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SESSION OF 2020 204TH OF THE GENERAL ASSEMBLY

No. 45

SENATE

TUESDAY, October 20, 2020

The Senate met at 11 a.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.

Today I pray a prayer of strength for all of us. These are simple, yet powerful, words that have profoundly impacted me, and I hope they do the same for you. The Bible tells us: "Be strong and of good courage, do not fear nor be afraid of them; for the Lord your God, He is the One who goes with you. He will not leave you nor forsake you."

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 995**, with the information the House has passed the same without amendments.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 940**, **SB 952** and **SB 1199** with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule 13(c)(2)(i), the bills will be referred to the Committee on Rules and Executive Nominations.

LEGISLATIVE LEAVES

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

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

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

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

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Browne and Senator Mastriano, and a legislative leave for Senator Arnold.

Senator Costa requests a legislative leave for Senator Anthony Williams.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator COSTA asked and obtained leaves of absence for Senator COLLETT and Senator LEACH, for today's Session, for personal reasons.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of June 29, 2020, is now in print.

The Clerk proceeded to read the Journal of the Session of June 29, 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-48

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

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****HB 1032 CALLED UP OUT OF ORDER**

HB 1032 (Pr. No. 3905) -- Without objection, the bill was called up out of order, from page 11 of the Second Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

HB 1032 (Pr. No. 3905) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for definitions and for State Board of Certified Real Estate Appraisers.

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 purposes of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be held here on the Senate floor, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Rules and Executive Nominations, Senate Democrats will meet for caucus as well via ZOOM and in person in the conference room.

The PRESIDENT. For purposes of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be live-streamed on the Senate floor, followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Browne, Senator Mastriano, and Senator Anthony Williams have returned, and their respective leaves are cancelled.

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Pursuant to Senate Rule 21(b), the Chair is giving notice that photographers from the Republican Caucus

have been given permission to take still photographs on the floor of the Senate today during the special order of business honoring the President pro tempore on his retirement.

**SPECIAL ORDER OF BUSINESS
FAREWELL TO PRESIDENT PRO TEMPORE**

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

Senator CORMAN. Mr. President, today we have the distinct privilege of honoring one of our own who will soon be leaving the Senate. There will be others in this Chamber who will be retiring this year, and certainly, we want to make sure all the Members know that through the next few weeks, we will have an opportunity to say farewell to every Member who is retiring this year. But today is a special day. Not often do we have a change in retirement of the Senate President pro tempore.

Pro tempore Senator Scarnati was elected to the 25th Senatorial District almost two decades ago as a third-party candidate, a seat he won by less than 200 votes. Six years later, he rose to the position of President pro tempore. Two years after that, he became Pennsylvania's 31st Lieutenant Governor. In his tenure, he has gained a reputation as a consensus builder, a diplomat, and, most importantly, a respected leader. Joe, we will miss you as you move on in your next endeavor, but we cannot allow this occasion to pass without a proper send-off. So, it is my honor to ask that we please play the farewell video at this time.

(Whereupon, a video tribute of the career of President pro tempore Senator Joseph B. Scarnati III was presented.)

Senator CORMAN. Mr. President, I guess the first reaction after watching the video is, I need to lose weight. Clearly, we have all put on a few pounds since we got here. But, we will work on that.

I did want to bring a memory back. In 2006, it was probably the most difficult year here in the legislature. In 2005, the legislature passed a legislative pay raise without an open public process. It was at a time when the legislature probably had its lowest-ever approval rating. It swept out a lot of Members of the General Assembly, in both houses, and the public trust of this building was at an all-time low, and Senator Scarnati had to take over as President pro tempore in 2006. As he said, we had a clean sweep of our Leaders, and Senator Scarnati ran for President pro tempore and was victorious, and victorious in a very close battle. So, the first thing he had to do was unite our Caucus, because when you are in a tough leadership race, you pick up sides, and it was a close race. He prevailed, and it did not take him long, because of his deft political skills, to unite the Caucus.

But right off the bat, he was tested. After all that was going on, and the public trust of this institution was at an all-time low, I think his first day in office he learned about a bunch of bonuses that were given out to staff, and for work that they did legislatively, but, nevertheless, outside their normal pay compensation. Prior to that date, I think the reaction of previous leadership teams in both buildings would have been, yeah, we will just sort of get by this, keep it from the press the best we can, live through it, and move on. Senator Scarnati said, release it. These are public documents, the public has the right to know, and we are going to release it. His first day, he had to make that decision. That began the belief in this institution again. That was the first day, and he said, we are going to operate differently from now on. We

need to rebuild the trust of the people of Pennsylvania, and the only way we do that is by being transparent, and being open and honest on how we conduct our business, while we are trying to conduct their business. I thought it set a tremendous tone for this General Assembly.

I will always remember--I have repeated it a thousand times--his first day on the stage there as President pro tempore, we had just elected him downstairs, and the uniqueness of the President pro tempore, you have to have one through the end of the Session and through the holidays, so we had to come up and swear him in immediately, and he said, we will be judged by our results. I have used that on numerous occasions because when we all run for office, we all say we are for things, and it is great to be for things, but if we do not produce things, then what good are we here? We will be judged by our results. This is a result-oriented business. The people of Pennsylvania do not care about Republicans, Democrats, Independents, rural, suburban, or urban Pennsylvanians, they care about what we produce for the people of Pennsylvania, and, again, it was a tone that I have taken to heart in my career.

I have always said that the best part of this business, and when I go to classes and students ask what do you like best about your job, I say it is the people you get to meet. When we were freshmen together, we had a crew of people, we had a lot of fun, probably more fun than we should have had, but it was a gentleman from Bucks County, a gentleman from Allegheny County, myself from Centre County, Senator Scarnati from Jefferson County, the gentleman from Indiana County, Lehigh Valley, all across the Commonwealth coming together as friends, not only serving together, but getting to know each other, getting to know each other's cultures and communities so we can better represent and better understand. It is sort of easy to fit into your own sort of safe zone, but when you get out and meet everybody else from across the Commonwealth, you really begin to learn and understand it is a Commonwealth. It is not just about the 34th Senatorial District, it is about the Commonwealth. Those were some great days and some great friendships. We served 20 years together, which just means we are old. We all love you. Thank you for your leadership and your friendship. God bless.

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

Senator COSTA. Mr. President, thank you very much. I, too, rise and offer my sincere best wishes to our good friend, Senator Joe Scarnati, in the next chapter, and I appreciate the opportunity to say a few words. My colleagues on the video, although many of them look a lot different today than they did in that video, I echo many of their words about Joe Scarnati and who he is as a person and what he has done not only for his district in Pennsylvania, but how he has managed this Chamber. I want to talk a little bit about that.

We talked about the trust and the things that have been done here over the years with respect to openness and transparency, and I was one of those folks who was here in 2006. I was one of those folks who survived what occurred and saw what was described as an all-time low, I think, for how people perceived the legislature. Since then we, collectively, have taken steps under his leadership to bring openness and transparency. A lot of the Members in this Chamber came here when all of those things were implemented. I think it is important to recognize that they

were not here, but there were significant steps made going forward as it relates to the public's understanding of what we do here and how we do it. Sometimes we did things at 2 o'clock in the morning--we passed bills in the middle of the night that the public did not know anything about--those days are long past. But those are the types of things that Senator Scarnati recognized right away and brought to us what needed to be done, and we followed through on that.

Now, for the past 10 years, I have had the privilege of representing the Democratic Caucus in this Senate, and it is a position that I truly enjoy. I love my work. But I also have to recognize that our Caucus is just one part of this Chamber, and I want to share with the Members that, over the course of that time, there is no one who has been more fair and understanding in terms of how we operate than Joe Scarnati. His fairness to our side of the Chamber has been outstanding. Some of us in this room know, through the budget process, what our colleagues on the other side of the building have had to deal with, with respect to managing their respective Caucuses. I will tell you that Joe Scarnati, in all instances, has been very fair and reasonable with respect to our Caucus.

It comes as no surprise when you saw Senator Jubelirer's name up there, there was a 2-year gap where he was not President pro tempore, because that was the last time Senate Democrats had the majority. But since that time, and under Joe's leadership, we have always been treated fairly in this process. There were a number of times, given the majority, and sometimes a sizeable majority, that the Majority could have exercised that leverage or power over us to make it difficult for our Caucus to operate, and it never happened once. My Members here, many of our Members who have been here for a number of years, recognize that and appreciate that. When we have added Members, he was the first person to call and say, what do you need to be able to get through the rest of the year with employees and the like in your operations? When we have lost Members, he did not need to call me, I called him and let him know that we were standing ready to work along those lines. That is the way we conducted business here in this Chamber, and it comes from the top, from the leadership of someone who is understanding, respects the institution, and understands how important it is for the institution to move forward in a very collaborative way. It comes back to fairness, and I thank you for that, Joe.

As we go forward, the next 2 weeks will determine which Party will lead this Chamber. We do not know what the outcome is going to be at this point in time. But what we have here in place, and it has been in place, is something that provided a template, or a framework, for us to move forward and work together, to not exercise domain or authority over one section or one body over another, or I should say one Caucus over another, that we continue to build upon the things that Senator Joe Scarnati has done in terms of establishing a precedent here in this Chamber that we respect one another, we work well together in many other areas, and while we may fight and bicker on legislative and policy matters, there was one thing that was always above all other things, and that was how we conducted ourselves and how we worked in this Chamber, and Joe has been an outstanding person along those lines. So, going forward, the template has been laid out for us, and as we move forward, we are hopeful that conversation and type of leadership continues.

So, Joe, thank you, my friend, for being the person you are, for the work you have done in this Chamber, and also the work you have done in this Commonwealth.

Thank you, Mr. President.

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

Senator BROWNE. Mr. President, it is a privilege for me to join all of my Senate colleagues as we honor our friend and leader of the Pennsylvania Senate for 14 of the 15 years that I have served here, our President pro tempore, Joe Scarnati. Mr. President, during any ferial day from 2006 to 2020 in the Pennsylvania historic State Capitol, one could enter the wood and frosted glass doors of room 292 and always find value. Value through the engagement and the attention given by exceptional Senate associates. Value in the simple hospitality of a smooth espresso or in a sleeve of the best peanut butter candy ever conceived by mankind. It is so good. Value in the nostalgia of an exceptional collection of model trains and historical memorabilia. Value in just being yourself amidst the stoic and impersonal mahogany walls and high ceilings which surround you. The feeling is not a matter of chance. It does not happen by accident, but is the natural product and creation of its current caretaker; a man who came to the job and has served as one of its longest stewards, as we all know so well, because he knows and values people.

Entering the conference room to engage in the many matters of State which a constitutional officer must attend to, the scenery sets the tone. Wherever you sit, in clear view, are the images of the Senate standard bearers from nearly two centuries past: 50 stoic and confident faces on the wall, of course not counting our current honoree. Sitting in that office as we prepare to engage in any number of matters of administrative and public policy, I often have imagined what it would be like if we could transcend the physical bonds of time and space and bring together all of the personalities displayed before us in one collective encounter. If we could converse with them about their experiences and share with them their hopes and dreams of Pennsylvania, oh, the value we would gain, the wisdom we would all acquire. Yet, as enriching as that may be, an opportunity more pertinent to today may arise, an invaluable chance to survey them, to ask each one of them what they believe are the qualities most essential to the honored service as the Pennsylvania Senate's chief fiduciary. Of course, we can only speculate as to the varied responses, but given the remarkable journey of their current successor, some extraordinary attributes are clearly predictable. They would refrain on a person with a rich and full life experience, an individual with exceptional interpersonal skills, a leader with extraordinary political instincts, and, most compelling, a personality who covets and understands the true nature of people: their strengths, limitations, diversity, and true potential. Regaining focus to the present day, calibrating all of their observations into a singular human experience, a clear image begins to take shape at the head of the conference table: an image of a devoted family man, a loving husband and father, a lifelong entrepreneur, a restaurateur, a tremendous community leader, an exceptional public servant, and, of course, our faithful leader over the last 14 years, our man from Brockway, Joseph Scarnati.

Joe, at this pivotal moment in the history of the Commonwealth's General Assembly, all your worthy predecessors join with us today in a resounding, thunderous applause for your 14

years of extraordinary leadership to the people of Pennsylvania and their proud governing institution. There is no doubt in my mind that if all our forebears who served in and conceived the position that you capably hold could envision a leader necessary to carry the torch of the Pennsylvania Senate through the turbulent years and challenges our Commonwealth would face in the dawn of a new millennium, they would envision you, Joe Scarnati, a man whose many accomplishments, on behalf of his home State he chose to serve, are rooted in a most fundamental and indelible quality he projects in everything he does and inspires us all on every single Pennsylvania ferial day, the infinite knowledge and value he places in people.

Today, of course, is not a time for goodbye, but leaning on my pezzo frase now for a moment, my half Italian, my sincere and heartfelt grazie mille for sharing the gifts which make you an image of excellence in public service for me, for all of your Senate colleagues, and the generation of honored stewards that will follow us.

All the best hopes for you, Amy, and your entire family as you embark on the promise of the days ahead. Last--but sometimes for me as you well know, depending on the ferial day--and certainly not least, grazie again for all the double espressos and the peanut butter candy as well. All the best, my friend.

(Applause.)

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

Senator BAKER. Mr. President, I rise with all of our colleagues on what is a bittersweet day for us as we recognize and honor Joe Scarnati. We come to the end of an era, an era that has seen tremendous growth and accomplishment in this Senate body. How have we arrived at that, Joe? You have provided constant leadership by virtue of your experience, judgment, temperament, and keen ability to listen to what was on the minds of the Members, the staff, and those in this building. You have also shown us resilience and flexibility in knowing when to hang tough on an issue and when to strike the best deal you could. You had an ability to bring people together, as many have said. You are a uniter, and we needed that. Your sacrifice of personal goals and personal time no doubt had an impact on Amy and your entire family, but they believed in you, you believed in them, and they gave you the ability to work on a job that you enjoyed.

It takes great patience and skill dealing with 49 diverse personalities within this building, a skill that you have honed and done so well. So you leave a commendable record of contribution, service, and accomplishment. In the words of our mutual friend, Pat Solano--who is the World War II 95-year-old who joined us just a couple months ago, one of the highlights of his career--when I asked him, how do you describe Joe Scarnati, he said, quote, "he is one of a kind." So thanks, Joe, for being our one of a kind. It is not goodbye, but it is until we see you again. We wish you and your family all the best, and know how much we have appreciated what you have done. I know your staff will miss you because as you listen, you are a leader, a mentor, and a friend. You are one of a kind. Thank you.

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

Senator BARTOLOTTA. Mr. President, today I rise along with my colleagues to echo the same sentiments that so many have. However, I have only been here for 6 years. This is all I

have known. This is the only leader I have known. I do not know what it is going to look like afterwards, but all of the guidance, the humor, the wisdom, and the history that he has imparted in my short time here in the Senate will always be remembered. His leadership ability as well.

A couple of quotes about leadership. A good leader takes a little more than his share of the blame and a little less than his share of the credit. Joe has never been one to be a know-it-all or to brag about any accomplishments but realizes that, and he said it earlier, he does not use the word "I" very often. That really is a sign of a true leader, because leaders also think and talk about solutions; followers think and talk about problems. He always seems to be able to see around a corner and give real guidance. He has a civility, a class about him, a commitment to tradition, decorum, and decency that I think, in too many instances in our business, we are losing sight of. I hope that with his legacy, many of us will look on those moments of decency, tradition, respect for the office, the building, the room that we are in, the responsibility all of us have in our positions to be better than, to be compassionate, to be respectful and to be thoughtful, because our words, our deeds, our votes, our actions really matter. They matter to a lot of people. They leave an imprint for a very, very long time.

Joe, you have left your imprint on this place, in this institution, in this Commonwealth, that will be long remembered, long appreciated, and, hopefully, long emulated. Thank you, Joe.

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

Senator DINNIMAN. Senator Scarnati, it is a pleasure for me to stand here and thank you for your service. The author Chaim Potok said the two most delicious words in the English language--do you not love that expression, delicious words--are "and yet." You see, the person who believes in "and yet" sees the possibility of compromise and sees the possibility of gaining consensus. Any leader of a legislature needs to be a person who understands "and yet," because the path is often not seen. You know, the Quakers who formed this country, this Commonwealth, and the pictures we see here that celebrate our history and our Quaker founding, they believed very much in consensus. They felt that it takes a lot of time, it takes a lot of effort, but through consensus, we find the way to move forward, the way to make a better community for all of us.

There is the story of a gentleman, a Baptist minister actually, who went to a Quaker meeting, and, as you know, Quaker meetings, unlike the legislature or unlike myself, I suppose, wait to be inspired in silence. So, this silence went on for a half-hour or 45 minutes, and finally, the Baptist minister says, Billy Penn, when does the meeting begin? And then he said, when does the service begin? Because he did not know the term "Quaker meeting." Penn answered, the service begins when we leave the meeting. You see, the service begins not just in what we say, the service begins when we try to create a better Commonwealth.

You know, I appreciate Joe because I could go to him when I had concerns, when I thought something was wrong, and he treated me with respect and dignity, not just as a Democrat, but as someone who is a Member of the Senate and who deserved to be listened to. So, it is my hope that as we go forward and we try to solve the horrendous type of politics of today, that we can follow this lead and all of us ask that question "and yet," how can we solve it? How can we bring people together? It is my wish

that we understand the heritage and the founding of this Commonwealth, which was based on the notion of consensus. You know, I can think of some of these issues and, Senator Scarnati, it was not easy to form any consensus, never mind with the whole Senate, even within your own Caucus. With the House, well, you know what that is to find a consensus. So, as a Member of this body, I want to rise to simply express my deep appreciation for Senator Scarnati's service. It is important, during this time of partisanship, that we all, in both parties, join together to affirm the notion of our heritage of consensus.

Congratulations on a job well done, Senator Scarnati, and the advice you gave me when I approached you on something recently. You said, Andy, you and I made the best decision. We decided it was time to get out. So, thank you very much, Senator Scarnati, for all you have done.

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

Senator LAUGHLIN. Mr. President, thank you. Joe, you will be relieved to know that I do not have any prepared remarks. I am not sure if this is actually being recorded into the Journal, but I hope it is. I just wanted to tell you, when I ran in 2016 and became a Member of the Senate, I had no idea what it was going to be like and did not know if I would like any of it, to be honest with you, but I have to tell you, I made a friend. I just wanted that to be in the permanent record. Thank you.

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

Senator MARTIN. Mr. President, thank you. Joe, coming in here as a first-termer, the model you show of being someone who stands on principles, someone who believes in the Constitution, despite how many arrows may be slung your way, and how you treated people with dignity and respect and made all of us feel part of a team is something that will serve as a model for this institution for centuries to come. But I also want to thank you on a personal level. So, it is beyond just the model that you showed me coming in here and trying to find my way. When I think of just life in general, whether it was tragedy in our family, you were the first person I heard from. If you needed an attaboy, you were the first person. So, the one thing I take away from today, though my heart hurts that you are leaving and I really, truly wish we had more of an opportunity to serve together, is just thank you for being such a dear friend. God bless you and your family.

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

Senator MENSCH. Mr. President, thank you. There has been so much said here already, it is hard to imagine anything more to say about Dan Smith. Sorry, wrong script, Joe. Joe, it is a pleasure to be here and to honor you today. I have traveled the Earth for a very long time now, and through my life - in the military, all those years in industry, and now 14 years here in the Senate - I have worked with a number of people who have worn the title of leader. Few have ever worn it better than you. I think you stand on the shoulders of so many people I know who wore the title in other pursuits. You were the man for the right time. You are the man for all seasons, if you will. You have helped us through many turbulent times, but you also exercised great judgment, and you demonstrated that to us earlier today when we were watching the video. There you were in your bathing suit. Thank goodness it was not a Speedo. So, great judgment, Joe.

But in addition to being President pro tempore, you have a lot of other titles: husband; father; a friend to me, to many here in this Chamber, and to so many more outside the Chamber; Senator; President pro tempore; Lieutenant Governor, just to name a few. You wore each of them with admirable aplomb. You have been a man of dignity and honor. You are someone to respect, and that is a difficult thing to do. A lot of people wear leadership titles; few of them demonstrate leadership.

Last night, when I was thinking about what to say today, I pulled an old management book off the shelf. A book by Peter Drucker, someone who I read a great deal when I was in industry. He said, management is doing things right, but leadership is doing the right things. Joe, you have shown us how to do the right things, and to do them with grace and honor. God bless you and Amy. Best of luck to you in the rest of your life.

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

Senator SCAVELLO. Mr. President, you have to make notes, especially when everybody has said most of the stuff you were going to say. I was hoping today would not come, to be honest with you, because I truly enjoyed working with you the past 6 years. You know, we have become very good friends, and this farewell begins a new chapter of life outside the Senate. As we can all agree, and you have heard from everyone, Joe, you will truly be missed. You have been an extremely effective leader and a problem solver who brings people together to accomplish things for the greater benefit of the citizens across the Commonwealth. As a legislator who had the unique experience of being the 31st Lieutenant Governor, President pro tempore, and, at the same time, you have earned the respect and support of your colleagues on both sides of the aisle, as you have heard earlier. I think it goes without saying that you have protected the institution of the Senate with honor and dignity. Joe, you have been a key negotiator on every major issue over the past 14 years. I would have liked to have been a fly on the wall when you were doing that stuff. You have had bipartisan conversations with humility, distinction, and much success.

I think the reasons we got along so well is both of us share the Italian heritage, and we vote with small businesspeople. We know, when you put your name on the front of a check and not the back, the effect of what we vote on is going to have on the citizens of our Commonwealth who own small businesses. Decisions that affect business communities across the State, how important that is to our citizens, the quality of life, and our economy.

In closing, I want to thank you, Joe, for your leadership and, most importantly, your friendship. I wish you and your family the very best as you begin your new chapter. Whatever it is that you do in retirement or your next career, I know you will have much success. God bless you. I am going to miss you.

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

Senator STEFANO. Mr. President, I rise today to echo my colleagues' sentiments. When I came to the Senate a few years ago, the first person for me to get to know was Joe Scarnati. He became the face of the Senate for me, and a mentor, as I found my way around the legislative process and learned the ways of the Senate here in the Capitol. His knowledge and experience were a great guide to me as I grew into my position. If I were to describe what a statesman would be, I would be hard-pressed to

describe anyone other than Joe. As you move on to the next phase of your life, I want to publicly thank you for all your help and guidance and wish you the best in the next chapter. You will be missed here in the Senate. Thank you, Joe.

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

Senator TOMLINSON. Mr. President, Joe, it has been my pleasure to be with you and serve with you for 20 years. When I have schoolchildren in my office here in the Capitol or when I go into schools, I always show them a map of the State of Pennsylvania, and I show them the little dot that is my Senate district, and then I show them the big huge footprint of your district, which is bigger than Rhode Island and Delaware, and I point out to them this is Pennsylvania. I mean, the differences that you and I have in representing our districts are wide and expansive. You came from a huge district with a lot of trees, a lot of forests, and I came from a district that is very dense and a lot of population in a very small area. We both come here to represent our communities, and you did a great job. I am here to represent mine, and the few differences that we had I think were resolved very easily because of your great skills and my passion. You were a great friend, and we had some wonderful conversations. But also within our districts, and within this Chamber, and this State, we are here to work out the competing interests. We have competing interests all the time, every day. I do not know whether it was your bartending skills or your great listening skills, but you were great at listening to myself, Senator Corman, and certainly, Senator White. You cannot get any more diverse opinions amongst that group, and to be able to resolve those differences, you can resolve any differences.

You have done a wonderful job here, Joe. You have been a dear friend. You handled the competing interests, and you handled our individual problems with friendliness. I am an old Rotarian, and we have a saying, "service above self." You have certainly served this State above yourself. You have given tremendously to this State. You have put up with me and you have put up with my friends. We have had some great conversations. We have learned to disagree without being disagreeable. You and I have talked a little bit, heated sometimes, but we have always resolved it, and we have always been friends. That is missing a little bit today. Sometimes I think some of us get so caught up in our dogma, or in our beliefs, that we forget that we are human beings with frailties and faults trying to represent other human beings and interests in our communities.

So, Joe, truly you are the President pro tempore, you were Lieutenant Governor, you made great accomplishments, but the most important thing to me, you are my friend. God bless you and thank you.

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

Senator J. WARD. Mr. President, as a new Member of this body, Joe made me feel very, very welcome and comfortable. You gave me great advice. I am only sorry that we will not have more time to spend serving together.

Many people talk about leadership. Joe exemplifies leadership. He is a man of solid values. He is a man who truly cares about each person, and each person in Pennsylvania. He is a man of true integrity, and a man of great faith. He is a mentor to so many, especially myself. I want to thank you for all that you have done, all the sacrifices that you and your family have made,

and I wish you and your beautiful family all the best. God bless you. Well done, good and faithful servant.

The PRESIDENT. The Chair recognizes the President pro tempore, Senator Scarnati. Please come to the rostrum.

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

The PRESIDENT pro tempore. Governor Fetterman, Senator Corman, Senator Costa, all the Members, the kind words, I am certainly humbled. Certainly, it is hard to believe that it was just a little over 20 years ago that my political journey began with one conversation on a Friday evening in my family's restaurant in Brockway. That evening, a very dear friend of mine, who has since passed away, Frank Varischetti, stopped and told me in the restaurant that I should run for the State Senate. My immediate response was I am not worthy, and I hit my chest, I am not worthy. These are great thinkers. These are great people. You know, I run a restaurant. He persisted in telling me, we should do it, and he used the word "we." Now here I am, five governors later, after 15 years in Senate Leadership, 14 years as President pro tempore, and serving for 3 years as Lieutenant Governor, and after watching scores of other legislators leave this building, now it is my turn to simply say goodbye and thank you.

First and foremost, I thank my family. It is inconceivable to think that without our families' understanding and love, this job would be impossible. So, a special thank you to my wife, Amy, who has kept me grounded every day and reminds me that my first name is Joe and not Senator. A special thank you to my children, Kelly and Michael. I have one up in the gallery here today, who have truly--all you parents know this--your kids really bear the brunt of 20 years of you in public service in office. To my parents, my sister, these are people who have supported me in ways that when you are in business, are unbelievable, the sacrifice that they made for me to come here.

Thank you to my Senate coworkers. Now, I always refrain from using the word "staff," because, quite frankly, I would never use the word "staff" with my family. For 20 years, they have made me feel that the Senate was an extension of my home. They made me look good on days it was difficult, you all know those few days, maybe there are more than I realized, but always, always being loyal and having my back at every moment. I want to thank you all, and I will miss you all. To the folks who work not only in Harrisburg with me, but in the district, they have put up with a lot of my crap. The days I did not want to go to a meeting, the days I was not ready on time, the days I had a meeting in my office and said the wrong thing and they had to fix it, thank you. I appreciate it.

A thank you to my extended Senate family who worked together each day to make this institution something we can be proud of. To our Secretary/Parliamentarian, thank you. To our Chief Clerk and her office, thank you. To every one of your offices, all you Members, and all the people who work there, thank you. To all these individuals who work in our Senate Chamber, who feed us and take such good care of us, Senate Pages, Senate Security, Senate Reporters, the mailroom, communications, computer services, LDP, this is our family. These are the people who are with us every day who we may not see, but this place does not run without them.

I thank my fellow colleagues here, Members of the Senate. I thank you for your friendship, and, most importantly, the trust you placed in me all these years, serving by your side as President pro tempore. I leave here wanting you to know that after each debate, there was never a time I left this floor without respecting Members more than when I walked onto it. As I have said several times, you have heard me say it, that aisle down the middle is not to divide us, but rather for us to walk down and come together. While we may have different views on issues, our bond of wanting to do what is in the best interests of our constituents always ties us together, because results do matter.

Now, those of you who know well, know that I am always full of advice for almost any situation. I cringe when I have somebody come up to me and say, you know, Joe, I remember some advice you gave me, because I do not remember what I told them. So, I cringe. But my advice to myself some time ago was to leave office on my own terms, leave without a bunch of fanfare, and go out on top. I have, for 20 years, endeavored to be a source of pride for this Chamber, and I hope I have accomplished that.

I want to close with a short prayer which I have had under the glass of the desk in my office for many years. From time to time on tough days, I take a look at that prayer. So, this prayer is from Mother Teresa. "People are often unreasonable, irrational, and self-centered. Forgive them anyway...If you are successful, you will win some unfaithful friends and some genuine enemies. Succeed anyway. If you are honest and sincere, people may deceive you. Be honest and sincere anyway. What you spend years creating, others could destroy overnight. Create anyway. If you find serenity and happiness, some may be jealous. Be happy anyway. The good you do today, will often be forgotten. Do good anyway. Give the best you have, and it will never be enough. Give your best anyway. In the final analysis, it is between you and God. It was never between you and them anyway."

Thank you all so much. God bless, thank you.
(Applause.)

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

RECESS

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

AFTER RECESS

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

LEGISLATIVE LEAVE

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

Senator GORDNER. Mr. President, I request a legislative leave for Senator Brooks.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 5, HB 21, HB 30, HB 86 and SB 107 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 120 (Pr. No. 86) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 253, HB 280, HB 355, HB 375, SB 565, SB 606, SB 679, HB 703, HB 716, SB 763 and HB 763 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 793 (Pr. No. 1765) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for requirement for commercial driver's license; and, in size, weight and load, further providing for restrictions on use of highways and bridges and for conditions of permits and security for damages.

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 Columbia, Senator Gordner.

Senator GORDNER. Mr. President, on behalf of Senator Brooks, I submit her comments 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 Columbia, Senator GORDNER, on behalf of the gentlewoman from Mercer, Senator BROOKS:)

Mr. President, my legislation will help local governments perform maintenance work within their communities. The bill was inspired by a township in my district that was cited different times by the State Police after picking up gravel at a township maintenance shed located near a State road. Its travel over a short slice of State roadway without posting a bond drew fines, which were ultimately borne by local taxpayers. My goal has been to exempt municipal trucks from State bonding requirements so they can maintain local roadways and keep drivers safe. Exempting public vehicles is already being done for many other entities. The State already exempts school buses and fire trucks from bonding requirements.

The bill is supported by the Pennsylvania State Association of Township Supervisors (PSATS) and was identified as a priority at the organization's statewide conference in 2018. Thank you for considering this important bill.

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-32

Table with 4 columns of names: Argall, Arnold, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Corman, DiSanto, Gordner, Hutchinson, Killion, Langerholc, Laughlin, Martin, Mastriano, Mensch, Phillips-Hill, Pittman, Regan, Scarnati, Scavello, Stefano, Street, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Yaw, Yudichak

NAY-16

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

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

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

HB 885 (Pr. No. 4075) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for duty of prime contractor to provide financial security in certain contracts involving public works and public improvements.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, very briefly, on House Bill No. 885, I thank the maker of the bill, Representative Gaydos. It is important to remind the Members that it has been 10 years since myself and my then-colleague, Senator John Eichelberger from Blair County, convened hearings with sworn testimony surrounding the Harrisburg incinerator financial debacle. Coming out of that was a grand jury report, a forensic audit, and other expert testimony revealing weaknesses in our Local Government Unit Debt Act, statutory construct, legislation, and laws. LGUDA, as we referred to it, it was a package of bills that have, on more than one occasion, passed the Senate, but, fortunately, this is one of those bills, a companion bill which involves performance bonds. What happened in the incinerator project in Harrisburg is that local elected and appointed authorities waived the bond, the performance bond, with the contractor on the incinerator project and substituted it with something that was less than protective of the taxpayers. This, House Bill No. 885, once it is signed into law by the Governor, would prevent that from ever happening again. So, this is a taxpayer protection measure that deserves our support.

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-48

Argall	Dinniman	Laughlin	Schwank
Arnold	DiSanto	Martin	Stefano
Aument	Farnese	Mastriano	Street
Baker	Fontana	Mensch	Tartaglione
Bartolotta	Gordner	Muth	Tomlinson
Blake	Haywood	Phillips-Hill	Vogel
Boscola	Hughes	Pittman	Ward, Judy
Brewster	Hutchinson	Regan	Ward, Kim
Brooks	Iovino	Sabatina	Williams, Anthony H.

Browne	Kearney	Santarsiero	Williams, Lindsey
Corman	Killion	Scarnati	Yaw
Costa	Langerholc	Scavello	Yudichak

NAY-0

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

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

RECONSIDERATION OF SB 793

SB 793 (Pr. No. 1765) -- Senator COSTA. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 793, Printer's No. 1765, just passed finally.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-31

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

NAY-17

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

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

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

BILL AMENDED AND REREFERRED

HB 941 (Pr. No. 4049) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for medical assistance pharmacy services.

On the question,
Will the Senate agree to the bill on third consideration?
Senator AUMENT offered the following amendment No. A7756:

Amend Bill, page 1, lines 3 and 4, by striking out "in public assistance," in line 3 and all of line 4 and inserting:
in public assistance, further providing for medical assistance pharmacy services and providing for prescription drug pricing study.

Amend Bill, page 1, lines 7 through 14; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 22; by striking out all of said lines on said pages and inserting:

Section 1. Section 449 of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, is amended to read:

Section 449. Medical Assistance Pharmacy Services.--(a) Any managed care [entity] organization under contract to the department, or an entity with which the managed care organization contracts, must contract on an equal basis with any pharmacy qualified to participate in the Medical Assistance Program that is willing to comply with the managed care [entity's] organization's or entity's pharmacy payment rates and terms and to adhere to quality standards established by the managed care [entity] organization or entity.

(b) The following shall apply:

(1) The department may conduct an audit or review of an entity for the purpose of determining compliance with this section.

(2) In the course of an audit or review under paragraph (1), an entity shall provide medical assistance-specific information from a pharmacy contract or agreement to the department.

(c) A contract or agreement between an entity and a pharmacy may not include any of the following:

(1) A confidentiality provision that prohibits the disclosure of information to the department.

(2) Any provision that restricts the disclosure of information to or communication with a managed care organization or the department.

(d) An entity shall maintain records regarding pharmacy services eligible for payment by the medical assistance program and shall disclose the information to the department upon its request.

(e) Information disclosed or produced by an entity to the department under this section shall not be subject to public access under the act of February 14, 2008 (P.L.6, No.3), known as the "Right-to-Know Law."

(f) The following shall apply:

(1) If an entity approves a claim for payment under the medical assistance program, the entity may not retroactively deny or modify the adjudicated claim unless any of the following apply:

(i) The claim was fraudulent.

(ii) The claim was duplicative of a previously paid claim.

(iii) The pharmacy did not dispense the pharmacy service on the claim.

(2) Nothing in this subsection shall be construed to prohibit the recovery of an adjudicated claim that was determined to be an overpayment or underpayment resulting from audit, review or investigation by a Federal or State agency or managed care organization.

(g) A managed care organization or pharmacy benefit manager may not mandate that a medical assistance recipient use a specific pharmacy unless it is consistent with subsection (a) and is preapproved by the department.

(h) A pharmacy benefit manager or pharmacy services administration organization may not do any of the following:

(1) Require that a pharmacist or pharmacy participate in a network managed by the pharmacy benefit manager or pharmacy services administration organization as a condition for the pharmacist or pharmacy to participate in another network managed by the same pharmacy benefit manager or pharmacy services administration organization.

(2) Automatically enroll or disenroll a pharmacist or pharmacy without cause.

(3) Charge or retain a differential between what is billed to a managed care organization as a reimbursement for a pharmacy service and what is paid to pharmacies by the pharmacy benefit manager or pharmacy services administration organization for the pharmacy service.

(4) Charge pharmacy transmission fees unless the amount of the fee is disclosed and applied at the time of claim adjudication.

(i) A managed care organization shall submit its policies and procedures, and any revisions, for development of network pharmacy payment methodology to the department. The department shall review all changes to pharmacy payment methodology prior to implementation.

(j) A managed care organization utilizing a pharmacy benefit manager shall report to the department information related to each outpatient drug encounter, including the following:

(1) The amount paid to the pharmacy benefit manager by the managed care organization.

(2) The amount paid by the pharmacy benefit manager to the pharmacy.

(3) Any differences between the amount paid in paragraph (1) and the amount paid in paragraph (2).

(4) Other information as requested by the department.

(k) A pharmacy shall, upon request, submit the actual acquisition cost of prescriptions dispensed to medical assistance beneficiaries.

(m) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Adjudicated claim" means a claim that has been processed to payment or denial.

"Entity" means a pharmacy, pharmacy benefit manager, pharmacy services administration organization or other entity that manages, processes, or influences the payment for or dispenses pharmacy services to medical assistance recipients in the managed care delivery system.

"Pharmacy benefit management" means any of the following:

(1) The procurement of prescription drugs at a negotiated contracted rate for distribution within this Commonwealth.

(2) The administration or management of prescription drug benefits provided by a managed care organization.

(3) The administration of pharmacy benefits, including any of the following:

(i) Operating a mail-service pharmacy.

(ii) Processing claims.

(iii) Managing a retail pharmacy network.

(iv) Paying claims to pharmacies, including retail, specialty or mail-order pharmacies, for prescription drugs dispensed to medical assistance recipients receiving services in the managed care delivery system via a retail or mail-order pharmacy.

(v) Developing and managing a clinical formulary or preferred drug list, utilization management or quality assurance programs.

(vi) Rebate contracting and administration.

(vii) Managing a patient compliance, therapeutic intervention and generic substitution program.

(viii) Operating a disease management program.

(ix) Setting pharmacy payment pricing and methodologies, including maximum allowable cost and determining single or multiple source drugs.

"Pharmacy benefit manager" means a business that performs pharmacy benefit management. The term does not include a business that holds a valid license from the Insurance Department with accident and health authority to issue a health insurance policy and governed under any of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921."

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the "Health Maintenance Organization Act."

(3) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

"Pharmacy services administration organization" means an organization comprised of pharmacy care members that performs any of the following:

(1) Negotiates or contracts with a managed care organization or pharmacy benefit manager on behalf of its pharmacy members.

(2) Negotiates payment rates, payments or audit terms on behalf of its pharmacy members.

(3) Collects or reconciles payments on behalf of its pharmacy members.

Section 2. The act is amended by adding a section to read:

Section 449.1. Prescription Drug Pricing Study.--(a) The Legislative Budget and Finance Committee shall conduct a study analyzing prescription drug pricing under the medical assistance managed care program. The committee shall do all of the following as it relates to the medical assistance managed care program only:

(1) Provide an overview of the distribution of and payment for pharmaceuticals in the medical assistance managed care program.

(2) Review the reimbursement practices of pharmacy benefit managers to pharmacies within this Commonwealth.

(3) Review the reimbursement practices of managed care organizations to pharmacy benefit managers.

(4) Investigate and compare the reimbursement rates paid by pharmacy benefit managers to independent pharmacies and to chain pharma-

cies.

(5) Study the best practices and laws adopted by other states to address concerns with pharmacy reimbursement practices of pharmacy benefit managers.

(b) The Legislative Budget and Finance Committee shall review and utilize data from the most recent twelve-month period.

(c) The department shall provide the following data to the Legislative Budget and Finance Committee:

(1) The amount paid to a pharmacy provider per claim, including ingredient cost and the amount of any copayment deducted from the payment.

(2) The transmission fees charged by a pharmacy benefit manager to a pharmacy provider.

(3) The amount charged by the pharmacy benefit manager to the medical assistance managed care organization per claim, including all administrative fees and processing charges associated with the claim.

(4) Rebates paid by the pharmacy benefit manager to the managed care organization.

(5) Any other data the Legislative Budget and Finance Committee deems necessary.

(d) Pharmacy benefit managers and medical assistance managed care organizations shall provide the required data under subsection (c) to the department within 45 days of the effective date of this section for distribution to the Legislative Budget and Finance Committee. The providing of data by the pharmacy benefit managers and medical assistance managed care organizations to department or by the department to the Legislative Budget and Finance Committee shall not constitute a waiver of any applicable privilege or claim of confidentiality. All data shall be given confidential treatment, shall not be subject to subpoena by a third party entity and may not be made public or otherwise shared by the department, the Legislative Budget and Finance Committee or any other person except to the extent allowed under this subsection.

(e) All data provided under subsection (b) for purposes of conducting the study shall be in a form that is de-identified of personal health information.

(f) The Legislative Budget and Finance Committee shall publish only aggregate data in the report. Any information disclosed or produced by a pharmacy benefit manager or a medical assistance managed care organization for the purposes of this study shall be confidential and not be subject to the act of February 14, 2008 (P.L.6, No.3), known as the "Right-to-Know Law."

(g) The Legislative Budget and Finance Committee shall submit a report of its findings and recommendations for legislative action to the General Assembly and the department within twelve months of the receipt of the data from the department in subsection (c).

(h) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Adjudicated claim" shall have the same meaning as the term does in section 449.

"Entity" shall have the same meaning as the term does in section 449.

"Pharmacy benefit management" shall have the same meaning as the term does in section 449.

"Pharmacy benefit manager" shall have the same meaning as the term does in section 449.

"Pharmacy services administration organization" shall have the same meaning as the term does in section 449.

Section 3. The amendment of section 449 of the act shall apply to any agreement or contract relating to pharmacy services to medical assistance recipients in the managed care delivery system entered into or amended on or after the effective date of this section.

Section 4. This act shall take effect in 60 days.

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

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

YEA-45

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

NAY-3

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

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

BILL LAID ON THE TABLE

HB 942 (Pr. No. 2088) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for pharmaceutical and therapeutics committee.

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

HB 942 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 942, Printer's No. 2088, 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

SB 969, HB 1034, HB 1069, SB 1085, SB 1118, SB 1158, SB 1236, SB 1246, HB 1325, HB 1439, HB 1538, HB 1696, HB 1747 and HB 2073 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2370 (Pr. No. 4061) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, in Revised Uniform Law on Notarial Acts, further providing for authority to perform notarial act, providing for notarial act performed for remotely located individual and further providing for notification regarding performance of notarial act on electronic record and selection of technology.

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-48

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 2438, HB 2440, HB 2673 and HB 2674 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

HB 26, SB 258, SB 284 and HB 296 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 463 (Pr. No. 468) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for the definition of "building machinery and equipment."

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

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

BILLS OVER IN ORDER

SB 531, SB 628, HB 777, SB 792, SB 809, SB 833, HB 858, HB 862, SB 870, SB 871, HB 924 and SB 1034 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1210 (Pr. No. 2072) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, further providing for definitions and for exemptions.

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

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

BILLS OVER IN ORDER

HB 1220, HB 1224, SB 1226, SB 1242, SB 1251, SB 1252, SB 1307, SB 1314, HB 1363 and HB 1408 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1662 (Pr. No. 4050) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 24, 2012 (P.L.1198, No.148), known as the Methadone Death and Incident Review Act, further providing for title of act, for short title, for definitions, for establishment of Methadone Death and Incident Review Team, for team duties, for duties of coroner and medical examiner, for review procedures and for confidentiality.

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

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

BILLS OVER IN ORDER

HB 1737 and HB 1769 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1808 (Pr. No. 3919) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; and making editorial changes.

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

RECONSIDERATION OF SB 1252

SB 1252 (Pr. No. 2012) -- Senator GORDNER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 1252, Printer's No. 2012, went over in its order.
A voice vote having been taken, the question was determined in the affirmative.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1252 (Pr. No. 2012) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 1855 and **HB 1947** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

HB 1962 (Pr. No. 4477) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions relating to retirement for school employees, further providing for Public School Employees' Retirement Board and for administrative duties of board and providing for stress test of system; and, in administration, funds, accounts and general provisions relating to retirement for State employees and officers, further providing for the State Employees' Retirement Board and for administrative duties of the board and providing for stress test of system.

On the question,
Will the Senate agree to the bill on second consideration?
Senator BROWNE offered the following amendment No. A7725:

Amend Bill, page 2, line 7, by striking out "FIRST"
Amend Bill, page 2, line 9, by striking out the period after "STANDARDS" and inserting:

within 90 days of appointment to the Committee. The 16 hours of training are inclusive of the hours indicated for board training. The Committee on Sponsoring Organizations Enterprise risk management guidelines may be considered as a guide to the training. Individuals who are members of the Audit/Compliance Committee on the effective date of this paragraph shall be exempt from the initial 16-hour requirement.

Amend Bill, page 2, line 15, by striking out "SHALL ESTABLISH" and inserting:

may establish

Amend Bill, page 2, line 18, by inserting after "COMMITTEE" where it occurs the second time:

, the chair of the Investment Committee

Amend Bill, page 2, line 19, by inserting after "COMMITTEE":

or other members of the Board as determined by the board

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

a function within the investment committee of

Amend Bill, page 2, line 21, by striking out "COMMITTEE" and inserting:

capability

Amend Bill, page 6, line 20, by striking out "FIRST"

Amend Bill, page 6, line 21, by striking out the period after "STANDARDS" and inserting:

within 90 days of appointment to the committee. The 16 hours of training are inclusive of the hours indicated for board training.

The committee on sponsoring organizations enterprise risk management guidelines may be considered as a guide to the training. Individuals who are members of the Audit Risk and Compliance Committee on the effective date of this paragraph shall be exempt from the initial 16-hour requirement.

Amend Bill, page 6, line 27, by striking out "SHALL" and inserting:

may

Amend Bill, page 6, line 30, by inserting after "COMMITTEE":

, the chair of the Investment Committee

Amend Bill, page 7, line 1, by inserting after "COMMITTEE":

or other members of the board as determined by the board

Amend Bill, page 7, line 2, by inserting after "ESTABLISH":

a function within the Investment Committee of

Amend Bill, page 7, line 3, by striking out "COMMITTEE" and inserting:

capability

Amend Bill, page 10, line 23, by striking out "2020" and inserting: 2022

Amend Bill, page 10, line 25, by striking out "2019" and inserting: 2021

Amend Bill, page 10, line 28, by striking out "2020" and inserting: 2021

On the question,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate agree to the bill on second consideration, as amended?
It was agreed to.

Ordered, To be printed on the Calendar for third consideration.
Upon motion of Senator GORDNER, and agreed to by voice vote, the bill, as amended, was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

HB 2044 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2065 (Pr. No. 4541) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in public-private transportation partnerships, further providing for definitions, for duties of board and for sovereign immunity.

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

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

BILL OVER IN ORDER

HB 2101 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION

HB 2191 (Pr. No. 3085) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 5840, on that portion of SR 4010 (17th Street) over Interstate 99 in Logan Township, Blair County, as the Honorable Richard A. Geist Memorial Bridge.

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

BILLS ON SECOND CONSIDERATION AND REREFERRED

HB 2233 (Pr. No. 3276) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, providing for political subdivision and volunteer service use of tax-free motor fuels and further providing for examination of records and equipment.

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

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

HB 2296 (Pr. No. 4542) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for learners' permits, for examination of applicant for driver's license and for restrictions on drivers' licenses; in commercial drivers, further providing for notification requirements for drivers, for requirement for commercial driver's license,

for commercial driver's license qualification standards and for disqualification; and in fees, further providing for exemption of persons, entities and vehicles from fees.

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

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

BILLS OVER IN ORDER

HB 2348, HB 2354, HB 2497 and HB 2584 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS REPORTED FROM COMMITTEES

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

SB 658 (Pr. No. 2070) (Rereported)

An Act establishing the Center for Effective Indigent Defense Legal Representation and providing for duties and responsibilities of the board of directors.

SB 1112 (Pr. No. 2010) (Rereported)

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 81 (Pr. No. 4475) (Rereported)

An Act providing for certification of central service technicians; imposing continuing education requirements on central service technicians; providing for duties of health care facilities and the Department of Health; and regulating the practice of surgical technology and surgical technologists.

HB 440 (Pr. No. 4546) (Rereported)

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.

HB 770 (Pr. No. 4562) (Rereported)

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, for pharmacy technician data entry and for laboratory waiver.

HB 1032 (Pr. No. 3905) (Rereported)

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for definitions and for State Board of Certified Real Estate Appraisers.

HB 1617 (Pr. No. 4544) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for interlocking business prohibited, for limiting number of retail licenses to be issued in each county and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

HB 1673 (Pr. No. 4573) (Amended) (Rereported)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for scope of subchapter, for legislative findings and declaration of purpose, for definitions, for assistance to volunteer fire companies, ambulance service and rescue squads, for Volunteer Companies Loan Fund, for powers and duties of office, for disposition and use of proceeds, for Volunteer Company Loan Sinking Fund and investments, for repayment obligations for principal and interest, for temporary financing authorization, for authorization of contracts, reimbursement procedure and amount and for reimbursement procedure and amount, providing for referendum to expand loan assistance and for annual report and distribution of information, further providing for definitions and for State Fire Commissioner, providing for curriculum and training and further providing for Pennsylvania State Fire Academy, for Pennsylvania Volunteer Loan Assistance Program and for Fire Safety Advisory Committee; in volunteer firefighters, further providing for definitions, for statement of purpose, for funds and for audits and providing for fire relief formula study; in grants to fire companies and emergency medical services companies, further providing for definitions, for establishment, for publication and notice, for award of grants, for consolidation incentive, for establishment, for publication and notice and for award of grants, providing for consolidation incentive, further providing for Fire Company Grant Program, for Emergency Medical Services Company Grant Program, for additional funding, for allocation of appropriated funds, for expiration of authority and for special provisions and providing for annual reports; in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, further providing for definitions, for program authorization, for real property tax credit and for rejection and appeal; and making editorial changes.

HB 1961 (Pr. No. 4478) (Rereported)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in State Employees' Defined Contribution Plan, further providing for individual investment accounts, for participant contributions, for employer defined contributions, for vesting, for powers and duties of board, for investments based on participant's investment allocation choices and for expenses; in administration, funds, accounts and general provisions, further providing for administrative duties of the board and for taxation, attachment and assignment of funds; and making a related repeal.

HB 2175 (Pr. No. 3131) (Rereported)

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

HB 2176 (Pr. No. 3082) (Rereported)

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

HB 2293 (Pr. No. 3847) (Rereported)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in services and facilities, providing for emergency response plans.

HB 2561 (Pr. No. 4373) (Rereported)

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.

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

SB 940 (Pr. No. 1951) (Rereported) (*Concurrence*)

An Act providing for filing and recording by municipalities of condemnation orders and for statements of vacated condemnation orders.

SB 952 (Pr. No. 2043) (Rereported) (*Concurrence*)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' preference, repealing provisions relating to soldier defined, providing for purpose and for definitions, repealing provisions relating to credits in civil service examinations, further providing for additional points in grading civil service examinations, for preference in appointment or promotion, for lack of training, age or physical impairment, for preferential rating provision in public works specifications, for computation of seniority for reduction in force, for preference of spouses and for law exclusive and providing for reporting requirement and for guidelines; and, in voluntary veterans' preference in private employment, further providing for definitions and for eligibility for preference.

SB 1199 (Pr. No. 2042) (Rereported) (*Concurrence*)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions and providing for personal delivery devices; and making editorial changes.

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

BILL AMENDED

HB 1617 (Pr. No. 4544) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for interlocking business prohibited, for limiting number of retail licenses to be issued in each county and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

On the question,

Will the Senate agree to the bill on third consideration?

Senator REGAN offered the following amendment No. A7758:

Amend Bill, page 1, line 16, by inserting after "laws," in preliminary provisions, further providing for definitions; and, Amend Bill, page 1, line 19, by inserting after "PROHIBITED," for brand registration, Amend Bill, page 2, lines 1 through 3, by striking out all of said lines and inserting:

Section 1. The definitions of "alcoholic cider," "fermented fruit beverage," "malt or brewed beverages" and "mead" in section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code,

amended or added July 2, 2019 (P.L.324, No.45), are amended to read:

Section 102. Definitions.--The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Alcoholic cider" shall mean a beverage which may contain carbonation in an amount not to exceed six and four tenths grams per liter, produced through alcoholic fermentation, which is primarily derived from apples, apple juice concentrate and water or pears, pear juice concentrate and water, consisting of at least one-half of one per centum, but not greater than eight and one-half per centum, alcohol by volume and sold or offered for sale as alcoholic cider and not as a wine[, a wine product] or as a substitute for wine, in bottles, cases, kegs, cans or other suitable containers of the type used for the sale of malt or brewed beverages in this Commonwealth.

"Fermented fruit beverage" shall mean a beverage which may contain carbonation in an amount not to exceed six and four tenths grams per liter, produced through alcoholic fermentation of fruit, fruit juice, fruit juice concentrate and water with or without flavorings, consisting of at least one-half of one per centum, but not greater than eight and one-half per centum, alcohol by volume and sold or offered for sale not as a wine[, a wine product] or as a substitute for wine, in bottles, cases, kegs, cans or other suitable containers of the type used for the sale of malt or brewed beverages in this Commonwealth.

"Malt or Brewed Beverages" shall mean any beer, lager beer, ale, porter or similar fermented malt beverage containing one-half of one per centum or more of alcohol by volume, by whatever name such beverage may be called, and shall mean alcoholic cider, fermented fruit beverage and mead.

"Mead" shall mean an alcoholic beverage produced by fermenting a solution of at least fifty-one per centum honey, water and other agricultural products and containing not more than eight and one-half per centum alcohol by volume and sold or offered for sale as mead and not as a wine[, a wine product] or as a substitute for wine, in bottles, cases, kegs, cans or other suitable containers of the type used for the sale of malt or brewed beverages in this Commonwealth.

Section 1.1. Section 411(e) of the act is amended and the section is amended by adding subsection to read:

Amend Bill, page 5, by inserting between lines 16 and 17:

Section 1.2. Section 445 of the act is amended by adding a subsection to read:

Section 445. Brand Registration.--***

(d) The label, product packaging and marketing materials for alcoholic cider, fermented fruit beverage and mead that are used in connection with the sale and distribution of alcoholic cider, fermented fruit beverage and mead may refer to the product as "wine-based," a "wine product" or in a similar manner or by a similar name with the product still treated as a malt or brewed beverage provided that the product is registered with the board as a malt or brewed beverage as provided under this section. No product that was sold in any Pennsylvania Liquor Store after January 1, 2018, may be designated as a malt or brewed beverage.

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

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

Senator REGAN. Mr. President, I will 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 York, Senator REGAN:)

Mr. President, I rise to offer amendment No. A7758 and move for its immediate adoption. Act 45 of 2019 originally added the definition of "fermented fruit beverages" as products to be sold by beer wholesale distributors, beer distributors, and other retail licensees. Unfortunately, that language was slightly off from the legislative intent to usher in these products, and FFB products are still unavailable to manufacturers without the right to self-distribute. These very successful and popular products such as MOVO Wine Spritzers, Saturday Session, and many others will now be able to come into Pennsylvania through the wholesale tier. Qualifying products will be wine-based or wine-type products containing 8.5 percent ABV or less that must be sold and registered as a malt or brewed beverage within the Commonwealth.

My staff and Senator Corman's staff have worked with various stakeholders to insure that this language is narrow and specific. It is critical to note that we have worked with the Liquor Control Board to craft this language and there is a provision in it to insure that not one product from the LCB will be taken off shelves. All products currently being sold by the LCB that fit this definition will remain solely in their control. This narrow clarifying language will allow manufacturers to bring these products to market in the three-tier system and will allow wholesale businesses to invest heavily into growing Pennsylvania breweries and wineries producing these products such as Spring Gate and Wyndridge Farm.

Thank you, and I ask for an affirmative vote.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 940 (Pr. No. 1951) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for filing and recording by municipalities of condemnation orders and for statements of vacated condemnation orders.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 940?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 940.

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

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

YEA-48

Argall	Dinniman	Laughlin	Schwank
Arnold	DiSanto	Martin	Stefano
Aument	Farnese	Mastriano	Street
Baker	Fontana	Mensch	Tartaglione
Bartolotta	Gordner	Muth	Tomlinson
Blake	Haywood	Phillips-Hill	Vogel

Boscola	Hughes	Pittman	Ward, Judy
Brewster	Hutchinson	Regan	Ward, Kim
Brooks	Iovino	Sabatina	Williams, Anthony H.
Browne	Kearney	Santarsiero	Williams, Lindsey
Corman	Killion	Scarnati	Yaw
Costa	Langerholc	Scavello	Yudichak

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 952 (Pr. No. 2043) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' preference, repealing provisions relating to soldier defined, providing for purpose and for definitions, repealing provisions relating to credits in civil service examinations, further providing for additional points in grading civil service examinations, for preference in appointment or promotion, for lack of training, age or physical impairment, for preferential rating provision in public works specifications, for computation of seniority for reduction in force, for preference of spouses and for law exclusive and providing for reporting requirement and for guidelines; and, in voluntary veterans' preference in private employment, further providing for definitions and for eligibility for preference.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 952?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 952.

On the question,

Will the Senate agree to the motion?

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

YEA-48

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1199 (Pr. No. 2042) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions and providing for personal delivery devices; and making editorial changes.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1199?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1199.

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-29

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

NAY-19

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

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

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 81 (Pr. No. 4475) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for certification of central service technicians; imposing continuing education requirements on central service technicians; providing for duties of health care facilities and the Department of Health; and regulating the practice of surgical technology and surgical technologists.

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-48

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

NAY-0

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

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

HB 770 (Pr. No. 4562) -- The Senate proceeded to consideration of the bill, entitled:

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, for pharmacy technician data entry and for laboratory waiver.

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-47

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

NAY-1

Stefano

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

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

HB 1961 (Pr. No. 4478) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in State Employees' Defined Contribution Plan, further providing for individual investment accounts, for participant contributions, for employer defined contributions, for vesting, for powers and duties of board, for investments based on participant's investment allocation choices and for expenses; in administration, funds, accounts and general provisions, further providing for administrative duties of the board and for taxation, attachment and assignment of funds; and making a related repeal.

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-48

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

NAY-0

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

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

HB 2561 (Pr. No. 4373) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

MOTION PURSUANT TO SENATE RULE 12

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

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 4 and move the Senate proceed to consider House Bill No. 1673, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 4

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1673 (Pr. No. 4573) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for scope of subchapter, for legislative findings and declaration of purpose, for definitions, for assistance to volunteer fire companies, ambulance service and rescue squads, for Volunteer Companies Loan Fund, for powers and duties of office, for disposition and use of proceeds, for Volunteer Company Loan Sinking Fund and investments, for repayment obligations for principal and interest, for temporary financing authorization, for authorization of contracts, reimbursement procedure and amount and for reimbursement procedure and amount, providing for referendum to expand loan assistance and for annual report and distribution of information, further providing for definitions and for State Fire Commissioner, providing for curriculum and training and further providing for Pennsylvania State Fire Academy, for Pennsylvania Volunteer Loan Assistance Program and for Fire Safety Advisory Committee; in volunteer firefighters, further providing for definitions, for statement of purpose, for funds and for audits and providing for fire relief formula study; in grants to fire companies and emergency medical services

companies, further providing for definitions, for establishment, for publication and notice, for award of grants, for consolidation incentive, for establishment, for publication and notice and for award of grants, providing for consolidation incentive, further providing for Fire Company Grant Program, for Emergency Medical Services Company Grant Program, for additional funding, for allocation of appropriated funds, for expiration of authority and for special provisions and providing for annual reports; in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, further providing for definitions, for program authorization, for real property tax credit and for rejection and appeal; and making editorial changes.

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

On the question,
Shall the bill pass finally?

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

Senator REGAN. Mr. President, House Bill No. 1673 includes provisions from 13 fire- and EMS-related measures prime sponsored by both Senate Republicans and Senate Democrats. It makes comprehensive changes to the State Fire Commissioner's office, places the fire relief program within the Fire Commissioner's office, reauthorizes the popular fire and EMS grant program, expands allowable uses, increases loan amounts under the retitled fire and EMS loan program, and permits counties and schools to establish property tax credits for our volunteer first responders. All of the provisions in this bill, Mr. President, have been included in the Senate Resolution No. 6 recommendations. I think this is a great win for our fire and EMS personnel.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, I am going to support this measure, House Bill No. 1673, for many of the reasons that the gentleman articulated about the benefit to our fire and emergency service community. One part of the measure that I am disappointed with was included in this measure; however, the positive things that are there outweigh the concern I have about the issue of the Fire Commissioner needing Senate approval. In my view, that is something, historically, that has been in the purview of the Governor, and my view has always been, and continues to be, that it should be there. That being said, I do think, though, that this particular measure does many positive things moving forward, particularly as it relates to the recruitment nature of what needs to be done. I want to get on the record that that is one part of the measure I am not comfortable with.

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-48

Argall	Dinniman	Laughlin	Schwank
Arnold	DiSanto	Martin	Stefano
Aument	Farnese	Mastriano	Street

Baker	Fontana	Mensch	Tartaglione
Bartolotta	Gordner	Muth	Tomlinson
Blake	Haywood	Phillips-Hill	Vogel
Boscola	Hughes	Pittman	Ward, Judy
Brewster	Hutchinson	Regan	Ward, Kim
Brooks	Iovino	Sabatina	Williams, Anthony H.
Browne	Kearney	Santarsiero	Williams, Lindsey
Corman	Killion	Scarnati	Yaw
Costa	Langerholc	Scavello	Yudichak

NAY-0

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

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

**UNFINISHED BUSINESS
ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, OCTOBER 21, 2020

9:00 A.M.	APPROPRIATIONS and EDUCATION (joint public hearing on PASSHE Redesign Implementation Plans)	Senate Chamber (LIVE STREAMED)
Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 1252; and House Bills No. 616, 941, 1662, 2233, 2296 and 2503)	Senate Chamber (LIVE STREAMED)
Off the Floor	BANKING AND INSURANCE (to consider Senate Bills No. 1229 and 1331)	Senate Chamber (LIVE STREAMED)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 30, 94, 395, 745, 773, 976, 1110, 1195 and 1281; Senate Resolutions No. 360, 375, 385 and 393; and certain Executive Nominations)	Senate Chamber (LIVE STREAMED)

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 5,217 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

It has been so long, in fact, that nobody could blame Pennsylvania's low-wage workers for falling into despair and resigning themselves to the belief that certain key Members of the General Assembly will never allow the State's minimum wage to be raised. This is why I make it a point to highlight progress on the minimum wage issue whenever and

wherever it may be found.

In recent days, we have seen tremendous progress in two places that are very much like Pennsylvania. Michigan and Minnesota have a lot in common with our Commonwealth. These Great Lakes States feature large urban centers with proud manufacturing histories, but they have been forced to evolve in our post-industrial, information-driven economy. Like Pennsylvania, they also feature vast rural regions with ample natural resources and thriving agriculture. Yet, the similarities end on minimum wage.

In Pennsylvania, our minimum wage is \$7.25 an hour, the Federal minimum. That adds up to about \$15,000 full-time, year-round employment. That is just \$2,000 more than the poverty threshold for a single person and \$2,000 less than the poverty level for a single parent with one child. In Minnesota, the minimum wage for most employers is \$10 an hour, and it is tied to inflation so it will continue to grow each year. In Michigan, the minimum wage is \$9.65 and is scheduled to increase by a set amount every year through 2030. In Minnesota, the unemployment rate in September was just 6 percent. In Michigan, unemployment has been hovering at about 8 1/2 percent for the last 3 months, a level that Pennsylvania finally reached just last month when our unemployment rate plummeted by more than 2 points. Undaunted, certain employers in Michigan and Minnesota are doing even more for their low-wage workers in this, their time of greatest need.

On Monday, Trinity Health Michigan - which operates eight hospitals in the State - announced it would adopt a \$15 minimum wage for all employees, effective immediately. Before the raise, about 2,100 full- and part-time employees were making less than \$15 an hour. Another 6,000 employees who were making between \$15 and \$19 will also get raises commensurate with the company's rising pay scale. Similarly, low-wage workers at Minneapolis-St. Paul Airport will be getting raises after the Metropolitan Airports Commission voted unanimously on Monday to adopt a \$15 minimum wage. Many workers at the airport currently earn \$11 an hour. On January 1, 2021, the new minimum wage will be \$13.25. It will increase to \$14.25 next July 1, and to \$15 in 2022. These new advances in other States, when examined through the lens of their ongoing minimum wage reforms, should give Pennsylvania's low-wage workers hope that the same things can happen here. It should demonstrate, once again, that our economy can persevere and thrive when we require all employers to invest more in the workforce by paying a fair minimum wage.

Thank you, Mr. President.

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

Senator IOVINO. Mr. President, I rise today to honor and remember the life and legacy of a preeminent jurist and public servant, a remarkable and compassionate man, and a beloved former colleague of mine who, just 18 months ago, swore me into office in this Chamber as State Senator, and that is Allegheny County Court of Common Pleas Judge John Zottola.

Judge Zottola passed away at the age of 63 on Monday, October 12. While his passing leaves a hole in the hearts of many in Allegheny County's courthouse, and across the broader community, especially the veterans community, the enduring legacy of his 27 years of public service, the sheer number of lives he touched and saved is a testament to Judge Zottola's character and his commitment to restorative justice.

As an undergraduate of the University of Pittsburgh and a graduate of the University of Pittsburgh School of Law, Judge Zottola began his career in public service working in the crimes against persons unit in the Allegheny County District Attorney's office. He was elected to the bench in 1993, and retained twice, in 2003 and again in 2013. He presided over the mental health court beginning in 2006, which aims to divert individuals with nonviolent criminal charges and a documented diagnosis of a mental illness away from the criminal justice system and into community-based support that offers treatment and wraparound services. He was fond of this kind of specialty court, which he

referred to as problem-solving courts. After learning about a specialty court for veterans in Buffalo, New York, he was integral in bringing the model to Allegheny County and established western Pennsylvania's first veterans court in 2010, and this is where I had the honor and pleasure of working closely with Judge Zottola during my time as director of veterans services in Allegheny County.

Without ever having served in the military himself, Judge Zottola recognized that there were special circumstances that caused veterans to enter the criminal justice system, such as the societal pressures of reentering civilian life, mental illness from deployment leading to homelessness, substance abuse, and difficulty holding down employment.

Leading a committed, multi-disciplined team of legal staff, Duquesne University law students, veterans advocates, and social workers, Judge Zottola created a culture in veterans court that did not view veterans simply as defendants to be churned through the justice system, but rather as human beings and proud Americans who had served their country and fallen on hard times, who were worthy of respect, dignity, and compassion. What he did expertly was balance mercy with justice. On days when veterans court convened, he would gather around a conference table in his chambers with this team, going over every single person's case who he would hear that day. He would ask questions, displaying a genuine interest in understanding their full story, the challenges they were facing, and how his court could help them to address and treat the true underlying root of what was preventing them from being productive members of civilian society.

He had a special way of gently encouraging and bringing out the best in people. A veterans service coordinator who worked on Judge Zottola's team told me about an Army veteran named Kelly who came before veterans court struggling with drug addiction, often accompanied in court by her daughter as a reminder of what was at stake. He remembered vividly how one day in court, Judge Zottola's compassion flipped a switch inside Kelly, giving her the self-confidence to overcome her addiction and completely turn her life around and cementing a friendship that lasted through the end of Judge Zottola's life. To get a sense of the magnitude of Judge Zottola's human impact, Kelly was just one of over 500 veterans who have benefitted from his veterans' court. It was for this reason that at veterans court graduation ceremonies, or at veterans events around the community that he often attended in his own spare time, veterans would come up to Judge Zottola, shake his hand, or give him a hug, and tell him earnestly that he had literally saved their lives.

That same veterans services coordinator who worked on Judge Zottola's team and who served 16 years of active duty in the Armed Forces told me that he genuinely believed that Judge Zottola saved more veterans' lives than any service member he knew. For that reason, Judge Zottola's wife was presented an American flag at his funeral last week, an exceedingly rare honor for someone who has not served in the Armed Forces.

While he is revered for his compassion, Judge Zottola took seriously his role in enforcing the law as a servant of the court. When tough love was called for and he had to remand a veteran to jail, he did not hesitate. Perhaps one of the most enduring elements of Judge Zottola's legacy is his successful fight to establish a veterans pod at the Allegheny County jail in 2018. I had the pleasure of working closely with him in creating this special

unit in the county jail to house veterans and centralize special programming services and education to aid the veterans reentry into society after having served their sentence. The program has proven a great success, with recidivism rates ranging from 4.5 to 8 percent, compared to the national recidivism rate of over 60 percent. Just last month, we built on Judge Zottola's legacy by securing a State grant to hire a veterans reentry coordinator for Allegheny County's Office of Veterans Affairs, a game changer for the veteran involved in the criminal justice system. This coordinator will help veterans to access earned benefits, support programs, and could be a model for the rest of the State, a model that Judge Zottola pioneered in western Pennsylvania. He was a remarkable man. He will be dearly missed and lovingly remembered in the lives of the countless people he helped.

Thank you, Mr. President, for the opportunity to acknowledge my colleague and friend.

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

Senator COSTA. Mr. President, I rise to echo the comments of my friend and colleague, the gentlewoman from Allegheny County, and the eloquence that she described the life of someone whom I have known for many, many years. Judge Zottola and I attended grade school together at Our Lady Help of Christians Church and school, and was someone with whom I had the pleasure of working in my days as a deputy sheriff, and subsequently serving as chairperson of the Committee on Veterans Affairs and Emergency Preparedness. I had the opportunity to participate in a number of the veterans court ceremonies and veterans court graduations. I saw how meaningful they were to the individuals who found themselves in front of Judge Zottola and his compassion, understanding, and willingness to work closely with them to demonstrate that they had a second chance and he was there to help them.

Mr. President, there was a side of Judge Zottola that a lot of folks do not know, and that side was his extreme pride for his heritage. Judge John Zottola's family, like my family, came to this country at the turn of the century from a small town called Spigno Saturnia, Italy. John exhibited great pride in that part of his life, and was extremely helpful and very supportive, and did a lot of work in the Italian American community with the Spigno Saturnia Italo American Society. The organization has a club in the Morningside section of Pittsburgh, and the Zottola family was an integral part of the establishment of that club and maintaining it to this day, which started probably nearly 100 years ago with family members from both his family and my family. At the end of the day, he was somebody who understood how important family was, how important our heritage was, and demonstrated every day the role he played in the wonderful organization, as I mentioned, called the Spigno Saturnia Italo American Society.

So, I rise to echo the wonderful comments of my good friend from Allegheny County, Senator Iovino, in remembering a wonderful human being, someone who she described provided a certain temperament for the court, specifically the perfect temperament and compassion to serve as the veterans court leader, and the role that he played in establishing the success we had in Allegheny County that led to what is taking place across this Commonwealth and other parts of the country. So, I am proud to stand here and say thank you to our friend, whom we lost way too soon.

Thank you, Mr. President.

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

Senator KEARNEY. Mr. President, I rise today to highlight the need for this body to provide meaningful financial relief to reimbursable employers, like nonprofit service providers, and many of our local governments, which are essential to our communities, general welfare, quality of life, and public safety. These entities were not fully reimbursed for the unforeseen and uncontrollable cost of unemployment claims caused by the global pandemic. Legislation and amendments that should have run today would have at least given the least well-resourced of them a better shot at surviving this economic crisis by extending the period of time that they were able to pay for UC claims without interest. I would like to make it absolutely clear, however, that extra time to pay for these additional costs is not enough, and that our nonprofit and municipal employers need greater financial relief.

While we were able to direct CARES funding to many types of entities, nonprofits were categorically left out of almost all of the State relief programs, and the lack of UC reimbursement as additional costs compounded the financial stress. Now, I have heard it said that not paying the solvency fee and getting burned by a recession is akin to getting into a car crash without insurance. Not only is pointing fingers at the victim the wrong gesture for us as State leaders to make, but to blame nonprofits for their unemployment costs, as if a recession caused by an uncontrolled national pandemic was their fault, that is a mistake.

We, as leaders, need to help our employers survive. We need to give them time, and we need to provide real relief to help them see another day. I believe we squandered an opportunity today to make bipartisan and badly-needed fixes to the unemployment compensation system, and, more importantly, an opportunity to demonstrate leadership, to demonstrate that we care about the organizations and the people who care for us, to demonstrate that we will work to find solutions for our municipalities, community centers, health centers, workforce development trainers, substance abuse treatment groups, domestic violence shelters, mental health and counseling groups, child care centers, disability service providers, food banks, police, and firefighters. These are the people whom we let down when we refuse to work together on commonsense solutions. These are the people for whom I am fighting to keep in business in our Commonwealth.

I urge all my colleagues to reconsider how we can still act to protect our communities from washing away under the costs of this tragedy that the pandemic has wrought.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I wanted to talk about the issue of guns, just briefly. There is a group in my county that has been working very hard to find a solution and see if we can come up with a consensus that all of us could agree on. The problem right now is that, because of the volatile nature of our society, more and more people are purchasing guns, and some do not really know how to use them. In fact, do you know that in the second quarter of 2020, the number of guns purchased increased 45 percent from that same quarter in 2019? It went from approximately 217,444 to 314,319. This is continuing. In the last quarter, the amount of guns that were purchased is the highest ever on record in the 20 years of the check system that they do when

someone comes in to purchase a gun. This presents some serious situations and problems. For example, what we see in our area, in southeast Pennsylvania, is owners fear that some buyers do not know how to handle guns and can be dangerous to themselves and others. Some business owners have even turned prospective buyers away for that reason. In other words, another owner of a gun shop said people have been buying anything that can go bang, often without understanding the firearms they are dealing with. Demand has been up for handguns, rifles, and shotguns.

Now, the solution is this, and I think it is something people can agree on. A group of gun owners and people wanting gun control have met for months. Is there anything that could be agreed on? What they said is this: we can agree that we need to do gun safety. In fact, I am trying to get this discussion rolling. I realize maybe we can roll a little more in November, or after I retire, and the Senate will have at least one perspective on guns. What it would be is this: anyone who comes in to purchase a gun would see a video--the video deals with gun safety--and would have to sign a statement that they saw the video. What would that video contain? What kind of information would it contain? It would, for example, tell you the legal aspects of firearm possession and carry and use, including self-defense and restrictions on the use of deadly force. It would tell you about the responsibilities and ownership of firearms, including safe storage and accident prevention. It would tell you about the laws relating to the private sale and transfer of firearms. It would tell you about concerns with firearms being brought into a home or environment with children and mental health or domestic violence issues. It would tell you about safe interaction with law enforcement when carrying a concealed firearm. It would talk about road rage when carrying a concealed firearm.

So, all I am trying to do in this discussion is raise this: is it possible that we can find something we agree on? You know, we have not, at least for the 14 years that I have been here in the Senate. And I understand the passion, the feeling that people have on this issue. This does not say, this does not deny anyone a weapon, it does not take it away, but there are a lot of people who are just scared, who are frightened in this environment that is out there, and who are purchasing these firearms and really do not know what to do with them. I really hope that we can put this bill in, it is Senate Bill No. 1255 and is currently in the Committee on Judiciary, and I hope we can start to talk about this and make sure everyone is safe, Mr. President.

A second thing I wanted to mention today is, because this involves my own county, a foundation was formed in my county to deal with the issue of carbon monoxide poisoning after a daughter in a family and her boyfriend died in a car that was parked. They both died from carbon monoxide poisoning because it was up against a snowbank. We have made progress. We were able to get information into the junior learners' manual for people who want to get a license. I think this is usually Carbon Monoxide Awareness Month, so I just wanted to make that comment.

Finally, Mr. President, on a third issue I have been working with Senator Arnold and Senator Martin on. In 2017, we passed the right-to-try for adults. When Senator Arnold got up and gave his speech, he talked about how children with cancer are his heroes. One in five children with pediatric cancer die, Mr. President. It is simply the matter of a bill that Senator Arnold--a bill

I had that now I am working on with Senator Arnold and Senator Martin, both of whom have really taken the lead on this issue--a bill that would allow children who are terminal to go into trials and it would require their insurance company to pay. Really, the expense is not great. It all deals with an out-of-network issue. The trials are usually paid for in terms of the medicine by the pharmaceutical company pushing it. The hospitalization is going to take place whether it is in-network or out-of-network, but many children have been prevented from going into trials. In fact, in my county, there was a case, and that is how I got involved in this, of a child and I fought and fought and finally got him into a trial, and when he got there, it was too late, and the issue was out-of-network.

So, Mr. President, I hope we can find some solutions to guns. I want to recognize Carbon Monoxide Awareness Month so more young people and older people do not die from carbon monoxide poisoning. I really hope that we can make some progress on solving pediatric cancer, and I look forward to working with Senator Arnold and Senator Martin on this matter.

Thank you, Mr. President.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor John K. Fetterman) in the presence of the Senate signed the following bills:

SB 940, SB 952, SB 995, SB 1199 and HB 1584.

RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Wednesday, October 21, 2020, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:10 p.m., Eastern Daylight Saving Time.