

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, SEPTEMBER 22, 2020

SESSION OF 2020 204TH OF THE GENERAL ASSEMBLY

No. 41

**SENATE**

TUESDAY, September 22, 2020

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

The PRESIDENT (Lieutenant Governor John K. Fetterman) in the Chair.

**PRAYER**

The following prayer was offered by Hon. MEGAN MARTIN, Secretary of the Senate:

Let us pray.

I found this beautiful prayer for strength and thought I would share it with all of you today.

Psalm 27 tells us: the Lord is the strength of my life; of whom shall I be afraid? Give me strength for today, Lord, wherever I go. Let no danger daunt me, whatever the foe. Let no task overcome me, no trial my heart fret. I would walk with Thee, Lord, in the path Thou has set. Let no burden overcome me, give me strength to bear. Then I shall have courage, whatever my care. Let no grief overwhelm me, wherever I am. Give me strength for today, Lord, strength from Thy hand. Amen.

**PLEDGE OF ALLEGIANCE**

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

**GENERAL COMMUNICATION**

**AUDITOR GENERAL'S CERTIFICATE**

The PRESIDENT 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

September 21, 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, 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), I am providing you with the accompanying certification in connection with the general obligation bond sale of September 16, 2020.

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 amount of outstanding net debt  
as of September 24, 2020 . . . . . \$9,494,117,000

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  
outstanding net debt as of  
September 24, 2020 . . . . . \$62,627,135,496

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 21st day of September 2020.

EUGENE A. DePASQUALE  
Auditor General

The PRESIDENT. This report will be filed in the Library.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 391 (Pr. No. 2009) (Amended)**

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, further providing for definitions, for approval of drugs, for exemptions and exceptions and for violations and penalties.

**SB 1112 (Pr. No. 2010)** (Amended)

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

**HB 770 (Pr. No. 4403)** (Amended)

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for pharmacy technician and pharmacy technician trainee registration, qualifications and supervision.

**HB 1534 (Pr. No. 1952)**

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions and for unlawful acts or practices and exclusions.

**HB 1947 (Pr. No. 2727)**

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for license without restriction.

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

**SB 1251 (Pr. No. 2011)** (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for Assessment Testing Select Committee.

**SB 1252 (Pr. No. 2012)** (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in intermediate units, providing for Retired Volunteer Educator Tutor Programs.

**SB 1268 (Pr. No. 1905)**

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, providing for findings; further providing for definitions; providing for certification of COVID-19 temporary nurse aides; and making an editorial change.

**HB 703 (Pr. No. 3670)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school directors, providing for publication of e-mail addresses for school directors; and, in charter schools, providing for publication of e-mail addresses for board of trustees and further providing for applicability of other provisions of this act and of other acts and regulations.

Senator BROOKS, from the Committee on Health and Human Services, reported the following bills:

**HB 924 (Pr. No. 2005)**

An Act providing for living donor protection; and imposing duties on the Department of Health and the Insurance Department.

**HB 1220 (Pr. No. 2923)**

An Act providing for cytomegalovirus education and newborn screening.

**HB 2503 (Pr. No. 3925)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for employees having contact with children and adoptive and foster parents.

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

**SB 120 (Pr. No. 86)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions, for hearing, for grounds for involuntary termination and for petition for involuntary termination, providing for notice if identity or whereabouts of birth parent or putative father unknown, further providing for consents necessary to adoption and repealing provisions relating to consents not naming adopting parents.

**SB 868 (Pr. No. 2008)** (Amended)

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in child custody, further providing for definitions, for award of custody, for factors to consider when awarding custody, for consideration of criminal conviction, for guardian ad litem for child, for counsel for child and for award of counsel fees, costs and expenses; and, in Administrative Office of Pennsylvania Courts, providing for child abuse and domestic abuse education and training program for judges and court personnel.

**HB 440 (Pr. No. 4018)**

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement, for petition for limited access, for clean slate limited access and for effects of expunged records and records subject to limited access; and, in administration of justice, further providing for attachment and summary punishment for contempts.

**LEGISLATIVE LEAVE**

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

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

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

**LEAVE OF ABSENCE**

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

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of June 9, 2020, is now in print.

The Clerk proceeded to read the Journal of the Session of June 9, 2020.

Senator CORMAN. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

CALENDAR

SECOND CONSIDERATION CALENDAR

SB 1075 CALLED UP OUT OF ORDER

SB 1075 (Pr. No. 2002) -- Without objection, the bill was called up out of order, from page 9 of the Second Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1075 (Pr. No. 2002) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sexual abuse of children and providing for child sexual abuse prevention task force; and, in sentencing, further providing for sentencing for offenses involving sexual abuse of children.

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

Senator CORMAN. Mr. President, I request a recess of the Senate for a series of off-the-floor committee meetings to be held here on the Senate floor, followed by a Republican caucus to be held immediately after the committee meetings in the Majority Caucus Room. We will begin with a meeting of the Committee on Rules and Executive Nominations, followed by a meeting of the Committee on Agriculture and Rural Affairs, followed by a meeting of the Committee on State Government.

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

Senator A.H. WILLIAMS. Mr. President, Democrats will caucus after the committee meetings.

The PRESIDENT. For purposes of the following committee meetings, starting with the Committee on Rules and Executive Nominations, followed by the Committee on Agriculture and Rural Affairs, and followed by the Committee on State Government, to be followed by Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE

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

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

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

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 the purpose of an off-the-floor meeting of the Committee on Appropriations to be held here on the Senate floor.

The PRESIDING OFFICER. For the purpose of an off-the-floor meeting of the Committee on Appropriations, without objection, the Senate stands in recess.

AFTER RECESS

The PRESIDENT (Lieutenant Governor John K. Fetterman) in the Chair.

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

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Browne, and legislative leaves for Senator Vogel and Senator Regan. Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 5, HB 21 and HB 30 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 85 (Pr. No. 2004) -- 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.

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

On the question, Shall the bill pass finally?

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

Senator PHILLIPS-HILL. Mr. President, I rise in support of Senate Bill No. 85, which will allow for license fee exemptions for service dogs which are used in the performance of services by a fire department or sheriff's office, or in the performance of rescue services or medical emergency services. Currently, this fee exemption only exists for municipal or State Police departments or agencies. Service dogs that are used by our Commonwealth agencies serve in vital and sometimes dangerous roles to protect and serve all of us, and the capabilities of service dogs only serve to enhance the technology used by public safety and rescue teams. For those reasons, I respectfully request an affirmative vote on Senate Bill No. 85.

Thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-49

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

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 107, 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 395 (Pr. No. 1824) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1970 (P.L.128, No.49), entitled "An act granting to the Governor of the Commonwealth the sole authority for regulating the display of the flag of the United States from any public ground or building and from any ground or building of certain other institutions," further providing for display of flag.

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

On the question, Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, this past Friday was National POW/MIA Recognition Day. Unfortunately, this day passed with little acknowledgment, which is very troubling. Knowing we must do better, I introduced Senate Bill No. 395. This legislation aims to bestow added recognition upon these heroes and the families who grieve for them and hold out hope for their return to their homeland. Senate Bill No. 395 will require the Department of General Services to display the POW/MIA flag at all roadside rest stops, welcome centers, and Turnpike service plazas.

As we all know, this flag has a black background, a silhouette of a veteran in front of barbed wire, and the words "You Are Not Forgotten." It is my hope that as motorists see this flag throughout Pennsylvania, they will pause and take a moment to reflect

upon what this symbol of courage truly means. I hope they will also take a moment to remember the many families across Pennsylvania and our nation who still mourn the loss of friends and family members and cling to the hope that their loved one's remains will find their final resting place here at home. The bill also permits the display of the official Honor and Remember Flag from the flagpoles of any public building or grounds in the Commonwealth. The Honor and Remember Flag was authorized by legislation introduced by Representative Boback, which became Act 19 of 2011.

Please join me in honoring our prisoners of war and those missing in action with an ever-present reminder that will fly above our roadways and across our skies. Let us take this step to reflect on the sacrifices that have been made and honor these lives that we have not forgotten, and we will never forget.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

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

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 793, SB 810, SB 890, HB 941, HB 942, SB 969, HB 1033, HB 1034 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 1189 (Pr. No. 2007)** -- 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 third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

Senator K. WARD. Mr. President, I rise today to ask for the support of my colleagues for Senate Bill No. 1189, which would require the Secretary of Health to insure that long-term care facilities have the ability to safely care for patients during a global pandemic. I honestly wish, Mr. President, I did not have to stand here today and say we need it written into State law that the Pennsylvania Department of Health must insure the protection of our Pennsylvanians who live in long-term care facilities from a global pandemic, but, yet, here I am. Simply, this legislation will require any Secretary of Health to prioritize our older Pennsylvanians living in long-term care facilities when there is a global pandemic by working with these facilities to insure a necessary isolation space with dedicated staff, necessary personal protective equipment, and testing.

Looking at the COVID-19 pandemic and Pennsylvania's response to it, we saw the DOH focus efforts and devote limited resources to certain healthcare facilities, which we are grateful for because we want to protect all of our healthcare facilities, the patients in them, and the staff. But while they did that, they were ignoring what the world already knew by March 6 when the Governor issued his disaster emergency proclamation. Nursing homes were epicenters for COVID-19 outbreaks, and their residents were susceptible to quickly succumbing to the virus. By the second week of March, Pennsylvania had coronavirus outbreaks in at least two nursing homes. Yet, on March 18, the Department of Health told nursing homes that any emergency supply of PPEs would only be provided to them should an active case of COVID-19 occur within that facility. On March 18, the Secretary also told nursing homes to admit stable patients from hospitals, including those with COVID-19, without any directive for isolation. When updated on May 12, the DOH guidelines said hospitals treating patients and people for a non-COVID-19 illness needed to be tested, and they needed to be tested for COVID-19 before releasing them to a nursing home. But if they tested positive, they should still admit them. By May 16, over 3,000 residents in nursing homes and long-term care facilities in Pennsylvania had died due to the coronavirus. It is very sad, and we need to insure, by statute, that this does not happen again.

I will not fail to acknowledge that the Secretary and the Department of Health have made strides in better addressing COVID-19 within nursing homes among its residents and the staff. However, it was over a period of time that took far too long to protect these residents and resulted in far too many of their deaths. Even today, more than 6 months from when public health officials knew nursing home residents were at extreme risk for COVID-19, 67 percent of the deaths associated with COVID-19 in Pennsylvania came from patients in those long-term care facil-

ities. We cannot allow this to happen again, whether it is next week, if the Secretary decides to change course, as she can under current law, or with the next pandemic for which our older citizens will be highly vulnerable, as they are with any airborne virus.

I ask my colleagues to please stand with me in better protecting our older Pennsylvanians. Thank you very much.

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

Senator KILLION. Mr. President, I also rise to support Senate Bill No. 1189, and I commend the maker of this bill. As you just heard, 67 percent of the deaths in Pennsylvania occurred in our long-term nursing facilities, but in my legislative district, in the two counties I represent, the numbers are even more dramatic. In Delaware County, there were 622 deaths due to COVID-19 transmissions in long-term care facilities out of 751, or 82 percent. In Chester County, there were 287 deaths out of 362 total deaths, or 80 percent.

This legislation is needed. We need to protect the most vulnerable of our citizens in our nursing homes and make sure they have all the equipment they need should, God forbid, we have another outbreak of a pandemic.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-33

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

NAY-16

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

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

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

LEGISLATIVE LEAVE

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

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Vogel has returned, and his legislative leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 1281 (Pr. No. 1943) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

On the question,  
Shall the bill pass finally?

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

Senator MASTRIANO. Mr. President, I rise today in support of Senate Bill No. 1281. Simply stated, this is a legislative measure that will save lives. Along with the gentlewoman from Westmoreland, I am proposing a bill that will rebrand the State's "Steer Clear" law to the "Move Over" law. The General Assembly took steps to increase penalties in the "Steer Clear" law via Act 20 of 2017; however, more action has been demonstrably evident and necessary to prevent further roadway accidents from occurring. According to the State Police, there were 7,075 citations issued this past year for "Steer Clear" violations, in addition to 3,204 warnings.

Sadly, already this year we have lost 35 first responders along the highways and roadsides, incidents that I believe were avoidable. This figure includes 17 tow operators and transportation department workers; 12 law enforcement officers; and 3 fire, EMS, and a few others. It is an appropriate and necessary action that we take. Mr. President, it is time for Pennsylvania to lead the way, and our General Assembly to go forth and protect our first responders. Let us move over, slow down, and save lives. I respectfully request an affirmative vote. Thank you.

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

Senator L. WILLIAMS. Mr. President, I rise to speak in support of Senate Bill No. 1281. I share a message from Mark Ford, an EMT and rescue technician for the Ross/West View EMS Rescue Authority in my district. (*Reading:*)

In December 2019, a Ross/West View ambulance was struck while on the shoulder at the 279/79 southbound split. I was seated in that ambulance at the time of the crash and wanted to relay to you my experiences and feelings about that night. We were on scene for only 24 seconds between stopping the ambulance on the shoulder and supervisor Ron Coleman calling for help over the radio because we had already been struck. Charles Reinert and I were in the ambulance when it was struck. Ron had arrived moments before us in the supervisor's vehicle, referred to as a 'squad,' and was stuck witnessing the crash--not knowing if we were okay--and immediately began calling for help. Generally, we pull up close to the crash before we stop, I remove my seat belt as we stop, and I am out of the ambulance heading toward the crash within the first few seconds of arrival on scene. Had this been any other crash, I would be dead right now. I am not saying that as an exaggeration, but to help you understand where I stand on this discussion.

When the truck struck us, its load, weighing around 24 tons, came off the trailer and slid in front of the ambulance. Both the trailer and the load passed exactly where I would have been standing at this point on any normal crash. The difference on this crash is that we stopped short, and I was waiting to see whether we were moving up or not before I walked 350 to 400 feet on the shoulder of the interstate. Yet, folks still continued to fly past us and try to kill us. For as minimal as this incident ended up compared to what it could well have been, it still required three ambulances - the replacement RWV unit transported Charles and I to the hospital for an evaluation, while the McCandless ambulance, also on scene, transported the trucker--one of which became totaled--two supervisors, our rescue, and at least an additional fire engine and rescue truck from the fire departments. Additionally, what had been a fender bender, where everyone in the cars denied the need for EMS and would have cleared the shoulder on its own in about 10 minutes, became a multi-lane, multi-hour shutdown at the split while the truck that hit us had its fuel leak stopped, was uprighted, and eventually towed away, as well as 214-6 being removed by a wrecker. It also destroyed numerous sets of fire protective clothing, which takes months to replace; some of which, like mine and Charles', were brand new.

Senator, the crash that almost killed me was not the only one that involved a Ross/West View vehicle in 2019, and I am sick of this problem. I am sick of the lump I get in my throat every time I hear a friend on the roadway. I am sick of hearing my friends calling out for, quote, 'additional blockers' because people are trying to hit them and the folks they are there to help. This is a real problem, and folks just keep trying to kill us on the roadways. If someone is struck by a car at 40 miles per hour, they only have a 5-percent chance of survival. Yet, cars keep barreling past us in the 60s and above. Senator, the roadway is one of the most dangerous locations we operate, and one of the locations that we are most likely to be injured or killed, and the numbers show this to be true. On average in the U.S., a responder is killed every 7 days because of being struck while operating at an emergency scene, and at least one is injured every other day due to drivers' recklessness and carelessness.

I have attached three photos to this email, Senator. One of the family who needs me at home, one of our staff family Christmas party showing some of the children waiting for Santa who could easily lose a parent, and one of the crash that nearly killed me a mere 8 days after that Christmas party. I ask that, throughout the discussions and debates on Senate Bill No. 1281, that you remember these photos. That you feel the concern that my wife did when she heard the ambulance was struck. And that every time you drive past an emergency responder working along a roadway, that you think about someone having to look my wife or my kids in the eye and telling them I had to die because someone needed to get somewhere a few seconds sooner.

I wanted to share Mr. Ford's words today not only to remind my colleagues why it is so important to slow down and move over, but to remind the general public. Mr. Ford's words struck a chord with me because I have been that child who almost lost their parent to someone who did not slow down in a construction zone. My dad spent 40 years in Operating Engineers Local 542, District 3. In 1989, he was on a construction project on the Pennsylvania Turnpike near the White Haven exit in northeastern Pennsylvania. There was an accident with two cars and a tractor trailer in the construction zone. When the tractor trailer hit the disabled vehicles, they all caught fire. My dad and his fellow construction workers jumped into action and pulled three people out of those vehicles no more than a minute before the vehicles exploded. Thankfully, no one lost their lives that day, and the State Police gave my dad and those workers commendations for their bravery. But it was so close to ending very differently. I almost lost my dad that day, and a few families almost lost someone they loved that day. Wherever you are going, it is not worth someone's life. Please pay attention, please slow down, please move over.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I rise in support of Senate Bill No. 1281. I am very proud to have cosponsored this important legislation to better protect our emergency responder community. Our police officers, firefighters, EMTs, and tow truck drivers put themselves at considerable risk every day while responding to our calls for help on roads across the Commonwealth. During my career, while visiting numerous highway worksites, I have seen, and those of you who have had an emergency stop alongside a highway know firsthand, how dangerous it is to get out of our vehicles as other motorists speed by at distances that are way too close for safety. At times, the slightest misstep can be a life-and-death matter.

This past July, my Senate district mourned the loss of Tyler Laudenslager. Tyler was just 29 years old when his life was taken while working as a tow truck driver on Interstate 78 in

Bucks County. He was struck by a driver who failed to move over. Tyler was an exceptional young man. He was a husband, father, and Halifax firefighter who served his community with honor. Today's vote on Senate Bill No. 1281 is a solemn remembrance of Tyler and all of the other fallen heroes, as well as those gravely injured in preventable tragedies.

The rebranding of our "Steer Clear" law, steepened penalties, and public awareness campaign will create a strong deterrence against repeat offenders, while educating all Pennsylvania drivers about the need to move over when you see an emergency vehicle with lights or flashers on the side of the roadway. When you safely slow down and move over, you remind and signal to other drivers behind you to follow your lead and give our emergency responders the space they need to stay safe and return home to their families after serving others in the line of duty. I ask for an affirmative vote on Senate Bill No. 1281.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

**SB 1309 (Pr. No. 1930)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-49

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

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, HB 1439, HB 1538, HB 1584, HB 1696, HB 1747, HB 1838, HB 1984 and HB 2073** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL AMENDED AND REREFERRED

**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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator PITTMAN offered the following amendment No. A7198:

Amend Bill, page 2, line 28, by striking out "video services."  
Amend Bill, page 2, line 29, by striking out "wireless services"  
Amend Bill, page 4, line 12, by inserting after "PROVIDE":

retail  
Amend Bill, page 4, line 12, by inserting after "SERVICES":  
through an affiliate.

Amend Bill, page 4, line 20, by inserting after "SERVICES.":

Nothing in this paragraph shall limit, amend, supersede or otherwise alter the rates, terms and conditions established under existing written attachment agreements for the term of such agreements except as provided under subparagraph (iii). The following shall apply:

(i) Except as provided under subparagraph (ii), an electric cooperative corporation shall provide written notice, by first class mail, to any broadband service supplier with which it has an existing written agreement governing the broadband service supplier's attachments to electric infrastructure owned or controlled by the electric cooperative corporation, within 90 days of the date on which an electric cooperative corporation's affiliate begins offering retail broadband services over broadband facilities.

(ii) An electric cooperative corporation that is providing retail broadband service through an affiliate as of the effective date of this section shall not be required to send the notice required under subsection (i).

(iii) For a period of five years from receipt of the notice



required under subparagraph (i), or from the effective date of this section if subparagraph (ii) applies, a broadband service supplier that has existing written attachment agreement with the electric cooperative corporation shall have the right to attach to the poles of that electric cooperative corporation at rates that shall not exceed the then-effective rates in the existing agreement, subject to permissible periodic rate adjustments provided in the existing agreement.

(5) An electric cooperative corporation may not do any of the following:

(i) require a person to purchase broadband services from an affiliate of the electric cooperative corporation as a condition of receiving or continuing to receive electric energy from the electric cooperative corporation; or

(ii) disconnect, or threaten to disconnect, electric service to a customer due to the customer's failure to pay for broadband services provided to the customer by the electric cooperative corporation or an affiliate.

Amend Bill, page 4, by inserting between lines 25 and 26:

(c) Cross-Subsidization.--The following shall apply:

(1) An electric cooperative corporation that supplies retail broadband services through an affiliate shall ensure that the rates charged for the provision of electric service do not include any of its affiliate's retail broadband service costs and shall not use its electric service revenues to subsidize the provision of retail broadband services to the public by an affiliate.

(2) An electric cooperative corporation may make capital investments in an affiliate, make loans for the benefit of an affiliate, enter into capital or operating leases with the affiliate, and enter into guarantees or other security arrangements for the benefit of the affiliate, all of which may be in amounts, on terms and subject to conditions as the electric cooperative corporation's board of directors approves and determines to be prudent or appropriate.

Amend Bill, page 4, line 26, by striking out "(C)" and inserting:

(d)

Amend Bill, page 5, line 1, by striking out the period after "SERVICES" and inserting:

or to negotiate separate terms or agreements for attachments to electric infrastructure, owned or controlled by an electric cooperative corporation.

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

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

YEA-31

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

NAY-18

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

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

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

BILL OVER IN ORDER

HB 2440 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

On the question,  
Shall the bill pass finally?

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

Senator STEFANO. Mr. President, I rise today in support of House Bill No. 2513. Since the onset of this pandemic, the Pennsylvania food service industry has worked hard and in good faith to observe and follow all the various guidelines and regulations placed on it. Despite this fact, it has continuously faced arbitrary and burdensome regulations and restrictions, forcing many to close their doors indefinitely. House Bill No. 2513 will reduce these restrictions, leveling the playing field for these businesses and aligning their operational guidelines with other industries in Pennsylvania.

Over the past 6 months, I have spoken with hundreds of owners of restaurants and taverns, hotels, producers, and event venues. They have all echoed the same message. No businesses in this industry can sustain operations at this current capacity. In response, House Bill No. 2513 will immediately set the minimum capacity for licensed establishments at 50 percent, with the ability for increased capacity if their premises allows. Additionally, this legislation will remove the ban on bar service and eliminate the meal requirement to purchase alcohol. It is important to note that this legislation will still require businesses to enforce social distancing, mask wearing, and other safety precautions as recommended by the CDC and this Commonwealth. However, House Bill No. 2513 will allow businesses to strike a balance between ensuring safety and ensuring survival.

The restaurant industry is the second-largest private industry in the country, with over 500,000 employees in Pennsylvania alone. It is estimated that Pennsylvania's food service industry has already lost over 134,000 workers this year. We must pass this legislation to provide crucial assistance to these businesses and their workers. Therefore, I urge my colleagues to vote in support of House Bill No. 2513.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I am voting "no" on House Bill No. 2513 for several reasons. I recognize the suffer-

ing and the losses from COVID-19 on restaurants, bars, private establishments, and the entire community. I am well aware that alcohol sales make up a significant proportion of revenue for restaurants and have met with a number of owners who have shared that with me over the years, not just in this pandemic. At the same time, I have carried many condolence resolutions for my neighbors who have been killed by COVID-19. Dr. Levine has explained the science and the pattern of the spread of COVID-19 from these operations and from others. She, a public health expert, has assessed the risk and recently recommended an increase to 50 percent, as well as a midnight closing. That began yesterday. Dr. Levine has been our stalwart protector of saving lives here in the Commonwealth. Fortunately, we did not take the path of opening early, which would have led us to the Florida example, which was, at one point, an esteemed example in this Chamber. We learned later that the Florida path is a path to death. Dr. Levine has expressed to me that she is still interested in further accommodations for this industry and will be looking at the changes in terms of the spread on a day-to-day basis.

I, further, have been in contact with some frontline workers, restaurant workers. These are workers who are currently paid a shameful \$2.83 an hour. I have not received any request for an expansion, as proposed in this legislation, from these frontline workers. Instead, what I have heard is fear that individuals would come and not have masks on, and then what are they to do? They are not TSA officers. They do not have any weapons or any other devices to protect themselves. We have seen stories as terrible as people getting shot trying to maintain the mask order. Other examples are people being beaten up just in order to maintain a mask order intended to protect us all. I am committed to a just recovery, a recovery for businesses, a recovery for individuals. We can have such a recovery, but we must have public health first. I fully appreciate the suffering of the business owners, those who, in the end, may not have a business to return to after the pandemic. Some of these are restaurant owners, some of these are retail store owners, small shops. There is quite a bit of suffering that has been caused by this pandemic. At the same time, further opening may only exacerbate the pandemic and put us in a position where we have more community spread. More community spread means more injury, and even those who do not die, we have learned, may have long-term suffering to their respiratory system and other parts of their organs. For these reasons, I am voting "no" and encourage all of my colleagues to do the same.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-43

Argall	Corman	Martin	Stefano
Arnold	Dinniman	Mastriano	Tartaglione
Aument	DiSanto	Mensch	Tomlinson
Baker	Fontana	Phillips-Hill	Vogel
Bartolotta	Gordner	Pittman	Ward, Judy
Blake	Hutchinson	Regan	Ward, Kim
Boscola	Iovino	Sabatina	Williams, Anthony H.
Brewster	Kearney	Santarsiero	Williams, Lindsey

Brooks	Killion	Scarnati	Yaw
Browne	Langerholc	Scavello	Yudichak
Collett	Laughlin	Schwank	

NAY-6

Farnese	Hughes	Muth	Street
Haywood	Leach		

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

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

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

**SB 207, SB 258, SB 284, SB 531, HB 777, SB 809 and SB 833** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 845 (Pr. No. 1153)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**HB 858 and HB 885** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 983 (Pr. No. 2000)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for definitions and for Newborn Child Screening and Follow-up Program; and providing for mandated screening and follow-up.

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 OVER IN ORDER

**SB 1034** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

## BILL OVER IN ORDER AND LAID ON THE TABLE

**SB 1204 (Pr. No. 1785)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, further providing for petition for involuntary termination and providing for special provisions when child conceived as a result of rape or incest.

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.

## BILLS OVER IN ORDER

**SB 1220** and **SB 1226** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION  
AND REREFERRED

**SB 1246 (Pr. No. 1999)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, providing for medals honoring law enforcement officers.

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.

**SB 1279 (Pr. No. 2001)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for essential family caregivers in facilities during disaster emergencies.

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.

**SB 1296 (Pr. No. 1947)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for certain contract provisions prohibited.

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 1307, SB 1314, HB 1408, HB 1647, HB 1737, HB 1769** and **HB 1808** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

## BILL LAID ON THE TABLE

**HB 1855 (Pr. No. 4022)** -- 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 power.

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

**HB 1855 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that House Bill No. 1855, Printer's No. 4022, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILLS OVER IN ORDER

**HB 2022, HB 2044, HB 2293, HB 2348** and **HB 2354** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**ANNOUNCEMENT BY MAJORITY LEADER**

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

Senator CORMAN. Mr. President, could we be at ease for a quick moment, and I ask that all of the Members of the Senate Republican Caucus come over to the Majority Leader's rostrum.

The PRESIDENT. For the purpose of a brief Republican caucus at the Majority Leader's rostrum, without objection, the Senate stands at ease.

(The Senate was at ease.)

**BILLS REPORTED FROM COMMITTEE**

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

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

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.

**SB 1033 (Pr. No. 2005)** (Rereported)

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.

**SB 1075 (Pr. No. 2002)** (Rereported)

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sexual abuse of children and providing for child sexual abuse prevention task force; and, in sentencing, further providing for sentencing for offenses involving sexual abuse of children.

**SB 1164 (Pr. No. 2006)** (Rereported)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in coroner, further providing for coroner's investigation.

**RESOLUTION REPORTED FROM COMMITTEE**

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

**SR 384 (Pr. No. 2003)**

A Resolution extending the temporary emergency Rules of the Senate.

The PRESIDENT. The resolution will be placed on the Calendar.

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

**BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 487 (Pr. No. 516)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, I submit my remarks for the record.

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

*(The following prepared remarks were made part of the record at the request of the gentleman from Erie, Senator LAUGHLIN:)*

Mr. President, I rise today and ask my colleagues for an affirmative vote on Senate Bill No. 487. We are all fully aware of the serious problems related to information security in today's connected society. We are warned to protect our personal electronic devices even as reports of government agencies, major retailers, and banking institutions falling prey to hackers appear in the news. Sophisticated cyber-thieves are constantly on the prowl looking for ways to steal personal information and credit card numbers. Unfortunately for consumers, when those hackers are successful, they must have their credit cards reissued and hope that their hard-earned money is not drained from their accounts.

Information security is an endless battle. Accomplished hackers are smart, and they are sophisticated when it comes to technology. They enjoy the challenge of matching wits with the technicians charged with providing IT security for government, corporations, and financial institutions. That certainly makes Pennsylvania State government a big target for them. We rely on a vast network of computers to support agencies and legislative offices throughout the Commonwealth. These include our district offices, PennDOT license centers and maintenance garages, State park offices, and State Police barracks. That is in addition to the thousands of computer terminals here in the Capitol Complex. I am not suggesting that any of State government's IT systems are vulnerable to cyber attack, but we all know that hackers are relentless in their attempts to steal personal and financial information. Even as our tech services continually work to build up firewalls to protect sensitive information, hackers are finding new and innovative ways to get through those barriers.

In addition, the ongoing COVID-19 pandemic brought to light some serious shortcomings in the Commonwealth's IT system. In particular, the antiquated IT system at the heart of the Unemployment Compensation system was overwhelmed and, as such, too many citizens continue to wait for the benefits they deserve. That is what makes the provisions of Senate Bill No. 487 so vitally important. We can only hope that the hard work of the State's IT professionals will be effective in protecting our systems, but we must be ready to immediately respond in the event of a breach. Senate Bill No. 487 updates the State Breach of Personal Information Notification Act by requiring that, in the event of an incident, the agency involved must report it to those affected within 7 days. The bill requires the State Attorney General be informed of the breach and for executive branch agencies to notify the Office of Administration within 3 days following the breach. In addition, Senate Bill No. 487 requires the Office of Administration to keep a policy for the storage and transmission of personal identifiable information.

Mr. President, it is understandable that any agency victimized by a data breach would be embarrassed and reluctant to publicly report the incident, but it is certainly much more important to immediately inform citizens about the theft of their personal information so that they can take steps to protect their assets.

Again, I ask for an affirmative vote on Senate Bill No. 487, and I hope with your support that we can quickly move it on to the Governor's desk for enactment into law.

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	DiSanto	Martin	Street
Arnold	Farnese	Mastriano	Tartaglione
Aument	Fontana	Mensch	Tomlinson
Baker	Gordner	Muth	Vogel
Bartolotta	Haywood	Phillips-Hill	Ward, Judy
Blake	Hughes	Pittman	Ward, Kim
Boscola	Hutchinson	Regan	Williams, Anthony H.

Brewster	Iovino	Sabatina	Williams, Lindsey
Brooks	Kearney	Santarsiero	Yaw
Browne	Killion	Scarnati	Yudichak
Collett	Langerholc	Scavello	
Corman	Laughlin	Schwank	
Dinniman	Leach	Stefano	

NAY-0

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

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

**SB 1033 (Pr. No. 2005)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

**SB 1164 (Pr. No. 2006)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in coroner, further providing for coroner's investigation.

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

On the question,  
Shall the bill pass finally?

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

Senator J. WARD. Mr. President, I submit my remarks for the record.

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

*(The following prepared remarks were made part of the record at the request of the gentlewoman from Blair, Senator J. WARD:)*

Mr. President, I thank Senator Browne and Senator Hughes. Senate Bill No. 1164 makes clear that certain circumstances of death shall be reported to the coroner, including any disease constituting a health disaster emergency or pandemic. I introduced this bill because the coroner in my legislative district reached out to me over concern of discrepancies in numbers of COVID-19 deaths reported by the Department of Health and deaths they, as coroner, were aware of in their county. It was surprising to them when they saw these deaths reported in their county when they had not been aware of these deaths.

I found this very concerning, as did they, because we cannot have two different sets of numbers of deaths. These kind of reporting discrepancies throw a wrench into every community's efforts to plan for this emergency or a future one. I believe all infectious disease deaths should be reported to the coroners for more accurate reporting of the deaths and for the safety and well-being of our communities.

Thank you for your consideration.

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

NAY-10

Farnese	Iovino	Schwank	Tartaglione
Haywood	Leach	Street	Williams, Anthony H.
Hughes	Sabatina		

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.

**SENATE RESOLUTION No. 384, ADOPTED**

**MOTION PURSUANT TO SENATE RULE 29**

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

Senator CORMAN. Mr. President, I call up Senate Resolution no. 384 on page 2 of Senate Supplemental Calendar No. 1 and move that the Senate proceed to consider the resolution, notwithstanding the provisions of Senate Rule 29.

On the question,  
Will the Senate agree to the motion?  
A voice vote having been taken, the question was determined in the affirmative.

**SENATE RESOLUTION ADOPTED**

Senator CORMAN, without objection, called up from page 2 of Supplemental Calendar No. 1, **Senate Resolution No. 384**, entitled:

**A RESOLUTION**

Extending the temporary emergency Rules of the Senate.  
WHEREAS, On March 18, 2020, the Senate adopted temporary emergency Rules of the Senate; and  
WHEREAS, On July 15, 2020, the Senate extended the operation of those rules; and  
WHEREAS, It is necessary to extend the operation of those rules; therefore be it  
RESOLVED, That the final resolved clause of Senate Resolution No. 318, Printer's No. 1596 (2020), adopting temporary emergency Rules of the Senate, be amended to read:  
RESOLVED, That this resolution shall expire [September] November 30, 2020, or 10 days following the expiration of the emergency declaration, whichever is earlier, unless otherwise further extended in accordance with the Rules of the Senate.

On the question,  
Will the Senate adopt the resolution?  
The yeas and nays were required by Senator CORMAN and were as follows, viz:

**YEA-49**

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

**NAY-0**

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

September 18, 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 Dennis Heinle (Congressional District 10), 2295 May Apple Drive, York 17402, York County, Twenty-eighth 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 STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND [sic] SALESPERSONS**

September 18, 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 May 12, 2020, of Kirk Davis, 1709 Crestline Street, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

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. 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:

**JUDGE, COURT OF COMMON PLEAS, DELAWARE COUNTY**

August 28, 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, Andrea E. Puppio, Esquire, 120 South Rolling Road, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2022, vice the Honorable Nathaniel C. Nichols, resigned.

TOM WOLF  
Governor

JUDGE, COURT OF COMMON PLEAS,  
SCHUYLKILL COUNTY

August 28, 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 E. Hale, Esquire, 36 Cedar Creek Drive, Ashland 17921, Schuylkill County, Twenty-ninth 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.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
LABOR RELATIONS BOARD

July 28, 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, Gary Masino, 3704 South Hereford Lane, Philadelphia 19114, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2023, and until the successor is appointed and qualified, vice Robert Shoop, Pittsburgh, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
LABOR RELATIONS BOARD

July 13, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert Mezzaroba, 2305 Township Road, Quakertown 18951, Bucks County, Twenty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2025, and until the successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
TURNPIKE COMMISSION

May 11, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wadud Ahmad, 227 West Apsley Street, Philadelphia 19144, Philadelphia County, Third Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years, and until the successor is appointed and qualified, vice Barry Drew, Mechanicsburg, deceased.

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. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS**

***EXECUTIVE SESSION***

Motion was made by Senator AUMENT,

That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

***NOMINATIONS TAKEN FROM THE TABLE***

Senator AUMENT. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA  
LABOR RELATIONS BOARD

July 28, 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, Gary Masino, 3704 South Hereford Lane, Philadelphia 19114, Philadelphia County, Fifth Senatorial District, for appointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2023, and until the successor is appointed and qualified, vice Robert Shoop, Pittsburgh, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
LABOR RELATIONS BOARD

July 13, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert Mezzaroba, 2305 Township Road, Quakertown 18951, Bucks County, Twenty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2025, and until the successor is appointed and qualified.

TOM WOLF  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

YEA-49

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

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.

**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:

JUDGE, COURT OF COMMON PLEAS,  
DELAWARE COUNTY

August 28, 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, Andrea E. Puppio, Esquire, 120 South Rolling Road, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2022, vice the Honorable Nathaniel C. Nichols, resigned.

TOM WOLF  
Governor

JUDGE, COURT OF COMMON PLEAS,  
SCHUYLKILL COUNTY

August 28, 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 E. Hale, Esquire, 36 Cedar Creek Drive, Ashland 17921, Schuylkill County, Twenty-ninth 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.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
TURNPIKE COMMISSION

May 11, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wadud Ahmad, 227 West Apsley Street, Philadelphia 19144, Philadelphia County, Third Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years, and until the successor is appointed and qualified, vice Barry Drew, Mechanicsburg, deceased.

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-47

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

NAY-2

Kearney Muth

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator AUMENT. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

**SB 1330 (Pr. No. 1968)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for milk sell by date and best by date labeling.



**HB 1224 (Pr. No. 1464)**

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, in purpose, short title and definitions, further providing for definitions and construction; in general powers of the board, providing for coordination with Department of Revenue; and, in prices of milk, further providing for cooperatives.

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

**SB 1242 (Pr. No. 2013) (Amended)**

An Act providing for legislative and congressional redistricting; imposing duties on the Legislative Data Processing Committee; and providing for redistricting criteria.

**RESOLUTION REPORTED FROM COMMITTEE**

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

**SR 377 (Pr. No. 2014) (Amended)**

A Concurrent Resolution calling for an amendment to the Constitution of the United States via a Convention of the States, pursuant to Article V of the Constitution of the United States, establishing term limits for members of Congress.

The PRESIDENT. The resolution will be placed on the Calendar.

**BILLS ON FIRST CONSIDERATION**

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

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

**SB 120, SB 391, SB 868, SB 1112, SB 1242, SB 1251, SB 1252, SB 1268, SB 1330, HB 440, HB 703, HB 770, HB 924, HB 1220, HB 1224, HB 1534, HB 1947 and HB 2503.**

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA  
COMMITTEE MEETINGS

WEDNESDAY, SEPTEMBER 23, 2020

9:30 A.M. AGING AND YOUTH (informational meeting regarding the Caregiver Support Program) Senate Chamber (LIVE STREAMED)

MONDAY, OCTOBER 5, 2020

11:00 A.M. EDUCATION (public hearing on Senate Bill No. 1230 - Back on Track Education Scholarship Account Program) Hrg. Rm. 1 North Off.

11:00 A.M. LAW AND JUSTICE (to consider House Bills No. 763 and 1617) Senate Chamber (LIVE STREAMED)

12:45 P.M. LOCAL GOVERNMENT (to consider Senate Bill No. 1336) Senate Chamber (LIVE STREAMED)

Off the Floor APPROPRIATIONS (to consider Senate Bills No. 845, 983, 1158, 1173, 1246, 1268, 1279, 1296, 1330 and 1350; and House Bills No. 1069, 1780, 2370 and 2438) Senate Chamber (LIVE STREAMED)

Off the Floor RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolutions No. 358, 398 and 400; and certain Executive Nominations) Senate Chamber (LIVE STREAMED)

Off the Floor STATE GOVERNMENT (to consider Senate Bills No. 1339 and 1341; and House Bills No. 2673 and 2674) Senate Chamber (LIVE STREAMED)

Off the Floor TRANSPORTATION (to consider Senate Bills No. 1211 and 1236) Senate Chamber (LIVE STREAMED)

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.

10:00 A.M. JUDICIARY (to consider Senate Bills No. 136, 658 and 1085; and House Bill No. 616) Senate Chamber (LIVE STREAMED)

11:00 A.M. INTERGOVERNMENTAL OPERATIONS (to consider Senate Bill No. 1147; and House Bill No. 430) Senate Chamber (LIVE STREAMED)

11:30 A.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider House Bill No. 1673) Senate Chamber (LIVE STREAMED)

12:00 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 792, 870 and 871; and House Bills No. 26, 862, 2101, 2561 and 2584) Senate Chamber (LIVE STREAMED)

12:00 P.M. FINANCE (to consider Senate Bills No. 463, 628 and 1326; and House Bills No. 296, 1961, 1962 and 2497) Hrg. Rm. 1 North Off.

12:30 P.M. HEALTH AND HUMAN SERVICES (to consider Senate Bill No. 1210; and House Bills No. 81 and 1363) Senate Chamber (LIVE STREAMED)

FRIDAY, OCTOBER 9, 2020

10:00 A.M.

INTERGOVERNMENTAL  
OPERATIONS (public hearing on  
streamlining government: Senate Bill No.  
1131)

Franklin Co.  
Visitors Bureau  
Chambersburg

## PETITIONS AND REMONSTRANCES

The PRESIDENT. 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 5,189 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Mr. President, it is well documented how difficult COVID-19 has been for wage earners, particularly low-wage earners who have been much more likely to lose their jobs due to the pandemic. But here are some concrete, up-to-date numbers to consider. As of September 12, the Department of Labor and Industry has processed more than 4 million initial claims for unemployment benefits, including more than 1.2 million Unemployment Compensation claims and more than 1.9 million Pandemic Unemployment Assistance claims. At latest count, the department has paid out more than \$25 billion in unemployment benefits since March 15, including \$4.7 billion - that is with a "B" - in Unemployment Compensation, \$4.5 billion in Pandemic Unemployment Assistance, and \$15.6 billion in Federal Pandemic Unemployment Compensation.

As you may recall, FPUC was the \$600 weekly payment made to each qualifying UC and PUA beneficiary during the 17-week period ending on July 25. After this CARES Act program expired and as the pandemic continued, the United States House of Representatives voted to extend the benefit. But the U.S. Senate has refused to take up the House bill. Meanwhile, a \$300 weekly benefit created by a Federal executive order as a replacement for FPUC lasted only 6 weeks before the Federal Emergency Management Agency announced that the funding had run out. This happened before many eligible claimants had even begun to receive their benefits under this short-lived program. Nonetheless, as distressing as COVID-19 has been for the working people of Pennsylvania and the entire nation, a large portion of America's workers were not exactly living on easy street even before the pandemic.

Last November, the Brookings Institution - one of Washington's most respected nonprofit and nonpartisan public policy research organizations - reported that 44% of American workers ages 18 to 64 qualified as low-wage workers. Their median wage was just \$10.22/hour, and median annual earnings were about \$18,000. In the report, Brookings stated ominously, "The existence of low-wage work is hardly a surprise, but most people - except, perhaps, low-wage workers themselves - underestimate how prevalent it is. Many also misunderstand who these workers are....A majority are adults in their prime working years, and low-wage work is the primary way they support themselves and their families."

Fast forward five months and America was in the midst of a public health crisis. In April, the *Washington Post* published an article detailing why experts say that so-called "essential" workers get paid so little. Naturally, economists cited the foundational principle - if not a largely ambiguous one in a real-world setting - of supply and demand. Many of the jobs we need people to do during times of crisis do not require special skills, therefore, there are a lot of candidates to fill those jobs, relatively speaking. One problem with that logic, of course, was that unemployment was at a historic low before the pandemic. The labor market was tight at all levels. But for some reason, wages did not rise commensurate with the demand for workers - even those in traditionally low-paying positions.

To explain that, the *Post* cited another theory that economists have developed as part of "a new strand of research that questions some of the profession's long-standing explanations for wage inequality." The theory is based on "power differential" between workers and employers.

"I think a big part of the explanation is the erosion of the institutions that once improved workers' standing and bargaining power vis-a-vis employers, while employers have commensurately gained power," one university researcher said. "Big business and allied policymakers have worked in tandem to weaken unions, oppose minimum wage legislation and loosen labor restrictions." "This, and not skills, is the reason for earnings inequality between workers, and the enormous discretion American bosses have to dictate take-it-or-leave-it terms to dependent workers is the core reason our essential workforce is in such dire straits." Mr. President, as a member of United Food and Commercial Workers Union Local 1776 and as a legislator, I have seen firsthand the forces at work as described by the *Post*.

Opponents of raising Pennsylvania's minimum wage, and the nation's minimum wage, have, for generations, used the same supply and demand platform to argue their case. Meanwhile, we have seen the supply of available labor rise and fall. We have seen the demand for good workers rise and fall. But through all the ups and downs, we have seen the value of the minimum wage consistently erode generation after generation. All along, we have known the real reason for the worsening problem of income inequality has not been purely supply and demand.

We as State legislators can help to rectify the imbalance of power that has forced so many dedicated, hardworking Pennsylvanians - those with families to feed, to shelter, to clothe, and to educate - in a never-ending cycle of low-paying jobs. My legislation, Senate Bill No. 12, would achieve that by setting the Commonwealth on a course to achieve a \$15 minimum wage. I urge the General Assembly to adopt this legislation and deliver it to the Governor for his signature.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, my remarks will not be long, but they deal with education. We are in the most serious crisis in public education, and even in private education, in the last 100 years. Let us finally say and admit that for many students, tens of thousands in this Commonwealth, online learning simply does not work. It does not work for a variety of reasons. In the city of Philadelphia right now, there are 18,000 families with school-age children who have no Internet connection. By the time they get around to making all these connections, the school year will be over. It does not work because, tell me, with the non-English-speaking students, for example, in Lebanon city that is 52 percent of the students, how does online learning in English work for people who do not speak English with English learners, Mr. President? It does not work because not all parents have the ability or the time to work with their children. Many are working two shifts in order to survive, and the children are not being helped. When you put in the technology factor, perhaps that family has not used the technology before, Mr. President. It does not work, Mr. President, because we are not prepared to teach online in many of our school districts.

Online learning is significantly different than in-class learning. If you have been a teacher for many decades, you have a very difficult time changing that. It is going to be the same thing, Mr. President, when we have a combination of hybrid and online learning and trying to teach in that way. It does not work, Mr. President, because many students get online and then get off, or in the middle of a lesson a student will simply leave the online learning and nothing can be done since the teacher is not in the same room as that student, Mr. President.

This has become quite apparent and this body needs to do something about online learning or get all of our kids back to school, make your choice. But in terms of online learning, I am happy to say that myself, the Majority chair of the Committee on Education, along with Senator Aument, have been working to-

gether on a series of bills to improve what online learning is all about. Two of those bills were approved today in committee, and I hope we can push together in a bipartisan way for their approval by the Senate itself. The first bill dealt with the fact that you have these students who are not learning. So, it approved the creation of what is called a Volunteer Retired Teacher Corps. These are teachers who are retired, who, at no salary--and we started this in Chester County through our intermediate unit--will tutor a student who is identified by the school district as being in need of assistance. You have a choice. If the student does not learn, he is going to be a month, a year, 2 years behind. How are you going to catch up?

Let me say, a second bill will be coming in this regard. I know through conversations with numerous people, you have thousands of student teachers in this Commonwealth who are not given the opportunity to student teach, Mr. President, because the classrooms are closed to them or visitors are not allowed in the schools. Those students, who are under the supervision of their professors, can act as tutors to three or four students. You do not have to be in the same place. This can be done through social media or even over the telephone. But what I am saying is, you cannot just let students go week after week with no learning. They are not going to catch up. You are going to lose a generation of students, and it is going to increase the cost, ultimately--are you going to have and continue this pipeline of school to prison? Are you going to continue the increase in social services when people do not make it? They do not make it because they do not have the education to survive and move ahead in this society. Both programs do not cost any money. It is simply a matter of us giving approval to those programs so we can move forward.

Also today, Mr. President, we approved a second bill. By the way, these bills are presented by both myself and Senator Langerholc, and these two bills happen to allow me first, on other bills he is first, because that is what you do when it comes to education. You work together for the students of this Commonwealth. They have become the victims of the lack of education that is occurring in education today. The second bill raises a question. It says that the four chairs of the Committee on Education in the House and the Senate will look at the question of testing, the tests that are given, and the assessments that are given. How can you give tests when there are no rules for security and giving them online when we have not done it before? If you gave the test, how can you talk about any comparative nature if you know there is a difference in learning between a student in the classroom and online and hybrid? Also understand that, until Senator Aument's bill changing teacher evaluation goes into effect next year, these teachers will be evaluated based on test results, but yet teachers do not have an equal opportunity to teach because of the different venues and styles that are required for each of these venues.

Also, Mr. President, States, as led by Georgia, have already approached the Federal government asking the Federal government to stop the testing for this year because of the pandemic, as they did last year. Well, we have not heard from the Department of Education on any of these issues. We have not heard from the administration on any of these issues. This is a serious matter. Teachers and school boards want to know, and, in fact, in a position paper put out by the Pennsylvania School Boards Association, this is one of the crucial questions: what do we do with

assessments this year? So, we are making progress on two bills, Mr. President, and we will have--but there are several other areas yet to go and myself, the Majority chair, and others are working on this. I told you we will have one so we can mobilize these teachers, student teachers, thousands of them in this Commonwealth who want to teach, want that experience, who are supervised, and it does not cost us a cent.

The school district would tell us which students need the help. In Chester County, this is being done through the intermediate unit in conjunction with the teachers. Some other areas that have to be taken care of is the matter of, as I mentioned, student teaching, and the matter of helping parents help their kids. How many parents, how many of the people here know how to teach a child? How many good people have the time to sit with their children when they are working two shifts on a job, come home, and then are supposed to help their three children? If it is going to work, Mr. President, we had better have a system where it is put online and it is not just a one-shot show, because when that parent comes home at 7 o'clock, if it is not repeated again, that parent is not going to be able to help their kid and sit with their kid. Perhaps we can learn from the homeschoolers, and I deeply respect homeschooling, I have worked with them, where they actually have older children teaching younger children, and we need to get that course into action. In fact, if I took a student in third grade, now in the fifth grade, they are probably in a better position to teach their brother or sister than their parents might be. Let us use our heads and our resources. They do not cost anything.

Let us make sure what the children in this Commonwealth are using. In terms of the students who are non-English speakers, it can be easily solved, there is an app--we use it when we go traveling internationally--which will translate English into Croatian, Spanish, French, or Chinese, whatever the language is, so that we can have that instruction take place. In fact, the State can purchase that app and then license it to the school district, Mr. President. So, let us get going. Let us make sure the children who are being taught online are taught online.

Second, of consideration, it was fascinating, you know what happened yesterday in our county? Parents picketed three school districts demanding that they open up. What did the parents say? They said if those who do not want to send their kids to school are going to have a virtual academy in that district, then what about us? We are paying our school taxes. What about opening for the parents who do want their children in that school? It is going to be fascinating to see this.

You know, Mr. President, ultimately, and we had better prepare ourselves for this, you are going to see huge increases in school taxes throughout this Commonwealth in a period when people cannot afford it, because school districts are actually operating in some counties, in some districts, doing four things at the same time - online, hybrid, which is in school 2 days a week, and sometimes in school 5 days a week. By the way, in New Jersey, they have school 5 days a week, and in central Pennsylvania, including the Majority chairman's district, they have school 5 days a week, there have not been any problems because they follow the CDC guidelines, and they have been perfectly safe with no problems. Almost every Catholic school and every Jewish day school in this Commonwealth are open, and they also have not had serious problems. We know many parents have decided to send their kids to religious schools and private schools

because the public schools are closed. So, in addition to making sure online learning works, we need to make sure we open our schools as much as possible, and we understand the tremendous expense that is going to occur. We thought we solved it when we gave the school districts 12 months at the same rate that we have this year. They operate three ways, add onto that the cost of sanitation supplies and the additional costs of school buses, Mr. President.

Finally, let me conclude this way. We are in crisis. Understand it. You know, we talk about bars and restaurants, and, yes, I care about those individuals. We talk about every conceivable thing. But in the end, if you fail the young people of this Commonwealth, which we are doing now, we are going to pay for it. We are going to lose a generation of students, and we have an absolute obligation to not let that happen. You know, the Constitution of Pennsylvania is different, and only four States do something we do. In most States, the control of education is under the Governor, the Secretary of Education, or the State Board of Education. There are only four States in the Union, Pennsylvania is one, where it states that the schools, the running of an efficient and effective educational system is the responsibility of the legislature, not the Governor, not the State Secretary of Education, and not the school board. It is about time we take our responsibility seriously and abide by our Constitution so that every student in this Commonwealth has an opportunity to learn.

We have to understand the horrendous results that are going to come about. In this regard, no one--in fact, I will try to put a bill in working with the Majority chair--is even thinking about this. No one talks about this in the legislature. We have heard nothing about this from the Department of Education. We need to start to plan now for what we are going to do when this pandemic ends to take care of those children who are going to be 1 year, 2 years, even 3 years behind, because many of them were behind already, and they are going to be more behind. This is not just in poor districts. It is in the suburban districts as well where you have students who you assume can learn online who have not proved capable of doing so. This does not include all the students who have learning difficulties. It does not include all the students who have actual IEPs, Individualized Education Programs. This does not include those students who are preparing for vocational and technical education where an in-class, hands-on approach is absolutely necessary.

So, I make this remonstrance as an appeal, as a plea. My term in the Senate is up at the end of November. Come on, we cannot let down the students of this Commonwealth, and we cannot let down their parents. The future of this Commonwealth, the future of each and every one of us is dependent on this generation who are currently being educated. Let us get to it. Let us do it. Let us be proud that we here in the Senate and the House are going to take the leadership in making sure that every student is taught properly, and, as it should be, is taught to the top of their curriculum.

Thank you very much, Mr. President.

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I move that the Senate do now recess until Monday, October 5, 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 4:56 p.m., Eastern Daylight Saving Time.