

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MARCH 16, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 13

SENATE

TUESDAY, March 16, 2021

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

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

PRAYER

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

Let us pray.

The book of Isaiah tells us, "...those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint."

Heavenly Father, we ask You today to help us to be like eagles who soar with strength because of our hope in You. Amen.

PLEDGE OF ALLEGIANCE

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

GENERAL COMMUNICATION

APPOINTMENT OF 2021 LEGISLATIVE REAPPORTIONMENT COMMISSION

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

THE GENERAL ASSEMBLY OF PENNSYLVANIA
Main Capitol Building
Harrisburg, Pennsylvania 17120

March 16, 2021

Veronica Degraffenreid
The Acting Secretary of the
Commonwealth of Pennsylvania
302 North Office Building
Harrisburg, PA 17120

Dear Acting Secretary Degraffenreid:

In accordance with Article II, Section 17(b), of the Constitution of Pennsylvania, we, the President Pro Tempore of the Senate and the Speaker of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania do hereby certify the following individuals as members of the 2021 Legislative Reapportionment Commission.

Kim Ward
Senate Majority Leader

Jay Costa
Senate Minority Leader

Kerry Benninghoff
House Majority Leader

Joanna McClinton
House Minority Leader

Witness my hand and seal
of office this 16th day
of March, 2021.

JAKE CORMAN
President Pro Tempore
of the Senate

Witness my hand and seal
of office this 16th day
of March, 2021.

BRYAN CUTLER
Speaker of the House
of Representatives

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:

March 16, 2021

Senators STEFANO, COLLETT, ARGALL, COSTA, FONTANA, MARTIN, MASTRIANO, MENSCH, SCHWANK, BAKER and KANE presented to the Chair **SB 433**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in National Guard Youth Challenge Program, further providing for definitions and for administration, establishing the Keystone State Challenge Academy Fund and further providing for report and for audit required.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 16, 2021.

Senators VOGEL, SCHWANK, J. WARD, ARGALL, BARTOLOTTA, GORDNER, LANGERHOLC, MENSCH, PHILLIPS-HILL, PITTMAN, STEFANO, STREET and AUMENT presented to the Chair **SB 434**, entitled:

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

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 16, 2021.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Kristin Phillips-Hill as a member of the Legislative Data Processing Committee.

Senator Joe Pittman as a member of the Board of Directors of the Pennsylvania Infrastructure Investment Authority.

BILLS REPORTED FROM COMMITTEES

Senator LAUGHLIN, from the Committee on Game and Fisheries, reported the following bills:

SB 241 (Pr. No. 200)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for exemptions from license requirements.

SB 403 (Pr. No. 394)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in registration and titling of boats, further providing for period of registration.

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

SB 137 (Pr. No. 110)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in budget and finance, establishing the Drug Recognition Expert Training Fund.

SB 411 (Pr. No. 400)

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsylvania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal

removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; providing for Board of Pardons; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation and Parole and for appropriations for the Office of Victim Advocate; making related repeals; and making editorial changes.

HB 14 (Pr. No. 936) (Amended)

A Joint Resolution proposing an emergency amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request legislative leaves for Senator Martin and Senator Argall.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Muth and Senator Tartaglione.

The PRESIDENT. Senator Gordner requests legislative leaves for Senator Martin and Senator Argall.

Senator Costa requests legislative leaves for Senator Muth and Senator Tartaglione.

Without objection, the leaves will be granted.

CALENDAR

SECOND CONSIDERATION CALENDAR

SB 147 CALLED UP OUT OF ORDER

SB 147 (Pr. No. 252) -- Without objection, the bill was called up out of order, from page 2 of the Second Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 147 (Pr. No. 252) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in health and safety, further providing for certification of safety committee.

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

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

YEA-48

Argall	Costa	Martin	Schwank
Aument	DiSanto	Mastriano	Stefano
Baker	Dush	Mensch	Street
Bartolotta	Fontana	Muth	Tartaglione
Boscola	Gordner	Phillips-Hill	Tomlinson
Brewster	Haywood	Pittman	Vogel

Brooks	Hughes	Regan	Ward, Judy
Browne	Hutchinson	Robinson	Ward, Kim
Cappelletti	Kane	Sabatina	Williams, Anthony H.
Collett	Kearney	Santarsiero	Williams, Lindsey
Comitta	Langerholc	Saval	Yaw
Corman	Laughlin	Scavello	Yudichak

NAY-0

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

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

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

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Permission has been granted for the Committee on Community, Economic and Recreational Development to meet today off the floor to consider Senate Bill No. 154.

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of an off-the-floor meeting of the Committee on Community, Economic and Recreational Development to be held here on the floor and via Zoom, to be immediately followed by a Republican caucus to be held in the Majority Caucus Room and via Zoom.

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

Senator FONTANA. Mr. President, Senate Democrats will meet in the rear of the Chamber and via Zoom after the meeting of the Committee on Community, Economic and Recreational Development.

The PRESIDENT. For purposes of an off-the-floor meeting of the Committee on Community, Economic and Recreational Development to be held on the floor and via Zoom, to be followed by Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Muth and Senator Argall have returned, and their legislative leaves are cancelled.

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request a temporary Capitol leave for Senator Baker.

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

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

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Baker.

Senator Costa requests a legislative leave for Senator Lindsey Williams.

Without objection, the leaves will be granted.

RECESS

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

Senator K. WARD. 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 floor and via Zoom.

The PRESIDENT pro tempore. For the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations to be held 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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 8 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 78 (Pr. No. 65) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

SB 78 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 78, Printer's No. 65, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT. The bill will be placed on the Calendar.

BILLS OVER IN ORDER

SB 106 and **SB 113** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

NAY-0

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

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

BILL OVER IN ORDER

SB 120 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 157 (Pr. No. 122) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of July 1, 1978 (P.L.584, No.109), entitled "An act establishing an agency to create the linkage necessary for the planning of an economic development system for Pennsylvania, and making an appropriation."

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 168 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION, AMENDED

SB 191 (Pr. No. 159) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions and for application.

On the question,
Will the Senate agree to the bill on second consideration?
Senator J. WARD offered the following amendment No. A0418:

Amend Bill, page 2, line 13, by striking out "municipality" and inserting:

code administrator

Amend Bill, page 2, line 14, by striking out "municipality" and inserting:

code administrator

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

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

Senator J. WARD. Mr. President, this amendment is technical in nature. It simply replaces "municipality" with "code administrator," and this addresses a concern raised by the Pennsylvania Association of Boroughs and the Department of Labor and Industry.

Thank you, Mr. President.

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

On the question,
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

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

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

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 11, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 24, 2021, of Dennis Flynn, 3126 Butternut Lane, Chester Springs 19425, Chester County, Forty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2023, and until the successor is appointed and qualified.

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

TOM WOLF
Governor

MEMBER OF THE STATE
CONSERVATION COMMISSION

February 26, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 24, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Kopp, Middletown, whose term expired.

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

TOM WOLF
Governor

PHYSICIAN GENERAL

March 8, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 25, 2021, of David Galinsky, M.D., 267 Meeting House Lane, Merion Station 19066, Montgomery County, Seventeenth Senatorial District, for appointment as Physician General, to serve at the pleasure of the Governor, vice Rachel Levine, M.D., Middletown, resigned.

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

TOM WOLF
Governor

VICTIM ADVOCATE

March 11, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 8, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Victim Advocate, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than ninety days beyond that period, vice Jennifer Storm, Camp Hill, whose term expired.

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

TOM WOLF
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator AUMENT. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

February 24, 2021

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, Mary Margaret Hart, 2703 Valley View Road, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2023, and until the successor is appointed and qualified, vice Dene Liott, Pottstown, whose term expired.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF EBENSBURG CENTER

February 24, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Wills, 2363 Saint Augustine Road, Dysart 16636, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg Center, to serve until January 19, 2027, and until the successor is appointed and qualified.

TOM WOLF Governor

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

February 24, 2021

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, Donald Houser, Jr., 816 Highfield Court, Coraopolis 15108, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2024, and until the successor is appointed and qualified.

TOM WOLF Governor

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

February 24, 2021

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, Marian Moskowitz, 1890 Rose Cottage Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2024, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE PENNSYLVANIA HOUSING FINANCE AGENCY

February 24, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Lenker, 2432 Aspen Way, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2026, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF LINCOLN UNIVERSITY OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

December 7, 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, Nandi Jones-Clement, 1020A Old Valley Forge Road, King of Prussia 19406, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University of the Commonwealth System of Higher Education, to serve until August 31, 2024, and until the successor is appointed and qualified, vice Maceo Davis, Chadds Ford, whose term expired.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 7, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel Elby, 3535 Pebble Ridge Drive, York 17402, York County, Forty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF MASSAGE THERAPY

February 24, 2021

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, Dana Douglas, 169 Kuhns Lane, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Camille Baughman, Carlisle, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

February 24, 2021

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, Bryan Strawser, 224 Linden Avenue, Marysville 17053, Perry County, Fifteenth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2022, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Jamie Corey, Lock Haven, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE PLANNING BOARD

February 24, 2021

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, Pasquale Deon, Jr., 1430 Pheasant Run Circle, Yardley 19067, Bucks County, Tenth Senatorial District, for appointment as a member of the State Planning Board, to serve for a term of four years, and until the successor is appointed and qualified, vice Ronald Bailey, Lancaster, resigned.

TOM WOLF
Governor

NOMINATIONS LAID ON THE TABLE

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

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator AUMENT,

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

February 24, 2021

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, Mary Margaret Hart, 2703 Valley View Road, Bellefonte 16823, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2023, and until the successor is appointed and qualified, vice Dene Liott, Pottstown, whose term expired.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 24, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Wills, 2363 Saint Augustine Road, Dysart 16636, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg Center, to serve until January 19, 2027, and until the successor is appointed and qualified.

TOM WOLF
Governor

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

February 24, 2021

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, Donald Houser, Jr., 816 Highfield Court, Coraopolis 15108, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2024, and until the successor is appointed and qualified.

TOM WOLF
Governor

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

February 24, 2021

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, Marian Moskowitz, 1890 Rose Cottage Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2024, and until the successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA HOUSING FINANCE AGENCY

February 24, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Lenker, 2432 Aspen Way, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2026, and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF LINCOLN UNIVERSITY OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

December 7, 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, Nandi Jones-Clement, 1020A Old Valley Forge Road, King of Prussia 19406, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University of the Commonwealth System of Higher Education, to serve until August 31, 2024, and until the successor is appointed and qualified, vice Maceo Davis, Chadds Ford, whose term expired.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 7, 2020

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel Elby, 3535 Pebble Ridge Drive, York 17402, York County, Forty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until the successor is appointed and qualified.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF MASSAGE THERAPY

February 24, 2021

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, Dana Douglas, 169 Kuhns Lane, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to

serve until October 9, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Camille Baughman, Carlisle, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF MASSAGE THERAPY

February 24, 2021

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, Bryan Strawser, 224 Linden Avenue, Marysville 17053, Perry County, Fifteenth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2022, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Jamie Corey, Lock Haven, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE PLANNING BOARD

February 24, 2021

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, Pasquale Deon, Jr., 1430 Pheasant Run Circle, Yardley 19067, Bucks County, Tenth Senatorial District, for appointment as a member of the State Planning Board, to serve for a term of four years, and until the successor is appointed and qualified, vice Ronald Bailey, Lancaster, resigned.

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-48

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, 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, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

**UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE**

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

SB 154 (Pr. No. 133)

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, providing for recovery grants for distressed municipalities and establishing the Distressed Municipalities Recovery Fund.

BILLS ON FIRST CONSIDERATION

Senator FONTANA. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.
The motion was agreed to by voice vote.
The bills were as follows:

SB 137, SB 154, SB 241, SB 403, SB 411 and HB 14.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS

WEDNESDAY, MARCH 17, 2021

10:00 A.M.	STATE GOVERNMENT (to consider Senate Bill No. 274; and House Bill No. 284)	Senate Chamber (LIVE STREAMED)
10:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 89, 114, 282, 382 and 410; and House Bill No. 186)	Senate Chamber (LIVE STREAMED)
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 69, 137 and 411)	Senate Chamber (LIVE STREAMED)

THURSDAY, MARCH 18, 2021

10:00 A.M.	APPROPRIATIONS (budget hearing - Department of Education)	Senate Chamber (LIVE STREAMED)
3:00 P.M.	APPROPRIATIONS (budget hearing - Pennsylvania State System of Higher Education)	Senate Chamber (LIVE STREAMED)

MONDAY, MARCH 22, 2021

10:00 A.M.	APPROPRIATIONS (budget hearing - Department of Corrections and the Board of Probation & Parole)	Senate Chamber (LIVE STREAMED)
2:00 P.M.	APPROPRIATIONS (budget hearing - Department of Community & Economic Development)	Senate Chamber (LIVE STREAMED)

TUESDAY, MARCH 23, 2021

10:00 A.M.	SPECIAL COMMITTEE ON ELECTION INTEGRITY AND REFORM (public hearing on state and local insight on the administration of elections in Pennsylvania).	Hrg. Rm. 1 North Off. (LIVE STREAMED)
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PETITIONS AND REMONSTRANCES

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

Senator J. WARD. Mr. President, today I would like to recognize both Cardiac Rehabilitation Week, which took place on February 14 through February 20, and Pulmonary Rehabilitation Week, which is designated as March 14 through March 20 of this year.

Cardiac rehab plays an important role in reducing the potential devastating effects of heart disease and improving the quality of life for patients and their families. As a cardiac rehab nurse for many years, I can attest to the benefits of these programs. Pulmonary rehabilitation is a program involving exercise, education, and support to help individuals learn to breathe and function at the highest level possible. Both of these weeks help recognize cardiac and pulmonary rehabilitation professionals. That said, I wish to thank them for all they do in providing the highest quality of care for their patients. I am pleased to acknowledge the hard work and dedication of all of these professionals.

Thank you, Mr. President.

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

Senator FONTANA. Mr. President, today I rise to offer my personal condolences to the family of Pittsburgh and Pennsylvania legend John DeFazio, as he deserves the acknowledgment and honor we can bestow on his life here today. Mr. President, when I was a young boy, I was a fan of wrestling. I watched "Jumpin' Johnny" DeFazio on Studio Wrestling in Pittsburgh every Saturday on our local TV station. He definitely was my favorite, as he was always one of the good guys of wrestling. Some years later, I heard about John as a union leader. His reputation was that he was a dedicated leader for his members, for their right to work, fair wages, and benefits.

In 1999, I met John on the campaign trail, as we both were running for a council seat on the new home rule government in Allegheny County. We both were elected and I served 5 1/2 years on council with John. That is when I quickly discovered that John was truly a good guy - when he wrestled, and certainly he was a dedicated leader when he represented his members, and then he worked to be a fair and committed member of the Allegheny County Council. Mr. President, as new council members, and with all the other elected members, I remember walking in parades as a group, and the only thing I heard from the crowd

was, there is "Jumpin' Johnny" DeFazio. No one had a clue who the rest of us were. John never bragged about that or flaunted it, he just smiled and shrugged it off.

After I resigned from Allegheny County Council to run for the Senate seat, John was always there for me. He stood with me and supported me with the labor council, with the other councils, and with everyone. He stood up and supported me and always had good things to say. I certainly will not forget that.

So, Mr. President, I also have a formal citation here today to read in honor of John DeFazio's life and his achievements. *(Reading:)*

The Senate of Pennsylvania mourns the loss of John P. DeFazio, who passed away on February 26, 2021, at the age of 80.

John was born in Pittsburgh on October 30, 1940. He gained recognition in the 1960s and 1970s as a professional wrestler on the "Studio Wrestling" program on WIIC-TV, and he was a four-time winner of the World Wide Wrestling Federation's Junior Heavyweight Championship. He began his career at J & L Steel as a member of the United States Steelworkers Local No. 1843 and was elected President of that local union in 1970. Mr. DeFazio joined the staff of USW in 1977, eventually serving as District 10 Civil Rights Coordinator and Sub-District Director. In 2001, he became the Director of District 10, a position he held for 12 years, and was then elected to the Allegheny County Council upon its inception in 1999. Mr. DeFazio served as the first President. During his 20-year tenure, he helped create the Human Relations Commission, stabilized finances and passed legislation creating the county homestead exemption.

Mr. DeFazio represented many things to many people. Among them a beloved family member, dedicated worker, and avowed community steward who generously gave of his heart and time to enhance the quality of life of his family and community. His inspiring presence and genuine love for his family and friends will live long in the hearts and memories of many individuals whose lives he touched.

Mr. President, I will express to the family of John DeFazio, that the Senate of the Commonwealth of Pennsylvania notes with great sadness on his passing, whose life greatly benefitted all those who he touched, served, and worked with him; and extend the Senate of Pennsylvania's heartfelt condolences to his wife of nearly 50 years, Marsha M. Vincent DeFazio; his son, Greg; his daughters, Heather Manzonelli, Taira Griffith, Skylee Smetanka, Ashley Blasko and Carol; eight grandchildren; four great-grandchildren; and many other family members and friends.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Baker has returned, and her temporary Capitol leave is cancelled.

PETITIONS AND REMONSTRANCES (Continued)

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

Senator BAKER. Mr. President, today we come together to recognize the week of March 14 through March 20 as Pulmonary Rehabilitation Week in an effort to raise awareness about the role of pulmonary rehabilitation and enhancing the quality of life of individuals who suffer with lung disease.

I am pleased to be a unified voice with my friend and colleague, Senator Judy Ward, as we continue to come together annually to bring attention to this important issue. In addition to Pulmonary Rehabilitation Week, we also stand here today to recognize Cardiac Rehabilitation Week, which was recently observed the week of February 14 through February 20. Unfortu-

nately, these health problems are not unique to only a few select people. Nearly everyone knows someone suffering from cardiovascular or pulmonary disease. Heart disease is the leading cause of death in our nation and State. There are many goals for cardiac rehab, but the primary focus for us is educating heart disease patients on lifestyle risks and how to avoid further damage to the heart. Pulmonary disease is the third-leading cause of death in our nation and the fifth-leading cause in Pennsylvania. Pulmonary rehabilitation plays an integral role in improving the quality of life and the overall well-being of individuals who have chronic respiratory disease.

Thanks to medical advancements and the compassionate care of dedicated professionals, the quality of life for individuals with lung disease and heart disease continues to improve. We all join together to thank these men and women for their important work, and I am pleased to stand with my colleague to recognize the week of March 14 through March 20 as Pulmonary Rehabilitation Week.

Thank you, Mr. President.

The PRESIDENT. Senator Tartaglione has submitted remarks for the record, and 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 5,365 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Mr. President, on the surface, advocates for raising the minimum wage suffered a setback last week when Congress adopted the American Rescue Plan and President Biden signed it into law without a provision that would have raised the Federal rate to \$15 over the next four years. Yet, in many ways, what transpired in the U.S. Senate, which removed the minimum wage language from the rescue bill on procedural grounds, brought new energy to the cause. It is a cause that I share, and many of my General Assembly colleagues share, with a majority of Pennsylvania workers and voters. Americans are responding with renewed determination to finally bring about a fair, family-sustaining minimum wage.

In Ohio--our neighbor to the west--a majority conservative State where the minimum wage is already more than a dollar higher than the Federal rate and is growing due to automatic inflation-based annual adjustments, employers are starting to see the writing on the wall. Akron's Children's Hospital just boosted its wage floor to \$15, as have other hospitals and businesses in the area. A local bank and a hobby store have each raised their minimum wage to \$17. A jewelry store pledged to pay all its employees at least \$15 by next year.

In the Idaho panhandle, one of the most conservative places in the country, low-wage workers are speaking out and uniting behind raising the minimum wage. One mall worker in the tiny city of Moscow recently told a Spokane, Washington, newspaper that it is absurd she makes only \$7.25 an hour when, less than a mile away, someone in a similar job makes nearly double that. Yet, the price of goods in their stores are exactly the same. In Washington State, the minimum wage is \$12. As a result, employee retention there is high. But employers on the Idaho side of the border always seem to be scrambling to fill their minimum wage jobs.

Meanwhile, political analysts have noted a significant shift in the dynamics of the minimum wage issue. In the past, it could easily be defined as Democrat versus Republican, labor versus business. But now, party affiliations have become blurred with many moderate Republican legislators and key business leaders expressing their support for a higher minimum wage. *NBC News* recently reported: "Even the U.S. Chamber of Commerce, the titan of Washington business lobbying, says the current \$7.25 federal minimum is 'outdated.'" Public opin-

ion polls have repeatedly shown us that voters from all parties and demographics reached the same conclusion long ago.

Mr. President, now is the time that my colleagues in the General Assembly finally read the writing on the wall. It is time that we act, time that we, too, raise the minimum wage, just as Ohio has done, just as Washington State has done, and just as so many other States and cities across the country have done, and continue to do.

Thank you, Mr. President.

RECESS

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

Senator K. WARD. Mr. President, I move that the Senate do now recess until Wednesday, March 17, 2021, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:03 p.m., Eastern Daylight Saving Time.