

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

FRIDAY, NOVEMBER 20, 2020

SESSION OF 2020 204TH OF THE GENERAL ASSEMBLY

No. 52

SENATE

FRIDAY, November 20, 2020

The Senate met at 12:20 p.m., Eastern Standard 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.

With next Thursday fast approaching, today I offer a prayer of thanksgiving. Heavenly Father, we often come to You in our times of need and ask for Your intercession, but today we are coming to You with joyful hearts full of gratitude for the many blessings You have bestowed on us and our families. We thank You for the strength You give us each day to meet the adversities we face. In the midst of our circumstances, You are there blessing and providing for us. We thank You for Your mercy and Your forgiveness. We thank You for the opportunity that we have each day to be a blessing to others, to be a loving spouse, a nurturing parent, or a caregiver to a loved one or friend in need. We thank You for the great privilege it is to serve the people of this Commonwealth in our Senate. For all these blessings and more, we offer our thanks. Amen.

PLEDGE OF ALLEGIANCE

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

GENERAL COMMUNICATION

RECALL OF REGULAR SESSION

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

SENATE OF PENNSYLVANIA

November 20, 2020

TO: President and All Members of the Senate

FROM: Senator JOE SCARNATI
President Pro Tempore

RE: Recall to Session
Friday, November 20, 2020, 12:15 p.m.

Consistent with the recess motion made on November 19, 2020, the Senate is recalled for session on Friday, November 20, 2020, at 12:15 p.m.

BILLS INTRODUCED AND REFERRED

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

November 20, 2020

Senator DINNIMAN presented to the Chair **SB 1371**, entitled:

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

Which was committed to the Committee on EDUCATION, November 20, 2020.

Senators BROOKS, MASTRIANO, HUTCHINSON, ARGALL, ARNOLD and PITTMAN presented to the Chair **SB 1372**, entitled:

An Act providing for a recount of votes in certain counties, for separation of vote counts and for a report by the Department of State relating to the 2020 general election.

Which was committed to the Committee on STATE GOVERNMENT, November 20, 2020.

LEGISLATIVE LEAVES

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

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

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

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

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

Senator Costa requests a legislative leave for Senator Leach. Without objection, the leaves will be granted.

JOURNAL APPROVED

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

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

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

LEAVE OF ABSENCE

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

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 a couple of off-the-floor committee meetings to be held here on the Senate floor, starting with the Committee on Rules and Executive Nominations, followed by the Committee on Appropriations.

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

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR OVER IN ORDER

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

Senator CORMAN. Mr. President, I move that all bills and resolutions on today's Calendar go over in their order without prejudice as to day.

The motion was agreed to by voice vote.

BILLS REPORTED FROM COMMITTEE

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

SB 835 (Pr. No. 2112) (Rereported) (Concurrence)

An Act providing for funding of high-speed broadband service infrastructure deployment in unserved areas of this Commonwealth and for powers and duties of the Commonwealth Financing Authority; establishing the Unserved High-speed Broadband Funding Program Account; making an appropriation; and making a related repeal.

SB 1193 (Pr. No. 2025) (Rereported) (Concurrence)

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers, codifying provisions relating to sheriffs and deputy sheriffs; further providing for sheriff training requirement and for Sheriff and Deputy Sheriff Education and Training Account; and making editorial changes and a related repeal.

HB 941 (Pr. No. 4617) (Rereported) (Concurrence)

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 and providing for prescription drug pricing study.

LEGISLATIVE LEAVE

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

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

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

LEGISLATIVE LEAVE CANCELLED

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

REMARKS ON VOTE

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

Senator CORMAN. Mr. President, pursuant to Senate Rule 20, let the record reflect that Senator Phillips-Hill and Senator Martin should have been recorded in the negative on amendment No. A7944 to House Bill No. 2536 in the meeting of the Committee on Appropriations held today.

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

Senator HUGHES. Mr. President, also pursuant to Senate Rule 20, please let the record reflect that Senator Collett and Senator Schwank should have been recorded in the negative on amendment No. A7944 to House Bill No. 2536 in the meeting of the Committee on Appropriations held today.

Thank you, Mr. President.

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

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

HB 941 (Pr. No. 4617) -- 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 and providing for prescription drug pricing study.

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 941?

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 amendments to House Bill No. 941.

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

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

YEA-49

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 835 (Pr. No. 2112) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for funding of high-speed broadband service infrastructure deployment in unserved areas of this Commonwealth and for powers and duties of the Commonwealth Financing Authority; establishing the Unserved High-speed Broadband Funding Program Account; making an appropriation; and making a related repeal.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 835?

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. 835.

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

LEGISLATIVE LEAVE

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

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

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

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

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

YEA-49

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1193 (Pr. No. 2025) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers, codifying provisions relating to sheriffs and deputy sheriffs; further providing for sheriff training requirement and for Sheriff and Deputy Sheriff Education and Training Account; and making editorial changes and a related repeal.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 1193?

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. 1193.

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

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

YEA-49

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

NAY-0

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

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

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

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

SECRETARY OF BANKING AND SECURITIES

August 3, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Vague, 1807 Delancey Place, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as Secretary of Banking and Securities, to serve until January 17, 2023, and until the successor is appointed and qualified, vice Robin Wiessmann, Newtown, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Gindlesperger, 165 Highfield Lane North, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Harold Shields, Pittsburgh, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Barbara McIlvaine Smith, West Chester, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cynthia Shapira, 111 Hawthorne Road, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Larry Skinner, 5608 Wynnefield Avenue, Philadelphia 19131, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Board of Governors of the

State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Audrey Bronson, Philadelphia, whose term expired.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Janet Yeomans, 517 Kauffman Street, Philadelphia 19147, Philadelphia County, First Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified.

TOM WOLF
Governor

NOMINATIONS LAID ON THE TABLE

Senator AUMENT. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator AUMENT,
That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

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August 3, 2020

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In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Vague, 1807 Delancey Place, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as Secretary of Banking and Securities, to serve until January 17, 2023, and until the successor is appointed and qualified, vice Robin Wiessmann, Newtown, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Gindlesperger, 165 Highfield Lane North, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Harold Shields, Pittsburgh, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. Michael Schaul, 840 Allenview Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Barbara McIlvaine Smith, West Chester, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cynthia Shapira, 111 Hawthorne Road, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Larry Skinner, 5608 Wynnefield Avenue, Philadelphia 19131, Philadelphia County, Seventh Senatorial

District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified, vice Audrey Bronson, Philadelphia, whose term expired.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE
STATE SYSTEM OF HIGHER EDUCATION

September 23, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Janet Yeomans, 517 Kauffman Street, Philadelphia 19147, Philadelphia County, First Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2022, and until the successor is appointed and qualified.

TOM WOLF
Governor

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

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

YEA-49

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

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator AUMENT. Mr. President, I move that the Executive Session do now rise.
The motion was agreed to by voice vote.

**ANNOUNCEMENT BY THE
MAJORITY LEADER**

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.
Senator CORMAN. Mr. President, for the interest of the Members for scheduling purposes, we are at the moment where

we are now waiting for the General Appropriation bill to come over from the House so we can finish our budget for this fiscal year. So, we will go at ease now until we get the bills we need from the House to finish our day. We will give the Members a 10-minute call once we get those bills from the House and give us plenty of time to get back on ZOOM and to the floor.

Thank you, Mr. President.
The PRESIDENT. The Senate is now at ease.
(The Senate was at ease.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Kim Ward has returned, and her legislative leave is cancelled.

BILL REPORTED FROM COMMITTEE

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

HB 2536 (Pr. No. 4626) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021 restrictions on appropriations for funds and accounts; making related repeals; and making editorial changes.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1214**, 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 bill will be referred to the Committee on Rules and Executive Nominations.

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 1216**.

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 1241**, with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 21, HB 777, HB 1737 and HB 1962.**

LEGISLATIVE LEAVE

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

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

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

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. 2536, 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 2536 (Pr. No. 4626) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021 restrictions on appropriations for funds and accounts; making related repairs; and making editorial changes.

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

MUTH AMENDMENT A7945 OFFERED

Senator MUTH offered the following amendment No. A7945:

Amend Bill, page 18, line 1, by inserting a bracket before "SECTION"

Amend Bill, page 18, line 1, by inserting after "SECTION":

§ subsection

Amend Bill, page 18, by inserting between lines 16 and 17:

(c) Civil penalty under Air Pollution Control Act.--Notwithstanding any other provision of law to the contrary, the civil penalty assessed by the Department of Environmental Protection under section 9.1 of the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, shall be at least \$37,500 per day for each violation which occurs after the effective date of this subsection.

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

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

Senator MUTH. Mr. President, this amendment will require Pennsylvania to increase its standards and fine major air polluters \$37,500 for each day they are in violation of our Clean Air Act. Currently, Pennsylvania only requires fines in the amount of \$10,000 to \$25,000, while the Federal regulations of the EPA requires \$37,500 for clean air violations.

Pennsylvania's Constitution was one of the first to recognize that a clean environment is the right of the people. Our laws protecting air and water quality should reflect that right with stricter punishments for violations and by holding industries accountable. We want to make sure the offending companies feel that the fine is more than just a slap on the wrist and it is not just the cost of doing business to pollute Pennsylvania. Increasing our fine amount to match the Federal amount will improve the consistency between government agencies and is also fiscally responsible. I ask for an affirmative vote on the amendment.

Thank you, Mr. President.

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

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

Thank you, Mr. President.

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

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

YEA-19

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

NAY-30

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

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

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

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

On the question,

Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, this is the Fiscal Code bill, House Bill No. 2536, and I want to state my opposition to it and why I oppose it. I oppose it because of our failure in this Fiscal Code to realize the crisis that now exists in our public schools. What we did was, we passed a 12-month budget for education at the beginning of this budget process. However, what has occurred in our schools now shows that that funding is totally inadequate for the crisis we now have. You see, it was not enough money in the first place since it was based on a flat-funded budget, but clearly understand that our schools have to do four things at once now. They have to run a school that is in a physical space that is open; others are running a school, also, that is in a virtual space; and, thirdly, some are combining the two in a blended or hybrid school. In addition to that, they also have to be concerned with the excessive costs of sanitation and school busing. So what has occurred is, we simply have, in my judgment, ignored the pleas and, in some cases, the desperation of many of our school districts in terms of their finances.

What has also happened, and we clearly know this, is that students are not learning online. Let us face up to it. Let us understand that. Forty-five percent of the students in this Commonwealth in public schools are low-income students. Many were vulnerable in the first place. Now, many have not finished school since last March and many do not have the capacity through connectivity, or even if they do, their parents are unable to assist those students. This is a crisis situation. Now, I put in several bills that could have greatly assisted us in this situation, but none have reached the Fiscal Code, and that is the reason for my disappointment.

Let me give you an example. For every school to open in this Commonwealth, whether it be public or private, we need a nurse. That nurse does not necessarily have to be a certified school nurse, as long as they work under that nurse. We could also solve this through telenursing, just like we did telemedicine. So, I put in a bill that would have cost about \$32 million in CARES funding that would have provided a nurse for every school over 100 students so that school could open. It is virtually impossible to open a school without a nurse, without someone there. Also, the bill contained, for the first time, telenursing for schools under 100.

Let us look at another aspect. I put in a bill that would have cost very little money, that was never approved, that would have provided appropriate translation, many are free apps and schools already have the programs for non-English speaking students. Whether you realize it or not, 70,000 students in this Commonwealth are non-English speakers. What good does it do, I ask this

legislature, to give instruction in English? How do those parents who do not speak English, how are they to be the teacher coaches? You are losing, day by day, all of the possible ways to help those students in instruction as well as helping them learn English itself. We can go on with this list.

Finally, let me give you one last example of what I believe is the failure of this Fiscal Code. We know there is a crisis. Let us be honest and direct about it, all of you, whether you are Republican or Democrat, you know what is happening in your districts. Some of you have been fortunate enough to still have your students go to school--God bless that, and we have to prevent the Governor or anyone else from interfering with that--and your education is going forward. But so many of us have students who are not in school. Philadelphia will probably not open at all, the largest school district in this Commonwealth. In Montgomery County, where Catholic schools and private schools opened, they have now been shut down for an extended period of time by the county health department. Who is going to educate these students?

So I put in a very simple bill, a bill that would not cost a great deal of money. The Leadership, the Majority Leadership, never accepted this. I do not blame, for one second, the Majority chair, because these bills came in from both of us, we both submitted these bills. What would this bill have done? It would simply have said that we need to get our arms around this crisis, understand it, define it, so when, God willing, this ends in May or June, we can now look at those students and help them, some who will by then be 18 months to 2 years behind. Under this legislation, we are simply calling for a study so we can keep track as many other States are doing.

So, Mr. President, I cannot vote for a Fiscal Code that does not take care of the students of this Commonwealth. It is clear from our Constitution that it is the obligation of this body, the legislative body, to do so. How long and how many students will be so far behind that we will never be able to help them? Even if we had said, from the study, we are going to have summer school and put money aside to start planning that for these students who are behind, that at least is one step, is it not? All of you, every single Member of this legislature, have students who are poor, who are not learning online. All of you have non-English students in your district. All of you should come forth and understand the crisis that exists.

Mr. President, I have to vote against this Fiscal Code because it does not take into account this crisis, does not take care of the students of this Commonwealth, and does not even provide funding for us to understand the crisis so we can act when our resources return. So thank you, Mr. President. I take my role on the Committee on Education very seriously. I have done it for 14 years, and I have done it in cooperation with my Republican Majority chairs. These bills were put in by the Majority and Minority chairs, and these bills had the signature of anywhere from a dozen to two dozen Members of this legislature, especially the one in terms of school nurses. These bills were advocated for and supported by most people in the education community, in both the public and non-public aspects of this community, and it is a shame that we are going forward without doing anything in terms of the crisis that exists in education. The students and teachers of this Commonwealth deserve better, and I cannot vote for a bill that does not assist and take into account the education of each and every student.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-33

Argall	Corman	Laughlin	Vogel
Arnold	Costa	Mensch	Ward, Judy
Aument	DiSanto	Regan	Ward, Kim
Bartolotta	Fontana	Santarsiero	Williams, Anthony H.
Blake	Gordner	Scarnati	Yaw
Boscola	Hughes	Scavello	Yudichak
Brewster	Iovino	Stefano	
Brooks	Killion	Street	
Browne	Langerholc	Tomlinson	

NAY-16

Baker	Hutchinson	Mastriano	Sabatina
Collett	Kearney	Muth	Schwank
Dinniman	Leach	Phillips-Hill	Tartaglione
Farnese	Martin	Pittman	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 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.

ANNOUNCEMENT BY THE MAJORITY LEADER

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

Senator CORMAN. Mr. President, could we be at ease? We are now at the point of waiting for the General Appropriation bill to come over from the House and to finish our business for the day.

Thank you, Mr. President.

The PRESIDENT. The Senate is now at ease.
(The Senate was at ease.)

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator DiSanto, Senator Pittman, Senator Scavello, Senator Stefano, and Senator Tomlinson.

The PRESIDENT. Senator Corman requests legislative leaves for Senator DiSanto, Senator Pittman, Senator Scavello, Senator Stefano, and Senator Tomlinson. Without objection, the leaves will be granted.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1350**, 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 bill will be referred to the Committee on Rules and Executive Nominations.

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 Rules and Executive Nominations to be held here on the Senate floor.

The PRESIDENT. For the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be held on the floor, without objection, the Senate stands in recess.

AFTER RECESS

The Presiding Officer (Senator John R. Gordner) in the Chair.

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

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Iovino and Senator Brewster.

The PRESIDING OFFICER. Senator Costa requests legislative leaves for Senator Iovino and Senator Brewster. Without objection, the leaves will be granted.

BILLS REPORTED FROM COMMITTEE

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

SB 1214 (Pr. No. 2128) (Rereported) (Concurrence)

An Act authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to grant and convey to the Schuylkill County Municipal Authority an easement from lands of the Commonwealth of Pennsylvania at the State Correctional Institution Mahanoy situate in Mahanoy Township, County of Schuylkill, for the purpose of establishing, utilizing, and maintaining water wells and appurtenances thereto related to potable water production and distribution for the benefit of customers within the authority's service territory; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to take such action with respect to the Commonwealth's real property interests in the site commonly known as Penn's Landing to facilitate the further development plans for the real property; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Highlands Historical Society, certain lands situate in Whitemarsh Township, Montgomery County; authorizing the Depart-

ment of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to Bollinger Enterprises, Inc., certain lands situate in Conewango Township, Warren County; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to L-A Battery, QOZ, LLC land within the bed of the Delaware River within the City of Philadelphia; authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Washington Health System, or its assignee, certain lands and improvements situate partially in the 6th Ward of the City of Washington and partially in South Strabane Township, Washington County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Harry E. Frey, Jr., and Jeffrey L. Frey, a permanent easement over certain lands of the Commonwealth of Pennsylvania at Muncy State Correctional Institution situate in Clinton Township, Lycoming County, for the purpose of ingress and egress to lands which Harry E. Frey, Jr., and Jeffrey L. Frey propose to acquire from Harold James Carpenter and Carlene M. Carpenter; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of West Pittston, Luzerne County; authorizing the release of Project 70 restrictions on certain lands owned by Glen Rock Borough, York County, in return for the development of park and open space lands owned by Glen Rock Borough, York County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Human Services, Inc., certain lands and improvements situate in the Borough of West Chester, Chester County; and making a repeal.

SB 1350 (Pr. No. 2129) (Rereported) (Concurrence)

A Supplement to the act of May 29, 2020 (P.L. , No.1A), entitled "An act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019," further providing for additional appropriations and replacement of appropriations from the General Fund and other funds and accounts for the expenses of the Executive, Legislative and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1214 (Pr. No. 2128) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to grant and convey to the Schuylkill County Municipal Authority an easement from lands of the Commonwealth of Pennsylvania at the State Correctional Institution Mahanoy situate in Mahanoy Township, County of Schuylkill, for the purpose of establishing, utilizing, and maintaining

water wells and appurtenances thereto related to potable water production and distribution for the benefit of customers within the authority's service territory; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to take such action with respect to the Commonwealth's real property interests in the site commonly known as Penn's Landing to facilitate the further development plans for the real property; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Highlands Historical Society, certain lands situate in Whitemarsh Township, Montgomery County; authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to Bollinger Enterprises, Inc., certain lands situate in Conewango Township, Warren County; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to L-A Battery, QOZ, LLC land within the bed of the Delaware River within the City of Philadelphia; authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Washington Health System, or its assignee, certain lands and improvements situate partially in the 6th Ward of the City of Washington and partially in South Strabane Township, Washington County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Harry E. Frey, Jr., and Jeffrey L. Frey, a permanent easement over certain lands of the Commonwealth of Pennsylvania at Muncy State Correctional Institution situate in Clinton Township, Lycoming County, for the purpose of ingress and egress to lands which Harry E. Frey, Jr., and Jeffrey L. Frey propose to acquire from Harold James Carpenter and Carlene M. Carpenter; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of West Pittston, Luzerne County; authorizing the release of Project 70 restrictions on certain lands owned by Glen Rock Borough, York County, in return for the development of park and open space lands owned by Glen Rock Borough, York County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Human Services, Inc., certain lands and improvements situate in the Borough of West Chester, Chester County; and making a repeal.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1214?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1214.

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-46

Argall	Dinniman	Martin	Street
Arnold	DiSanto	Mensh	Tartaglione
Aument	Farnese	Muth	Tomlinson

Bartolotta	Fontana	Phillips-Hill	Vogel
Blake	Gordner	Pittman	Ward, Judy
Boscola	Hughes	Regan	Ward, Kim
Brewster	Iovino	Sabatina	Williams, Anthony H.
Brooks	Kearney	Santarsiero	Williams, Lindsey
Browne	Killion	Scarnati	Yaw
Collett	Langerholc	Scavello	Yudichak
Corman	Laughlin	Schwank	
Costa	Leach	Stefano	

NAY-3

Baker Hutchinson Mastriano

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.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1350 (Pr. No. 2129) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of May 29, 2020 (P.L. , No.1A), entitled "An act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019," further providing for additional appropriations and replacement of appropriations from the General Fund and other funds and accounts for the expenses of the Executive, Legislative and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1350?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1350.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I will try to be brief, as Senator Dinniman always is, of course. But first, let me say there are two problems that I have with this budget. One is con-

nected--the budget and with the Fiscal Code. You know, as a result, what is going to happen on December 1 is that PennDOT has made it clear they are out of money and they are going to be--and in fact, I checked in with PennDOT this afternoon and there is a 10-page list of 65 to 70 projects on each page that will cease, that will be suspended, as a result of this budget on the first of December. If you look at some of the projects in some of the districts, they are enormous. We are talking about a great deal of money, and when you return home, you are going to have to explain to your constituents why, right after Thanksgiving, that project is no longer. You are going to have to explain to those who commute why they will remain stuck in traffic, and you are going to have to answer to any number of lawsuits that are going to come from the construction companies that have signed an understanding in terms of date, equipment, and everything else they have bought. Most importantly, in the middle of a COVID-19 crisis, you are going to have to explain the number of people being laid off as a result of this action because of the question of bonding, people being laid off, union and non-union, throughout this Commonwealth. Just look at this list. This list is 65 to 75 projects, some in the millions and millions of dollars. My county is the easiest one, we only have \$54 million. We are low on the list. Wait until you look at Westmoreland, Centre, and Bucks Counties, and I could go on and on, Philadelphia, Allegheny. I think before we vote on this budget, I suggest that you go and look and see what the results are going to be. Or at least when you come back, that this has to be straightened away.

So on December 1, I will read you exactly what PennDOT has said. As you know, due to COVID-19, the Motor License Fund is expected to lose \$500 million to \$600 million from the start of COVID-19 through June of 2021. While revenue is starting to return to normal, \$350 million is lost to date. The deficit will directly impact our programs and payment to consultants and contractors. PennDOT took all possible actions to keep cash in their treasury, into construction appropriations, but the cash has run out and effective December 1, the attached list of projects will be suspended since we will not be able to pay the bills. Additionally, all design work will be halted.

All I am saying is, if you are going to pass this budget tonight, I would suggest that each of you look at your district and see what the results are. It is pretty serious, all right? As I said, \$54 million is mine, I am the low person on that list, and this involves every possible area of the Commonwealth. I think we had better give this some thought or think of something in terms of the bonding of this project. I do not blame anyone in the Senate. This was an initiative of one of the Caucuses in the House, the Republican Caucus. All I am trying to tell you is you had better look at the results. I am telling you, page after page--I can hold up to my screen here for a second--of projects, reconstruction, bridges, new construction, that are going to be suspended with the passage of this budget. In fact, on some of these lists it goes on for--some are small. Montgomery County goes on for almost two pages. I mean, one-half of one page and one-half of another. It is up to you--Cumberland County, every single county, even of the most conservative politician in this Senate, you need to have an answer. If we are going to do it, then prepare your answer.

I am only simply saying look at this. To lay off this number of people by suspending operations in the middle of a COVID-19 epidemic is not the brightest thing in the world, let me humbly

say. I think we had better look at this issue of bonding and how to get these projects back on the go. If we do not do it now, I am appealing to you, I am imploring you, please, when you get back, understand this. But understand, on December 1, it is over. PennDOT has no money for all of this new construction in the motor vehicle fund, okay?

The second reason I oppose this budget, and it is one I have talked about before, so I will be much briefer, and that is in terms of education. It is a crisis, man. Accept it. We are in a crisis. A whole generation of students are not being educated. I do not care where you are coming from, whether you are pro-charter, anti-charter, or what your position is on education. I happen to be for choice, all right, and I am an advocate for private schools, religious schools, as well as public schools. It is a serious problem, and I am not blaming anyone. The Governor did his best, he is a good and decent person. I thank the Majority for allowing us to have liability protection. I thank the Majority for allowing us to have the buses to transport private and religious school students, but the school systems cannot open or remain open with this budget. It is unfair to the students, especially to those 45 percent of the students in this Commonwealth who are poor. Even if you are in a district that has school open right now, there is no guarantee, with what is happening with COVID-19, that it will not close.

Children and high school students are not learning, my friends, on online learning. It is not working. Every attempt we have made to get the Senate to make some adjustments to online learning have not been allowed except for one, our volunteer teacher corps, to proceed in the Senate. I can summarize this whole thing I am talking about with one story and then I will shut up, all right, and wish you all well in my last talk here in the Senate. Listen, guys, you are all good people. You are all decent people. I have refused to get involved in attacking anyone. I do not care what your positions are, but I am telling you, just begging you, understand that you are having a generation of students who you are losing. Some of you were school board members. Some of you were teachers. You know it is rural, it is urban, it is my county as well. You cannot let this proceed this way.

Here is the story. I got a call yesterday from a single mother in Coatesville, which is a poor community in our county. She said, Senator, what am I to do? I am working two minimum-wage jobs just to put food on the table so my kids can eat. I have three children, each in different grades. It does not do any good that they gave me this Chromebook. I did not go to high school. I have no idea how to use it, and neither do my children, and no one comes to the house to try to teach them or to tell them. My friends, I do not believe we are giving that mother an answer. I do my best to send some volunteer tutors, and if necessary, I will go over to the house myself and tutor. I have done that before.

We cannot exist--you know, when the public school system was created, the father of that system was Thaddeus Stevens. Right outside on the steps of the Capitol is a bench. Go out and look at that bench. It says the following on that bench: "Knowledge is the only foundation on which republics can stand." That is the word of Thaddeus Stevens. Do we want our Republic to stand? Do you realize the cost of losing a generation of students? Where are they going to get jobs in this new economy? How are

they going to be trained? The cost in social welfare and prisons are going to reach new heights. It is stupidity.

Finally, in regards to all this, let me say, listen, sometimes, I am telling you, you are all good and decent people, many of you are people of faith, religious people who care, and, you know, I have learned over the years that every faith tradition cares about each individual. I ask you that question as a person of faith. I ask you the question in the name of every child in this Commonwealth. Are we going to let this happen with this budget? No extra money is provided to the schools. The city schools have to not only teach in a regular way, they have to also teach virtually. They have to combine it, and they go back and forth. They have to pay extra money for the buses and transportation. They have to sanitize. All I wanted to do at one point was just to make sure everyone had a school nurse, even if it was an L.P.N. who reports to a certified school nurse. None of that has been done.

So, my friends, and you are my friends. Really, I love every Member of this Senate, whether you are a Republican, Democrat, or my buddy who is an Independent now. All I am saying is that the Constitution of Pennsylvania gives the responsibility for providing the education of every student in Article III, Section 14, to the legislature. I want you to understand that there are only four States in the Union in which that responsibility, constitutionally, is a legislative one. In most States that responsibility rests either in the Governor, the Secretary of Education--in some States who are elected--or the State Board of Education. In our State, the responsibility, constitutionally, is on us.

So, tonight, I want you to think of every child out there. I want you to think of the single mother who is working these jobs at minimum wage, who is begging us and asking us a question. She says, I want my children to do better than I did. I cannot tell her you are going to do that with this budget. So, my friends, based on these two factors, all road construction being suspended, this is PennDOT's word, they have no money in their treasury anymore, and the House Republicans do not want to put up any, allow us to bond anything, that is not the Senate Republicans' fault or the Democrats' fault. All these projects stopping, I estimate it is between 680 and 700, all those jobs being lost, union and non-union. All those commuters stuck in traffic. Every county in this Commonwealth, in fact, it is in some of the smaller counties which have the worst of this, you know, so it is not a Democratic thing or even a suburban thing, because a lot of your rural counties have significant amounts of money for bridge repair, new reconstruction, and interchange construction. I have seen projects on that list as high as \$82 million, \$130 million, that are being suspended, and every design project is over. It is not going to proceed. So I beg you and ask you before voting on this to think about that, but you know, from my perspective, my real concern in addition to that is the children of this Commonwealth.

Let me end with the words of W.E.B. Du Bois, one of the most brilliant people in this country's history and a black scholar who said the following: "Of all the civil rights for which the world has struggled and fought...the right to learn is undoubtedly the most fundamental." Let us stand up for learning. Let us stand up for the children of this Commonwealth. This budget does not do it and I plan to vote "no," and I hope many of you will do the same. Thank you so much.

LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Scavello and Senator Browne have returned, and their respective leaves are cancelled.

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

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

Senator K. WARD. Mr. President, I want to address the \$600 million borrowing request that PennDOT is asking us to authorize. There is, number one, no reason at all why we had to get a request to do this 5 days ago. How could they possibly have not known that they were going to be out of money in a couple of weeks? That is inexcusable. None of us anywhere in the legislature, in this Commonwealth, want to see projects stopped and jobs lost. We would like PennDOT--it would have been wonderful if they had done a better job of watching what was happening in their accounts. So tonight, the House Leadership sent a letter to the Treasurer requesting that funds be transferred between pots of money that he has, and there are pots of money with substantial balances. That is permitted to be done, and we are following suit. We put our letter together this afternoon, as the House did. We will be following suit, asking them if that is possible, if they will do that in the interim, until we can come to a solution and find out exactly what happened that 2 weeks from December 1 we are told we are going to be out of money. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, I rise today to note that while we may have held up essential State services and State government for another season, be it with duct tape and WD-40, we should take no pleasure in MacGyvering a State budget by stealing funds that were meant for pandemic relief. The CARES Act was passed to provide relief to those most affected by the deadly pandemic. In June, this body came together to do just that and we had some great successes in providing relief to our schools, workers, healthcare system, small businesses, and to the public's health in general. Now we are in the second wave with numbers that double every day. We could respond, but to be very clear, the General Assembly's desire to avoid the cost of borrowing are taking us down a path of no return and no relief. No return for the small businesses and caterers that closed this winter. No return for the people who lose jobs, who are unable to return to work without childcare. Rather than relief, we choose to use the CARES Act funds to pay for our own costs. Our house is on fire, and we are unwilling to call the fire department. Make no mistake, we could not balance this budget by making further cuts to essential services. This budget already cuts almost a half-billion dollars from DHS essential services for the most vulnerable Pennsylvanians. In their greatest hour of need, we ought to be rising to the occasion, not throwing our hands up.

I am also greatly concerned by this decision to raid environmental funds. While this has minimum effect on the overall budget, it has a great effect for our environmental programs. After a year when we depended on our parks and trails more than any time in our history, causing incredible strain on them, we need to strengthen our great green assets, not let them further deteriorate. How many times will the legislature avoid today's costs by rob-

bing future generations of clean air, clean water, and the gifts of public land that our predecessors gave us?

Mr. President, this budget fails to meet Pennsylvania's needs in this dark hour. I urge my colleagues to recognize this and to come to terms with how extraordinary the circumstances are. We are called to act in extraordinary ways. I hope this message sinks in with all my colleagues over break and that we will see a change in attitude that recognizes the work that must be done.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, I rise and echo the comments of our departing gentleman from Chester County on the transportation issue. That is something that I think presents itself as a missed opportunity, quite frankly. Not because of anyone on this side of the building, I want to be clear about that. I think there is a unanimity in terms of folks wanting to be able to address that issue. The time was short, there is no question, and that is something we have to acknowledge and recognize, and hopefully that does not happen in the future, because transportation funding and what is going to occur because of the lack of resources available after December 1 is going to have a pretty significant impact on those entities, companies, and businesses working on projects that come to a complete halt. This is the worst time of year to be doing that, and it is disappointing that we could not get our colleagues on the other side of the building to join us in trying to address that. Clearly, it is something we collectively, on this side of the building, wanted to work on along with the administration.

That being said, I am heartened by the good words of my colleague, the new Majority Leader, who talked about what we can do as we go forward. As I mentioned yesterday, talking about the issue of transportation funding, we have this looming \$400-plus million issue with the Turnpike transfer that we have to deal with. We are going to have to deal with this issue as we go forward, but we have to make transportation funding a priority and hopefully we can find consensus in this building to permit the Governor to be able to take the appropriate steps that he needs to do. Whatever that might be, some level of borrowing, working in conjunction with the new State Treasurer, or working in conjunction with the General Assembly to do something expeditiously, the fact of the matter is, it is something that we have to talk about because we do not want these folks to be out on the street without work and without moving these projects forward.

That being said, Mr. President, I intend to support this budget. As I mentioned, there are missed opportunities here and we can discuss that as we go forward outside this building. It is not the perfect budget. I do not think either side thinks it is the perfect budget, obviously, and Members will be mixed on this issue. But at the end of the day, it is something that I think given where we are, what our revenues are, and what was projected as we go forward, it is essential that we move the Commonwealth forward with a balanced budget that meets the needs of the people who we have talked about, particularly the level of spending that is consistent with what we have done in years past. I intend to vote for it.

Thank you, Mr. President, for the opportunity to say a few words.

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

Senator HUGHES. Mr. President, brief remarks. Let me just say this, and this is a very difficult series of moments that we are all operating under right now. We are in a state of crisis that reflects itself in many different ways. I will just focus, maybe, on two spaces. We are in a state of crisis with average Pennsylvania citizens. The pandemic is on fire in Pennsylvania, COVID-19 is on fire in Pennsylvania: hospitalizations; infection rates; very serious health conditions; deaths are on the rise in dramatic fashion; the economic condition of average citizens in Pennsylvania is getting worse, not better; small businesses are in a serious situation; our restaurants, barbers, salons, are in real crisis; our workers, our essential workers, who go back into the fire in healthcare are, in fact, being asked to go back into the fire in healthcare at increasing rates, similar to where we were back in March and April. It is a very serious crisis reality and we must make sure they get addressed.

The other crisis that I will speak to at this moment is a very significant budget crisis that exists. It has not received a lot of public attention, maybe because we took some of the pressure off back in June when we did a partial budget. But clearly the remainder of the budget reality is stark. It is bleak. We are looking at a \$4.5 billion budget hole that has to be filled. If that hole is not filled, then the house of cards collapses for the Commonwealth of Pennsylvania, and that must be dealt with by November 30. So it is a very difficult situation. If we do not get it addressed by November 30, layoffs will likely have to occur. Cuts in services will likely have to occur. State spending will come, for the most part, to a grinding halt. Not what we need to happen at any time, and definitely not what we need to happen in the context of the COVID-19 pandemic which, as I said and which we cannot think otherwise, especially since it is confronting us in our face right on the other side of the building with the Members of the House of Representatives, a growth there. We cannot have the Commonwealth collapse in front of us while we are dealing with a pandemic.

Now, Senate Democrats offered up, since the beginning when we received the CARES funds, a detailed, thoughtful program on how to spend CARES money to deal with the pressures of individual Pennsylvania citizens. A significant amount of money was spent trying to address that. We had hoped that by this time, if my colleagues will remember, that with a thoughtful response driven by the Federal government and by the person occupying the White House, we had thought that with a smart process that the expansion of the pandemic would have diminished. It is not the case, and it is wreaking havoc. We needed that extra CARES money to go into helping Pennsylvania's people. But unfortunately, the Majorities in the House and the Senate chose to take those dollars and utilize them to address the State budget. We offered programs, we offered concepts, as late as 3 weeks or so ago, right before the election. We, again, said once more, please drive these dollars out to get the money to where it is needed on the streets of Pennsylvania citizens. Negotiations did not allow for that. It should have. There were other ways to accommodate the State budget, but it did not.

So now we have to deal with the issue of the crisis that exists in the overall State spending for Pennsylvania. That is what we are confronted with right now. We tried to drive those dollars out to deal with average Pennsylvania citizens. We were not successful. We were not successful in getting the Majority to get that done. So now we deal with this crisis of the State budget. So,

therefore, we have to deal with that, we have to prevent the collapse of State spending, we have to prevent the collapse of the State's budget, and so I am compelled, begrudgingly, to have to support this so we can prevent the collapse of the State budget.

However, I look upon this as the opportunity to create a foundation, to create a bridge, to going forward. It is our hope that as we stabilize the State's budget reality, that we can quickly move to get new resources driven into the needs for Pennsylvania's people. We must move on this immediately. Not waste time, not spare any of our great thinking that can go into how we get these issues addressed. The house is on fire in Pennsylvania. Individual citizens are suffering. We cannot walk out of here without trying to figure out a way to get them some additional help. So as we solve the crisis on this hand, we must also turn back to try to help Pennsylvania's people on this hand. To get them the help that they deserve to have.

They did not create this pandemic. They are the victims of an incompetent response driven out of the White House. An incompetent response driven out by folks who chose to ignore science and chose to ignore proven efforts that would stop the spread of this pandemic. So they are suffering now, and we have a responsibility to figure out a way to move to assist them. So we will deal with the crisis on this hand with the State budget, which we cannot ignore, but we must immediately turn, once this business is done, to go back to figure out a way to help average Pennsylvania citizens. They deserve for us to stand up for them and step into the breach and find the assistance that they deserve to have, given the fact that they are suffering from a pandemic that they did not create.

Thank you, Mr. President.

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

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

YEA-31

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

NAY-18

Blake	Hutchinson	Muth	Tartaglione
Boscola	Iovino	Sabatina	Williams, Anthony H.
Collett	Kearney	Santarsiero	Williams, Lindsey
Dinniman	Leach	Schwank	
Farnese	Mastriano	Street	

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

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

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

LEGISLATIVE LEAVE CANCELLED

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

**UNFINISHED BUSINESS
ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, NOVEMBER 23, 2020

2:00 P.M.	TRANSPORTATION (public hearing on PennDOT's 2020-21 highway and bridge budget issues)	Senate Chamber (LIVE STREAMED)
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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 5,248 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Mr. President, today I would like to share some recent news about an often overlooked aspect of the minimum wage issue. Discussions of raising the minimum wage usually start and often end by talking about two things: the number of workers who will be getting a boost in pay, and the number of jobs that may be lost. We should be talking about the impact on State and Federal public assistance programs a lot more often. Earlier this week, the non-partisan U.S. Government Accountability Office released a report commissioned by Senator Bernie Sanders in his role as the ranking Member on the U.S. Senate Budget Committee. The report is titled, "Federal Social Safety Net Programs: Millions of Full-Time Workers Rely on Federal Health Care and Food Assistance Programs." This is not shocking news to anyone who has been paying attention.

Time and again, leading Raise the Wage advocates, including myself, have tried to impart this knowledge on our dissenters. On January 28 of this year, when Governor Wolf renewed his support for a \$15 minimum wage, he told us that the proposed pay rate would allow nearly 93,000 Pennsylvanians to come off the State's Medicaid rolls; and by 2026, the Commonwealth would be able to collect an additional \$300 million in tax revenue with a \$15 minimum wage. Now the GAO is telling us that millions of full-time American workers are enrolled in Medicaid and/or the Supplemental Nutrition Assistance Program, also known as food stamps. Specifically, 12 million wage earners had Medicaid and 9 million had SNAP in 2018. Seven in 10 of those workers logged full-time weekly hours at least some of the year and half of them worked full time for at least 50 weeks of the year. Seven in 10 wage earners enrolled in Medicaid or SNAP worked in one of these five industries: education and health services, leisure and hospitality, wholesale and retail trade, professional and business services, and manufacturing. They are home care providers, restaurant cooks and servers, hotel housekeepers, and supermarket clerks--the people who wait on us and take care of us, even in the middle of a global pandemic.

Mr. President, I do not think I need to list which companies have the most employees who collect public assistance. It is not difficult to figure out. These businesses have a presence in every city and town across the country. One of them is noted for its golden arches and the

other for the smiley faces it posts throughout its stores. Neither of these companies showed much empathy in their responses to news media inquiries about the report. They each went on the offensive, pointing fingers at Congress and the States for not enacting higher minimum wages. Both companies--the one with the golden arches and the one with the smiley faces--noted that their starting wages are several dollars above the Federal minimum wage, a fact which merely accentuates how woefully inadequate and archaic the \$7.25 minimum wage is.

Mr. President, the evidence published this week by the GAO shows us that \$7.25 an hour is not enough to live on, and neither is \$10 an hour, frankly. That is why I have proposed to raise Pennsylvania's minimum wage to \$15 an hour over the next 6 years. A minimum wage raise is long overdue for Pennsylvania's low-wage workers.
Thank you, Mr. President.

HOUSE MESSAGE

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 2536**.

BILLS SIGNED

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

SB 835, SB 1193, SB 1214, SB 1216, SB 1241, SB 1350, HB 21, HB 777, HB 941, HB 1737, HB 1962 and HB 2536.

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 the call of the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 7:53 p.m., Eastern Standard Time.

(NOTE: The Senate did not reconvene but Session constitutionally expired November 30, 2020, at 12 o'clock midnight.)