

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

FRIDAY, FEBRUARY 5, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 8

SENATE

FRIDAY, February 5, 2021

The Senate met at 11:55 a.m., Eastern Standard Time.

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the Chair.

PRAYER

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

Let us pray.

I found these inspirational words, which I would like to share with all of you today. The Optimist Creed: *(Reading)*

To be so strong that nothing can disturb your peace of mind. To talk health, happiness, and prosperity to every person you meet. To make all your friends feel that there is something in them. To look at the sunny side of everything and make your optimism come true. To think only of the best, to work only for the best, and to expect only the best. To be just as enthusiastic about the success of others as you are about your own. To forget the mistakes of the past and press on to the greater achievements of the future. To wear a cheerful countenance at all times and give every living creature you meet a smile. To give so much time to the improvement of yourself that you have no time to criticize others. To be too large for worry, too noble for anger, too strong for fear, and too happy to permit the presence of trouble. To think well of yourself and to proclaim this fact to the world, not in loud words, but in great deeds. To live in the faith that the whole world is on your side, so long as you are true to the best that is in you.

Amen.

PLEDGE OF ALLEGIANCE

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

GENERAL COMMUNICATIONS

RECALL OF REGULAR SESSION

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

SENATE OF PENNSYLVANIA

February 4, 2021

TO: President and All Members of the Senate

FROM: Senator JAKE CORMAN
President Pro Tempore

RE: Recall to Session
Tomorrow, Friday, February 5, 2021

The Senate is recalled for voting session, tomorrow, Friday, February 5, at 11:30 am. There will also be a voting meeting of the Rules and Executive Nominations Committee via Zoom in the Senate Chamber.

**DESIGNATIONS OF MEMBERS TO STANDING
COMMITTEES OF THE SENATE**

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

SENATE OF PENNSYLVANIA

February 5, 2021

TO: The Honorable Megan Martin
Secretary of the Senate

FROM: Senator JAKE CORMAN
President Pro Tempore

SUBJECT: Standing Committee Changes

Pursuant to Rule XIV of the Rules of the Senate, I hereby remove Senator John DiSanto from the Appropriations Committee and replace him with Senator Ryan Aument.

Pursuant to Rule XIV of the Rules of the Senate, I hereby remove Senator Robert Tomlinson from the Urban Affairs and Housing Committee and replace him with Senator John Gordner.

The vacancy on the Intergovernmental Operations Committee will be filled by Senator Ryan Aument.

The vacancy on the Game and Fisheries Committee will be filled by Senator John Gordner.

**DESIGNATIONS OF MEMBERS TO
SPECIAL COMMITTEE ON
ELECTION INTEGRITY AND REFORM**

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

SENATE OF PENNSYLVANIA

February 4, 2021

TO: The Honorable Megan Martin

FROM: Senator JAKE CORMAN
President Pro Tempore

SUBJECT: Special Committee on Election Integrity and Reform
Appointment

Pursuant to Senate Rules 5(a)(2) and 26, Mason's Manual of Legislative Procedure Section 644.1, and as authorized by Senate motion

adopted on January 5, 2021, as President Pro Tempore, I hereby appoint the following Majority members to the Special Committee on Election Integrity and Reform:

- Senator Wayne Langerholc, Chair
- Senator Ryan Aument
- Senator Lisa Baker
- Senator Mike Regan
- Senator Jake Corman, ex officio

The Special Committee shall expire at such time as the Committee issues its final report to the Senate of Pennsylvania.

COMMITTEE DESIGNATIONS UNDER REGULATORY REVIEW ACT

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

SENATE OF PENNSYLVANIA

February 4, 2021

To: Honorable Megan Martin
Secretary of the Senate

From: JAKE CORMAN
President Pro Tempore

Subject: Committee Designation Under
Regulatory Review Act

Under the provisions of Act 181 of 1982, as amended and reenacted, known as the Regulatory Review Act, as President Pro Tempore of the Senate, I hereby designate the following standing committees for the purpose of regulatory review as authorized in the Act.

The designated standing committee for any departmental board, commission, committee, and other agency not listed herein shall be the standing committee listed for that department. The Committee on Rules and Executive Nominations shall be the designated standing committee for the purpose of regulatory review for any other agency not specifically listed.

<u>AGENCY</u>	<u>COMMITTEE</u>
Governor and Office of the Governor	State Government
Attorney General and Office of the Attorney General	Judiciary
Auditor General and Office of Auditor General	Finance
State Treasurer and Treasury Department	Finance
Adjutant General and Department of Military and Veterans' Affairs	Veterans' Affairs and Emergency Preparedness
Secretary and Department of Aging	Aging and Youth
Secretary and Department of Agriculture	Agriculture and Rural Affairs
Secretary and Department of Banking and Securities	Banking and Insurance
Secretary and Department of Community and Economic Development	Community, Economic and Recreational Development
Secretary of the Commonwealth and Department of State	State Government
Secretary and Department of Conservation and Natural Resources	Environmental Resources and Energy
Secretary and Department of Corrections	Judiciary
Secretary and Department of Drug and Alcohol Programs	Health and Human Services
Secretary and Department of Education	Education
Secretary and Department of Environmental Protection	Environmental Resources and Energy

Secretary and Department of General Services	State Government
Secretary and Department of Health	Health and Human Services
Commissioner and Department of Insurance	Banking and Insurance
Secretary and Department of Labor and Industry	Labor and Industry
Secretary and Department of Human Services	Health and Human Services
Secretary and Department of Revenue	Finance
Commissioner and Pennsylvania State Police	Law and Justice
Secretary and Department of Transportation	Transportation
Secretary and Office of Administration	State Government
General Counsel and Office of General Counsel	State Government
Secretary and Office of Budget	Appropriations
Commissioner and Bureau of Professional and Occupational Affairs	Consumer Protection and Professional Licensure
Executive Board	State Government
Armory Board	Veterans' Affairs and Emergency Preparedness
Ben Franklin Technology Development Authority	Community, Economic and Recreational Development
Board of Claims	State Government
Board of Coal Mine Safety	Environmental Resources and Energy
Board of Finance and Revenue	Finance
Board of Governors of State System of Higher Education	Education
Board of Pardons	Judiciary
Board of Probation and Parole	Judiciary
Civil Service Commission	State Government
Commonwealth Financing Authority	Community, Economic and Recreational Development
Constables' Education and Training Board	Judiciary
Pennsylvania Commission on Sentencing	Judiciary
State Coroners' Education Board	Judiciary
Council on the Arts	State Government
PA Sheriff and Deputy Sheriffs' Education and Training Board	Local Government
Environmental Hearing Board	Environmental Resources and Energy
Environmental Quality Board	Environmental Resources and Energy
Higher Educational Assistance Agency	Education
Higher Education Facilities Authority	Education
Historical and Museum Commission	State Government
State Horse Racing Commission	Agriculture and Rural Affairs
Human Relations Commission	Labor and Industry
Independent Regulatory Review Commission	Intergovernmental Operations
Industrial Board	Labor and Industry
Joint Committee on Documents	Rules and Executive Nominations
Labor Relations Board	Labor and Industry
Liquor Control Board	Law and Justice
Lobbying Disclosure Law Regulation	State Government
Promulgation Committee	State Government
Milk Marketing Board	Agriculture and Rural Affairs
Pennsylvania Municipal Retirement System	Local Government
Municipal Police Officers Education and Training Commission	Law and Justice
Office of Open Records	State Government
Pennsylvania Commission on Crime and Delinquency	Judiciary
Pennsylvania Economic Development Financing Authority	Community, Economic and Recreational Development
Pennsylvania Emergency Management Council	Veterans' Affairs and Emergency Preparedness
Pennsylvania Emergency Management Agency	Veterans' Affairs and Emergency Preparedness
Pennsylvania Energy Development Authority	Environmental Resources and Energy
Pennsylvania Gaming Control Board	Community, Economic and Recreational Development

Pennsylvania Health Care Cost Containment Council	Health and Human Services
Pennsylvania Housing Finance Agency	Urban Affairs and Housing Community, Economic and Recreational Development
Pennsylvania Industrial Development Authority	Environmental Resources and Energy
Pennsylvania Infrastructure Investment Authority	Community, Economic and Recreational Development
Pennsylvania Minority Business Development Authority	Consumer Protection and Professional Licensure
Philadelphia Parking Authority	Finance
Public Employee Retirement Commission	Finance
Public School Employees' Retirement Board	Education
Professional Standards and Practices Commission	Consumer Protection and Professional Licensure
Public Utility Commission	Agriculture and Rural Affairs
State Agricultural Land Preservation Board	State Government
State Athletic Commission	Education
State Board of Education	Finance
State Employees' Retirement Board	Environmental Resources and Energy
State Board for Certification of Sewage Enforcement Officers	Environmental Resources and Energy
State Board for Certification of Water and Wastewater Systems Operators	Education
State Board of Private Academic Schools	Education
State Board of Private Licensed Schools	Agriculture and Rural Affairs
State Conservation Commission	State Government
State Ethics Commission	Health and Human Services
State Health Care Policy Board	Education
State Public School Building Authority	Finance
State Tax Equalization Board	Transportation
State Transportation Commission	Transportation
Turnpike Commission	Banking and Insurance
Underground Storage Tank Indemnification Board	Labor and Industry
Unemployment Compensation Board of Review	Veterans' Affairs and Emergency Preparedness
State Veterans' Commission	Labor and Industry
Workers' Compensation Appeal Board	Labor and Industry
State Workers' Insurance Board	Labor and Industry
State Board of Accountancy	Consumer Protection and Professional Licensure
State Architects Licensure Board	Consumer Protection and Professional Licensure
State Board of Auctioneer Examiners	Consumer Protection and Professional Licensure
State Board of Barber Examiners	Consumer Protection and Professional Licensure
State Board of Chiropractic	Consumer Protection and Professional Licensure
State Board of Cosmetology	Consumer Protection and Professional Licensure
State Board of Crane Operators	Consumer Protection and Professional Licensure
State Board of Dentistry	Consumer Protection and Professional Licensure
State Board of Funeral Directors	Consumer Protection and Professional Licensure
State Board of Landscape Architects	Consumer Protection and Professional Licensure
State Board of Massage Therapy	Consumer Protection and Professional Licensure
State Board of Medicine	Consumer Protection and Professional Licensure
State Board of Certified Real Estate Appraisers	Consumer Protection and Professional Licensure
State Board of Vehicle Manufacturers, Dealers and Salespersons	Consumer Protection and Professional Licensure
Navigation Commission for the Delaware River and its Navigable Tributaries	Consumer Protection and Professional Licensure
State Board of Nursing	Consumer Protection and Professional Licensure
State Board of Examiners of Nursing Home Administrators	Consumer Protection and Professional Licensure
State Board of Occupational Therapy Education and Licensure	Consumer Protection and Professional Licensure

State Board of Optometry	Consumer Protection and Professional Licensure
State Board of Osteopathic Medicine	Consumer Protection and Professional Licensure
State Board of Pharmacy	Consumer Protection and Professional Licensure
State Board of Physical Therapy	Consumer Protection and Professional Licensure
State Board of Podiatry	Consumer Protection and Professional Licensure
State Board of Psychology	Consumer Protection and Professional Licensure
State Registration Board for Professional Engineers, Land Surveyors and Geologists	Consumer Protection and Professional Licensure
State Real Estate Commission	Consumer Protection and Professional Licensure
State Board of Examiners in Speech-Language and Hearing	Consumer Protection and Professional Licensure
State Board of Veterinary Medicine	Consumer Protection and Professional Licensure
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors	Consumer Protection and Professional Licensure

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 109**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. 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 BILL

The Clerk of the House of Representatives returned to the Senate **SB 2**, with the information the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

February 4, 2021

HB 11, 12 and 16 -- Committee on Transportation.

February 5, 2021

HB 101, 110 and 187 -- Committee on Agriculture and Rural Affairs.

HB 326 -- Committee on Veterans Affairs and Emergency Preparedness.

BILLS INTRODUCED AND REFERRED

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

February 4, 2021

Senators HUTCHINSON, J. WARD and PITTMAN presented to the Chair **SB 161**, entitled:

An Act providing for the establishment of affordable energy development zones and for powers and duties of the Department of Community and Economic Development and the Department of Revenue; authorizing expenditures; and providing for tax exemptions and tax credits.

Which was committed to the Committee on FINANCE, February 4, 2021.

February 5, 2021

Senators MARTIN, AUMENT, GORDNER, MENSCH, BAKER, PHILLIPS-HILL, J. WARD, BROOKS, MASTRIANO, REGAN, PITTMAN and SCHWANK presented to the Chair **SB 162**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for application of act; providing for payment of property tax through 2021; and further providing for discounts, penalties and notice.

Which was committed to the Committee on FINANCE, February 5, 2021.

Senators SCHWANK, FONTANA, HUGHES, STREET, COLLETT, SANTARSIERO, BLAKE, TARTAGLIONE, COSTA, KANE and CAPPELLETTI presented to the Chair **SB 163**, entitled:

An Act providing for social bias and cultural competence training for public employees and licensees and imposing duties on the Pennsylvania Human Relations Commission.

Which was committed to the Committee on INTERGOVERNMENTAL OPERATIONS, February 5, 2021.

Senators SCHWANK, FONTANA, COLLETT, KANE, KEARNEY, BARTOLOTTA, SANTARSIERO, BROWNE, BREWSTER, COSTA, YUDICHAK, SAVAL, BOSCOLA and MUTH presented to the Chair **SB 164**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, providing for exemption from income.

Which was committed to the Committee on FINANCE, February 5, 2021.

Senators SCHWANK, FONTANA, KEARNEY, HUGHES, COSTA, COMITTA and L. WILLIAMS presented to the Chair **SB 165**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for qualifications; and, in certification of teachers, further providing for State certificates.

Which was committed to the Committee on EDUCATION, February 5, 2021.

Senators SCHWANK and COMITTA presented to the Chair **SB 166**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Drug and Alcohol Programs, further providing for department powers and duties and establishing the Drug and Alcohol Facility License Account; and making inconsistent repeals of certain provisions of the Human Services Code.

Which was committed to the Committee on STATE GOVERNMENT, February 5, 2021.

Senators BARTOLOTTA, KEARNEY, STREET, STEFANO, CAPPELLETTI, BLAKE, SCHWANK, TARTAGLIONE, REGAN, COSTA, BOSCOLA and MUTH presented to the Chair **SB 167**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for definitions; and, in driving after imbibing alcohol or utilizing drugs, further providing for driving under influence of alcohol or controlled substance and for authorized use not a defense.

Which was committed to the Committee on TRANSPORTATION, February 5, 2021.

Senators HUGHES, MENSCH, STREET, FONTANA, KEARNEY, SANTARSIERO, SCHWANK, BROWNE, STEFANO, AUMENT and COMITTA presented to the Chair **SB 168**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, in industry partnerships, further providing for definitions, for industry clusters, for interdepartmental cooperation and for industry and labor market research and providing for dissemination of industry and labor market research to educational institutions.

Which was committed to the Committee on LABOR AND INDUSTRY, February 5, 2021.

RESOLUTIONS INTRODUCED AND REFERRED

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

February 4, 2021

Senators MASTRIANO, ARGALL, DiSANTO, HUTCHINSON, MENSCH, SCAVELLO and J. WARD presented to the Chair **SR 23**, entitled:

A Concurrent Resolution terminating the March 6, 2020, Proclamation of Disaster Emergency issued under the hand and Seal of the Governor, Thomas Westerman Wolf.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 4, 2021.

February 5, 2021

Senators SCAVELLO, BROWNE, J. WARD, STREET, FONTANA, VOGEL, PHILLIPS-HILL, PITTMAN, YUDICHAK and STEFANO presented to the Chair **SR 24**, entitled:

A Resolution recognizing the week of February 14 through 20, 2021, as "National Future Business Leaders of America-Phi Beta Lambda Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, February 5, 2021.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Katie Muth as member of the Public School Employees' Retirement Board.

Senator Judy Ward as a member of the Local Government Commission.

Mr. Marvin G. Meteer as a member of the Local Government Advisory Committee.

Mr. John F. Mizner as a member of the Independent Regulatory Review Commission.

BILL SIGNED

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the presence of the Senate signed the following bill:

SB 2.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request legislative leaves for Senator Regan, Senator Tomlinson, Senator Kim Ward, and Senator Yaw.

The PRESIDENT pro tempore. Senator Gordner requests legislative leaves for Senator Regan, Senator Tomlinson, Senator Kim Ward, and Senator Yaw. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR

THIRD CONSIDERATION CALENDAR

SB 49 CALLED UP OUT OF ORDER

SB 49 (Pr. No. 31) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 49 (Pr. No. 31) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge, identified as Bridge Key 8659, carrying State Route 3037, also known as William Penn Avenue, over the Norfolk Southern and Lehigh Valley Rail Management rail lines in the City of Johnstown, Cambria County, as the Reverend Andrew William Tilly, Jr., Bridge.

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	Corman	Laughlin	Scavello
Aument	Costa	Martin	Stefano
Baker	DiSanto	Mastriano	Street
Bartolotta	Dush	Mensch	Tartaglione
Blake	Fontana	Muth	Tomlinson
Boscola	Gordner	Phillips-Hill	Vogel
Brewster	Haywood	Pittman	Ward, Judy
Brooks	Hughes	Regan	Ward, Kim
Browne	Hutchinson	Robinson	Williams, Anthony H.
Cappelletti	Kane	Sabatina	Williams, Lindsey
Collett	Kearney	Santarsiero	Yaw
Comitta	Langerholc	Saval	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.

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held immediately here on the floor and via Zoom.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Rules and Executive Nominations to be held immediately here on the floor and via Zoom, without objection, the Senate stands in recess.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE

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

SB 109 (Pr. No. 144) (Rereported) (*Concurrence*)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, further providing for declaration of policy and providing for nontaxability of certain income; in emergency COVID-19 response, establishing the Hospitality Industry Recovery Program, providing for emergency education relief to nonpublic schools and for emergency education relief to educational entities and repealing provisions relating to Pennsylvania Housing Finance Agency; establishing the Rental and Utility Assistance Grant Program; in additional special funds and restricted accounts, providing for Workers' Compensation Security Fund transfer to COVID-19 Response Restricted Account; in 2020-2021 Restrictions on Appropriations for Funds and Accounts, further providing for fund transfers; and making appropriations.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Collett and Senator Anthony Williams.

The PRESIDENT pro tempore. Senator Costa requests legislative leaves for Senator Collett and Senator Anthony Williams. Without objection, the leaves will be granted.

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

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 109 (Pr. No. 144) -- 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 finance and tax provisions, further providing for declaration of policy and providing for nontaxability of certain income; in emergency COVID-19 response, establishing the Hospitality Industry Recovery Program, providing for emergency education relief to nonpublic schools and for emergency education relief to educational entities and repealing provisions relating to Pennsylvania Housing Finance Agency; establishing the Rental and Utility Assistance Grant Program; in additional special funds and restricted accounts, providing for Workers' Compensation Security Fund transfer to COVID-19 Response Restricted Account; in 2020-2021 Restrictions on Appropriations for Funds and Accounts, further providing for fund transfers; and making appropriations.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 109?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 109.

On the question,

Will the Senate agree to the motion?

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

Senator PITTMAN. Mr. President, while this has been a very difficult week in our State government in times of somewhat significant disagreement, it is good to see us ending the week in a bipartisan, bicameral fashion to advance Senate Bill No. 109 to the Governor's desk for his signature as what I think is, if not the first, one of the first pieces of legislation to be signed into law. While this legislation is not how I personally would have written every word or phrase, it does embody our efforts to collectively address the ongoing impacts of the COVID-19 pandemic, particularly as it relates to the rental assistance piece. I thank my colleague, Senator Saval, of the Committee on Urban Affairs and Housing, and also thank Chairman Browne for his work on insuring that we provide significant rental assistance to tenants with back bills, as well as with utility bills that need to be addressed. I believe we have crafted this in a commonsense fashion that will allow us to drive these dollars out quickly and efficiently, and I hope this legislation is a harbinger of things to come in our work, collaboratively, to address the impacts of COVID-19. Oftentimes it is the issues that we disagree on that receive the most attention

in our work here in Harrisburg. Hopefully, as we continue to agree on things such as this legislation, that receives additional attention as well, and I look forward to future collaboration with all of my colleagues over the next 2 years.

Thank you, Mr. President.

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

Senator BROWNE. Mr. President, I want to take an opportunity to rise to ask the Members for their overwhelming support of Senate Bill No. 109 and the amendments that were included by the House for this important measure that will include assistance to families and businesses that is necessary during the challenging times of this pandemic as we work together to move forward in a bipartisan way to address some of the most significant challenges that we face. Obviously, this is a response to the actions of our colleagues in Washington, D.C., who have continued to see the need to move forward on assistance packages to assist families and the challenges of our economy. Working with and acknowledging the work of our colleagues in the House who rapidly took up our package as soon as they could to collaborate with us to make the changes they believed were necessary to make this a bicameral, bipartisan package, adding something that we have been talking about for at least a year now that, I believe, reflects what our Washington colleagues want from a very important program that the House added to our package. Understanding that the assistance they are providing to businesses to keep people employed, to keep them operating, should be used for those purposes and stay in the field to help with their operations and their employees.

Without the changes in this bill, which we are hopeful the Governor will accept, there would be a problem with how our Tax Code, unlike the Internal Revenue Code, would treat grants out of the very important Paycheck Protection Program, that we would be taxing those forgivable loans and including money from those loans in our Treasury, rather than having them out in the field keeping people employed. That was an important change the House made, insuring that the very important assistance Washington was providing directly to families for rebates for individuals and families, \$600 and \$1,200, are not taxed by the Commonwealth. These are very important provisions--along with the rental assistance program that Senator Pittman led on; the business assistance program that Senator Stefano led on; and the education components, directly going to some of our most important education institutions, that Senator Martin led on--that this Chamber had supported unanimously. I thank all of the Members for their support and ask for their consideration for this package along with the House amendments.

Lastly, I wanted to acknowledge something. Obviously, we have gotten through a tough week in regard to working and being productive given the weather challenges we have had in the Commonwealth. There is a group of people who have been bunkered in the Capitol, not only working on the Governor's budget, but also this package. Our Appropriations team, led by our executive director, John Guyer, has been collectively in the Capitol working through these important provisions that we need to advance to help our communities, and I wanted to make sure, along with the rest of our staff, that they were acknowledged for their hard work. So thank you to all of the Members for their positive consideration of this bill, and thank you, Mr. President, for your time.

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

Senator KANE. Mr. President, I have not been here long, but this is one of the best days I have had here in this Senate. It feels good to be focusing on legislation that is going to help working people and working families get back on their feet, and I applaud that. I will keep my remarks short, but I want to speak directly to my constituents. To all the people I have talked to who are hurting, who are struggling to make ends meet and put food on their tables, I want to tell you, help is on the way.

Thank you, Mr. President.

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

Senator SAVAL. Mr. President, I rise today to offer my support for Senate Bill No. 109 which, among other things, will distribute hundreds of millions of dollars in assistance to tenants in need. As the pandemic still rages and claims lives across our Commonwealth, it is incumbent on us, for reasons of public health and sheer humanity, to insure that Federal assistance is given to as many people in need as possible, as swiftly and as equitably as possible. With changes negotiated in a bipartisan manner across two Chambers, this bill works to insure that is possible and that Federal dollars distributed to Pennsylvania stay in our Commonwealth and help people in our Commonwealth stay in their homes.

I am very grateful to my colleague, Senator Pittman, with whom I serve on the Committee on Urban Affairs and Housing, for his leadership on this issue. I am also grateful to the chairs of the Committee on Appropriations in both Chambers, Senator Browne and Senator Hughes, and Representative Saylor and Representative Bradford, and, above all, to their incredibly diligent and hardworking staffs for finding a compromise on this bill. As the provisions of this bill are enacted, we must continue to be vigilant and supportive to our State agencies as they distribute the assistance and insure that all the money we have available makes it to the hands of the people who need it: our constituents, our communities, our neighbors.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I echo all of my colleagues in their claims of support in the sense that this will help a lot of people, which is incredibly necessary right now, as we all know the struggle is tremendously real for many people across our Commonwealth. I want to be mindful, though, as we move forward that because of the way the bill is amended, there are concerns from the Department of Revenue regarding the PPP loan forgiveness not being taxable and also it being permitted to be a deduction of expenses and a possible negative fiscal impact to the Commonwealth, around \$220 million. So I just hope that we are able to address this in some capacity to make sure that those who need help get it and that this program is not taken advantage of.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I thank you, and I rise to again applaud the work of my colleagues and urge a "yes" vote. I thank the Leadership on both sides of the aisle for their work on this important legislation. I thank Senator Haywood, with whom

I worked to encourage that we not forget about families who had issues around rent, utilities, and energy costs as we see money allocated to address those challenges that are so urgent. I want to thank all of the Members of the House and Senate who worked on this legislation. I want to say to constituents who are out there who are in the hospitality industry and the food services industry who have been reaching out to us and asking for help, that today, I believe we will move forward, and help is on the way.

Again, I applaud the bipartisan nature in which we are addressing these issues. I am glad today the Senate and House, working together, are putting the issues of Pennsylvanians first and addressing some critical needs that people certainly have. This should serve as a blueprint for how we need to work together to move forward to address the needs of Pennsylvanians who need us to continue to do as we are doing today and put their needs in front of ours. Because in the midst of a pandemic I am proud that, in the midst of a snowstorm, we are going to be able to move out this important legislation and get help to the people of Pennsylvania.

Mr. President, I urge a "yes" vote.

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

Senator COSTA. Mr. President, very briefly, I rise to lend support to my colleagues who have acknowledged their support for Senate Bill No. 109 and ask all of my colleagues to join in for the reasons that were stated. We are addressing four major components today with this legislation, and I, too, applaud the work of our chairpersons of the Committee on Appropriations, Senator Browne and Senator Hughes, and their staff, as well as the folks in the House in helping to navigate this through this process.

With respect to the renters' situation, it is something that is long overdue and we are glad to have a plan in place that is going to be able to drive these dollars out to meet the needs of so many renters, working in conjunction with our landlords not only to pay for rent, but also utility assistance. Based in the hospitality space, I take a moment to recognize my colleagues who have been advancing this legislation as well as others. Senator Brewster and former Senator Iovino, about 10 months ago, introduced this aspect as one of our seven-point plan that relied on using State resources, which we are doing here, these are State dollars, for the purpose of assisting our hospitality community, and I am very pleased that we are doing that here today.

Finally, in the small business space, I think there is another area, and also on the changes that related to the tax consequences, my colleagues Senator Brewster and Senator Schwank, again, 10 months ago, introduced legislation to exempt, I would say, any resources from the Federal government under the CARES Act from income tax. Even going a step further, Mr. President, to provide for the deductibility of the PPP proceeds for small businesses is tantamount to a \$220-million tax cut to our small business community, something that we recognize is very important. While we acknowledge that the Department of Revenue has expressed concerns about that, I do think it is important for us to recognize that between the \$145 million for the hospitality community and \$220 million in business tax cuts to small businesses, that is a pretty significant day for our small business community that we are dealing with here in Pennsylvania. So my hat is off to all the folks who worked on this, and again, I ask for a positive vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Jefferson, Senator Dush.

Senator DUSH. Mr. President, I rise in support of Senate Bill No. 109, as well as in support of what the House has done in the amendment process. I am most grateful for the fact that I know the Governor wanted to tax these relief dollars that have been given out to the people who have been suffering because of the government's influence and taking away the first right in the Pennsylvania Constitution of the people, the right to acquire property. You cannot give with one hand and take away with the other. I am grateful for the House's amendment, and I am glad that the money that is being used to reimburse our citizens and our business owners and businesses is going to be reimbursed in whole and not have us take additional money out of that money. Thank you very much.

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

Senator HUGHES. Mr. President, I appreciate the opportunity to speak in the affirmative on Senate Bill No. 109. Before I go anywhere and talk about any of the details about the legislation, I have to thank the staff. I will start with the Committee on Appropriations staff who, when they got the first call from the Governor's Office that this opportunity was going to be in front of them, just really put their nose to the grindstone, if you will, their collective noses to the grindstone and hammered out, in short time with a great amount of work, the basics of the program that we have in front of us right now. Mark Mekilo, Mike Deery, Toni Marchowsky, the entire Committee on Appropriations staff, the Leader's staff on our side, and everyone else who have been mentioned so far really engaged, but those first calls that came from the administration that we need to really get involved in this and carve out and craft a program that is going to be responsive to the needs in the rental community on this issue. Again, I thank them and want to make sure the record reflects the significant amount of work that they put in. Most of them were hunkered in their homes with little babies running around them and they could not really get away from them--although they might have wanted to get away from them for a few minutes--but they could not get away from them at that time, so thank you all very much, staff, I really appreciate you.

What I think we may have put together here with this rental program is a foundation that can be utilized as more dollars come through in the future. Clearly, as the pandemic continues, and although we are starting to see some relief with more and more vaccines being provided to folks, but the pandemic and the effects of the pandemic will be with us. This is not going to be the only time that we are going to need to get financial support out to our tenants and landlords. So, hopefully, we have crafted a program that is the foundation of what could be utilized going forward. I think it is important that we are clear that there is a tendency to believe that, when we talk about rental support for tenants and landlords, that our landlords are, the majority of them are, in big towers and multi-unit complexes and what have you. That, in fact, is not the case. Most of our landlords are, if you will, mom-and-pop operations handling, if you will, what we call onesies and twosies, an apartment here, a duplex there, a triplex there, somewhere along that line. These are not mega-owners of multiple units. These are single operators who are trying to do their best in a very difficult situation that they did not create on their own. Our ability to get them financial relief support is huge,

in addition to, when you build into the tax relief that Senator Costa just mentioned.

This is a significant step forward. It is significant in that we are making this step and driving millions of dollars forward, but it is also significant because I think we are laying some kind of foundation that can be utilized for additional receipts that will come through in every category that is being discussed in Senate Bill No. 109: the small business support, the rental support, and the other forms of assistance that are put together in Senate Bill No. 109. I have to thank the body and I am thanking all for the rapid response when we moved the bill out of the Senate, when it was taken up quickly in the House of Representatives, and then brought back to us for an unusual, but important, Friday convening to move this forward. I urge us all to step up, to come together, and get this thing moving and prepare for a program that I think will need more assistance coming forward because the crisis of the pandemic will still be with us for many months to come.

Thank you very much, Mr. President.

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

Senator COSTA. Mr. President, very briefly, one of the previous speakers indicated that Governor Tom Wolf wanted to tax the CARES money that individuals received. I do not believe that is an accurate statement. In fact, it is evident in the fact that he has agreed to support this measure, which will cost the Commonwealth, as I mentioned, \$220 million in tax revenue. He supported this measure and supported what has taken place in Senate Bill No. 109.

Thank you, Mr. President.

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

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

YEA-48

Argall	Corman	Laughlin	Scavello
Aument	Costa	Martin	Stefano
Baker	DiSanto	Mastriano	Street
Bartolotta	Dush	Mensch	Tartaglione
Blake	Fontana	Muth	Tomlinson
Boscola	Gordner	Phillips-Hill	Vogel
Brewster	Haywood	Pittman	Ward, Judy
Brooks	Hughes	Regan	Ward, Kim
Browne	Hutchinson	Robinson	Williams, Anthony H.
Cappelletti	Kane	Sabatina	Williams, Lindsey
Collett	Kearney	Santarsiero	Yaw
Comitta	Langerhole	Saval	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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 8 and **SB 55** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 84 (Pr. No. 66) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in district attorney, assistants and detectives, further providing for filling of vacancies.

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, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa, DiSanto, Dush, Fontana, Gordner, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholc, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Sabatina, Santarsiero, Saval, Scavello, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, 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.

SB 85 (Pr. No. 141) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in district attorney, assistants and detectives, further providing for filling of vacancies.

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

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Corman, Costa, DiSanto, Dush, Fontana, Gordner, Haywood, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Scavello, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy

Table with 4 columns of names: Brooks, Browne, Cappelletti, Collett, Comitta, Hughes, Hutchinson, Kane, Kearney, Langerholc, Regan, Robinson, Sabatina, Santarsiero, Saval, 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.

SB 86 (Pr. No. 68) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to home rule and optional plan government, further providing for limitation on municipal powers.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator BOSCOLA. Mr. President, I am a "no" vote on Senate Bill No. 86. The two counties I represent, Northampton and Lehigh, are both home-rule counties, and residents of those counties voted to create a home rule charter. Senate Bill No. 86 usurps that for no good reason. When a DA resigns in those counties, it is the decision by the elected commissioners which decides the replacement. This happens at a public meeting, with a public vote, where the public can weigh in, and it should remain that way. The first district attorneys in any county do not stand for election. They are not up for election, and they may not be the most qualified. At least this process, in my counties, allows for the public to participate, and it is not a Harrisburg mandate. My residents chose self-governance, and that included a process to replace the district attorney, and we want it to remain that way. It is not broken. In fact, I would suggest that more counties do it the way we are doing it, where the public can actually weigh in and participate.

For those reasons, Mr. President, I am a "no" vote on Senate Bill No. 86.

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

Senator STREET. Mr. President, I rise also to express some concerns about this bill. Like my colleague, Senator Boscola, home rule is a provision that is frequently used around the Commonwealth to allow decisions to be made at the local level. The decision for the succession process for the district attorney, I believe, should be made at the local level.

Mr. President, can I ask for interrogation of the maker of the bill?

The PRESIDENT pro tempore. Senator Street asks that the maker of the bill stand for interrogation. Will the Senator agree to it?

Senator Martin agrees. Proceed with your interrogation, Senator Street.

Senator STREET. Mr. President, I thank the maker for his willingness to stand for interrogation. Truly, in the spirit of inquisition, I would ask, is the intent of this provision to obstruct or change the process through which counties can make a decision around deciding the succession process for home rule? If not, then what is the intent of the process?

Senator MARTIN. Mr. President, the intent--if you notice, there were three consecutive bills that we voted on, all addressing a different aspect of the County Code, to standardize across the Commonwealth the process that would be similar in making sure all the provisions, including residency requirements and whatnot, were all the same.

Senator STREET. Mr. President, I would ask additionally, were there circumstances under which there were, the fact that there were inconsistencies created, challenges, in the opinion of the maker, and if so, could he cite so?

Senator MARTIN. Mr. President, this was an issue that was brought to us by the Pennsylvania District Attorneys Association to create consistency across the Commonwealth, and I would not say that there was a specific instance that sparked it, but now, in looking at how we are lining up these bills between this and, of course, the amendment we just put in last week, it standardizes the process across the board, including the things like residency requirements and other requirements to hold the office.

Senator STREET. Mr. President, I thank the maker.

The PRESIDENT pro tempore. Does that conclude your interrogation?

Senator STREET. Mr. President, it does, and I thank the maker.

The PRESIDENT pro tempore. The interrogation has been concluded.

The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I simply would suggest that, while the maker's intent to set standardization certainly has merit in some cases, I think that the process for--Pennsylvania is a large and diverse State, and the process through which home-rule counties make decisions about succession, both in this space and others, is one best left to those counties.

As many of you know, my father was the mayor of Philadelphia. During his tenure as mayor, there were many decisions that the city of Philadelphia made as a home rule county that may have been made differently if they were made by the General Assembly. I think decisions that get to be made based on things that clearly just impact the county should certainly be made whenever possible at the county level. On issues that affect people across the Commonwealth that have implications that are cross-county, that is different. But in this case, when we are talking about how a county decides the succession process for its own district attorney, I see no need for the Commonwealth to prevent that decision to be made at the county level, and, therefore, given my general favor of county-based decisions and protecting the rights of home-rule counties to make decisions, Mr. President, I am going to have to be a "no" and urge a "no" vote on this bill.

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

Senator BAKER. Mr. President, I rise in support of this entire package and acknowledge the work of Senator Martin. He has described the intent of the bill to create not only continuity of

operations, but uniformity when there is a vacancy in a district attorney's office. I will point out that last Session we added the residency requirement for fourth- through eighth-class counties because of a situation that occurred in my part of Susquehanna County that I share with Senator Yaw. The first assistant district attorney did not meet the residency requirements, and he attempted to be seated as district attorney living in a different county. So what this three-bill package does is insures continuity of operations and insures that the individual would meet the residency requirement, all the requirements that a district attorney would meet.

I would also point out that the first assistant district attorney is clearly the individual in the office who knows the operations, knows the cases, and knows the officials who are involved in them. So the continuity of operations is crucial. It also is an interim appointment. It is only a 2-year appointment, and in the case of that, it means the voters would then more quickly have an opportunity to determine who the district attorney is. It would not, in fact, go for a whole 4-year part of the term.

So for all of those reasons, I strongly stand in support of Senator Martin's effort. It is a priority of the District Attorneys Association, and I believe that it makes sense for us to follow continuity and uniformity of operations.

Thank you very much, 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-39

Argall	Corman	Laughlin	Scavello
Aument	DiSanto	Martin	Stefano
Baker	Dush	Mastriano	Tomlinson
Bartolotta	Gordner	Mensch	Vogel
Blake	Haywood	Phillips-Hill	Ward, Judy
Brooks	Hughes	Pittman	Ward, Kim
Browne	Hutchinson	Regan	Williams, Anthony H.
Cappelletti	Kane	Robinson	Yaw
Collett	Kearney	Santarsiero	Yudichak
Comitta	Langerhole	Saval	

NAY-9

Boscola	Fontana	Sabatina	Tartaglione
Brewster	Muth	Street	Williams, Lindsey
Costa			

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.

SECOND CONSIDERATION CALENDAR

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 36 (Pr. No. 17) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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.

SB 64 (Pr. No. 40) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements, for Agricultural Conservation Easement Purchase Fund and for Land Trust Reimbursement Program.

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 78 and **SB 96** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 106 (Pr. No. 71) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for Lieutenant Governor.

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 ON SECOND CONSIDERATION

SB 113 (Pr. No. 84) -- The Senate proceeded to consideration of the bill, entitled:

An Act selecting, designating and adopting the Pennsylvania March as the official march of the Commonwealth of Pennsylvania.

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

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 116 (Pr. No. 87) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents and providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for title to historic property and for powers over certain historic property.

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.

SB 158 (Pr. No. 140) -- The Senate proceeded to consideration of the bill, entitled:

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

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.

UNFINISHED BUSINESS ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 9, 2021

10:00 A.M. APPROPRIATIONS and EDUCATION Senate Chamber (LIVE STREAMED)
(joint public hearing on PASSHE update)

MONDAY, FEBRUARY 22, 2021

12:00 P.M. VETERANS AFFAIRS AND Senate Chamber (LIVE STREAMED)
EMERGENCY PREPAREDNESS (to consider Senate Bill No. 155; and House Bill No. 326)

12:45 P.M. TRANSPORTATION (to consider Senate Bills No. 70 and 120; and House Bills No. 11, 12 and 16) Senate Chamber (LIVE STREAMED)

PETITIONS AND REMONSTRANCES

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, women are often primary caregivers of their families. They care for their spouses, children, and everyone else in their households. But many women do not take the time to care for themselves. Women are often the last to seek help if they are struck with a heart attack, and the first to suffer the ultimate consequence - death. Not only does heart disease claim the lives of more women than men each year, it is also the deadliest of all diseases to affect women. The CDC reports that heart disease caused almost 300,000 deaths in American women in 2017. Mr. President, that is one in every five females. The American Heart Association reports that the broader category of cardiovascular disease, which includes heart disease, accounts for one in every three deaths of American women.

Year after year, heart disease claims the lives of more American women than any other cause, including cancer. Senator Baker and I are hoping to change those odds. As part of the American Heart Association's annual Go Red campaign, we are again offering this resolution to insure that women understand the risks of heart disease, and we are encouraging every woman in Pennsylvania to be more aware and proactive in maintaining their own cardiovascular health.

There are misconceptions about heart disease that could be placing many women at heightened risk. One of those myths is that heart disease does not affect younger women. In fact, it affects women of all ages. In younger women, the combination of smoking and birth control pills increases heart disease by 20 percent. Overeating and a lack of exercise also increases the risk. For many younger women, being born with an underlying heart condition can also be a risk factor. Another common myth is that heart disease does not affect women who are physically fit. The truth is, even those who are very active, even women who work out regularly, can be at risk for heart disease. Unhealthy eating, smoking, and high cholesterol can deter regular exercise and increase your risk. The American Heart Association recommends that everyone should have their cholesterol checked regularly starting at age 20, especially if you have a family history of heart disease, and you should keep an eye on your blood pressure, too.

Mr. President, Senator Baker and I ask our colleagues in the Senate to participate in National Wear Red Day in support of women's health so that we may continue our efforts to reach every mother, daughter, sister, and woman in the Commonwealth. I ask for an affirmative vote on this resolution.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, as you can see, both Senator Tartaglione and I are wearing red, and many of our female colleagues are doing so today in honor of National Wear Red Day 2021, a day to raise awareness for women's health and the devastating impacts of heart disease. I am pleased to be a unified voice with my friend and colleague from across the aisle, Senator Tartaglione. We have been recognizing this important day for, I believe, close to a decade. Thanks in part to the advocacy efforts of the American Heart Association, National Wear Red Day has

become widely recognized not only across Pennsylvania, but across our country.

Each year heart disease continues to be the leading cause of death among women, causing one in three deaths each year. While it is truly alarming to learn how prevalent heart disease and strokes are among women, it is also reassuring to know that there are many things we can do to reduce these statistics. These statistics are the people we love.

Over the last year, we have been faced with the COVID-19 pandemic. Many women have not focused on preventative healthcare, which is one of the most proactive ways to prevent future health complications. So I say, do not wait until the signs of serious trouble are apparent before making your doctor visit. Educate yourself, and then family and friends, of the benefits of healthy choices, as Senator Tartaglione spoke about. Diet, exercise, lifestyle, and, of course, some risk factors cannot be helped, like your family history or your age. Others can be managed. So we ask that you be aware of the risks and the remedies, and if you are able to, I encourage you to get involved in helping others through advocacy or financial support. Many of us have mothers, sisters, aunts, friends, and colleagues who have been impacted by heart disease. So let us do our part to come together to raise awareness, to improve women's health, and to reduce the somber statistics about heart disease. So I am pleased to stand with my friend and colleague as we take part and recognize National Wear Red Day. Go red for women, save a heart, save a life.

Thank you, Mr. President.

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

Senator PHILLIPS-HILL. Mr. President, I rise to join my colleagues in commemorating February 5 as Wear Red for Women Day.

The American Heart Association has worked tirelessly, through volunteer efforts, to raise awareness every year at this time to support women's heart health, as well as serve as a catalyst for change to improve the lives of women not just here in Pennsylvania, or across the United States, but around the globe. I am pleased to see our Chamber unite, in a bipartisan way, behind this good cause. If there is one point to make to the people at home, it is that 80 percent of all cardiac events can be prevented, regardless of gender. Cardiac issues are the greatest health threat we all face, but the good news is that, through lifestyle choices, we can mitigate many of those issues.

I am pleased to join with my fellow female colleagues, and all of my colleagues today, to support Go Red for women and encouraging all of the people of this Commonwealth to join with a friend, or a family member, and make a plan to commit to being heart healthy.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, today marks 5,326 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and, Mr. President, it is far too long.

As I am sure you know, Mr. President, it has been a dozen years since Pennsylvania's low-wage workers received even a nominal raise in the minimum wage. That is also far too long. One reason I say it has been far too long is because the good

people of Pennsylvania are telling us so, as are Americans across the nation, and in all walks of life. They are doing more than just telling us, they are clamoring for us to raise the minimum wage.

Just this week, *Yahoo! Finance* revealed the result of a national Harris Poll that it commissioned on this subject. Eighty-three percent of Americans say that a \$7.25 minimum wage is not enough. Let me repeat that. Not 60 percent, not 70 percent, but 83 percent of Americans said that the minimum wage should be higher. When they say higher, they are not talking about \$8 per hour, or even \$9.50 an hour. Seventy-seven percent of them think that the minimum wage should be at least \$10 an hour. Almost half think it should be at least \$13 an hour. Just to be clear, these folks are not thinking ahead by 5 or 6 years, they significantly want a higher minimum wage, and they want it today.

Mr. President, these survey results should come as no surprise to any of us in the General Assembly. It has been 2 years since Pennsylvania's own Franklin and Marshall poll reported that 69 percent of voters in the Commonwealth favor a minimum wage of at least \$12. Also, it has been 2 years since 82 percent of Philadelphia voters said "yes" to a ballot question calling on us, the Members of the General Assembly, to adopt a \$15 minimum wage. Mr. President, the real surprise here is why, after all this time, and after all the public discourse on what has long been one of the most researched and most debated public policy issues, why are we in the General Assembly not going to do what an overwhelming majority of our constituents want us to do? Why are we not raising the minimum wage?

Earlier this week, we heard Governor Wolf ask us to advance legislation that would raise the minimum wage to \$12 this year, and put it on a path to \$15. This proposal agrees with the minimum wage bill I introduced last Session, and it agrees with the new Senate Bill No. 12 that I will introduce soon. I urge my colleagues to support the bill and deliver the minimum wage raise that Pennsylvanians want.

Thank you, Mr. President.

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

Senator PHILLIPS-HILL. Mr. President, I rise today to commemorate the observance of Four Chaplains Day. Each February 3, this day of remembrance is celebrated across our nation and our Commonwealth. Rabbi Alexander Goode, a Jewish Rabbi; Reverend George Fox, a Methodist Minister; Reverend Clark Poling, a Dutch Reformed Minister; and Father John Washington, a Catholic Priest; the Four Chaplains. The four newly minted First Lieutenants met at the Army Chaplain School at Harvard University, where they prepared for assignments in the European theater and set sail on the *USAT Dorchester* to report to their new assignments. They boarded the *Dorchester* on January 23, 1943, in the port of New York with 900 others as part of a three-ship transport convoy headed to an Army base in Greenland set to traverse the frigid North Atlantic waters through the infamous Torpedo Junction. In the midst of hundreds of young frightened soldiers packed head to toe below deck were the four Army Chaplains, who cast aside their own fears to minister to the needs of others. Differences among the troops ceased to be important when they all shared the same level of fear and uncertainty, whether Protestant, Catholic, or Jewish. The titles of Rabbi, Father, and Reverend were quickly replaced with Chaplain. For it is said that "When sinking in the quicksand of life one does not

ask for the credentials of he who offers the hand of hope, he simply thanks God that the helping hand is there."

On February 2, the *Dorchester* was within 150 miles of Greenland when sonar indicated the presence of an enemy submarine in Torpedo Junction. Captain Hans Danielsen, concerned for the human lives on board his ship, hoped that they could make it through the night, because with daylight air cover they could make it safely to port. Many would not live to see that daylight. In the early hours of February 3, the *Dorchester* was torpedoed by the German submarine *U-223* off Newfoundland in the North Atlantic. The torpedo strike instantly killed 100 men in the hull of the ship. An explosion in the engine room blanketed the ship in darkness. The bitter cold waters of the Atlantic rushed into the hull, and the ship began to sink rapidly. The wounded cried in pain, and the survivors struggled to find the exits and the life jackets necessary to survive. In the utter chaos, four calm voices spoke words of comfort and brought order to the evacuation efforts.

On the 70th anniversary of the sinking of the *Dorchester*, survivor Petty Officer John Maloney recounted that he was reeling from the cold. He headed back towards his cabin when Rabbi Goode called out to him and asked him, "Where are you going?" He replied, "To get my gloves." "Here, take these," said Rabbi Goode, as he handed a pair of gloves to the young officer, who would never have survived the trip back to his cabin. The Petty Officer replied, "I can't take those gloves." "Never mind," the Rabbi responded. "I have two pairs." Maloney slipped the gloves over his hands and returned to the frigid deck, never stopping to ponder, until later when he had reached safety, that there was no way Rabbi Goode would have been carrying a spare set of gloves. Only later, he came to a new understanding of what was transpiring in the mind of the fearless Chaplain. Somehow, Rabbi Goode suspected that he, himself, would never leave the *Dorchester* alive.

Rabbi Goode, Reverend Fox, Reverend Poling, and Father Washington not only comforted the wounded and the dying with the word of God, they valiantly succeeded in getting many of the soldiers out onto the deck of the sinking vessel. With calm strength and organization, the Chaplains directed men to the safety of lifeboats. In less than 20 minutes, the *Dorchester* was almost gone. The Chaplains continued to pass out life jackets until they realized that the lockers were all empty and the life jackets were all gone. It was then that these four men of God did something that would never be forgotten. Together, they sacrificed their own hope of survival for men who were almost total strangers. It is written that "Greater love hath no man than this, that a man lay down his life for his friends." The Chaplains took off their jackets, they gave them to others, and time ran out. The Chaplains had done all they could for those who would survive. The soldiers who reached the lifeboats shared that as they heard the ship sink below the waters, above it all were the voices of the Four Chaplains. "Shma Yisroel Adonai Elohenu Adonai Echod." "Our Father, which art in Heaven, Hallowed be Thy name. Thy kingdom come, Thy will be done." The Four Chaplains stood together arm in arm - Rabbi Goode, Reverend Fox, Reverend Poling, and Father Washington. In a tribute, one of the 230 survivors said, "It was the finest thing I have ever seen this side of Heaven."

On December 19, 1944, all Four Chaplains were posthumously awarded the Purple Heart and the Distinguished Service

Cross. Congress wished to confer the Medal of Honor, but was blocked by the stringent requirements which required heroism performed under fire. So a posthumous special medal for heroism, the Four Chaplains Medal, was authorized by Congress and awarded by the President on January 18, 1961. This medal was never given before, and has never been given since. In York, we find strength in the legacy of the Four Chaplains and of Rabbi Alexander David Goode, who left the pulpit at Temple Beth Israel in 1942 to become an Army Chaplain. Each year, we gather at the Four Chaplains Memorial for York County's annual breakfast to commemorate and honor the service and sacrifice of the Four Chaplains. Local leaders who live their lives by the values of the Four Chaplains are recognized, and scholarships are awarded to students from Alexander D. Goode Elementary School to help them pursue an education; a strong foundation for a life in which they can give of themselves for the betterment of others. Today, I thank the Senate of Pennsylvania for the opportunity to remember the Four Chaplains, their service, their sacrifice, and their legacy.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair thanks the gentlewoman for sharing such an inspirational story.

The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, there was a comment made earlier by a Senator in regard to a position by the Wolf administration and the Revenue Department. There was then a follow-up comment made by the Minority Leader in regard to it. Some folks from the Caucus that I represent wanted there to be a little bit of a clarification in regard to the issue which Senate Bill No. 109 has addressed. I just want to make sure that the record states that prior to the passage of Senate Bill No. 109, it was, in fact, the position of the Secretary of Revenue to tax the proceeds regarding the Paycheck Protection Program. As a matter of fact, the Secretary of Revenue had booked around \$200 million in regard to the revenue that would come in for that program.

So the Secretary of Revenue had put out guidance that said those businesses, mostly small businesses that were benefitting from the Paycheck Protection Program, would need to pay taxes in regard to the loans or the forgiveness of loans they were receiving. Through the efforts of the House and the Senate, we have language that is in Senate Bill No. 109 that would correct that and would, in fact, say the Department of Revenue cannot tax that Paycheck Protection Program forgiveness. I am pleased to say that we have word from the Wolf administration that Governor Wolf intends to sign this bill into law, and that is good news for the small businesses all around this Commonwealth that continue to be challenged during this time.

But for the correction of maybe some comments--and I am not sure if one said exactly what they intended to say--but I did just want to say that prior to today's passage of this bill, the Wolf administration, Secretary of Revenue, had indicated that those forgiveness moneys were going to be taxed. We have corrected it with bipartisan support, Governor Wolf has indicated he is going to sign it, and, hopefully, that will resolve the issue. It is tax time. Businesses and individuals are filing returns, so I would admonish and ask the Secretary of Revenue, once the Governor, I trust, signs this bill into law, that they immediately put out new guidance for those businesses and accountants to make sure that

no one does something that creates any tax consequences now that we have resolved this issue.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, my remarks with respect to the comment that was made was that it was a specific individual who referenced Governor Tom Wolf. I recognize, as you indicate, that the Department of Revenue, based upon the law at that point in time, had sent out directives along those lines. The Governor, in his conversations with me and others, I think, in this building and this Chamber, indicated that he was supportive of Senate Bill No. 109, including the provision that was there that resulted in a different position than what the Secretary had taken up to at that point in time. So I recognize what was stated, but, at the end of the day, I have no doubt that the Department of Revenue will provide the appropriate notice to the taxpayers of Pennsylvania that the PPP language, as well as the language with respect to other CARES resources, will not be subject to tax. I have no doubt that that communication will be made as we go forward.

Thank you, Mr. President.

BILL SIGNED

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the presence of the Senate signed the following bill:

SB 109.

RECESS

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

Senator GORDNER. Mr. President, I move that the Senate do now recess until Monday, February 22, 2021, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 1:26 p.m., Eastern Standard Time.