225

July 29, 2020

Megan Martin  
 Secretary of Senate  
 Office of the Secretary of the Senate  
 462 Main Capitol Building  
 Harrisburg, PA 17120

Dear Ms. Martin:

As required by the Job Enhancement Act of 1996, (P.L. 434, No. 67), Act 113, Section 2706, as amended, I am providing a report on tax-exempt bond allocation for the mid-year of 2020.

This report includes:

1. A summary of volume cap allocation usage for small issue, exempt facility, housing, and education bonds; and
2. A list of small issue and exempt facility allocations including the issuing authority, project name, allocation amount, and estimated jobs for each project.

If you have any questions concerning this report, please contact my office.

Sincerely,

DENNIS M. DAVIN  
 Secretary

The PRESIDING OFFICER. This report will be filed in the Library.

### SMALL BUSINESS ENVIRONMENTAL ASSISTANCE PROGRAMS ANNUAL REPORT 2018-19

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
 Department of Environmental Protection  
 Rachel Carson State Office Building  
 400 Market Street  
 Harrisburg, PA 17105

July 30, 2020

Good afternoon Ms. D'Innocenzo,

In accordance with the requirements of the Air Pollution Control Act (Act 787 of 1959), please find below a link to the DEP 2018-19 Small Business Environmental Assistance Programs Annual Report. The Annual Report is not a printed product, but is available electronically in StoryMap format on the DEP website.  
<https://www.dep.pa.gov/Citizens/GrantsLoansRebates/SmallBusinessOmbudsmanOffice/Pages/Publications.aspx>

We hope this is helpful. Please do not hesitate to reach out if you have any questions.

Sincerely,

Gregory A. Kauffman  
 Director of Legislative Affairs

The PRESIDING OFFICER. This report will be filed in the Library.

### 2019-20 ANNUAL MACHINERY AND EQUIPMENT LOAN FUND REPORT

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
 Department of Community & Economic Development  
 Commonwealth Keystone Building  
 400 North Street, 4th Floor  
 Harrisburg, PA 17120-0225

August 11, 2020

Ms. Megan Martin  
 Secretary/Parliamentarian of the Senate  
 Room 462 Capitol Building  
 Senate Room 203053  
 Harrisburg, PA 17120-3053

Mr. David Reddecliff  
 Chief Clerk of the House  
 129 Main Capitol Building  
 Harrisburg, PA 17120-2020

### RE: ANNUAL MACHINERY AND EQUIPMENT LOAN FUND REPORT

Dear Ms. Martin and Mr. Reddecliff:

Enclosed herewith is the Annual Machinery and Equipment Loan Fund Report covering Fiscal Year 2019-2020, as required by Title 12 of the Pennsylvania Consolidated Statute.

The Department continually refines and improves upon the tools available to help businesses prosper and we appreciate your support in helping us achieve our economic development goals.

Please do not hesitate to contact me or Leigh Walter in DCED's Legislative Affairs Office at 717-720-1353 should you have any questions regarding this document.

Sincerely,

JARED LUCAS  
 Executive Director

The PRESIDING OFFICER. This report will be filed in the Library.

### PENNWORKS ANNUAL REPORT

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
 Department of Community & Economic Development  
 Commonwealth Keystone Building  
 400 North Street, 4th Floor  
 Harrisburg, PA 17120-0225

August 17, 2020

Megan Martin  
 Secretary of the Senate  
 462 Main Capitol Building  
 Harrisburg, PA 17120

Good afternoon:

Attached you will find DCED's PennWorks Annual Report. Please let me know if you have any questions.

Thank you,  
Leigh Walter  
DCED Legislative Affairs

The PRESIDING OFFICER. This report will be filed in the Library.

**AUDITOR GENERAL'S CERTIFICATE**

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
Department of the Auditor General  
Harrisburg, PA 17120-0018

August 31, 2020

The Honorable Joseph Scarnati  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Scarnati:

In accordance with the provisions of Article VIII of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), the Auditor General is required on or before each March 1 and September 1 to make certifications to the Governor and the General Assembly of:

- The average annual tax revenues deposited in all funds in the five preceding fiscal years;
- The amount of outstanding net debt as of the end of the preceding fiscal year;
- The amount of net debt as of the certification date;
- The difference between the limitation upon all net debt outstanding as provided in Section 7(a)(4) of Article VIII of the Constitution of Pennsylvania and the amount of net debt as of the certification date;
- The amount of such debt scheduled to be repaid during the remainder of the fiscal year in which the certificates are being issue *[sic]*;
- The amount of debt authorized by law to be issued, but not yet incurred; and
- The amount of outstanding obligations excluded from outstanding debt as self-sustaining pursuant to Section 7(c)(1), (2) and (3) of Article VIII of the Constitution of Pennsylvania.

A duplicate original of my certificate is enclosed.

Sincerely,  
EUGENE A. DePASQUALE  
Auditor General

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AUDITOR GENERAL'S CERTIFICATE  
Pursuant to  
ARTICLE VIII, Section 7(a)(4)  
of the  
CONSTITUTION OF PENNSYLVANIA  
and  
Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

I, Eugene A. DePasquale, Auditor General of the Commonwealth of Pennsylvania, pursuant to Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the

Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended) certify as follows:

The average annual tax revenues deposited in all funds in the five fiscal years ended preceding the date of August 31, 2020. . . . .	\$41,212,144,284
(i) The amount of outstanding net debt as of the end of the preceding fiscal year. . . . .	\$9,821,858,229
(ii) The amount of such net debt as of August 31, 2020. . . . .	\$9,571,847,906
(iii) The difference between the limitation upon all net debt outstanding as provided in Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and the amount of such net debt as of the date of August 31, 2020. . .	\$62,549,404,590
(iv) The amount of such debt scheduled to be repaid during the remainder of the current fiscal year. . . . .	\$498,045,000
(v) The amount of debt authorized by law to be issued, but not yet incurred . . . . .	\$154,949,018,968
(vi) The amount of outstanding obligations excluded from outstanding debt as self sustaining pursuant to Article VIII, Section 7(c)(1), (2) and (3) of the Constitution of the Commonwealth of Pennsylvania . . . . .	\$8,563,808,853

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 31st day of August 2020.

EUGENE A. DePASQUALE  
Auditor General

The PRESIDING OFFICER. This report will be noted in the Journal and filed in the Library.

**BILLS INTRODUCED AND REFERRED**

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

September 9, 2020

Senators COLLETT, KEARNEY, MUTH, L. WILLIAMS, FARNESE, ARNOLD, SCHWANK, STREET, DINNIMAN and BLAKE presented to the Chair **SB 1283**, entitled:

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for members of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, September 9, 2020.

Senators FARNESE, STREET, SANTARSIERO and COSTA presented to the Chair **SB 1291**, entitled:

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

Which was committed to the Committee on LABOR AND INDUSTRY, September 9, 2020.

Senators FARNESE, FONTANA, MUTH, COSTA, HUGHES, TARTAGLIONE, KEARNEY, COLLETT, BROWNE and LEACH presented to the Chair **SB 1295**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for learners' permits, for application for driver's license or learner's permit, for application for driver's license or learner's permit by minor and for issuance and content of driver's license; and, in fees, further providing for driver's license and learner's permit.

Which was committed to the Committee on TRANSPORTATION, September 9, 2020.

### RESOLUTIONS INTRODUCED AND REFERRED

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

September 9, 2020

Senator MENSCH presented to the Chair **SR 360**, entitled:

A Resolution honoring the life of Dr. Frank Erdman Boston as a World War I veteran, military surgeon, community doctor and founder of the Elm Terrace/Lansdale Hospital and the Volunteer Medical Service Corps (VMSC) ambulance corps.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 9, 2020.

Senators BAKER, BROWNE, BARTOLOTTA, COSTA, PHILLIPS-HILL, J. WARD, BLAKE, FONTANA, KILLION, SANTARSIERO, MARTIN, MENSCH, TARTAGLIONE, STEFANO, PITTMAN, ARNOLD and DINNIMAN presented to the Chair **SR 361**, entitled:

A Resolution recognizing the month of September 2020 as "Fetal Alcohol Spectrum Disorders Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 9, 2020.

### BILLS REPORTED FROM COMMITTEES

Senator PHILLIPS-HILL, from the Committee on Communications and Technology, reported the following bills:

#### **SB 487 (Pr. No. 516)**

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for title of act, for definitions and for notification of breach; prohibiting employees of the Commonwealth from using nonsecured Internet connections; and providing for Commonwealth policy and for entities subject to the Health Insurance Portability and Accountability Act of 1996.

#### **HB 2348 (Pr. No. 3454)**

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, providing for Unserved High-Speed Broadband Funding Program; establishing the Unserved High-Speed Broadband Funding Program Account; making an appropriation; and making a related repeal.

Senator KILLION, from the Committee on Community, Economic and Recreational Development, reported the following bill:

#### **HB 777 (Pr. No. 4342) (Amended)**

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in club licensees, further providing for report and for distribution of proceeds.

Senator BAKER, from the Committee on Judiciary, reported the following bills:

#### **SB 833 (Pr. No. 1142)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in marriage ceremony, further providing for persons qualified to solemnize marriages.

#### **SB 1033 (Pr. No. 1538)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

#### **HB 1747 (Pr. No. 2338)**

An Act amending Titles 18 (Crimes and Offenses) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for prohibited conduct during emergency; and, in Commonwealth services, further providing for general authority of Governor.

#### **HB 2175 (Pr. No. 3131)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for expert testimony in certain criminal proceedings.

#### **HB 2176 (Pr. No. 3082)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of unlawful contact with minor.

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

#### **SB 1309 (Pr. No. 1930)**

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to High Properties, LP, a certain tract of unimproved land situate in Manheim Township, Lancaster County.

#### **HB 2354 (Pr. No. 4014)**

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for payments by the Commonwealth; and establishing Do-Not-Pay Initiative.

**HB 2440 (Pr. No. 3776)**

An Act providing for the designation of shooting ranges, sportsman clubs, hunting facilities and business relating to the sale and production of firearms and ammunition as life-sustaining.

Senator K. WARD, from the Committee on Transportation, reported the following bills:

**SB 101 (Pr. No. 73)**

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in rural State highway system and State highways in cities, boroughs and towns, further providing for improvement, reconstruction and maintenance.

**SB 845 (Pr. No. 1153)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for maximum gross weight of vehicles.

**SB 1281 (Pr. No. 1943) (Amended)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for schedule of convictions and points; and, in rules of the road in general, further providing for duty of driver in emergency response areas.

**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 Gordner.

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

**SENATE CONCURRENT RESOLUTION**

**WEEKLY RECESS**

Senator CORMAN offered the following resolution, which was read as follows:

In the Senate, September 9, 2020

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 21, 2020, unless sooner recalled by the President Pro Tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses the week of September 21, 2020, it reconvene on Monday, October 5, 2020, unless sooner recalled by the President Pro Tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses the week of October 5, 2020, it reconvene on Monday, October 19, 2020, unless sooner recalled by the President Pro Tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of September 15, 2020, it reconvene on Tuesday, September 29, 2020, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of September 29, 2020, it reconvene on Monday, October 19, 2020, unless sooner recalled by the Speaker of the House of Representatives.

On the question,  
Will the Senate adopt the resolution?

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

**YEA-50**

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

**NAY-0**

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

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

**CALENDAR**

**SECOND CONSIDERATION CALENDAR**

**HB 2513 CALLED UP OUT OF ORDER**

**HB 2513 (Pr. No. 4340)** -- Without objection, the bill was called up out of order, from page 11 of the Second Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION AND REREFERRED**

**HB 2513 (Pr. No. 4340)** -- 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 establishment operation.

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.

**RECESS**

The PRESIDING OFFICER. 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 here on the Senate floor, beginning with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations.

The PRESIDING OFFICER. For purposes of meetings of the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations, to be held on the Senate floor, without objection, the Senate stands in recess.

#### 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.

#### CONSIDERATION OF CALENDAR RESUMED

##### THIRD CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

**SB 5** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

##### BILL LAID ON THE TABLE

**SB 85 (Pr. No. 63)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in licenses, tags and kennels, further providing for transfer of dog licenses or tags and other licensing requirements and for service dogs and dogs used by municipal or State Police departments.

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

##### SB 85 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 85, Printer's No. 63, 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.

##### BILL LAID ON THE TABLE

**SB 107 (Pr. No. 883)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault.

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

#### SB 107 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 107, Printer's No. 883, 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 253** and **HB 355** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 530 (Pr. No. 1940)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for students convicted or adjudicated delinquent of sexual assault; in safe schools, further providing for safe schools advocate in school districts of the first class; and, in educational tax credits, further providing for school participation in program.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator MARTIN. Mr. President, Senate Bill No. 530 is about empowering sexual assault victims and protecting them from ongoing trauma. Besides the physical scars from an assault, victims may experience PTSD, health issues, and have difficulty with personal relationships, returning to work or school, and regaining a sense of normalcy. I introduced Senate Bill No. 530 because I became aware of the situation from a family in one of my school districts in the 13th Senatorial District, whose daughter was raped after hours by a fellow classmate. The offender had been an adjudicated delinquent and had gone through placement; but can you imagine the pain, the horror the victim felt when she found out that her attacker would be returning to the same school she was being educated in? Victims should not be forced to attend school with their attacker, plain and simple. But, the school could not remove the adjudicated student. Instead, the only option was for the victim to uproot her entire life and go to a different school. This is beyond wrong. A victim should never be forced to upend their life, their social and academic network, their sources of support, because they were the victim of sexual assault. Schools can try to separate them in the same building, but you cannot expect teachers, with everything else they have going on, to be tracking the whereabouts of both individuals all day long.

Senate Bill No. 530 would require a school to expel, transfer, or reassign a convicted student, or adjudicated delinquent, for

sexually assaulting another student at the same school. Ultimately, this legislation requires that the students involved are not educated in the same building, attend the same school-sponsored events, or ride on the same bus, and will insure that situations like the one I just described never happen again. I appreciate the contributions and support of the Pennsylvania Coalition Against Rape, the Pennsylvania School Boards Association, the Office of Victim Advocate, and the Pennsylvania Department of Education for their assistance in working on this bill, and I am grateful for all my colleagues on both sides of the aisle who helped work to get it to this point to protect victims in schools from their sexual assault offenders. I ask the Members for an affirmative vote on Senate Bill No. 530.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Anthony Williams.

The PRESIDENT pro tempore. Senator Costa requests a legislative leave for Senator Anthony Williams. 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-50

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

NAY-0

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

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

BILLS OVER IN ORDER

**SB 565, SB 606, SB 679, HB 716, SB 763, SB 764 and SB 793** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 869 (Pr. No. 1937)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for moment of silence on September 11 anniversary and for moment of silence on December 7, Pearl Harbor Day.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

Senator MASTRIANO. Mr. President, I rise in strong support of Senate Bill No. 869, which requires a moment of silence in schools in honor of 9/11. The birth of this bill, the genesis of it, was a discussion between myself and Senator Stefano, cosponsor of this from Somerset County, who has the distinct honor of having the Flight 93 Memorial in his district, a sad memorial at that. Last year, we were a bit disconcerted that many of the school districts around the State had little to no commemorations held regarding that fateful day only 18 years ago. Now, in the 19th year, it is time for action, and we are calling for a moment of silence in all schools. It does not create an undue burden on our public school system or any school system. It leaves it in the local control and hands of the faculty. My concern is that, obviously, the attack on 9/11 by those terrorists back in 2001 forever changed our nation, and we are still at war around the world with various groups as a result of that attack on 9/11. It is imperative that we remember, commemorate, and honor the fallen, especially in Pennsylvania, where, of course, the first attack happened that we pushed back against the terrorists on Flight 93 and 40 beautiful Americans gave their lives to save others. As Jesus said in the gospel of John, a greater love has no man than this but to lay down his life for a friend, and those great Americans laid down their lives for all Americans on that day of fear and trembling.

As you remember the horror of the World Trade Centers coming down, the attack on the Pentagon, and then, of course, the lack of knowledge of what was going on with Flight 93, looking back, we see that it was filled with heroes and great Americans. We remember so many, especially Todd Beamer from Cranbury, New Jersey. He tried to call his wife, only got hold of an operator, and then prayed the Lord's prayer together with the operator as they were forming their attempt to take the plane back. As he walked away from the phone, you could hear him say to the group in the back of the airplane, "Are you ready? Okay. Let's roll." "Let's roll" has become a motto for Pennsylvanian's rising up out of the ashes of 9/11 still today. Yesterday, when we had our rally to protect our first responders, EMS, construction and tow workers, many of the fire trucks in the parade still had "Let's roll" engraved on the side, emblazoned on the vehicles in honor of that moment in time where, in darkness, some hope was brought forth.

I stipulate that it is good and honorable that we always remember those who have gone before us, especially these great Americans in Pennsylvania because we are the Keystone State. We always sit in the gap in history, whether it be 1776, where the light of liberty was lit in Philadelphia; or a new birth of free-

dom was fought for and secured in 1863; and then, of course, in 2001. I respectfully request an affirmative vote. Thank you very much.

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-50

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

NAY-0

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

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

BILLS OVER IN ORDER

**SB 881, HB 941 and HB 942** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 968 (Pr. No. 1938)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for

applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsylvania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; providing for Board of Pardons; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation and Parole and for appropriations of the Office of Victim Advocate; making related repeals; and making editorial changes.

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

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I rise to ask the Members of the Senate for support on Senate Bill No. 968. As the Members, Mr. President, are aware, as part of our continuous successful effort in criminal justice reform, the Department of Corrections and the Board of Probation and Parole have been working under a memorandum of understanding in an effort to reduce redundancies and expenses, to share resources and personnel, and to streamline the criminal justice system. This effort has already led to millions of dollars in savings, increases in re-entrant employment, increased in-home plan approvals, improvement on the success rate of securing medical assistance coverage for re-entrance, and making positive changes in assessment, treatment, and case management. However, despite those important achievements, these agencies have been limited in achieving additional savings, improved efficiencies, and a reduction of duplicative costs and programs under this current memorandum of understanding. In order to reach the full potential cost savings and improved efficiencies in services and programs, legislation is needed to permanently place in statute the ability of these agencies to expand their efforts. Some of the expanded opportu-

nities this legislation provides includes additional administrative efficiencies and cost savings in the areas of human resources, a combined management operations center, and a single transportation system for offenders and parolees.

In addition, pursuant to the excellent counsel and leadership of the Majority chairman of the Committee on Judiciary, Senator Baker, Senate Bill No. 968 now also includes the Board of Pardons within the merged criminal justice system to further provide a reliable infrastructure and resolve cumbersome and conflicting procedures in dealing with employment issues, fiscal matters, sharing of work and information, and the smooth transition of offenders through the criminal justice system process. Under this merger, the Board of Probation and Parole, which will now be called the Pennsylvania Parole Board, and the Board of Pardons will be able to rely on the Department of Corrections to facilitate administrative support and other assistance to help reduce the financial burdens both boards struggle with on an annual basis while still being able to keep their independence. The Pennsylvania Parole Board and the Board of Pardons will remain independent in their decisionmaking responsibilities, and both will have their own appropriations lines within the Department of Corrections as part of any General Appropriation Act. The parole board's makeup and appointment of members remains the same. The board will still establish special conditions of supervision for offenders based on the risks presented and the rehabilitative needs of the offender and is required to promulgate regulations establishing general conditions of supervision applicable to every offender it releases on parole.

This legislation also places all supervising agents under the Department of Corrections, and the department will now handle all powers to supervise offenders both in and outside of the prison. This transfer of responsibility ensures that the first and foremost duty of the Department of Corrections shall be to protect the safety of the public when supervising offenders. In addition, Senate Bill No. 968 provides that parole agents are peace officers with police power and authority throughout the Commonwealth, and clarifies that the power of these peace officers with regard to jurisdiction is in the immediate area of the State correctional facility up to and including one-half mile before the jurisdiction shifts to our State Police and local police departments. Most importantly though, this merger legislation provides continuity for offenders from their time of entry into a State prison through their completion of parole and case management. This continuity, I believe, is critical to providing offenders the greatest opportunity to succeed once they leave State prison and to reduce the likelihood of returning to prison when on parole.

In addition to Senate Bill No. 968, Mr. President, we will also be voting on another bill this afternoon which will further refine the operations of our criminal justice system. Senate Bill No. 969 amends the Crime Victims Act by establishing the Office of Victim Advocate within the Department of Corrections. Similar to the Pennsylvania Parole Board and the Board of Pardons, the Office of Victim Advocate will still function independently and will retain all powers and duties that are specified in the Crime Victims Act. Given the longstanding, close working relationship between the Office of Victim Advocate and the Department of Corrections, this measure will allow for a greater opportunity for operational efficiencies corresponding to this relationship. This legislation also requires the Pennsylvania Parole Board to develop a standardized form regarding victim notification and to

notify a victim who had previously expressed a desire to provide input in advance of a pending release decision to extend an opportunity for them to comment.

The changes of both these bills, Mr. President, will greatly strengthen the continuity and effectiveness of Pennsylvania's criminal justice system for both offenders and victims, increase Pennsylvania's overall productive capacity, and improve public safety for the benefit of all Pennsylvanians. For these reasons, Mr. President, I sincerely ask the support of my Senate colleagues for both of these important legislative initiatives. Thank you very much.

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 Hutchinson.

The PRESIDENT pro tempore. Senator Corman requests a legislative leave for Senator Hutchinson. 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-49

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

NAY-1

Hutchinson

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

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

ANNOUNCEMENT BY MAJORITY LEADER

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

Senator CORMAN. Mr. President, could I ask the Members of the Senate Republican Caucus to come to the Leader's podium.

The PRESIDENT pro tempore. Without objection, the Senate will be at ease.

(The Senate was at ease.)

**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 Martin.

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILLS OVER IN ORDER**

**SB 969, HB 1033 and SB 1118** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1170 (Pr. No. 1769)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for expert testimony in certain criminal proceedings.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Bill No. 1170. Senate Bill No. 1170 will permit the Commonwealth to call expert witnesses in cases of domestic violence and sex trafficking. The Commonwealth is permitted to have expert witnesses with a specialized knowledge to a particular subject matter to testify to the facts of the case. Specifically, there is a portion of the Judicial Code which speaks to expert witnesses in cases of sexual violence to testify to the understanding of the dynamics of sexual violence, victim responses to sexual violence, and the impact of sexual violence on victims during and after being assaulted. These types of expert witnesses have been crucial to helping jurors understand the tremendous trauma a sexual assault can have on a victim and how that trauma can affect their behaviors and overall health. Seeing how valuable these experts have been to providing justice to victims of sexual assault and the links between the two crimes, I believe these expert witnesses should also be permitted in cases of domestic violence and sex trafficking.

Thank you, Mr. President. I ask my colleagues for an affirmative vote.

And the question recurring,  
Shall the bill pass finally?

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

**YEA-50**

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

**NAY-0**

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

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

**BILLS OVER IN ORDER**

**HB 1325 and HB 1439** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL LAID ON THE TABLE**

**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.

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

**HB 1538 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that House Bill No. 1538, Printer's No. 3666, 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.

**LEGISLATIVE LEAVE CANCELLED**

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILLS OVER IN ORDER**

**HB 1584 and HB 1696** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL OVER IN ORDER AND LAID ON THE TABLE**

**HB 1796 (Pr. No. 3137)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 30, 1984 (P.L.345, No.69), known as the First Class City Business Tax Reform Act, further providing for definitions.

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

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

#### BILL OVER IN ORDER

**HB 1984** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

#### BILL OVER IN ORDER TEMPORARILY

**HB 2025** -- Without objection, the bill was passed over in its order temporarily at the request of Senator CORMAN.

#### BILL OVER IN ORDER AND LAID ON THE TABLE

**HB 2438 (Pr. No. 3848)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for broadband services.

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

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

#### BILL OVER IN ORDER

**HB 2487** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 2787 (Pr. No. 4334)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for precautions against spread of COVID-19; and, in terms and courses of study, providing for sports and extracurricular activities during COVID-19 pandemic.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support of House Bill No. 2787. I thank my colleague in the House, Representative Reese, for his diligent work on this matter and listening to the voices of the people of this great Commonwealth. House Bill No. 2787 will allow the governing authority of a school entity or nonpublic school to determine whether to hold sports activities and extracurricular activities during the 2020-21

school year. Since June, our school districts have been working long and hard to develop a plan for a return to school. Schools have been open, in some instances going on 3 weeks. They have done it safely and effectively. Some may say that the current permission--I will use that word loosely--of allowing 25 spectators indoors and 250 outdoors accomplishes the goal of spectators, but it is not even close to accomplishing the goal. There is absolutely no basis on these arbitrary numbers. People are not allowed indoors to watch their children or grandchildren if they exceed 25, but they are allowed to funnel into a big-box store and rub elbows for hours at a time. People are not allowed to go to an outdoor football stadium that may hold 4,000 or 5,000, yet they are allowed to go to a car show. There is no basis in the guidance that has been given here, and House Bill No. 2787 is the first step in acting accordingly and showing that we can, and local school districts can, make their own decisions, and they can do it safely.

I ask for an affirmative vote, Mr. President. I ask that, by your vote, you show the countless parents, grandparents, and relatives that you stand for them. You stand for their right to watch their children participate in sports and extracurricular activities safely and consistent with the CDC. I ask for an affirmative vote on House Bill No. 2787.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I rise in support of House Bill No. 2787. I was going to amend this bill, allowing at least the parents of the athlete, cheerleader, or band player to be able to go to these games. However, after looking at the bill, and you know, Pennsylvania is unique. We have over 2,600 municipalities, and why we do that, they have local control of what they want to do in each one of those municipalities on land use and many other issues. We have over 500 school districts, which is the same. You have an elected board that makes those decisions in each and every one of those school districts. We have allowed the school districts to make the decision on what they are going to do. Are they going to open totally? Are they going to do all online? Are they going to do part in class and part online? We have given them those decisions, and I think each and every one of those school districts made the right decision.

But here we are today on something and I feel, being the parent of two daughters who were athletes, we should be able to attend those games. First of all, it would affect our whole family, but also my two daughters playing at the time, and I made a case of going to every one of those games, because do you know what? You are not going to get it back. Once those kids graduate and they are off to college, you are not going to get that opportunity again. It is something that we hold very dear as parents to see our kids excel in a sport or play a sport they truly enjoy and us to be there in support. So, I think the school districts will make the right decision, and if they do nothing at all, they would allow at least the parents to attend these games.

But it goes further than that, Mr. President. These young men and young ladies, we have taken everything away from them. COVID-19, just this past year, you know, the schools were closed, and this is an opportunity. They need the exercise. They need to get out and enjoy life, and do what teenagers should be able to do, and we do not want to box them in. We want them to have that opportunity, enjoy what they are doing, excel at what

they are doing, have the parents there, and if we can have more spectators, why not? Like the prior Senator who spoke said, we allow secretive exemptions for 20,000 people a day to attend a car show. We allow folks who want to protest, that is fine. If we allow that, then we should, at the same time, allow our kids and our parents to be able to go to a school and watch them in their sport of choice.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I, too, rise to support House Bill No. 2787, and I want to thank Senator Langerholc and Representative Reese for their commonsense efforts to allow students to safely participate in school sports and extracurricular activities. I would like to share a story. Earlier this spring, I had a very short but impactful conversation with a local high school student. While walking my dog near our high school baseball field, I felt a tremendous sense of sadness seeing a player seated alone on the bench looking out at the empty ballfield. Normally, it would have been filled with players, coaches, and umpires, and the fans would have been lined up all along the hill cheering on the team. During this conversation, I learned this young man was a senior, and because of COVID-19, he is missing his final season, a season that began with much promise because his team was expected to compete for a district title. As Senator Scavello said, and as the mother of a child who played three varsity sports in all 4 years of high school, I could only imagine what I would have felt for my child in that circumstance.

For many students, active participation in a sport is the key to academic success in the classroom, not just success on the field, on the court, or cross country course. While we cannot get back that young man's lost season of the past school year, this legislation permits schools to develop plans to safely allow students to engage. It will also allow their parents, grandparents, friends, and neighbors to attend in person. My husband and I never missed a baseball game, basketball game, cross country meet, you name it, because we understood the importance of being there for our child and the importance for our family. But I would also like to point out the importance of sports, because research shows a direct correlation between girls' participation in sports and greater achievement in higher education and employment. In fact, the majority of leading female executives first found success in sports, and I assume many of my female colleagues here in the Senate did so, likewise. Remember, what do sports teach our children? Leadership, teamwork, perseverance, and discipline. We know children playing games are gaining attributes that will go with them throughout life, whether those games are on the school yard, ballfield, or basketball court. Our students, parents, coaches, and schools have been seeking this very important remedy.

So, I am here to say, let them play. Let them play safely and responsibly, and this legislation is an important step forward in insuring that our children can play and have access. I thank the maker of the bill, and I thank Senator Langerholc for his leadership.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I, too, have had my daughters participate in high school sports, really from eighth

grade all the way through high school. I was a high school athlete, co-captain of my high school basketball team. Consistent with what Senator Baker said, I learned significant leadership opportunities from that experience, and one of my daughters is a veterinarian in part because of a coach she had in high school. These experiences are tremendous for child growth. At the same time, much of the authority that we are deciding to grant to school districts, they have already. My wife is the president of the school board in Cheltenham Township, and I have regular, possibly too many, conversations about the authority or lack of authority of school boards, what they can do, and what they should or should not do. Much of this legislation is already within the authority of school boards.

I also want to share that this legislation is in a context, and our children's growth are in a context, of a global pandemic which we have not seen since 1918, and there are significant risks, public health risks associated. I share with PIAA that these decisions about participation in sports eventually and ultimately have to be owned. When I say owned, I mean that in the event there are young people and families who go to the emergency room, then we are saying that the hospital system ends up owning these decisions. In the event that individuals and family members contract the virus, we are saying to State and local health departments that the contact tracing that has to be conducted as a result is owned by the health departments. It seems to me that the extracurricular decisions are already owned by the school districts. Somehow they are seeking that we, the General Assembly, cover them; that we own their decisions, which we should not.

Let me go further. School districts do not come to us on questions of should we participate or consent to real estate taxation. They want the freedom to do so, and they have the freedom to do so. Yet, here they come to us, the General Assembly, for protection on decisions that, in fact, are theirs. But then they can go to their home communities and in the event of a problem, say that the General Assembly permitted them to do what they are already authorized to do.

So for these reasons, particularly the public health risk clearly associated with these events, extracurricular events, sporting events, and that in the end, the ownership of those public health decisions will end up not with the school districts but, yes, possibly with parents; yes, possibly with grandparents; but, certainly, with the hospital systems. For these reasons, Mr. President, I cannot support this legislation. Thank you.

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

Senator DINNIMAN. Mr. President, allow me to respectfully disagree with my fine colleague from Philadelphia. First, school districts come to us all the time. Taxation and real estate tax and how they set it was mentioned. When we tried to end the property tax, every school district had a say in it and did not want us to--many, and their associations did not want us to--do this. So the school district, like the municipality, is a creature of the State. I am sure my esteemed friend from Philadelphia, as an attorney, understands that. They act under guidelines that this legislature establishes.

Second, allow me to say that what the fine gentleman forgets is the question of liability. I understand that he is an excellent lawyer and a lawyer I would go to. However, almost every school district in my area has spoken about the fact that they are afraid to act because they are afraid of being sued. The notion

that school districts do not get sued, as some have mentioned in the past, is foolishness. They get sued all the time. What the districts are saying is this--and by the way, the Pennsylvania School Boards Association is actively working with Senator Baker and her committee, Senator Farnese, and the House, as well, in terms of appropriate legislation that would assist school districts that would be subject to suit. The reason we are using the term "exclusive authority" in this is to protect them from suit. School districts then, to put this in perspective, are not totally independent entities. They are creatures of the State and we have certain limitations.

Second, a school district's fear of suit is a very real one. What is occurring is that our districts are in a situation of almost total chaos and confusion because orders are coming from so many different sources. Let me give you an example of this fear of being sued and what it means. The State established, under the Department of Education and Department of Health, a chart, a very useful chart, which you could determine whether you are going to be in-person, hybrid, or totally remote; and there were gradations in that chart. All of the schools in my district could either be hybrid or remote based on the amount of cases and the positivity rates. However, what occurred was, the Chester County Department of Health issued a decree that was contrary to the State Department of Health. They said that no school should be open until October 9 because of what could occur over the Labor Day weekend.

What occurred then was, the four schools that were going to go hybrid in Chester County then went to totally remote. When you ask the districts why, they said because they were afraid of potential suits, because someone could come in and say you did not follow what the Chester County Health Department said. Additionally, the Chester County Health Department has said you should not have any athletics. Tell me something. What is the problem with golf? Because one of our districts wrote in and said, why can we not do golf? We have given permission for country clubs to open. I believe there are national golf tournaments going on. But under our county's Health Department order, and under the Governor's order, you are not supposed to play golf. What is the problem with cross country? What is the problem with tennis? What is the problem, in general, with all these outdoor sports? The difficulty for our school district is, when they try to make their own decisions based on what they believe, they need to have this exclusivity in terms of authority. My hope and prayer in terms of what our school districts are going through is that we will finally see the legislation--the sooner the better--come out of the Committee on Judiciary that will allow our school districts to really have the authority that my fine friend from Philadelphia has alluded to, that they do not have to worry about being sued; that they will have the authority to make the decisions that are in the interests of their own students and communities.

Allow me to add one other thing. I noticed that some teacher groups were opposed to this bill. But, you see, there is a problem, because there is also a Republican bill that I see potentially coming which would say that teachers cannot be paid for athletics and extracurricular activities if they are not actually taking place. Which is reasonable, no? I mean, I am a teacher, I support teachers, but the point is that even those in the education community, the few who oppose this, have to understand that you cannot have your cake and eat it, too.

So, in conclusion, what I am trying to get at is, it is about time we focus on the students. I am tired of focusing on trial lawyers and everyone else in the community. It is time for students to come first. When students come first, you allow school districts to allow, certainly, fall sports, which are done outside, to take place. You know, all the speakers so far have spoken about the value of athletics, the importance of athletics. Let me add other extracurricular activities as well. Let us put our vote where our mouth is and support athletics and our school districts and the decisions they make and let us give them that exclusivity in law. If they were not afraid of being sued, they would not have asked for exclusivity. I urge anyone who opposes this bill to talk to the Pennsylvania School Boards Association and let them tell you exactly what our school districts are facing, why they are in total support of the bill on liability, and why they think it is so essential for the education, renewal, and return of education in this Commonwealth.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, as I listened to this debate, and I respect and understand the passion of both sides who are advocating for it, I understand that what we are looking at is really the discussion on who has the authority, in this particular case, to make a decision on high school sports, who can play or whether or not to play. When I think about these arguments, this bill, it really, at its heart, sure, it is about sports and it is about all the good things that go along with sports. But really, when you start to look at it and whittle it down, it becomes about autonomy and about who is really better capable, better positioned, to make decisions about, really, everyday things in our lives. What I keep hearing in bills like this from the Majority is that time and time again it is better to allow the local school district, the local council board, the local fire department, whatever it might be, that local level, because as I have heard, not just today, Mr. President, but on a series of bills that attempt to pull away control from our Governor and somehow give it away or give it to those who know what is best. Those local officials know what the autonomy is for their own folks.

I say this, number one, because on the floor of this Chamber I had made that argument time and time again in favor of support for localized laws, for safe gun laws, to address an epidemic of gun violence, not only in my city but across this Commonwealth, and I have been rejected time and time again, because those decisions should not be made, as I am told, at the local level. The State knows best. Why I say this argument today to you, Mr. President, both in opposition to this bill but also as a warning, as notice, because this issue will come up again in this Chamber. Someone will make an argument that localized control or a law that gives Philadelphia, or some city, the ability to make its own gun laws, or some law to make its city safe, the argument is going to be made that localized officials know best because they are there and they know what is in the best interest of their folks.

If there is a Majority that says no, remember this, remember these arguments, because even though they were made in the context of a pandemic, they are still what we have been arguing, or at least Members on my side of the aisle have been arguing for years. There are situations in which localized officials know what is best for their own folks, and they should be given the ability to do so to protect them.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, I am very confused why we are here debating. I heard the Governor's comments several times, school districts back and forth, the art of playing this sport. The bottom line is, the Governor gave recommendations out of order. There are school districts which are open today playing sports. No one has cited them. I do not understand how we are making--I mean, let us just be totally transparent for the public. This is about the power of the legislature versus the power of the Governor. That is what this is. We are arguing about something that already is not cited as breaking the law. School districts today can decide to play sports. My friend who wants to go see his children play today can go do that. Do not argue with the Governor if they are not playing, argue with your local school district, period.

By the way, with all due respect, social justice protests are not equivalent to a sporting event. I am a big fan of sporting events, particularly children who do not have much. But they would not equate going to a basketball game with a protest in the neighborhood about the fact that they cannot leave that building and not be assured something bad is not going to happen to them. So let us not go down that path, all right? Let us stay on this path. If you want your school district to play sports, go to a local school board, tell them they want to play sports, and today in Pennsylvania they can play sports. That is the end of it.

The sense of this argument is a pattern that has been existing across the country and, frankly, in Pennsylvania for the last several months, in a State that, frankly, has managed the pandemic more effectively than most States, whether it has been seamless or not--it has not been seamless--whether the Democrats or Republicans criticize the Governor--which they do--it ranks as one of the highest States in the country relative to safety and now opening its economy. Those are the facts. Not opinions. You can wail away all day if you want to, but the reality is, as Governor, he has done his job, he has done it effectively, in comparison to even those in the White House who say certain States did well and certain States did not do so well. Pennsylvania is always at the top of that list.

So, what we decided to do was--you know what, we do not agree with every detail he has done, so the General Assembly will weigh in and say it is our authority. That is what this debate is about today. If it was about opening sports up, I would engage and be conflicted about it because I agree that children should have an opportunity to go out and play sports, and many kids, frankly, in underprivileged communities are depending upon it economically to get them out of poverty. So I am more committed to them getting to do what they do on a playing field. But that is not what this is about. This is about the General Assembly saying we should be in charge. When somebody mentioned this, the State Constitution says, no we should not. We have a Governor, we have a General Assembly, and we have a judicial branch. That is basic civics. We are overstepping our boundaries, with all due respect to those who support the bill. For those who talk about the Constitution consistently on this floor, you cannot have it both ways. It is not about liability insurance, not about lawsuits, not about local control, and it is not about playing sports. It is about wresting control from this Governor on a consistent basis every time we stand up. Every time we come back there is

a bill that says the Governor should not be in charge of something, we should, and we should make that decision. That is all this is about, and that is not the language we should be playing with today.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I stand before you not only as the Senator from the 34th Senatorial District, which includes Centre, Mifflin, Juniata, and parts of Huntingdon County, but also as the father of two varsity athletes. In fact, my daughter, my oldest, is participating in her varsity activity as we speak. I wish I was there as opposed to being here, but such is the life of a State Senator, as we have all faced those tough decisions. This is a very important issue, as we have been dealing with the pandemic over the last few months. Not only are we concerned about the health concerns of the COVID-19 virus, its impacts, and what we could do to avoid that, but also all of the impacts that these quarantines have had. A lot of times we have said here on the floor that the solution is as damaging and causes as many problems as the virus itself, so we have all been trying to deal with that as best as we can.

This particular issue, as was mentioned, the school districts right now have the ability to decide for themselves whether they should have local sports or not, and that is accurate. That is accurate because that is what the Governor has decided at this moment. Through his guidance, he has recommended that they not do sports, but he has left it not as a mandate or an order, he has left it as a guidance. So, the school districts are in power. The problem with that is, what the Governor giveth, the Governor can taketh away, and at any point in time - in the next minute, the next hour, the next day, the next week - the Governor can change his guidance to an order. Short of a statutory bill that would have to be signed by the Governor--we clearly understand that, so the legislature and the Governor working together--without the statute to say this is a school district decision, it is still at the whim of the chief executive. So, therefore, the school districts have the decision now. Whether it remains their decision is ultimately up to the Governor, and the Governor will decide whether he wants to leave it in the school districts' hands or not. If we pass this bill and it gets signed into law, then this now, statutorily, would remain in the hands of the school districts.

Now, as far as attendance, again, the school district can decide whether they want to allow attendance or not, but they are still under the mandate of indoor facilities of, I believe, 25 people and outdoor facilities of 250. No matter what the school districts want to do, they have to stay within that, unless we pass this bill. Now, some of these facilities, if you go around the State, have rather large--football is obviously the one that gets the most attention in the fall, although other sports are just as important--stadiums. My son plays on a travel baseball team with a young man whose father is the DuBois High School football coach. I believe their stadium is a 4,000- or 5,000-seat stadium. So they clearly could, if they were allowed to, work within CDC guidelines and all the best health distance, social distancing and things of that nature, and have far more than the 250 people in that facility and still accommodate parents and family members to be able to attend and not risk the spread of the virus within the facility.

So, again, it goes back to instead of having sort of a bureaucratic decision driven out of Harrisburg that gives an arbitrary number, like we did very similarly with the whole process of waivers, instead of focusing on who could do it safely, what businesses could operate in a safe way, we just picked arbitrarily what businesses could and could not, and some of those businesses that could did not do it safely and had major spread of virus through there, where other businesses who could have were not allowed to operate at all. Our argument is, again, let us evaluate each facility as they are. Let them decide. No one has more at stake in the health of their children and the health of their community than the local school district. They want to stay open. They want to have a safe, clean environment for their kids. So, I do not think they are going to do anything to put their children at risk. So, they can evaluate and put together the safety plans. It is not just a one-size-fits-all from the State. They can make a decision on whether they can move forward with both letting the kids play and also letting the parents attend. Again, only by putting this in statute do we guarantee this can happen.

This has been a long process. I know I felt so bad for the seniors last year who, when this pandemic really struck, lost the last few months of their year, not just athletically but academically, and all the things that went with it. Now this year's senior class, of which my daughter is one, may lose their whole year. It is troublesome to watch.

Again, I understand the Senator from Philadelphia's comments about consistency. My good friend, the late, great Charlie Lemmond used to say, consistency is the hobgoblin of small minds. We take every situation as they come at us. Certainly, sometimes we advocate for local control and sometimes we advocate for more of a statewide approach. In this particular area, when it comes to the health and safety of our children and students, I believe those decisions are best made at the local level with our local school district, our local families, to ultimately decide what is safe for their children. So, I encourage an affirmative vote.

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

Senator COSTA. Mr. President, very briefly, during the course of the debate on this legislation, the issue of liability was put into the discussion. I am seeking clarity with respect to what role this legislation has with regard to the issue of clarity of immunity and whether or not this legislation waives immunity. To that end, Mr. President, I am asking that the--I know the maker of the legislation is not on the floor, it is a House bill--but, to that end, if the Majority chairman of the Senate Committee on Education could stand for interrogation very briefly.

The PRESIDENT pro tempore. Senator Costa has requested that the chair of the Committee on Education stand for interrogation.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, as Leader, and since this is a House bill, I would be happy to stand for interrogation for the Senator, if it is okay.

Senator COSTA. Mr. President, a question I have for the Majority Leader would be, does this legislation in any way, shape, or form, waive liability for school districts if they do not provide the appropriate guidance, follow the appropriate guidance and the like?

Senator CORMAN. Mr. President, I do not believe there is anything in this bill that changes any immunity laws that are presently in place for school districts. They have certain coverages now. This does not alter them in any way. This does not change it or add anything in the way of immunity for local school districts.

Senator COSTA. Thank you, Mr. President. That answers my question.

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 Baker.

The PRESIDENT pro tempore. Senator Corman requests a temporary Capitol leave for Senator Baker. 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-39

Argall	Corman	Laughlin	Schwank
Arnold	Dinniman	Martin	Stefano
Aument	DiSanto	Mastriano	Tomlinson
Baker	Fontana	Mensch	Vogel
Bartolotta	Gordner	Phillips-Hill	Ward, Judy
Boscola	Hutchinson	Pittman	Ward, Kim
Brewster	Iovino	Regan	Williams, Lindsey
Brooks	Kearney	Sabatina	Yaw
Browne	Killion	Scarnati	Yudichak
Collett	Langerhole	Scavello	

NAY-11

Blake	Haywood	Muth	Tartaglione
Costa	Hughes	Santarsiero	Williams, Anthony H.
Farnese	Leach	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 without amendments.

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

**SB 207** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

**SB 258 (Pr. No. 1022)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, providing for pipeline emergency management information.

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

**SB 258 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 258, Printer's No. 1022, 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.

**BILL LAID ON THE TABLE**

**SB 284 (Pr. No. 1023)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2006 (P.L.1435, No.156), known as the Public Utility Confidential Security Information Disclosure Protection Act, further providing for definitions; providing for pipeline operation and emergency response plans; and further providing for prohibition.

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

**SB 284 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 284, Printer's No. 1023, 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 531, SB 809, HB 885 and HB 908** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 950 (Pr. No. 1919)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Environmental Protection to conduct a public comment process on and submit to the General Assembly a measure or action intended to abate, control or limit carbon dioxide emissions by imposing a revenue-generating tax or fee on carbon dioxide emissions.

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 OVER IN ORDER**

**SB 1034, SB 1089, SB 1164 and SB 1173** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**SB 1189 (Pr. No. 1855)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, further providing for definitions and for control measures.

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.

**BILL ON SECOND CONSIDERATION**

**SB 1190 (Pr. No. 1935)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to Bollinger Enterprises, Inc., certain lands situate in Conewango Township, Warren County.

Considered the second time and agreed to,

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

**BILL OVER IN ORDER**

**SB 1204** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**BILL LAID ON THE TABLE**

**SB 1220 (Pr. No. 1786)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in turnpike, further providing for commission powers and duties.

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

**SB 1220 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 1220, Printer's No. 1786, 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.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1241 (Pr. No. 1936) -- 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 General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased.

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.

BILL ON SECOND CONSIDERATION

SB 1280 (Pr. No. 1907) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Washington Health System, or its assignee, certain lands and improvements situate partially in the 6th Ward of the City of Washington and partially in South Strabane Township, Washington County; and making a repeal.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 1408, HB 1582, HB 1647, HB 1737, HB 1808, HB 1855, HB 2044 and HB 2293 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION AND REREFERRED

HB 2536 (Pr. No. 4341) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in incurring debt and issuing bonds and notes, providing for emergency tax anticipation notes.

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.

HB 2626 (Pr. No. 4335) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in Secretary of the Commonwealth,

providing for reports on implementation of elections; in county boards of elections, further providing for powers and duties of county boards, for records and documents to be open to public inspection and proviso, for preservation of records and for watchers or attorneys at sessions of county board and candidates may be present; in district election officers, further providing for qualifications of election officers and for appointment of watchers; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for official absentee voters ballots, for delivering or mailing ballots, for voting by absentee electors and for canvassing of official absentee ballots and mail-in ballots; in Statewide Uniform Registry of Electors Advisory Board, providing for SURE requirements; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for official mail-in elector ballots, for delivering or mailing ballots and for voting by mail-in electors; in penalties, providing for an enhancement of penalties for certain violations; and making an editorial change.

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.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 353 (Pr. No. 1909)

A Resolution designating September 14, 2020, as "EMS Memorial Day" in Pennsylvania.

MOTION PURSUANT TO SENATE RULE 29

The PRESIDENT pro tempore. 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. 1 and move that the Senate proceed to consider the following resolution, notwithstanding the provisions of Senate Rule 29(b):

SR 353.

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. 1

SENATE RESOLUTION ADOPTED

Senators REGAN, IOVINO, BARTOLOTTA, LANGERHOLC, ARGALL, ARNOLD, AUMENT, BAKER, BREWSTER, BROOKS, COSTA, DINNIMAN, GORDNER, HUTCHINSON, MARTIN, MENSCH, PHILLIPS-HILL, PITTMAN, SCAVELLO, SCHWANK, TARTAGLIONE, J. WARD and YAW offered Senate Resolution No. 353, entitled:

A Resolution designating September 14, 2020, as "EMS Memorial Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator REGAN. Mr. President, I believe Senator Bartolotta is standing by to speak on this resolution.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I rise today in deep respect and reverence for the heroes who we honor with this resolution, which I am pleased to sponsor with Senator Regan, Senator Iovino, and Senator Langerholc. Our Commonwealth is truly blessed by the incredible number of dedicated and courageous individuals who are committed to a single purpose: to use their skills and knowledge to save lives. Even when the job is difficult or dangerous, they still put their lives on the line to help others. That makes it even more tragic when the unthinkable happens and a life is lost in the line of duty. Since 2013, 63 EMS personnel have made the ultimate sacrifice while protecting our communities, and each of their names are memorialized in the resolution we consider here today.

One of the most recent additions to the list of heroes hails from Charleroi, in my district. On January 5 of this year, Rostraver-West Newton Emergency Services paramedic Matthew Smelser was struck and killed by a vehicle as he exited his ambulance to attend to an accident victim along Interstate 70 in South Huntingdon. In his 24 years of service, he touched countless lives and contributed immeasurably to the health and safety of the southwestern Pennsylvania communities that he served. His passing was a tragic loss, not only for those who knew and loved him, but for the entire community. The Senate honored Matthew's life in June by voting in favor of a bill to name a bridge on Interstate 70 in his memory.

I ask my colleagues to honor his incredible service once again, along with all of the other EMS heroes our Commonwealth has lost, by passing this resolution. Our hearts go out to all of the families, friends, and loved ones who mourn the loss of these brave individuals, and I pray for their comfort and peace. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator IOVINO. Mr. President, thank you to Chairman Regan, Senator Bartolotta, and Senator Langerholc for their partnership in advancing this resolution to remember and honor Pennsylvania's emergency medical services personnel who have died in the line of duty. Since 2013, 63 Pennsylvania EMS personnel from every corner of our Commonwealth have made the ultimate sacrifice in service to their communities. That is 63 families made forever incomplete, 63 communities who have forever lost valued citizens and dedicated public servants. These families and communities, however, hopefully can find some solace in knowing that these heroes gave their lives in pursuit of something bigger than themselves, serving their neighbors and carrying out their duties to protect the public's health and well-being. The selflessness and sacrifice merit recognition and remembrance for these individuals, their families, and the communities who mourn their loss. Now, in the midst of a pandemic, EMS personnel continue to protect us on the front lines across

the State, exposed to new risks, yet never shying away from the same call to serve, often at great personal risk.

This resolution is timed in advance of the Pennsylvania EMS Provider Foundation holding their 10th annual EMS Memorial Service on September 14. This Chamber's clear and unified acknowledgment of the EMS community's sacrifice, through Senate Resolution No. 353, is most fitting. Mr. President, I urge my colleagues to support this resolution commemorating September 14, 2020, as "Emergency Medical Services Memorial Day" in Pennsylvania. Thank you.

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

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

YEA-50

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

NAY-0

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

The PRESIDENT pro tempore. The resolution is adopted.

**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 PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD**

July 6, 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 June 25, 2020, of Anne Gingrich Cornick, Esquire (Congressional District 11), 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

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

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

July 10, 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 June 25, 2020, of Marisa G.Z. Lehr, Esquire (Congressional District 9), 8 Nicholson Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

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

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

July 10, 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 June 25, 2020, of Thomas J. Yablonski, Jr. (Congressional District 5), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

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

TOM WOLF  
Governor

JUDGE, COURT OF COMMON PLEAS,  
SCHUYLKILL COUNTY

August 28, 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 June 4, 2020, of Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Court of Common Pleas, Schuylkill County, to serve until the first Monday of January 2022, vice the Honorable John E. Domalakes, resigned.

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

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

August 10, 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 July

15, 2020, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2025, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Andrew Place, Waynesburg, resigned.

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 PRESIDENT pro tempore. 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 COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 15, 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, Thomas J. Grayuski, 38 Lions Street, East Stroudsburg 18301, Monroe County, Fortieth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg 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 Josephine Ferro, East Stroudsburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Patrick Christmas (Congressional District 3), 817 Kater Street, Unit B, Philadelphia 19147, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Amy Cozze (Congressional District 7), 3523 Westminster Way, Nazareth 18064, Northampton County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Jesse D. Daniel (Congressional District 15), 206 Forest Ridge Road, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 29, 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, Gene DiGirolamo (Congressional District 1), 5806 Wharton Circle, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Bruce Erb (Congressional District 13), 109 Ajay Court, Hollidaysburg 16648, Blair County, Thirtieth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

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ELECTION LAW ADVISORY BOARD

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In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kenneth Huston (Congressional District 18), 108 Edgemeade Drive, Monroeville 15146, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

July 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, Christina Iacono (Congressional District 5), 31 Oakland Road, West Chester 19382, Chester County, Ninth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Joseph Kantz (Congressional District 12), 800 Inch Hill Road, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 30, 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, Kenneth Lawrence (Congressional District 4), 351 Knoll Road, Plymouth Meeting 19462, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Dave Lohr (Congressional District 14), 1525 Hyndman Street, Connellsville 15425, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Tim Moran (Congressional District 8), 1747 Capouse Avenue, Scranton 18509, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
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July 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, James M. Smith (Congressional District 9), 511 Calabria Drive, Blandon 19510, Berks County, Twenty-ninth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
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June 25, 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, Margaret R. Spitzer (Congressional District 2), 2039 East Hazzard Street, Philadelphia 19125, Philadelphia County, Second Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Andrew Szefti (Congressional District 17), 347 Parker Drive, Pittsburgh 15216, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Peter Urscheler (Congressional District 6), 235 Bridge Street, Apartment 2, Phoenixville 19460, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

June 25, 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, Daniel J. Vogler (Congressional District 16), 3011 Eldogor Lane, New Castle 16105, Lawrence County, Forty-seventh Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ELECTION LAW ADVISORY BOARD

July 6, 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, Randall Wenger (Congressional District 11), 414 Southview Drive, Lititz 17543, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Election Law Advisory Board, to serve at the pleasure of the Governor, vice new position created by Act 12 of 2020.

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 PRESIDENT pro tempore. 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 COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
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June 15, 2020

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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-50**

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

**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.

**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 Langerholc.

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**HB 2025 CALLED UP**

**HB 2025 (Pr. No. 3907)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Second Third Consideration Calendar, by Senator CORMAN.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 2025 (Pr. No. 3907)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Environmental Protection to conduct a public comment process on and submit to the General Assembly a measure or action intended to abate, control or limit carbon dioxide emissions by imposing a revenue-generating tax or fee on carbon

dioxide emissions.

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

PREVIOUS QUESTION MOVED

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

Senator PITTMAN. Mr. President, I move the previous question.

The PRESIDENT pro tempore. Senator Pittman has moved the previous question on House Bill No. 2025. The motion requires four seconds.

Senator COSTA. Mr. President.

The PRESIDENT pro tempore. Are there at least four seconds to the motion?

Senator COSTA. Mr. President.

The PRESIDENT pro tempore. Senator Mastriano seconds the motion.

Senator COSTA. Mr. President, this is another tactic to be able to avoid the opportunity to provide amendments--

The PRESIDENT pro tempore. Senator Yaw seconds the motion.

Senator COSTA. --that are reasonable, responsible amendments.

The PRESIDENT pro tempore. Senator Argall seconds the motion.

Senator COSTA. We have gone through this whole day, working in a cooperative manner to try to--

The PRESIDENT pro tempore. Senator Judy Ward seconds the motion.

Senator COSTA. --address these measures, Mr. President--

On the question,  
Shall the main question now be put?

The PRESIDENT pro tempore. The Clerk will call the roll. Senator COSTA. --and to move the question is totally inappropriate.

The PRESIDENT pro tempore. The Senator is out of line.

Senator COSTA. Mr. President, I disagree. This Chamber and the order that is taking place is out of line.

The PRESIDENT pro tempore. The question immediately before the Senate now is--

Senator COSTA. Mr. President, this is wrong. We have Members--

The PRESIDENT pro tempore. --shall the main question be put?

Senator COSTA. --who have drafted responsible and considerate amendments--

The PRESIDENT pro tempore. For the information of the Members, this question is not debatable.

Senator COSTA. --that need to be considered by this--

The PRESIDENT pro tempore. Senator, you are out of order. This is not a debatable motion.

If this motion passes by majority vote, then the Senate will immediately vote on third consideration, and then final passage of the bill, without further amendment or debate on the motion.

The Clerk will call the roll.

Senator COSTA. Mr. President, this is inappropriate. It is totally irresponsible for them to have this discussion.

The PRESIDENT pro tempore. The Senate will come to order.

Senator COSTA. You can gavel all you want, Mr. President, but the fact of the matter is--

The PRESIDENT pro tempore. Senator, this is not a debatable motion.

Senator COSTA. --we have Members who want to offer amendments and are not going to stand for this.

And the question recurring,  
Shall the main question now be put?

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

YEA-28

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

NAY-22

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

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

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

On the question,  
Shall the bill pass finally?

The PRESIDENT pro tempore. On this question, there is no debate. The Clerk will call the roll.

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

YEA-33

Argall	DiSanto	Mensch	Vogel
Arnold	Fontana	Phillips-Hill	Ward, Judy
Aument	Gordner	Pittman	Ward, Kim
Baker	Hutchinson	Regan	Williams, Lindsey
Bartolotta	Iovino	Scarnati	Yaw
Brewster	Langerhole	Scavello	Yudichak
Brooks	Laughlin	Stefano	
Browne	Martin	Tartaglione	
Corman	Mastriano	Tomlinson	

NAY-17

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

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.

**The PRESIDING OFFICER (Senator David G. Argall) in the Chair.**

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEE**

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

**SB 1226 (Pr. No. 1842)**

A Supplement to the act of June 28, 2019 (P.L.839, No.1A), entitled "An act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2019; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2019; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018," adding Federal appropriations to the Executive Department of the Commonwealth for the fiscal year July 1, 2019, to June 30, 2020.

**SB 1307 (Pr. No. 1929)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, providing for appropriations from the account, for Pennsylvania Infrastructure Investment Authority, for Low-Income Energy Assistance Residential Utility Payment Program and for the Pennsylvania Public Utility Commission.

**SB 1314 (Pr. No. 1934)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, providing for appropriations from the account and for Nonprofit Economic Emergency Delivery System Grants Program.

**HB 2513 (Pr. No. 4340) (Rereported)**

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

**BILLS ON FIRST CONSIDERATION**

Senator BARTOLOTTA. Mr. President, I move that the Sen-

ate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

**SB 101, SB 487, SB 833, SB 845, SB 1033, SB 1226, SB 1281, SB 1307, SB 1309, SB 1314, HB 777, HB 1747, HB 2175, HB 2176, HB 2348, HB 2354 and HB 2440.**

And said bills having been considered for the first time,

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, SEPTEMBER 21, 2020

11:30 A.M.	BANKING AND INSURANCE (to consider Senate Bills No. 903 and 1229; and House Bills No. 858 and 1769)	Senate Chamber (LIVE STREAMED)
12:00 P.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bill No. 1246; and House Bill No. 2022)	Hrg. Rm. 1 North Off.
12:30 P.M.	AGING AND YOUTH (to consider Senate Bills No. 983 and 1279)	Hrg. Rm. 1 North Off.
12:45 P.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 1296)	Senate Chamber (LIVE STREAMED)
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 395, 810, 890, 1189, 1241 and 1281; and House Bills No. 21, 30, 1034, 1222, 1838 and 2073)	Senate Chamber (LIVE STREAMED)
Off the Floor	JUDICIARY (to consider Senate Bill No. 1075)	Senate Chamber (LIVE STREAMED)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Senate Chamber (LIVE STREAMED)

TUESDAY, SEPTEMBER 22, 2020

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (informational meeting regarding mental health awareness in agriculture)	Senate Chamber (LIVE STREAMED)
10:00 A.M.	JUDICIARY (public hearing to consider Magisterial District Judge Andrea Puppio - Judge, Court of Common Pleas in Delaware County and Magisterial District Judge Christina E. Hale - Judge, Court of Common Pleas in Schuylkill County; and	Hrg. Rm. 1 North Off.

	committee meeting to consider Senate Bills No. 120 and 868; and House Bill No. 440)	
10:30 A.M.	TRANSPORTATION (public hearing to consider the nomination of Wadud Ahmad, Esq., as Commissioner of the PA Turnpike Commission)	Senate Chamber (LIVE STREAMED)
11:00 A.M.	HEALTH AND HUMAN SERVICES (to consider House Bills No. 924, 1220, 1363 and 2503)	Hrg. Rm. 1 North Off.
12:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 391 and 1112; and House Bills No. 770, 1534 and 1947)	Senate Chamber (LIVE STREAMED)
12:00 P.M.	LABOR AND INDUSTRY (public hearing to consider the nominations of Albert Mezzaroba and Gary Masino to the Pennsylvania Labor Relations Board)	Hrg. Rm. 1 North Off.
12:30 P.M.	EDUCATION (to consider Senate Bills No. 1251, 1252 and 1268; and House Bill No. 703)	Senate Chamber (LIVE STREAMED)
Off the Floor	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bill No. 1330; and House Bill No. 1224)	Senate Chamber (LIVE STREAMED)
Off the Floor	STATE GOVERNMENT (to consider Senate Bill No. 1242; and Senate Resolution No. 377)	Senate Chamber (LIVE STREAMED)

**WEDNESDAY, SEPTEMBER 23, 2020**

9:30 A.M.	AGING AND YOUTH (informational meeting regarding the Caregiver Support Program)	Senate Chamber (LIVE STREAMED)
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**TUESDAY, OCTOBER 6, 2020**

10:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing to receive testimony on Senate Bill No. 1256)	Hrg. Rm. 1 North Off.
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**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, Senator TARTAGLIONE:)*

Mr. President, today marks 5,176 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Just 2 days ago, government offices were closed, and many private-sector workers had the day off, too. The day was not an arbitrary Monday. It was Labor Day, an annual commemoration founded by trade unionists in 1882 and codified as a Federal holiday 12 years later. In popular culture, Labor Day has come to be known for a lot of different things: parades, barbecues, days at the beach, the unofficial end of summer, and a day to spend time with family and friends. But the original

and fundamental purpose of Labor Day must never be overlooked or forgotten.

This year, with all that is going on in the world--namely the COVID-19 pandemic, the crippled economy, and the social justice movement--we were not able to celebrate Labor Day like we normally would. Yet, many of us found different ways to show our support for America's workforce. Labor Day's online presence was outstanding and included an informative series of virtual panel discussions hosted by the Pennsylvania AFL-CIO, as well as countless social media commentaries about the history and modern-day relevance of the labor movement. It is indisputable that without organized labor workers, we would not have the dignified working conditions we recognize today. Throughout the last century, unions have fought for, and won, the 8-hour workday and 40-hour workweek, overtime pay, workplace safety laws, the prohibition of child labor, and the minimum wage, among many other rights. Importantly, these victories have helped union members and non-members alike. In line with this tradition, unions continue to lead the fight for a fair, family-sustaining minimum wage. Their work, and the work of many other advocates, has garnered widespread public support.

At latest check, 7 out of 10 registered Pennsylvania voters support raising the minimum wage. This support transcends virtually every demographic and geographic region in the State. In light of the recent pandemic-related burdens shouldered by the working people of the Commonwealth, it is safe to say that support for a higher minimum wage and other worker-friendly policies continues to grow. With such a strong public mandate, it is inconceivable that the General Assembly has failed to update Pennsylvania's minimum wage in more than 14 years. This fall, we have an opportunity to finally correct this mistake by adopting my Senate Bill No. 12. In the meantime, I would like to once again join the chorus of advocates in thanking the trailblazers of the American labor movement and thanking the labor leaders who continue to fight to improve the lives of all working people. Happy belated Labor Day.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise today to express my extreme disappointment in the maneuver we just witnessed here on the Senate floor. The second time in more than a year we have resorted to these types of tactics--calling the question to avoid having Members on this side of the aisle, Democrats, offer amendments to bills, thoughtful amendments that were appropriate, were provided to the other side earlier today, to talk about a very important measure here in Pennsylvania, and that is the Regional Greenhouse Gas Initiative. Folks may disagree about what the Governor is doing with respect to this program, and obviously, that was part of the legislation, but it is reprehensible and unconscionable that the other side of the aisle, the Republican Party, the Republican Members of this Chamber, have chosen to deny the people whom we collectively represent the opportunity. We represent the people of Pennsylvania, as do they, and yet they were given the opportunity to provide a number of different things as we went forward and had this discussion. It was inappropriate, it was wrong. It is clear, Mr. President, that they did not want to have to deal with the substantive matter of the measures that were before this Chamber, but they should have been given the opportunity to be voted on. I cannot tell you the outcome of those amendments, but they were thoughtful amendments that would have addressed what needed to be done. But unilaterally denying the Members of this Chamber the opportunity to be able to present amendments is unconscionable.

I will say this, Mr. President, we have several months left here in this Session, and I will tell you, there will be ample opportunities for us to be able to make our similar-type statements as it relates to a variety of opportunities that we will have to be able

to shut off and call the question. I will certainly say that. You will rue the day that you resorted to these tactics. That is why the people in this Commonwealth have to wake up and understand what has taken place by the Majority party here in this Senate.

Yesterday they tried to quiet a woman who has been a strong victim advocate here in Pennsylvania by resorting to another tactic that, in the middle of a reappointment process, when the person is on the 15th day of their reappointment process, changed the rules and the eligibility criteria by which that person would be able to serve by requiring a law degree. It is ridiculous that that is the case. Doing it on the 15th day that person is going through that process and saying to us that that needs to be changed, never, in the 24 years that I have been here, have we done that. We have checked, and it has not been done anytime before where the qualifications of a member, in the middle of a confirmation process, have been changed to disqualify them. Let us be clear, we are changing the rules to disqualify a woman who has been serving as the victim advocate and who has been doing an outstanding job in that role. You may disagree. We believe she has been doing a good job, and her voice in standing up for so many victims in this Commonwealth, in areas of Pennsylvania where Members voted against the most heinous offenses that have taken place. In Johnstown, where we read all the stories about what took place there, it was the victim advocate who was there to support the victims who were there. Through the Catholic church crisis, it was the victim advocate who stood with the victims on these Capitol steps, where many of us stood with them, providing the compassionate understanding that was necessary at that particular point in time. And then to say we have to change the rules now, it is ridiculous. It is unacceptable.

That is why the people in this Commonwealth, they know change is coming and they know change is coming into this Chamber, and you will rue the day that you started to exercise these types of activities to prevent people from voting. So help me, when we are in this position in the Majority, you will see what it feels like, because it is wrong, it is inappropriate, and things are going to change in that regard as we go forward. It is unconscionable that we can stand here and say to the people of Pennsylvania we are going to shut off people's voices. I do not understand how you can sleep at night, look in the mirror, and say I did the right thing, by denying the woman who has been serving as victim advocate, changing the rules so she does not serve anymore. I do not know how you sleep at night and go back to your constituents and say, I shut off debate so we cannot talk about the issues that are important to the people of Pennsylvania because we do not want to cast those votes. It is too bad. That is what you are elected to do, cast votes, both easy votes when they are 49-0 votes, or 50-0 votes, or votes that are contested and there are votes on both sides of the aisle. It is wrong.

This side of the Chamber, Mr. President, has been accommodating and working with the other side of the aisle to be able to manage the process of this floor activity. We were requested to not offer amendments related to the CARES bills and we accommodated, when we had Members who wanted to offer amendments. This is what we get in return, the ability to not offer our amendments. It is ridiculous, it is unconscionable, it is wrong, and you are going to rue the day that you proceeded down this path. The people of Pennsylvania will know about it, if they do not already know about it, because we will let everyone know that you are shutting off debate of people in Pennsylvania, and

then yesterday you tried to deny a woman the opportunity to be confirmed as victim advocate because you do not like hearing her voice. The fact of the matter is, she is the voice for the Commonwealth victims and has done a good job and will continue to be able to do a good job, and I assure you, folks will know what took place here.

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

Senator L. WILLIAMS. Mr. President, I planned to speak on House Bill No. 2025 before final passage, but apparently my colleagues on the other side of the aisle are too scared to vote on amendments and resorted to a procedural motion to call the question. So, I rise now to speak and say what I planned on saying before final passage. I do not have a background in environmental policy. I have spent a lot of time over the last year educating myself about RGGI, from attending policy hearings and webinars, to meetings with constituents and workers. I support the premise of RGGI, which, as you know, is to reduce our carbon footprint. Climate change is real. It is the result of human activity, and it is a serious threat to the future of our planet. One of the things that made my vote on House Bill No. 2025 difficult is that my Senate district includes the Cheswick power plant, a coal-fired power plant that directly employs approximately 60 workers during normal operations, and hundreds more workers during a maintenance outage. Many of these workers live in my district. The Cheswick power plant also supports a large number of jobs within the community indirectly, from suppliers to restaurants in the community. While it is debated whether RGGI will be what closes coal-fired power plants, the risks right now, especially in an incredibly fragile economy, are too high for me to gamble on the livelihoods of the workers and the families whom I have met and know at the Cheswick power plant. That risk is the same for other coal-fired plants around the Commonwealth.

I voted "yes" on House Bill No. 2025 to protect those workers, but we need to do much more to address climate change in Pennsylvania. We do not have to choose between good jobs and a clean environment, and we deserve to speak about that on the floor.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, it is an honor to be allowed to speak on the floor right now. It is so special. It is such a great moment to have my time to represent my constituents, which I was elected to do, which meant I was supposed to come here and be able to advocate on the thousands of emails that have come into my inbox at Senate District 44 that is not a partisan issue, which is climate change. So, if you want to stifle the voice of the voters of Pennsylvania, we will see how that turns out at the ballot box. The jig is up. You have fed people crumbs in this State for decades, selling them on an argument that corporate interests have their best interests at hand. Well, no, that is not the case, and legacy pollution scattered all over this Commonwealth is the evidence. Live now, you can go on a toxic tour of PA and visit industries that recklessly influenced politicians so they did not put up regulations that would have cleaned up after themselves, did not put up regulations to protect the Earth, or to protect public health. All of your constituents drink from this water. Your farmers grow from land that has coal runoff, and they have to foot the bill for the remediation.

Today we had a bill that you passed with no debate allowed that is going to tremendously slow down the State of Pennsylvania's ability to not only economically revive itself, but also have a sustainable plan moving forward in the future to combat climate change. I do not know how you sleep at night, because I do not sleep at night knowing that people are relying on me to fight for them, people in your very own districts. If you want to abuse your power to hide the truth, let me remind you: the truth always comes out. Always. It is just a matter of when. So, you have a decision here, and you made it today. The whole public saw it. Who takes money from these entities? Not hard to find out. Not only did you abuse your power, you left behind workers. These amendments that you shut down presented an opportunity for this body to put programs in place that they have never done before. No, nothing, shut it down. Why? I do not know, maybe it is 2 months before an election and it is a tough election.

You want to make this divisive? Let us have a conversation about the facts, because the people of Pennsylvania—the jig is up. They know you have been throwing crumbs at them for a very long time. There is no longer the divide of food on the table versus industry, because guess what, in 2020, we have the knowledge, power, technology, and innovation to have family-sustaining jobs that do not harm workers, our environment, or the public health. Instead, this Senate, the Majority party in this Senate, decided today to say, you know what, Pennsylvanians? Keep taking the contaminated crumbs we have been throwing to you, because we do not think you know any better. This is epically disgusting that this happened today. You want to stifle democracy? Change the rules so you do not have to be on the record voting against workers. The jig is up. People are done with your crumbs.

Now, today could have been a day where we made history in Pennsylvania, had an agreement to put programs forth for workers that are soon going to be displaced, with or without RGGI. But, just like before, and every decade prior, there is no safety net. There is no economic security for these workers when industry leaves town. So, what are you left with? A big old heap of coal waste right next to another pipeline being drilled through the middle of Pennsylvania. This is supposed to be a people-powered democracy, and you continue to insult and disrespect the people of Pennsylvania by denying facts, by making decisions based on who gets you reelected financially. This is absurd. It is embarrassing. In the middle of a global pandemic, this is what we are doing today in the Pennsylvania State Senate. It is an epic waste of taxpayer money that you brought us here to do what? Make people suffer and take the crumbs for a little bit longer. The jig is up. The time is coming. The truth always comes out. Always.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, before I came to the Senate, I had the privilege of serving for four terms in the State House. The first 2 years in the State House the Democrats were in the Majority, and then the next three terms, the next 6 years, we were deep in the Minority. When we were in the Majority, it was the habit of our Leadership to allow just about every bill to run on the floor and just about every amendment to run on the floor, and the Republican Minority ran just about every amendment, and most nights we were on the floor until about 11 o'clock or so. When we got to the Minority, within about 2 or 3

months, we were debating a bill and there were a number of amendments on the bill. All of a sudden, one of our Republican colleagues rose to make a motion to move the question. Now, most of us did not know what that was. Even the old-timers who had been in the House for decades had only a vague recollection of that procedure because it was done so rarely in the history of the State House. It was, as is often described, the nuclear option. But it was just the first that day of many times over the next few years that the Majority party would call the question.

So last year in this Chamber, in June of 2019, if my memory serves, when the question was called in this Chamber, I knew what was happening, because I remembered exactly what had been going on in the House all those years. Like the House back in 2010 or 2011, I guess it was, when the question was called in June of 2019 here in the Senate, it was the first time in decades in which that had happened. Now, about a year later, we see it happening again. Why is this so significant for those of us in the Minority? Why have you heard the Leader and other colleagues speak so passionately about this issue? Because in the Minority, one of the few things that the Minority party has available to it is to offer amendments on legislation. When the question is called, debate is cut off, the underlying bill is brought up for an immediate vote, and the Minority party is robbed of that ability. That is why it is the nuclear option.

As the Leader said earlier, be careful what you wish for. Because even though it has been decades since there has been a Democratic Majority in this Chamber, you would be foolish to believe that day is not coming again, and when you are in the Minority and you really only have amendments to count on, you will not enjoy being cut off. You will be frustrated and feel impotent because you will not have the ability to have any impact on policy.

Now, let us look at what these offensive amendments were today that the Majority felt so critically had to be stopped, had to be cut off from any discussion, debate, or vote. One of them was an amendment I was going to offer that was a simple declaration that would have gone into the bill that climate change is real and it is being caused by human action. What a radical idea. Nearly 70 percent of Pennsylvanians acknowledge that fact. But there is one place in the Commonwealth of Pennsylvania where that radical idea cannot be brought up for a vote: the Senate of Pennsylvania. Another amendment I wanted to offer stated a simple fact: that the coal-fired power plants we have heard so much about in the course of the debate about the Regional Greenhouse Gas Initiative, or RGGI, have been closing and will continue to close regardless of RGGI, regardless of any action by any environmentalist, because natural gas is cheaper and more efficient, and it is displacing coal-fired plants, and will continue to do that. That is a fact. The amendment, which was a simple declaration of that fact, was too radical and too dangerous to be considered by the Pennsylvania State Senate. Heaven forbid, we should not be able to bring that up for a vote. No, the Majority party had to take the nuclear option.

Now, think about this for a moment, because I think it is important for us to step back and have some perspective about where we are. The Governor has said that House Bill No. 2025, the anti-RGGI bill, will be vetoed. He will veto that bill. As sure as the sun comes up tomorrow, Governor Wolf is going to veto that bill. As we saw when the bill passed the House, and as we saw just a little while ago here in the Senate, there are not

enough votes in either Chamber to override that veto. But, still, the Majority party had to take the nuclear option and cut off debate on any of these amendments.

Step back further. RGGI, the Regional Greenhouse Gas Initiative. The Air Pollution Control Act gives the Governor the authority to begin the process, administratively, for Pennsylvania to enter into RGGI. Despite what some in the Majority will say to the contrary to that statement, House Bill No. 2025 and its Senate cognate would never have been offered if that were not the case, because there would be no reason to run a bill that essentially would take that power away from the Governor. Why does the Governor want to enter into RGGI? Because the Governor, like the vast majority of Pennsylvanians and the vast majority of people in the United States, and, for that matter, on this planet, understands that climate change is real, climate change is happening, and climate change is the result of human action.

We have been talking a lot in the last few months about flattening the curve on the pandemic. Well, the other curve we need to flatten is the climate change curve. What are the consequences if we do not do that? Continued warming of the planet's temperature; melting of the polar ice caps; rising of sea levels; farmland that now feeds billions of people on this planet becoming arid wastelands; whole migrations of people out of areas that once could sustain them into other areas, causing geopolitical strife and conflict, the likes of which we have not seen. Those are the consequences of climate change and inaction. The American people understand that; the people of Pennsylvania understand that; amazingly, the Majority party in the Pennsylvania State Senate does not.

So what would RGGI do? RGGI would help Pennsylvania lower its carbon emissions. Pennsylvania is the fourth-largest emitter of carbon pollution in the United States today. Yes, there are other ways we could limit our carbon emissions. But this legislature refuses to consider any of them, whether it is increasing our renewable energy standards or incentivizing more renewable energy in the solar industry. All these things that we could be doing here in Pennsylvania, we are not doing. So, the Governor is left with little choice but to do what he can do to try to make a difference on this issue, and that is join RGGI.

Now, the arguments we have heard in opposition to RGGI--we had a hearing just 2 weeks ago in the Committee on Environmental Resources and Energy; it was not really a balanced hearing, it was more like a Republican policy committee hearing--but the arguments we have heard is: Number one, we are going to lose jobs. We are going to lose those jobs at those coal-fired plants. But, as I said a moment ago, those jobs have been going away for 15 years. Not because of environmentalists, not because of concern about climate change, but because the natural gas industry has supplanted the coal industry.

Not one time during those 15 years has this General Assembly lifted a finger to help the men, women, and families who have lost their jobs as a consequence of those changes. Even now, as many in the Majority party complain that RGGI will cause additional plants to close, not one Member on the Republican side of the aisle has offered a plan as to what can be done for those families, even when they acknowledge that without RGGI, those plants are closing and those jobs are going to be lost.

What will RGGI do? It will create over 27,000 new jobs in clean energy and related fields. It will pump, in the first year alone, about \$300 million into Pennsylvania. That is, if the Ma-

ajority party had an interest in actually helping these families, would be working with our side of the aisle and the Minority Leader on his bill to take that revenue and help those families. But no, there has been no discussion about that, no attempt at negotiation over that, because there is no genuine interest in the Majority party to do any of that.

What will RGGI do? RGGI will reduce emissions of things like sulphur dioxide, nitrous oxide, things that have an impact on the health of people with respiratory problems. It will save lives in Pennsylvania over the next decade. It will save billions of dollars in that same time in healthcare costs in Pennsylvania. Yet, we are told it is too radical of an idea and we should not join. But most importantly, for the future of our world, for our children and their children, RGGI will enable us to cut those carbon emissions and meet our targets so that we can reverse global climate change and do our part here in Pennsylvania. Make no mistake, those future generations, those kids and grandkids who are alive now, and the ones who will come after them, they are watching, and they will judge each and every one of us on whether we are standing up to do the right thing, whether we are standing up to protect them, their future, and the future of this planet.

No, I am not being overly dramatic. I am not engaging in hyperbole. The scientific community is uniform in its understanding about the consequences of this issue and the consequences of inaction. This is one of those moments, this is one of those seminal moments where we, as elected officials serving in this Chamber, and every elected official serving across the world, have to stand up and be counted. Are we going to be on the side of protecting those future generations and this world? Or are we going to be on the side of darkness, putting our head in the sand and not worrying about it, because it will be somebody else's problem?

Today, this Chamber chose a side; and all I can say is, thank God that ultimately it is not the decision of this Chamber. It is sad to say that. It is sad to be a sitting Member of the State Senate of Pennsylvania and have to acknowledge that I am glad that we actually do not have the authority to decide this issue, given the vote that we just had. No, the Governor has that authority and the executive branch does, and next week, next Tuesday, the Environmental Quality Board--that I am privileged to sit on as the Minority chair of the Committee on Environmental Resources and Energy--will meet. Do you want to know something? You can shut us down here, you can shut down our amendments and our ability to debate an issue or a bill, but we have the votes at the EQB. Just as sure as the sun is going to come up tomorrow, we are going to move this process forward, and come 2022, the Commonwealth of Pennsylvania is going to join the Regional Greenhouse Gas Initiative.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I thank you for this opportunity to speak. I rise to address the events of today. First, it should be clear, and recognized to all of us, as a matter of fact, that climate change is an existential threat to life on Earth and humanity, and that human actions are having an impact on it. The fact is that the Governor's actions in moving us into RGGI are an attempt to address a very serious problem that all people in the Commonwealth are and should be concerned about. It is further

reasonable that people could disagree as to our approach.

Another fact is that the Senate is a deliberative body, or at least should be, and you cannot be a deliberative body if you do not have debate and discussion. Today's actions in cutting off debate and discussion, not allowing the introduction of amendments, is inconsistent with our being a deliberative body. It destroys and erodes the very essence of what this Chamber is supposed to be about. More importantly, what we are doing is cutting off an opportunity for the public to hear real debate on an issue that impacts people's lives. This is not a joke or a game, and this is not the issue where we should have political gamesmanship. We will agree and disagree, and colleagues on both sides of the aisle will debate in a robust way.

Even though yesterday we had a debate around making a change to the victim advocate, I agreed with a lot of my colleagues on the other side of the aisle on that, but I would not have agreed that we should not have heard from the people who disagreed with me. It would have been wrong for us to cut off the debate of those folks. I know many of those Members personally, and I know they felt just as passionately about their position as I did about mine. It is inappropriate, it is wrong, and it is inconsistent with the spirit of this body for us to not allow debate. If we truly believe in what we stand on, and if we are truly prepared to vote for what we believe in, then we should not fear others challenging our positions. My positions were challenged by Members of my own party because they believed in what they were doing yesterday, and I respected that because I believed in what I was doing. It does not matter whether a person is a Democrat or a Republican, or you are in the Majority or the Minority, we were all elected by the public and we should all have the right to debate the issues.

Today, we did not cut off debate on an issue that was mere procedure. We did not cut off debate on some obscure budgeting issue. We cut off debate about something that will fundamentally affect the lives of everyone, and that is climate change. We cut off debate about something that even people on the other side of the aisle who claim that this will affect jobs, we cut off debate about jobs. You would think if you believed that you are truly on the right side of protecting jobs, you would want to have that debate, you would want to be heard, and you would want to move to advance your positions. But the failure to allow debate shows weakness, it shows fear, and it shows a lack of confidence in your own positions. The procedural maneuvers that were used are inconsistent with what the public wants and with what we are supposed to be doing. It makes us less of a deliberative body and it erodes the public trust in this body. In an election year, where the public is going to render a decision on us, we need to make sure that the public moves forward with adequate information to do that.

So, no matter what side of an issue I stand on, I stand on the side of the right of people to have a debate, I stand on the side of the public to have information, and I think what happened today is inconsistent with what we should be. It is an offense to the people who elected each and every one of us, and it is wrong. It is just flat-out wrong that we denied debate on one of the most essential issues we are going to talk about.

Finally, it is ridiculous political showmanship, because in the end, without a debate, without your being able to convince Members on both sides of the aisle, or at least convince the Governor, there is no chance that this bill will have any legal effect. The

Governor will veto it, and his veto will be sustained. So, what was the real purpose? If the purpose was to protect jobs, then you needed to convince more Members. If the purpose was to convince the Governor, we needed more debate. If the purpose was to inform the public, that also failed because we did not have debate. So I call upon Members to abandon these procedural tactics and stop being scared of debate. If you believe in something, stand for it, speak up, and entertain robust, respectful debate. But most particularly about issues like this that are so essential and so critical to the lives of all of the people of the Commonwealth, then certainly all of the Members of this body should be heard.

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

Senator FARNESE. Mr. President, what I saw today was certainly not the first time, and folks have said that. They also talked about what may come and what the future may hold. So my remarks are more focused on my own party and my own Caucus than to the Majority. That is, after seeing what I have seen, and what you have seen--some of you for a very short period of time, just 2 years, other folks like myself have seen it over and over again--that the deterioration of not only our own democracy but people's faith in government, the effect of that, is caused by exactly what you saw here today. That is not governing. If the people of this Commonwealth give our party the privilege and our Caucus the privilege to lead in November, then take a lesson from what you have seen, not just for the last 2 years but for decades, and govern. Do not do what we have seen done today and in the past, because that is not governing, that is being vindictive. That is not how the people of Pennsylvania want us to govern.

There is an extreme difference between campaigning and being able to govern. Being able to govern says you are the Majority party and you still have the right to be heard. That is governing. We talk about what is coming down the pike, what is coming down the road in terms of a flipping of the Majority. We, as Democrats, my Caucus--that God knows I love, truly love--that if we are given that opportunity, do not squander it with this B.S. maneuvering. Govern, because people will see that and then they will begin to trust us again. Then we will not have to worry about procedural B.S., because we can protect workers, women's rights, and equality, because we will be doing what the other side has failed to do, and that is govern and lead.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I continue to wear my mask because my mask says "vote," and all we wanted to do, Mr. President, was file some amendments and vote on them. But, Mr. President, *Welcome to the Terrordome*. Here we have it, authoritarianism at its highest. Here we are, we have it, Mr. President. Here we have a situation where the simple aspect of what we were elected to do by our constituents, to vote on bills, offer amendments reflecting the various different viewpoints of the 12 million people across the Commonwealth of Pennsylvania, embodied in the 250,000 individuals in each one of our senatorial districts. All we wanted to do was offer some amendments, Mr. President, and vote on them. But *Welcome to the Terrordome*, Mr. President, because it appears that is not allowed anymore. No opportunity to offer amendments. No opportunity to vote on

them. Since we are speaking to essentially a room filled with, for the most part, Democratic Senators because our Republican colleagues have left and gone home, they did their dirt and then they ran home, we will speak to the people of Pennsylvania. We will utilize this forum, this format, to speak to the people of Pennsylvania so they understand in a relatively simple manner what occurred here and why we are so upset.

Let us break it into process and policy, and you cannot separate the two. As was mentioned earlier, the process we just went through invoked what my good friend and colleague, Senator Santarsiero, said was the nuclear option. In legislative reality, the nuclear option is when you utilize the rules of the Senate to call the question and then it shuts off debate. You cannot do anything, you cannot offer amendments, you cannot vote anything, and you have to deal with the issue as it is. It shuts off debate. That is the nuclear option. For any legislative body--whether it be in the State Senate, the State House of Representatives, the United States Congress, the United States Senate, your school board meeting, your city council meeting, your board of supervisors meeting, or your county commissioners meeting--when you invoke whatever is their interpretation or definition of the nuclear option, shutting off debate, that is it. It is over. The fundamental reason why we call it the nuclear option is because it stops democracy in its tracks. Which, I guess, given the fact of who we have in the White House and his history of stopping democracy in its tracks, and because we have the Majority of the same party as the person in the White House and they just want to go along with it, so, I guess stopping democracy is part of their new role now. That is what they do. Stopping democracy in its tracks, the nuclear option.

So, the amendments we wanted to offer were shut down. It is interesting, Senator Muth, we have been here before. As I look at you, you may have had that same jacket on the last time we went through this. So, the nuclear option was invoked. That is why we call it the terrordome. Welcome. The nuclear option has been invoked. We stopped debate. We stopped democracy on the floor of the Senate. Why was democracy stopped? Why were the amendments stopped? It is interesting, because we still have to do a process here. The amendments were given to the other side. The other side knew these amendments were coming. They knew the substance of them. They knew the heart of these amendments, but they did not want to deal with them. They did not want to have to put up a vote on these amendments. Why? I guess fear was struck in the heart, because these amendments--this is where process moves into policy, people in Pennsylvania, this is where process and policy get connected.

You have to understand what it is they were afraid of, the policy. The amendments just broadly, Mr. President, all they did was protect the people of Pennsylvania, protect the people of our planet. Given the fact that Senator Santarsiero said earlier, Pennsylvania is the fourth worst carbon producing State in the nation. Not the 5th worst, not the 10th worst, not the 50th worst, the 4th worst. We are in the top 10. We are in the top five. We are in the top four. You want to know why the planet is melting? You want to know why the entire west coast is on fire, why there is over--the temperature in Los Angeles County right now and all southwestern portions of the United States is well over 100 degrees? It is because of this thing called climate change. Pennsylvania is a huge contributor to the problem. But the Majority, remember, they cut off the debate. They did not want our Mem-

bers to evidence those comments to put those notes on the record. Well, they are getting on the record now. Unless someone comes in and tries to erase the record and the history of the Senate of the Commonwealth of Pennsylvania and tries to strike all these and we wake up one day 10 years from now, 15 years from now, and when we go back to September 9, 2020, and all of those records are removed, the amendments are going to be talked about, and were already talked about, and I am going to repeat them again because they need to be stated what was shut-down.

So one amendment--this is really controversial stuff, you know--the General Assembly recognizes that climate change is happening, and it is a result of human activity. Well, that is really controversial. Icecaps are melting, the temperature is going up, the west coast is on fire, literally, and all the amendment says is the General Assembly recognizes that climate change is happening, and it is a result of human activity. Wow. They were afraid of that one, so the nuclear option. It is interesting we utilize the concept of "nuclear" in this conversation, but the nuclear option is invoked, because people cannot stand the facts. People cannot stand the truth. It is real, but that is just one of the amendments. I am going to say it again. I want the people of Pennsylvania to understand what it is that debate was shut down on. An amendment that was provided well in advance, so there are no surprises here, the amendment said the General Assembly recognizes that climate change is happening, and it is the result of human activity. *Welcome to the Terrordome.*

There is a second amendment, policy matters. The General Assembly recognizes that reducing carbon emissions is central to fighting climate change. It is just an assertion of the truth that 99.99999 percent of all scientists around the world--except the ones, I guess, advising Mr. Trump, right--say that reducing carbon emissions is central to fighting climate change. Even past Republican Presidents have said that is a problem, we need to do something about that. Both Bushes said that. Reagan, I think, even said that, all right? But the amendment, this is what they were afraid to deal with, so, consequently, they invoked the nuclear option and shut down conversation of some very important but simple and honest truths.

Here is another amendment: the General Assembly recognizes that the growth in production of natural gas-fired power plants has made coal-fired power plants less profitable. Another simple assertion of the truth. Go to *Forbes*, go to *Bloomberg*, go to *The Wall Street Journal*, they all say the same thing. Most economists in the world will tell you that the reason why coal-fired power plants are less profitable is because of the growth of the natural gas industry. But they do not want us to have that conversation. They do not want to have that debate. So, they shut down the process. They shut down democracy. They shut down public dialogue. They shut down democracy, which is maybe the most beautiful thing about being a State Senator in Pennsylvania, the opportunity that you can come on this floor, before this body, and say whatever it is you had to say, offer whatever amendments you wanted to offer, and either have it supported or voted against. But at least you had your say. We all know--and I have served in the Minority for quite a long time--look, the Majority has its way, but the Minority must have its say, and that has always been available. That is one of the redeeming factors of being in this body.

Here is the one I think they might have been afraid of the

most. This is another amendment that did not have the opportunity to see the light of day. The General Assembly supports the right of workers to organize in the energy industry. Uh-oh. One of the fastest growing industries, the energy industry, would be given some authority for those workers there to organize themselves, fight for themselves, have worker protections, and to have some security, now in the time of the pandemic, in the time of COVID-19, in the time of the greatest economic collapse since the Great Depression—thank you, Mr. Trump; no thank you, Mr. Trump. Those workers need to be organized, need to be protected, and need to be supported. All we wanted to do was say in this amendment that those workers need to have the right to organize to protect themselves, to make sure that their families are taken care of financially, to have sick leave, personal days, and vacation days, just like the owners of these companies have. But democracy was shut down on this day.

Another amendment adds on the energy transition fund and the energy transition board, which would fund disbursements to organizations who want to further expand sustainable energy practices and sustainable energy businesses. So it would be utilized as a vehicle to drive dollars out to help grow the economy in other places, but democracy was shut down. I am going to say it again, democracy was shut down. In case you did not hear me before, democracy was shut down. The Minority must have its say, because the Majority will have its way. The Minority must have its say, but in this case, in this circumstance, democracy was shut down.

The nuclear option is only provided in legislative conversation when the people invoking the nuclear option do not want to hear what the other side has to say. That is why they shut down debate. So in this case, the Majority did not want to hear and did not want to vote on an amendment that would allow workers to organize. In this case, democracy was shut down because the people in the Majority did not want those of us in the Minority to have the opportunity to make a simple assertion of the truth, that climate change is happening and that it is the result of human activity. No new brain science happening there, just a simple assertion of the truth, but democracy was shut down. That is what is going on here, folks. Nothing more, nothing less. But something very fundamental as we go forward, how are we going to conduct ourselves? Are we going to operate like the authoritarian who is sitting at 1600 Black Lives Matter Plaza? Because it seems like his presence has invaded this Chamber and settled into the Majority. I do not like what they have to say so I am going to shut down their opportunity to say it. That is what happened here.

I want you to think about it, people of Pennsylvania. Think about when you go to the local school board meeting, the local board of supervisors meeting, or the city council meeting, think about it in the State House or the State Senate, Washington, Congress, U.S. Senate, think about it in your own home. You may not agree, but at least in your own home, you know, you have your say. Guys, we know it. We know who is in charge, right? It is the wife, right? But at least we get a chance to say what is on our mind. But we know who is in charge.

Pennsylvania is the fourth worst carbon producing State in the nation. The attempt by the Democratic Senators on this day to make some certain assertions of that reality and to jumpstart the process of transitioning ourselves from that, but somebody said, the Majority, that we are going to shut down democracy on this

day. We are not going to allow the people of Pennsylvania to have their voice. Authoritarianism has entered the body. *Welcome to the Terrordome.*

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I am always hesitant to follow my good friend from Philadelphia, whose oratory skills are much better than mine. He does such a good job advocating his position. A couple of things I just want to go through. First of all, procedurally, every 2 years, on the first Tuesday in January we, as a Senate, get together and vote on the rules of the operating of the Senate. In those rules is the ability for someone to make a motion to proceed with a final vote. Now, every 2 years, to the best of my knowledge since I have been here, we have voted unanimously in a bipartisan way to include that ability for any Member, Republican or Democrat, Majority or Minority, to make that motion. It has gone on without debate, and it has gone on ever since I have been here. So maybe the next January, the first Tuesday in January, we will have a debate on whether that should be part of the rules. But as of today, it is part of the rules. A Member made the motion to proceed with a final vote, and it received a majority vote. That is how we operate here, by the rules of the Senate. That is what happened here today.

Now, I can only speak for myself, I cannot speak for the other Members who voted in the affirmative on why we moved forward, because a lot of what I have heard here in this debate during Petitions and Remonstrances, the debate is centered around whether we should join RGGI and the environmental impacts of that one way or another. It does not have anything to do with the bill. The bill was not whether we should join RGGI. It was not about whether we should not join RGGI. The bill was about whether the legislature should have a say in whether we join RGGI or not. Now, when the Pennsylvania government, previous to when I was here, joined the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Chesapeake Bay Commission, all those were done statutorily. The legislature debated it, voted it, passed it, and the Governor signed it. Democracy in action. The way the Founders foresaw it, that the people's House would vote, come up with a bill, pass it, and the executive branch would sign it, working together.

We have had great success over the first 6 years working with this Governor on passing significant, bipartisan legislation that had very difficult content in it: public pension reform, medical marijuana, legalizing that, and in other areas where a Democratic Governor and a Republican legislature worked together to come up with a policy that has moved Pennsylvania forward. Did we all have to give in? Absolutely. We all had to give in. I always talk about the public pension reform. It was not as much as I wanted, it was more than what the Governor wanted to give, but at the end of the day, it was far better than what we had before. We moved the ball forward together, in a democratic fashion, as our Founding Fathers foresaw it.

So, what we heard here today is sort of, you know, let us look here when, actually, we are voting here. Let us talk about some of these issues dealing with the amendments, I will talk about the amendments. The amendment that climate change is real. That is a statement. It is not a legislative policy; it is a statement. First of all, I think I am in order to speak here, and I do not disagree that climate change is real. I do not disagree the natural gas in-

dustry has had a major impact on the coal industry, but those are statements of fact. Those are not policy statements. Again, it had nothing to do with the bill. The bill was an institutional issue, not an environmental issue.

You know, my friend, the previous speaker kept talking about how democracy was stopped today. We have been sitting here since March watching democracy being stopped by the executive branch coming in and ruling unilaterally, and time and time again the other side of the aisle has backed up that unilateral movement of this administration. Time and time again we have brought issues to the floor to bring the legislature involved, so we could negotiate, work with this Governor, and move Pennsylvania forward, and time and time again we have been thwarted. Democracy is the legislative branch working with the executive branch to pass a final bill. That is what democracy is, and that is all we wanted to do with this bill was, just as we did with the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Chesapeake Bay Commission, let us work together to negotiate, to move the issue forward.

I have been fortunate to be here for 20-some years and served with some great Members and great individuals. People like Pat Stapleton from Indiana County, Ray Musto from Luzerne County, Bob Jubelirer from Blair County, Dick Tilghman from Montgomery County, all wonderful people who loved this institution. I remember Clarence Bell always said to me, no matter who is in that executive branch, it is the institution that comes first. We fight for the institution. So, for these past months, we have been fighting for this institution together. My colleague, the Minority Leader, talked about how we are going to rue the day. Perhaps he is right, we will find out. But someday, I assume, maybe not, but someday, whether it is 2 years or 6 years, we will have a Republican Governor. My guess is that you are not going to want to give up all the institutional rights of the Senate to the executive branch when that happens. I hope I am here fighting with you, even if the Governor is of my party, to have our institutional say in how we move forward on public policy.

RGGI is an extremely important issue. The environment is an extremely important issue. It should be something we all have a say in, not a unilateral decision by the executive branch. So, that is what today's vote was about. It was not about whether we should join. It was not about whether we should not join. It was claiming our institutional right, as the Senate of Pennsylvania and as a legislature of Pennsylvania, to have a say in the process. That is democracy. So the vote happened as it did, the Governor will have his right to veto it, and maybe the people will be comfortable with the Governor unilaterally joining groups that will then have a say in Pennsylvania without the people's representatives having any input. I am not comfortable with that. Maybe others are, and we will find out as we move through the process.

But today was not about the environment. Today was not about whether we should join or should not join. Today was about: should the institution of the Senate have a say? Should we be involved in a process, negotiating with our executive branch, our Governor, where we have had so much success over the last 6 years? For 14 of my 22 years in the legislature, we have had a divided government, whether it was a Democratic Governor or a Republican legislature, a Republican Senate, a Democratic House, some mix for 14 of those 22 years. So, by definition, we have had to work together to move Pennsylvania forward. We did it with Governor Rendell, and we did it with Governor Wolf.

Sometimes we disagreed and have not been able to agree on things, but we have agreed on many things. That is how democracy works. The legislative branch, working with the executive branch, and the judicial branch keeping an eye on all of us. That is how our Founders foresaw all of this, that is how it should be going on, that is how it has not been going on for the last 6 months, and that is how this process, the executive branch is allowed to unilaterally move forward without the people's voice.

Now, again, I think I gave a speech here some time ago, if you keep giving up these rights, maybe someday you get comfortable not having them. Maybe someday we are just comfortable and we just, you know, someday get rid of the legislature and just allow the executive branch to make all the decisions. I hope that day never happens. It is a day I will always fight against, because whether we are in charge or the Democrats are in charge, the House or Senate, it is not really relevant. What is relevant is that we, as a body, are involved in the process. That is what today's vote was about. I am proud to vote to try to stick up for our institution. I think it is important that the institution has a say. The Governor will probably veto the bill, I do not think there is any question about that, and then we will just have to follow where we go. I think the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Chesapeake Bay Commission are good models for us all to follow. Hopefully, the Governor will see the wisdom of that and back away and engage the legislature in a constructive debate on how we can reduce carbon emissions here in Pennsylvania, how we can make sure that we have clean water, make sure we have clean air, and do the people's business together.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, the issue is not about the final passage of the RGGI proposal. Please, do not change the narrative. You talk about democracy, and there was democracy on the back end. At the end of the conversation, there was democracy, I guess you could say, because Members voted for the bill at the end of the day. You want to call that democracy? Go right ahead. But the fact of the matter is, it is everything else that led up to it that flies in the face of democracy. The Members of this General Assembly, of this Senate, this Democratic Caucus, were denied the opportunity to present reasonable, thoughtful amendments to an important piece of legislation that was described by my colleagues here on the Senate floor today. The denial of that opportunity, that is what is offensive. That is what flies in the face of democracy, stifling somebody's voice. You can cite all the rules you want, you can talk about the rules. Back in June of 2019, we had the same conversation about what the rules said. It is the spirit of democracy that has been rejected. The spirit of democracy that is not being played out in this Chamber.

You talked about the historical perspective of this Chamber and some of the folks who you mentioned, some of those men would be rolling over in their grave knowing the tactics that your party, the Republican Party, utilized the last 2 days: changing the qualifications of a woman who serves as victim advocate because you do not like her voice and what she is saying or how she handled the job, in the middle of a process, changing the eligibility to deny her the opportunity to stay. I cannot imagine any of the people you mentioned - Clarence Bell, Bob Jubelirer, Senator Thompson, Senator Tilghman, Ray Musto, and others

you mentioned - would stand for that. Similarly today, again, denying the opportunity--and I served with all the folks as you have done as well, served with those men, and I will tell you, my belief is, they would not stand for these types of tactics that we are looking at here today.

You can cite the rules. On one hand you cite that the rules provide this opportunity to be able to call the question, which shuts off debate, stops democracy in its tracks. But on the other hand, you are concerned and complaining about the Governor, who, under the authority of law that this General Assembly granted to him and our Supreme Court has upheld the authority for him to conduct what he needs to do, he and the Secretary of Health, during a pandemic. During a period of time when an emergency declaration has been declared lawfully, he takes thoughtful steps, and his various agencies take thoughtful steps, to be able to guide the people of Pennsylvania through the regulatory process by promulgating regulations on rules and guidelines. That has been granted to him. But at the end of the day, what you all have done, you stifled the spirit of democracy in this Chamber to deny people the opportunity to offer amendments to simple bills.

As my colleagues, Senator Santarsiero and Senator Hughes, talked about the nature of the amendments, think about them. What is so offensive, on this Senate floor, about being able to debate a discussion about workers' rights? Giving workers the opportunity to organize. What is so offensive of that to be able to have that dialogue on this floor? If you felt it was out of order, which is your prerogative to raise that issue, there are other steps to be able to do that. You could have said it is not germane, let us move on to the next question, after we had the opportunity to debate. But some of the policy statements that you referenced, some of the things that are already included in the bill, were no different than what was being proposed by my colleagues who wanted to offer those amendments. Those are reasonable and responsible things that have been put forth. All we asked for was the opportunity to discuss them here on the Senate floor and allow Members to express their opinions along those lines. Again, you could have ruled them out of order by simply saying they are not germane, right? That is an option. That is in the rules too, by the way. But no, you chose, as was described earlier, the nuclear option, to shut down the voices, to stifle democracy, to stifle the spirit of democracy.

When you think about what has taken place in this room, over the years that the Senate has been here, in the 20-plus years I have been here we have not, but for the last 2 years, done this, utilize this tactic to stifle the voice of Democrats here in the Chamber. It is frustrating, disappointing, and quite offensive that we continue to go back to the very first argument and rebuttal to what we are saying is, oh, well, the rules say it; we can change the rules in January; or, nobody objects to the rules. I assure you, Lord willing, when things change in January 2021, I assure you the rules will be different, and we will not resort to these types of tactics. We will give the people of Pennsylvania the opportunity to hear dialogue and debate as it relates to the issues that are important to them. We are not going to stifle the voices of the Members who, each of them collectively, represent 250,000 people in their respective district. We are not going to stand by and allow that to happen, and it should not happen here.

You were given the amendments, given the opportunity to come over to us and say, listen, I have a problem with these

amendments. We cannot run them. We are going to have a problem with them. No. It was a sneak attack. After 2 days of working together in a cooperative way, a cooperative spirit to try to advance legislation, some of which we have done and some of which we have not done, to find out at the very last moment when the bill was moved to the very end of the Calendar to say, we are going to do a sneak attack on you, Democrats, we are going to call the question; and as soon as you called the question, your Members ran out of the room. They are gone. They did not stand by you to say, we are going to stand with our Leader. They are not here. They were gone within 30 seconds of whenever the vote was cast. Why is that? Because they were ashamed. They were also ashamed of the tactics that were utilized by the other side of the aisle, by the Republican Party. That is why they left the room. Trust me, their voters will know. Their constituents will know the steps they have taken, not only denying democracy but denying the opportunity to protect workers, to make a statement about climate change here in this Commonwealth and here in this country, to not be stifled. That is not why we were sent here. We were sent here to debate the issues, discuss the issues, and cast votes accordingly.

My colleague, Senator Hughes, mentioned the privilege of being here. The privilege to be able to come to this floor--and it is a gorgeous and beautiful building and a beautiful Chamber--to come here and to have the opportunity to introduce legislation to try to drive policy, to address some of the concerns that we hear back in our districts, and then to offer amendments to various bills that are being considered. To not be given that opportunity, to be shut down, to be stifled in a sneak attack, and then everybody run out? You know, we talk about all this bravado about us being military folks, and we have Members who consistently talk about their years of service to the Commonwealth and to the country. Where are they at now to defend their position? They ran out because they were ashamed. They are gone. They left.

#### POINT OF ORDER

Senator CORMAN. Mr. President, point of order.

Senator COSTA. Not a single one of them stuck around to see what is going to take place.

Senator CORMAN. Mr. President, point of order.

Senator COSTA. That is how offended they were, and that is how offended we are.

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

Senator CORMAN. Mr. President, just a point of order. Certainly, in Petitions and Remonstrances we try to give as much leeway as possible, but when the gentleman starts referring to a Member's intent and a Member's feelings behind why they did certain things, I think that goes beyond our rules of debate here in the Senate, and I ask him to refrain from that type of discussion.

The PRESIDING OFFICER. The gentleman's point is well-taken.

Senator COSTA. Mr. President, I will refrain from trying to read into intent. I will let the facts and the photographs, or whatever it might be, speak for themselves. It is an empty room except for maybe two Members of the other party and a number of Democrats who are staying here to defend and fight for democracy, fight for the minimum spirit of democracy, because it has

been denied here today. It was denied back in June of 2019, and it has been denied here again. The fact of the matter is, to talk about working in a bipartisan way as we have done the last couple of days, to provide for a sneak attack utilizing this technique, this procedural rule that exists, to me, is unconscionable and something that is going to be very difficult for our Members on this side of the aisle to forget.

Thank you, Mr. President.

### **BILLS SIGNED**

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Joseph B. Scarnati III) in the presence of the Senate:

**HB 2025** and **HB 2787**.

### **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 until Monday, September 21, 2020, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:39 p.m., Eastern Daylight Saving Time.