

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, MAY 10, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 23

SENATE

MONDAY, May 10, 2021

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

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

PRAYER

The Chaplain, Reverend NATE GOODSON, of Prayer Chapel Church of God in Christ, Upper Darby, offered the following prayer:

I am thankful to Senator Tim Kearney, who serves as the Senator of my district, for this wonderful opportunity to share with you this afternoon.

Let us pray.

Heavenly Father, we pray today for those who serve in the Pennsylvania Senate in these difficult times. We are thankful for the President, the President pro tempore, and all the men and women of the Pennsylvania State Senate. We further ask that You encourage, sustain, and protect each of them as You guide them in their service to You and to all the people of Pennsylvania. We pray for their strength and wisdom, that You will guide their decisions, and that those decisions will find its foundation in love.

Father, surround this august body with people of high moral character and spiritual maturity who will assist them in leading our great State. As our State Senators hear the many voices who cry out to them each day, may they hear Your voice above all others. As we seek answers to the pandemic, issues of racial injustice, economic shutdowns, and the many other challenges that affect the citizens of the Keystone State, allow them to hear Your voice. In the face of these many challenges, would You protect their minds as they steer our State through the uncertain paths that lie ahead, and may they be inspired by the power of Your Holy Spirit. Grant, O Lord, to them insight into the needs of our community and the discernment to make decisions for the benefit of our entire State. Help them to display courage, hope, generosity, and kindness. We ask this in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Goodson, who is the guest today of Senator Kearney.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD OF EDUCATION

April 30, 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, Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2024, and until the successor is appointed and qualified, vice James Barker, McKean, resigned.

TOM WOLF
Governor

SMALL BUSINESS ADVOCATE

April 30, 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, Iola Harper, 387 Lemonte Street, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as Small Business Advocate, to serve until the successor is appointed and qualified, vice the Honorable John R. Evans, Hummelstown, whose term expired and whose last day was April 23, 2021.

TOM WOLF
Governor

**CORRECTION TO NOMINATION
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE CORONERS' EDUCATION BOARD

April 30, 2021

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

Please note that the letter dated March 8, 2021, for the nomination of Steve Diamantoni, M.D., 511 Stonehenge Drive, Lititz 17453, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Coroners' Education Board, to serve for a term of four years, and until the successor is appointed and qualified, vice James Wilson, Wellsboro, whose term expired, should be corrected to read:

Steve Diamantoni, M.D., 511 Stonehenge Drive, Lititz 17543, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Coroners' Education Board, to serve for a term of four years, and until the successor is appointed and qualified, vice James Wilson, Wellsboro, whose term expired.

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:

May 3, 2021

Senators LAUGHLIN, COLLETT, FONTANA, KANE, YUDICHAK, MUTH, COMITTA, TARTAGLIONE, BOSCOLA, SCHWANK, L. WILLIAMS, KEARNEY, TOMLINSON, ROBINSON, CAPPELLETTI and SANTARSIERO presented to the Chair **SB 580**, entitled:

An Act establishing the Pennsylvania Family and Medical Leave Insurance Program and the Family and Medical Leave Insurance Fund; conferring powers and imposing duties on the Department of Labor and Industry; and imposing penalties.

Which was committed to the Committee on LABOR AND INDUSTRY, May 3, 2021.

Senators KEARNEY, FONTANA, SANTARSIERO, KANE, COMITTA, BREWSTER, COLLETT, L. WILLIAMS, COSTA, CAPPELLETTI and SCHWANK presented to the Chair **SB 609**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in public indecency, further providing for the offense of prostitution and related offenses and for the offense of obscene and other sexual materials and performances.

Which was committed to the Committee on JUDICIARY, May 3, 2021.

Senators HUTCHINSON, YAW, STEFANO, MENSCH, PITTMAN, MASTRIANO, BARTOLOTTA, BROOKS, FONTANA, J. WARD and GORDNER presented to the Chair **SB 615**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for specific powers of department and local authorities.

Which was committed to the Committee on TRANSPORTATION, May 3, 2021.

Senators STEFANO, J. WARD, MENSCH, BOSCOLA and MASTRIANO presented to the Chair **SB 616**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for wine expanded permits.

Which was committed to the Committee on LAW AND JUSTICE, May 3, 2021.

Senators TARTAGLIONE, BARTOLOTTA, KANE, HUGHES, STREET, FONTANA, SANTARSIERO, KEARNEY, COLLETT, YUDICHAK, CAPPELLETTI, COSTA, COMITTA and SAVAL presented to the Chair **SB 617**, entitled:

An Act providing for family and medical leave for eligible employees.

Which was committed to the Committee on LABOR AND INDUSTRY, May 3, 2021.

Senators LAUGHLIN, STREET, J. WARD, BAKER, MENSCH, BOSCOLA, COLLETT, AUMENT, A. WILLIAMS, SANTARSIERO, SCHWANK, L. WILLIAMS, VOGEL, CAPPELLETTI, ARGALL and SCAVELLO presented to the Chair **SB 623**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for unlawful acts relative to liquor, alcohol and liquor licensees and for unlawful acts relative to malt or brewed beverages and licensees.

Which was committed to the Committee on LAW AND JUSTICE, May 3, 2021.

Senators MASTRIANO, DUSH, BARTOLOTTA, HUTCHINSON, PHILLIPS-HILL, PITTMAN, SCAVELLO, STEFANO, J. WARD, K. WARD, YAW, GORDNER, ARGALL, LANGERHOLC, CORMAN, REGAN, DiSANTO, ROBINSON, MENSCH, BROOKS and GEBHARD presented to the Chair **SB 624**, entitled:

An Act providing that any Federal action which attempts to register, restrict or ban a firearm or accessory, or to limit, inhibit or regulate the ownership of magazines in this Commonwealth shall be unenforceable in this Commonwealth; and imposing penalties.

Which was committed to the Committee on STATE GOVERNMENT, May 3, 2021.

Senators FONTANA, COSTA, KANE, COLLETT and SANTARSIERO presented to the Chair **SB 625**, entitled:

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wages.

Which was committed to the Committee on LABOR AND INDUSTRY, May 3, 2021.

Senators VOGEL, ARGALL, AUMENT, DiSANTO, YUDICHAK, YAW, SCHWANK, ROBINSON, STEFANO, MENSCH and J. WARD presented to the Chair **SB 629**, entitled:

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for definitions.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 3, 2021.

Senators VOGEL, ARGALL, AUMENT, DiSANTO, YUDICHAK, YAW, SCHWANK, ROBINSON, STEFANO, MENSCH and J. WARD presented to the Chair **SB 630**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for rules and regulations.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, May 3, 2021.

Senators STEFANO, MARTIN, AUMENT and SCHWANK presented to the Chair **SB 631**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for removal of municipal officers.

Which was committed to the Committee on LOCAL GOVERNMENT, May 3, 2021.

May 4, 2021

Senators BROOKS, BARTOLOTTA, ARGALL, YAW, GORDNER, MENSCH, YUDICHAK, STEFANO, AUMENT and J. WARD presented to the Chair **SB 567**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for general authority of Governor.

Which was committed to the Committee on LABOR AND INDUSTRY, May 4, 2021.

Senators LAUGHLIN and DiSANTO presented to the Chair **SB 634**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

Which was committed to the Committee on LABOR AND INDUSTRY, May 4, 2021.

Senators YUDICHAK, BOSCOLA, KANE, KEARNEY, MENSCH, TARTAGLIONE, ARGALL, SCAVELLO, CAPPELLETTI and COLLETT presented to the Chair **SB 635**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in property assessed clean energy program, further providing for purpose, for definitions, for establishment of a program, for notice to lien holder required for participation, for scope of work, for lien and for collection of assessments.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 4, 2021.

Senators BAKER, J. WARD, BARTOLOTTA, VOGEL, STEFANO, MENSCH, PITTMAN and HUTCHINSON presented to the Chair **SB 637**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in storm water management plans and facilities, further providing for fees.

Which was committed to the Committee on LOCAL GOVERNMENT, May 4, 2021.

May 5, 2021

Senators KEARNEY, HUTCHINSON, J. WARD, DUSH and SCHWANK presented to the Chair **SB 589**, 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 definitions, providing for appointment of government study commission in distressed municipality and further providing for first meeting of commission, for function and duty of commission, for hearings and public forums, for report of findings and recommendations, for limitation on enactment of ordinance or filing of petition and for limitation on municipal powers.

Which was committed to the Committee on LOCAL GOVERNMENT, May 5, 2021.

Senators PHILLIPS-HILL, BROOKS, J. WARD, REGAN, SCAVELLO, DUSH, HUTCHINSON, MARTIN, K. WARD, BARTOLOTTA, AUMENT, MASTRIANO, YAW, PITTMAN, STEFANO and BAKER presented to the Chair **SB 618**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for vaccinations.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, May 5, 2021.

Senators HUGHES, COSTA, BARTOLOTTA, PHILLIPS-HILL, FONTANA, TARTAGLIONE, K. WARD, SANTARSIERO, GORDNER, HAYWOOD, MENSCH, BREWSTER, KANE, COMITTA, BOSCOLA, MUTH and CAPPELLETTI presented to the Chair **SB 638**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, providing for the definition of "electronic monitoring device" and further providing for relief.

Which was committed to the Committee on JUDICIARY, May 5, 2021.

May 6, 2021

Senators BROOKS, J. WARD, ARGALL, AUMENT, PITTMAN, MENSCH, MASTRIANO and STEFANO presented to the Chair **SB 640**, entitled:

An Act providing for reporting allegations of fraud relating to elections and imposing duties on the Auditor General.

Which was committed to the Committee on STATE GOVERNMENT, May 6, 2021.

Senators STEFANO, K. WARD, BROWNE, MENSCH, BARTOLOTTA, LANGERHOLC and J. WARD presented to the Chair **SB 641**, 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 Public Welfare and its departmental administrative and advisory boards and commissions, further providing for medical assistance payments and for admissions to drug and alcohol facilities; and making editorial changes.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, May 6, 2021.

May 7, 2021

Senators LAUGHLIN, STEFANO, J. WARD, MENSCH, YAW and MASTRIANO presented to the Chair **SB 643**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in club licensees, further providing for distribution of proceeds.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 7, 2021.

Senators MUTH, SANTARSIERO, COMITTA, SCHWANK, CAPPELLETTI, FONTANA and KEARNEY presented to the Chair **SB 644**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for relationship to solid waste and surface mining.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 7, 2021.

Senators MUTH, SANTARSIERO, COMITTA, SCHWANK, CAPPELLETTI, FONTANA and KEARNEY presented to the Chair **SB 645**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in applications and permits, further providing for permit and license application requirements; and making an inconsistent repeal.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 7, 2021.

Senators MUTH, SANTARSIERO, COMITTA, COSTA, CAPPELLETTI and FONTANA presented to the Chair **SB 646**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in residual waste, further providing for disposal, processing and storage of residual waste and providing for exempt special wastes; and making an editorial change.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 7, 2021.

Senators CORMAN, MARTIN, BAKER, BARTOLOTTA, CAPPELLETTI, COSTA, KEARNEY, PITTMAN, SCAVELLO, J. WARD, YUDICHAK, HUTCHINSON, STEFANO and MENSCH presented to the Chair **SB 664**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for extended special education enrollment due to COVID-19; and, in terms and courses of study, providing for optional year of education due to COVID-19.

Which was committed to the Committee on EDUCATION, May 7, 2021.

May 10, 2021

Senators BROOKS, J. WARD, SANTARSIERO, CAPPELLETTI and PHILLIPS-HILL presented to the Chair **SB 665**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for contributions for grants to fire companies and emergency medical services companies.

Which was committed to the Committee on FINANCE, May 10, 2021.

Senators YAW, MENSCH, STEFANO and MASTRIANO presented to the Chair **SB 666**, 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 Department of Health and its departmental administrative and advisory boards, providing for drug overdose death reporting.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, May 10, 2021.

Senators YAW, STEFANO and COSTA presented to the Chair **SB 667**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions relating to operation of vehicles, providing for protection of children from second-hand smoke in vehicles; and imposing a penalty.

Which was committed to the Committee on TRANSPORTATION, May 10, 2021.

Senators REGAN, BARTOLOTTA, YUDICHAK, PITTMAN, MARTIN, ARGALL, MASTRIANO, STEFANO and HUTCHINSON presented to the Chair **SB 669**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal pensions, providing for pension service credit for prior service with police department.

Which was committed to the Committee on LAW AND JUSTICE, May 10, 2021.

RESOLUTIONS INTRODUCED AND REFERRED

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

May 3, 2021

Senators PHILLIPS-HILL, KEARNEY, BROWNE, BROOKS, FONTANA, SCAVELLO, J. WARD, MARTIN, COLLETT, BARTOLOTTA, COSTA, YUDICHAK, MASTRIANO and STEFANO presented to the Chair **SR 100**, entitled:

A Resolution designating the month of April 2021 as "Pennsylvania Donate Life Month."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 3, 2021.

Senators FONTANA, MUTH, L. WILLIAMS, KEARNEY, KANE and BREWSTER presented to the Chair **SR 101**, entitled:
A Resolution amending Senate Rule 14.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 3, 2021.

May 4, 2021

Senators BROOKS, MASTRIANO, LANGERHOLC, BARTOLOTTA, J. WARD, BROWNE, SCAVELLO, KEARNEY, MARTIN, VOGEL, MENSCH, ARGALL, PITTMAN, COSTA, YUDICHAK, KANE, YAW, GORDNER, STEFANO, CAPPELLETTI and COMITTA presented to the Chair **SR 102**, entitled:

A Resolution designating the month of May 2021 as "Lyme Disease and Tick-Borne Illness Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2021.

Senators BROOKS, BROWNE, KANE, PHILLIPS-HILL, COLLETT, FONTANA, KEARNEY, STREET, COSTA, MARTIN, SANTARSIERO, PITTMAN, MENSCH, VOGEL, STEFANO, YUDICHAK, HUTCHINSON, BARTOLOTTA and COMITTA presented to the Chair **SR 103**, entitled:

A Resolution recognizing the week of May 9 through 15, 2021, as "National Hospital Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2021.

Senators BROOKS, STEFANO, BROWNE, KEARNEY, J. WARD, BARTOLOTTA, ROBINSON, ARGALL, SANTARSIERO, PITTMAN, MARTIN, FONTANA, BREWSTER, YUDICHAK, AUMENT, COSTA, KANE, MENSCH and MASTRIANO presented to the Chair **SR 104**, entitled:

A Resolution recognizing May 8, 2021, as the 76th anniversary of "Victory in Europe Day" or "V-E Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2021.

Senators STEFANO, MUTH, BARTOLOTTA, BROOKS, BROWNE, COLLETT, COSTA, FONTANA, HUGHES, HUTCHINSON, KEARNEY, LANGERHOLC, MARTIN, MENSCH, PHILLIPS-HILL, PITTMAN, REGAN, SANTARSIERO, SCHWANK, VOGEL, J. WARD, L. WILLIAMS, YUDICHAK and COMITTA presented to the Chair **SR 105**, entitled:

A Resolution designating the week of May 16 through 22, 2021, as "Emergency Medical Services Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2021.

Senators MUTH, STEFANO, SANTARSIERO, BROWNE, BROOKS, KEARNEY, REGAN, MARTIN, HUGHES, J. WARD, FONTANA, BARTOLOTTA, SCHWANK, COLLETT, PHILLIPS-HILL, VOGEL, COSTA, PITTMAN, YUDICHAK, L. WILLIAMS and COMITTA presented to the Chair **SR 106**, entitled:

A Resolution designating May 19, 2021, as "Emergency Medical Services for Children Day."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2021.

May 5, 2021

Senators DUSH, ARGALL and PITTMAN presented to the Chair **SR 67**, entitled:

A Concurrent Resolution directing the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States of America to require that the Supreme Court of the United States be composed of nine justices.

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

Senators HUGHES, TARTAGLIONE, SANTARSIERO, A. WILLIAMS, COSTA and CAPPELLETTI presented to the Chair **SR 98**, entitled:

A Resolution encouraging the medical community of this Commonwealth to help raise awareness of unethical organ transplant practices in China.

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

May 6, 2021

Senators VOGEL, KEARNEY, BARTOLOTTA, BROWNE, BROOKS, J. WARD, SANTARSIERO, MENSCH, L. WILLIAMS, HUGHES, FONTANA, PITTMAN, SCAVELLO, COSTA, MARTIN, PHILLIPS-HILL, YUDICHAK and COMITTA presented to the Chair **SR 107**, entitled:

A Resolution recognizing the month of May 2021 as "Stroke Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 6, 2021.

Senators YAW, BARTOLOTTA, J. WARD, STEFANO, MENSCH, GORDNER, PITTMAN and MASTRIANO presented to the Chair **SR 108**, entitled:

A Resolution supporting enhancing the friendship and bilateral relationship between the Commonwealth of Pennsylvania and Taiwan and supporting the signing of a Bilateral Trade Agreement in order to further enhance the economic and trade partnership between the United States and Taiwan.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 6, 2021.

Senators BARTOLOTTA, HUGHES, BROWNE, PHILLIPS-HILL, MARTIN, BROOKS, FONTANA, KEARNEY, J. WARD, SCAVELLO, VOGEL, COLLETT, MUTH, MENSCH, SCHWANK, STEFANO, COSTA, PITTMAN, BREWSTER, CAPPELLETTI and COMITTA presented to the Chair **SR 109**, entitled:

A Resolution designating the month of May 2021 as "Postpartum Depression Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 6, 2021.

May 7, 2021

Senators COLLETT, J. WARD, KEARNEY, PHILLIPS-HILL, FONTANA, HUGHES, STREET, SCAVELLO, BARTOLOTTA, MARTIN, SANTARSIERO, SCHWANK, COMITTA, COSTA, HUTCHINSON, YUDICHAK, KANE, STEFANO and VOGEL presented to the Chair **SR 110**, entitled:

A Resolution designating May 12, 2021, as "School Nurse Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 7, 2021.

Senators COLLETT, J. WARD, KEARNEY, PHILLIPS-HILL, SANTARSIERO, FONTANA, HUGHES, STREET, SCAVELLO, BROOKS, MARTIN, SCHWANK, BROWNE, COMITTA, COSTA, HUTCHINSON, MENSCH, YUDICHAK, KANE and STEFANO presented to the Chair **SR 111**, entitled:

A Resolution designating the week of May 9 through 15, 2021, as "Skilled Nursing Care Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 7, 2021.

Senators J. WARD, COLLETT, PHILLIPS-HILL, KEARNEY, LANGERHOLC, FONTANA, KANE, SANTARSIERO, HUGHES, STREET, BARTOLOTTA, MARTIN, SCAVELLO, COMITTA, MENSCH, COSTA, HUTCHINSON, YUDICHAK and STEFANO presented to the Chair **SR 112**, entitled:

A Resolution designating the week of May 6 through 12, 2021, as "Nurses Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 7, 2021.

HOUSE MESSAGES

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:

May 4, 2021

- HB 331** -- Committee on Banking and Insurance.
- HB 430** -- Committee on Local Government.
- HB 855** -- Committee on Consumer Protection and Professional Licensure.

May 5, 2021

- HB 72, 139, 288 and 950** -- Committee on Intergovernmental Operations.
- HB 129** -- Committee on Labor and Industry.
- HB 609** -- Committee on Consumer Protection and Professional Licensure.
- HB 747** -- Committee on Veterans Affairs and Emergency Preparedness.
- HB 954** -- Committee on Judiciary.

HB 1101 -- Committee on Transportation.

May 6, 2021

- HB 336 and 859** -- Committee on Banking and Insurance.
- HB 723 and 938** -- Committee on Labor and Industry.
- HB 765 and 874** -- Committee on Transportation.

GENERAL COMMUNICATION

STATE ETHICS COMMISSION RULINGS

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

COMMONWEALTH OF PENNSYLVANIA
State Ethics Commission
Finance Building
613 North Street, Room 309
Harrisburg, PA 17120-0400

TO: Director or Administrator
FROM: Robert Caruso, Executive Director
State Ethics Commission
DATE: April 7, 2021
RE: Distribution of State Ethics Commission Rulings

On June 26, 1989, the revised Public Official and Employee Ethics Law was enacted which re-authorized the State Ethics Commission. The State Ethics Commission is responsible for issuing various types of rulings on matters within its mandated jurisdiction. Pursuant to the law, the Commission is mandated to forward, quarterly, a copy of every Opinion, Advice of Counsel, and Order issued to one law library in each county, one public library in each county, the State Library, the State Senate Library, each authority appointing a Commission member, the Pennsylvania Association of County Commissioners, the Pennsylvania Association of Boroughs, the Pennsylvania State Association of Township Supervisors, the Pennsylvania State Association of Township Commissioners, the Pennsylvania State School Boards Association, and the Pennsylvania League of Cities. Your agency is either specifically identified in the above requirement or has been selected as a library to which this mailing will be made pursuant to the above authority. As such, enclosed please find decisions of the State Ethics Commission from January 1, 2021, to March 31, 2021. Due to budgetary restraints, a CD containing said rulings will replace paper copies that were previously sent.

For your information, the Commission generally issues these types of decisions as follows:

Commission Opinions - Opinions are advisory rulings issued by the State Ethics Commission regarding the duties and responsibilities of public officials and employees under the Public Official and Employee Ethics Law. Opinions are catalogued by year of issuance followed by the sequential number of the opinion during that year. As such, opinions relating to 2021 will begin with the number 21-001 and proceed there from as decisions are rendered.

Advice of Counsel - The Commission's Chief Counsel is authorized to issue similar advisory letters. Such letters are issued generally when there is prior precedent for counsel to rely upon in issuing a decision or when the provisions of the State Ethics Act directly provide the answer to the question posed. Advice of Counsel letters are numbered with the year and a 500 series number that progresses in order therefrom as rulings are issued. If more than 100 such letters are issued, a 600 series number will then be used.

Orders - Commission orders are issued at the end of an investigation and are determinations as to whether or not there has been a violation of the State Ethics Act. Commission orders are categorized numerically from the date of the first order in 1979. That is, the first Order issued was Order No. 1. All orders proceed there from.

It is recommended that Opinions, Advices of Counsel and Orders be maintained separately (in numerical order) so as to afford better retrievability.

The enclosed items are being forwarded for retention, cataloging and for the purpose of being publicly available for review by citizens of the Commonwealth of Pennsylvania who may have an interest therein. Additional mailings will be made on a quarterly basis henceforth. If you have any questions in relation to your receipt of these documents and future distribution, please contact me at 717-783-1610 or 800-932-0936. For your information, all Commission rulings are available on-line at www.ethics.pa.gov.

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

BILL SIGNED

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

HB 110.

BILLS REPORTED FROM COMMITTEE

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

SB 73 (Pr. No. 54)

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

SB 237 (Pr. No. 206)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for agreements with institutions of higher education; and, in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements.

SB 351 (Pr. No. 353)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for community-engaged schools.

SB 664 (Pr. No. 728)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for extended special education enrollment due to COVID-19; and, in terms and courses of study, providing for optional year of education due to COVID-19.

HB 365 (Pr. No. 337)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, making editorial changes.

HB 412 (Pr. No. 845)

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, providing for day-to-day substitutes; and, in certification of teachers, further providing for substitute teaching permit for prospective teachers and for program of continuing professional education.

HB 416 (Pr. No. 1494) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for seizure recognition and related first aid training.

LEGISLATIVE LEAVES

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

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

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

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of January 26, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of January 26, 2021.

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

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

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

YEA-47

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

NAY-0

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

The PRESIDENT. The Journal is approved.

RECESS

The PRESIDENT. 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 Republican caucus to be held in the Majority Caucus Room and via Zoom immediately.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber and via Zoom immediately. Thank you.

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

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

LEGISLATIVE LEAVE CANCELLED

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

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I request legislative leaves for Senator Langerholc and Senator Regan.

The PRESIDING OFFICER. Senator Gordner requests legislative leaves for Senator Langerholc and Senator Regan. Without objection, the leaves will be granted.

RECESS

The PRESIDING OFFICER. 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 Appropriations to be held here on the floor and via Zoom immediately.

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on Appropriations to be held on the floor and via Zoom immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE

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

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

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 26 (Pr. No. 14) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 43976, on that portion of State Route 1010 over Chatham Run, Pine Creek Township, Clinton County, as the Tech. Corporal Lee R. Phillips Memorial 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-47

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

NAY-0

A majority of 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.

HB 56 (Pr. No. 39) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 8516, carrying State Route 271 over the West Branch Susquehanna River, Northern Cambria Borough, Cambria County, as the Sergeant William Stock Memorial 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-47

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Street

Baker	Fontana	Muth	Tartaglione
Bartolotta	Gordner	Phillips-Hill	Tomlinson
Boscola	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	Langerhole	Saval	Yaw
Corman	Laughlin	Scavello	Yudichak
Costa	Martin	Schwank	

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.

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 GORDNER, and agreed to by voice vote, the bill was laid on the table.

SB 78 TAKEN FROM THE TABLE

Senator GORDNER. 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

HB 101 and **SB 113** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 124 (Pr. No. 1324) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 8680, carrying State Route 3055 over Stonycreek River in the City of Johnstown, Cambria County, as the City of Johnstown Firefighters Memorial Bridge.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-47

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Street
Baker	Fontana	Muth	Tartaglione
Bartolotta	Gordner	Phillips-Hill	Tomlinson
Boscola	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	Langerhole	Saval	Yaw
Corman	Laughlin	Scavello	Yudichak
Costa	Martin	Schwank	

NAY-0

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

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

BILL OVER IN ORDER

SB 137 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 147 (Pr. No. 685) -- 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.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-47

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Street
Baker	Fontana	Muth	Tartaglione
Bartolotta	Gordner	Phillips-Hill	Tomlinson
Boscola	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	Langerhole	Saval	Yaw

Corman	Laughlin	Scavello	Yudichak
Costa	Martin	Schwank	

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 AMENDED

SB 156 (Pr. No. 135) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, in medical assistance for workers with disabilities, further providing for definitions and for medical assistance benefits for workers with disabilities and workers with medically improved disabilities.

On the question,
Will the Senate agree to the bill on third consideration?
Senator MENSCH offered the following amendment No. A0962:

- Amend Bill, page 5, line 13, by inserting after "2000":
and who is
- Amend Bill, page 6, line 1, by inserting a bracket before "Public"
- Amend Bill, page 6, line 1, by inserting after "Welfare":
] Health and Human Services
- Amend Bill, page 6, line 3, by inserting a bracket before "and"
- Amend Bill, page 6, line 3, by inserting a bracket after "Services"

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 274 (Pr. No. 256) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Coraopolis Borough, Allegheny County.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-47

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Street
Baker	Fontana	Muth	Tartaglione
Bartolotta	Gordner	Phillips-Hill	Tomlinson

Boscola	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
Costa	Martin	Schwank	

NAY-0

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

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

BILLS OVER IN ORDER

SB 426, SB 457 and SB 521 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 104, HB 108 and SB 119 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL REREFERRED

SB 150 (Pr. No. 130) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' pensions and benefits, further providing for blind veteran's pension and for amputee and paralyzed veteran's pension.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 157 (Pr. No. 139) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of first-time home buyer savings accounts for first-time home buyers in this Commonwealth.

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 168 and HB 186 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 224 (Pr. No. 194) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, repealing certificates issued by other states and providing for out-of-state applicants for certifications.

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

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

BILLS OVER IN ORDER

HB 230 and **SB 236** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

SB 241 (Pr. No. 200) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 241 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 241, Printer's No. 200, 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.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 243 (Pr. No. 688) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in games of chance, providing for games of chance operations during disaster emergency.

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 283, HB 284, SB 286, SB 312, HB 425, SB 435, SB 439, SB 441, SB 455, SB 461 and **SB 463** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON SECOND CONSIDERATION
AND REREFERRED

HB 464 (Pr. No. 1392) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for title of act, for intent, for definitions, for primary caregiver support program, for reimbursements, for entitlement not created and for enforcement.

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 477 (Pr. No. 689) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for definitions, for changes in assessed valuation and for abstracts of building and demolition permits to be forwarded to the county assessment office.

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 478 (Pr. No. 503) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 27, 1979 (P.L.241, No.78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," further providing for title of the act; adding a short title; and providing for contracts for services.

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 479 and **SB 480** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 484 (Pr. No. 500) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 2015 (P.L.232, No.64), known as the Pennsylvania Long-term Care Council Act, further providing for Pennsylvania Long-term Care Council.

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 524 (Pr. No. 599) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in home rule and optional plan government, further providing for submission of question for election of government study commission and for limitation on enactment of ordinance or filing of petition.

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 550 (Pr. No. 686) -- 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 special powers and duties of the county, further providing for flags to decorate graves.

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 552 and **SB 554** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 556 (Pr. No. 687) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefits relating to COVID-19 and for definitions.

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

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

BILL OVER IN ORDER

SB 562 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 563 (Pr. No. 609) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for standards for Class VI buildings.

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 566 (Pr. No. 611) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations for liquor, alcohol and malt and brewed beverages, further providing for license auction.

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

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

BILL OVER IN ORDER

HB 951 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE

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

SB 82 (Pr. No. 60) (Rereported)

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

SB 115 (Pr. No. 473) (Rereported)

An Act making the Commonwealth of Pennsylvania a party to the Nurse Licensure Compact; and providing for the form of the compact.

SB 251 (Pr. No. 275) (Rereported)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; in seed, further providing for disposition of funds; establishing the Agronomic Regulatory Account within the General Fund; imposing duties on the Department of Agriculture; and making conforming amendments.

SB 323 (Pr. No. 301) (Rereported)

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

SB 341 (Pr. No. 375) (Rereported)

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

SB 403 (Pr. No. 394) (Rereported)

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

SB 432 (Pr. No. 617) (Rereported)

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking and Securities Code, in banking and securities, further providing for fund.

SB 442 (Pr. No. 460) (Rereported)

An Act providing for an inventory of State-owned assets for the development of fixed broadband services in unserved areas, establishing the Broadband Services Restricted Account and providing for underserved areas of this Commonwealth.

SB 445 (Pr. No. 636) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for contributions for breast cancer research.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 73, SB 237, SB 351, SB 664, HB 365, HB 412 and HB 416.

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

TUESDAY, MAY 11, 2021

9:30 A.M.	FINANCE (to consider Senate Bills No. 279 and 568)	Senate Chamber (LIVE STREAMED)
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY and LOCAL GOVERNMENT (joint public hearing to consider Senate Bill No. 275)	Senate Chamber (LIVE STREAMED)
10:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on a potential data breach with the Department of Health's contact tracing vendor)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
12:30 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 519, 559 and 561; and House Bill No. 854)	Senate Chamber (LIVE STREAMED)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Senate Chamber (LIVE STREAMED)

WEDNESDAY, MAY 12, 2021

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS and ENVIRONMENTAL RESOURCES AND ENERGY (joint public hearing to discuss Senate Bill No. 284 (Yaw) - bonding of solar and wind installations)	Senate Chamber (LIVE STREAMED)
9:00 A.M.	TRANSPORTATION (public hearing on PennDOT's Planning and Environmental Linkages (PEL) study)	Hrg. Rm. 1 North Off.

THURSDAY, JUNE 17, 2021

9:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (S) and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (H) (joint public hearing on Pennsylvania's veterans home care and COVID-19 mitigation protocols)	Room 515 Irvis Off.
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PETITIONS AND REMONSTRANCES

The PRESIDENT. Senator Tartaglione has submitted remarks for the record. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator TARTAGLIONE:)

Mr. President, today marks 5,420 days since the Pennsylvania legislature last raised the minimum wage. That is almost 15 years, and it is far too long.

Mr. President, many of my colleagues may be familiar with the name Reid Hoffman, but for those who are not familiar, he is the co-founder of LinkedIn, a venture capitalist, and one of the richest people in the world. Mr. Hoffman is an entrepreneur in every sense of the word, and he has given us a very powerful quote that illustrates the type of forward-thinking mentality that any successful business owner should have. "Starting a company is like jumping off a cliff and assembling a plane on the way down," he said. In other words, entrepreneurship is a leap of faith. Entrepreneurs know there will be risks involved in their enterprise and they do their best to minimize and prepare for them. At the same time, an entrepreneur knows he or she cannot predict or plan for every potential peril. Yet the entrepreneur presses forward, determined to overcome all challenges as they present themselves.

Unfortunately, the same entrepreneurial spirit is lost on far too many employers--individually and collectively--when fair, equitable worker compensation is the concern. Instead, they all too often shift the burden of faith onto underpaid and underappreciated workers. We know this because of the pre-meditated and mundane excuses that many business owners and their industry groups brandish every time worker advocates bring up the topic of raising Pennsylvania's minimum wage. They often say, businesses cannot afford to pay a higher minimum wage, or we will have to lay off workers. Yet they ignore comprehensive modern research and real-life case studies that tell us otherwise.

In recent months, they have often said, we are in the middle of a pandemic, or this is the worst possible time to raise the minimum wage, as they conveniently ignore that the minimum wage was precisely created to aid in the recovery from a historic economic downturn--the Great Depression. Similarly, raising the minimum wage now will stimulate our economy and help us recover from a terrible economic downturn. Mr. President, when employers say these things, what they are really saying is they do not have confidence that investing more in the workforce and putting more money into consumers' hands will benefit their bottom line; that paying more to their lowest-earning employees will help them build a more stable, efficient, and motivated workforce.

Fortunately, not all employers recite the same old saws. For example, in Virginia--where the first of three scheduled minimum wage increases took effect on May 1--the owner of several hardware stores told a local news organization, "It's easy as a boss to say I want to pay as cheaply as possible so I can make as much money as possible, but I don't think as humans we can do that. We have a responsibility to help create better communities." That shop owner is a member of a national network of responsible entrepreneurs known as Business for a Fair Minimum Wage, a group with many members here in the Commonwealth. More Pennsylvania employers should heed their message.

The tragic irony is, under Pennsylvania's obsolete minimum wage law, hundreds of thousands of low-wage workers are being forced to make their own leap of faith each time they take a job and collect a paycheck. They have been forced to believe, or hope, that by accepting inadequate and immoral compensation in the short term, they will be rewarded in the long run, that they will be able to make ends meet someday and maybe even get a little bit ahead of their bills. Yet, all too often, their hopes and faith lead to disappointment. Their paychecks never catch up to their bills and the raises they get never keep pace with the rising costs of living. It is why 1 in 8 Pennsylvanians are living in poverty and why Philadelphia is the poorest city among the nation's 10 largest cities.

Pennsylvania's low-wage earners have no more time for these unfulfilled hopes and promises. They have been down that road and they know it leads nowhere but to hard times. It is incumbent on us to stop this cycle of poverty and despair by raising the minimum wage to a fair, family-sustaining wage. My Senate Bill No. 12 would achieve that. I urge my colleagues to advance the bill.

Thank you, Mr. President.

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

Senator BROOKS. Mr. President, I rise today to speak on two resolutions. The first being Senate Resolution No. 103, designating May 9 through 15, 2021, as National Hospital Week in Penn-

sylvania. Pennsylvania hospitals and health systems ensure that healthcare services are available in this Commonwealth 24 hours a day, 7 days a week, providing acute inpatient care as well as outpatient, emergency, behavioral health, rehabilitation, long-term, and home care. Pennsylvania's 42 trauma centers, 7 burn centers, and 16 critical access hospitals deliver specialized care whether you live in urban, suburban, or rural Pennsylvania. Pennsylvania is home to seven medical degree-granting schools and numerous academic medical centers and teaching hospitals that train our future healthcare providers and invest in critical health research.

In 2019, Pennsylvania hospitals provided nearly \$836 million in uncompensated care and contributed more than \$143 billion to the State's economy. Pennsylvania hospitals are among the leading employers in Pennsylvania, supporting approximately 660,000 jobs. This resolution, in observance, is a reminder that hospitals are the foundations of the communities that built them, serving people from all walks of life. Mr. President, I would also like to thank and recognize all of the dedicated personnel who are the lifeblood and essence of Pennsylvania's hospitals.

The second resolution I rise to speak on is Senate Resolution No. 104, which I sponsored with my colleague, Senator Stefano. This resolution commemorates the 76th anniversary of Victory in Europe Day, or V-E Day.

By April 1945, the German army was shattered. On May 7, 1945, at General Dwight Eisenhower's headquarters in Reims, a representative of the German High Command signed the document to surrender, unconditionally surrendering all air, land, and sea forces to the Allies on May 8, ending the war in Europe. After 6 years and millions of lives lost, the Nazi scourge was crushed, war in Europe was finally over, and war-weary soldiers and civilians could join in giving thanks. On May 8, 1945, Victory in Europe Day was proclaimed and observed in Western Europe and Great Britain, where more than 1 million people gathered in London with the British Royal Family and Prime Minister Winston Churchill. Observances were also held in Canada and the United States.

This resolution expresses our respect and eternal gratitude to the men and women who served in the European Theater during World War II and to remember and pay tribute to those Americans who made the ultimate sacrifice, giving their lives to their country.

Thank you, Mr. President.

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

Senator BARTOLOTTA. Mr. President, today I rise to present a resolution for Postpartum Depression Awareness Month. COVID-19 has turned maternal depression into Pennsylvania's invisible health crisis. However, even before the public health pandemic, postpartum depression rates were on the rise. After the onset of the pandemic, new mothers reporting symptoms of depression rose from 15 percent to over 40 percent in April and May of 2020. Meanwhile, 72 percent of moms surveyed experienced moderate to high anxiety compared to only 43 percent pre-COVID-19. These challenges add to the extraordinary pressure that has been placed on families by the pandemic such as job loss, lack of child care, and the demands of at-home education for older children. That is why I have introduced Senate Resolution No. 109, which recognizes May as Postpartum Depression Awareness Month in Pennsylvania, to bring awareness

to those who are quietly suffering and letting them know their voices have been heard.

I have also introduced Senate Bill No. 200, along with our colleague, Senator Schwank, which addresses a real need. Children whose mothers suffer from postpartum depression are at higher risk of neglect, adverse brain development, and socialization challenges. Senate Bill No. 200 simply adds another qualifying category to the existing early intervention system, allowing more infants to undergo assessments, tracking, and, if necessary, additional early intervention services. Pediatricians know the providers well and mothers trust the system. Moms and their babies will get seen quickly in an environment focused on both the child and mother.

Unfortunately, many women do not seek professional treatment because of the stigma associated with postpartum depression. Only 15 percent of women with postpartum depression ever receive professional treatment at all, which means many women across the country each year are not getting the support they need, and neither are their infants. But help is available in the form of support groups for mothers and their families, as well as many options for therapy. Prompt treatment can help a woman manage her symptoms and allow her to enjoy her new baby. The best way to combat this illness is to educate the community, raise awareness, and provide screening to identify those who may be at risk.

Mr. President, on behalf of the many mothers, neighbors, women, and friends of the 46th Senatorial District and across the entire Commonwealth--so many I have heard from, listened to, and met with--I stand here today in support of all of them.

Thank you, Mr. President.

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

Senator STEFANO. Mr. President, along with Senator Muth, I rise in support of Senate Resolution No. 105, which marks May 16 through 22 as EMS Week in Pennsylvania, as well as Senate Resolution No. 106, which designates May 19 as EMS for Children Day. These two resolutions honor Pennsylvania's emergency medical services, or EMS, providers and the incredible work they perform on the frontline of our healthcare system. The network of emergency medical responders--ambulance attendants, paramedics, firefighters, police officers, and emergency room doctors and nurses--render aid around the clock in the wake of sudden, life-threatening illnesses or injuries.

First responders provide lifesaving care, often at great risk to themselves, when responding to the scene of brutal crimes, raging fires, and devastating traffic accidents. The truth is, access to high quality emergency care significantly improves a patient's recovery process and chances of survival. As such, all first responders are intrinsically tied together, and when they do work together, their combined efforts make our communities stronger. They are always there for us 24/7, 365. Nationally, EMS Week was first designated by President Gerald Ford in 1973. This year's theme is "This Is EMS: Caring for Our Communities." I am honored to serve as chairman of the Committee on Veteran Affairs and Emergency Preparedness, and I am working with Senator Muth and our committee on a number of measures that would help us sustain the EMS profession, which was in a difficult situation prior to the pandemic and even more so now.

Mr. President, I encourage all Pennsylvanians to take time next week to honor and thank our EMS providers for the work

they do for our communities. I also ask that we listen to their needs.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, thank you, Senator Stefano. I rise, as well, in recognition of and with gratitude for the crucial work of our EMS for Children Program. I urge my colleagues to pass Senate Resolution No. 106, which will designate May 19 as EMS for Children Day.

Each year, 30 million children seek emergency care for illness or injury. The needs of children differ greatly from adults when it comes to care, especially emergency care. Providing that care requires special training and focus on children as patients and not simply as another call they have to attend to. The EMS for Children Program works to reduce childhood morbidity and mortality. Since 1985, this Federal program has provided grants to all States to provide training to emergency response and care personnel, standardizing pediatric treatment and protocols, and ensuring that ambulances and emergency departments have access to child appropriate equipment.

With so much focus on healthcare and frontline workers over the past year, it is crucial that we take this as an opportunity not just to rebuild what we have, but to build on what our constituents deserve. The dedicated public servants of the EMS for Children Program are working to strengthen that system, quite literally, working to save children's lives.

I would also like to take a moment to thank Senator Stefano for cosponsoring this resolution and those colleagues of ours who sponsored and approved this resolution in past years. Once again, I urge my colleagues to pass Senate Resolution No. 106 and help shine a light on the crucial work of the EMS for Children Program.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, there is a bipartisan, nationwide reckoning taking place right now about how much power any governor or general assembly should wield during an emergency. In Arkansas, we recently saw a Republican governor sign into law a bill passed by a Republican Majority legislature to reduce executive emergency power. In New York, we saw just the opposite. We saw a Democratic chief executive limited by a Democratic legislature, again, reducing the Governor's emergency power. There are many other States where this same initiative has played out across our nation: Kentucky; Kansas; Ohio; Utah; Republican-leaning States and Democratic-leaning States, alike.

Every one of us has been faced with hardships throughout the past year of the COVID-19 pandemic - Republicans; Democrats; and Independents. Many of us have spent what seemed like an eternity isolated from our friends and family. Way too many of us have lost family, friends, and neighbors to this terrible disease. This should remind us all that an event of this magnitude requires all branches of our government to work together to help those in need. Throughout the entirety of this pandemic--I think we can agree today looking back a year--this has not been the case in Pennsylvania.

Our Governor has used emergency powers to make decisions by himself, with little to no input from the people who he has

been elected to represent. We have seen it in every community across the State. Many of our small, independent employers were crushed under burdensome restrictions, while the big-box store at the end of town was allowed to operate with relative ease. We have seen the seemingly arbitrary decision-making process and lack of transparency, which left many Pennsylvanians frustrated with how the State has responded to this crisis. Each one of us has heard from thousands and thousands of constituents regarding their concerns. That, of course, brings into mind the fact that next week, because of the acts of this House and Senate, Pennsylvania voters—including those registered as Independents or as third party members—will have the chance to make a decision, to weigh in on how much power they think the Governor should be able to wield during an emergency declaration via two constitutional amendments.

Again, I do not believe this is about Republicans, Democrats, or Independents. When I have an opportunity to teach my night class in college, I always remind my students that the people get the final say. They elect the Governor. They elect the Members of the General Assembly. They do not elect a king. There is a famous painting--this is a reproduction that Senator Costa gave every Member of the Senate in 2012--just outside the Governor's Office from 1681 where King Charles II signs the Charter of Pennsylvania. We elect governors in Pennsylvania. We do not elect kings.

So, I believe the serious question regarding checks and balances should never again be ignored for an entire year, no matter what the circumstances. Personally, I voted "yes" to allow these questions to come before the voters next week, to give all voters - Republicans, Democrats and Independents - the chance to weigh in for themselves on how much power the Governor should have during future disaster declarations. On Tuesday, May 18, that choice will be left up to the voters, as it should be.

Thank you, Mr. President.

GUEST OF SENATOR TIMOTHY P. KEARNEY PRESENTED TO THE SENATE

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

Senator KEARNEY. Mr. President, I rise today to welcome and thank our guest Chaplain today, the Reverend Nate Goodson. Reverend Goodson is a strong and active member of the Upper Darby Bywood community in my district, and I have had the pleasure of working with Nate on many occasions. Reverend Goodson received his bachelor's degree in political science from Cheyney University and entered the field of social work with a master's degree in social work from the University of Pennsylvania. In 1979, he became ordained and was sent to be the Pastor of the Prayer Chapel Church of God in Christ, and he moved with the church in 1998 to Upper Darby, where he remains today. He is dedicated to the Upper Darby community, having served as the first African American councilman in Upper Darby in 2005. He also serves as the founder and chairman of the Bywood Community Association. Reverend Goodson has been married for 47 years to his wife, Lady Audrey Goodson. They are blessed with a daughter, Dea Goodson-Jackson, and a son-in-law, Kwan Jackson--both of whom I have met several times as they have volunteered at the vaccine clinics which we helped organize at Pastor Goodson's church in Upper Darby. In

January 2007, he was given an increase to his blessings with the birth of his first granddaughter, Layla.

So I ask the Senate to give Pastor Goodson our usual warm Senate welcome and, again, thank you for serving as the guest Chaplain with us today.

Thank you, Mr. President.

(Applause.)

PETITIONS AND REMONSTRANCES (Continued)

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

Senator COSTA. Mr. President, I had not planned on speaking on petitions today, but I felt the need to respond to my good friend, Senator Argall's, remarks. First and foremost, I am happy that he likes the Christmas gifts that we provide and the message that goes along with them as he mentioned. But I have to take exception to some of the comments that were made, vis-à-vis the role that the administration has played. While it was stated that he does not believe this to be a Democrat or Republican issue, and it is not. But I think, as we listened to the remarks, he prefaced his remarks and said in his remarks, stating the different composition of States across this country, that some were Democrats, some were Republicans, some in between, and some both in some fashion. I believe, Mr. President, that this is an opportunity for us to recognize that, while this is an important question before the voters, and I do encourage folks to exercise their right to vote, not only Democrats or Republicans, but Independents, Green, Libertarians, and non-affiliated, everyone has the opportunity to weigh in on this important question.

Mr. President, to recommend or suggest that Governor Wolf acted as a king, I think is wholly inappropriate. The Governor acted within the authority that was provided to him under the Constitution, but also under the Pennsylvania statutes that allowed him the opportunity to make emergency declarations and exercise his authority to implement the mitigation efforts that were necessary. At the same time, the Secretary of Health, Dr. Levine, at the outset, was able to also issue orders that were promulgated from her authority--at the time when she served as Secretary of Health--to be able to do so under the appropriate Pennsylvania statute. They exercised that authority in the face of many challenges to their authority, which ultimately ended up in the Pennsylvania Supreme Court, where the Supreme Court essentially said that the legislature, while they had the opportunity to end an emergency declaration by passing a concurrent resolution, which was done here, but they failed to present it to the Governor for his review, whether to accept it and sign it, let it become law, or veto it. That is what is important here. The fact of the matter, this question number one would have removed that check and balance that was in place, as I mentioned, in the process that exists.

Right now, the Democratic Members of this Senate are the Minority party. In the current scenario, if, in fact, the Governor would have vetoed the concurrent resolution that was passed last year, then we would have had an opportunity to participate in the process because it would have required a two-third's vote to override the veto. That is something I think is significant. What this amendment does is strip a Minority party--today it is Democrats, 10 years from now it could be Republicans in the Minority-

-but they are sacrificing the opportunity to participate in this process as to whether or not an emergency declaration should be continued or whether or not it should be ended. That is important to me. I think it is important to the Members of this side of the aisle and also it is important to the people of Pennsylvania because we, too, represent the constituency that we have in our respective districts, and we should have the opportunity to participate in that process. It should not be a process that is simply controlled only by the Majority party, which can ram something through without having it be faced by the Governor, which ends the authority the Governor exercises lawfully in this process. That is one particular flaw that I see with the amendment that is being presented, the constitutional amendment, and that is why I voted "no" on this floor on two occasions and when I filled out my mail-in ballot, I also voted "no" as well.

With respect to the second question that limits the duration to 21 days, I also find that problematic. Mr. President, I believe that 21 days is simply not enough time to exercise the authority that is granted initially to be able to implement, fully understand, and comprehend what steps need to be done and have something along the lines of an implementation plan be put into place, into action. Before you know it, you are back before the legislature asking the 253 Members of the General Assembly to weigh in on terms of whether or not we should continue--in this case, the mitigation efforts that were put into place, again, both by the Governor and the Secretary of Health, two separate and distinct orders--to be able to continue to operate the mitigation steps that were conducted. Now, granted, there may be some issues with respect to how waivers were granted or different things were done, but let us remember, a year ago, we were faced with an unprecedented situation that only happened maybe 100 years before. For the most part, as they say, we were flying the airplane at the same time we were building it. None of us in this Chamber, none of us in this building, and no one in State government at the time ever had experienced anything like this. They were exercising their best judgment based upon the work and knowledge of the experts that they surrounded themselves with in order to implement, as I mentioned, the mitigation efforts.

But I also want to recognize that there were a number of things that, by virtue of that emergency declaration, were permitted to be done by this administration that had profound effects on the people of Pennsylvania. Let me just look at one thing. That thing relates to healthcare. The manner in which we managed telemedicine. The Members of this General Assembly, on this side of the building, in this Senate, have worked for at least two, maybe three, legislative Sessions trying to pass telemedicine legislation. We would get it out of here in a bipartisan way and it is the right thing to do, to authorize telemedicine in this Commonwealth. But you know, the last couple of times it gets over to the House and all of a sudden that particular piece of legislation is amended with anti-choice language in the House and that kills the bill and it dies there. It dies in the House and it does not get done. What happens when we do not have an emergency declaration? We do not have telemedicine to be able to be exercised in this Commonwealth. To me, and I think if you ask any healthcare provider, the ability to administer healthcare to people across this Commonwealth virtually was extremely important. That is how we operate today here. We recognized that we needed to do these types of things.

If, in fact, this amendment goes through, the second constitutional amendment that limits it to 21 days, that means that the legislature would have to give the Governor the authority to continue the next 21 days implementing the emergency declaration plan. The fact of the matter is that every time we have to do that for 21 days, it is a negotiation. We have to negotiate with the Governor with the House, the Governor with the Senate, and mostly with the Majority parties, quite frankly, unfortunately, but that is the way it is going to have to operate. In my view, and in the view of many Pennsylvanians, every time that we have to do another 21-day extension of an emergency declaration, it is a negotiation. With negotiations come compromise, and in this particular instance, with compromise comes lessening of the ability to preserve public safety and public health. It is the people of Pennsylvania who stand to lose if, in fact, we have to compromise on the mitigation efforts or the implementation of an emergency declaration, the plans we put into place, if we have to negotiate every 21 days. Every 21 days the motion is going to be, in my belief, if you want your emergency declaration, Governor, to continue to implement your plan to protect the people of Pennsylvania, here are the conditions. You can do telemedicine, however, you have to have these anti-choice provisions as part of it. Or, if you want to do X, it has to include policy issue Y attached to it, otherwise we are not going to grant you that authority. That is not the way we should be managing emergency declarations in Pennsylvania. The way we should do it is to continue to allow the Governor, who has been given this authority along with the Secretary of Health--or PEMA director, quite frankly, who has been instrumental in the vaccine rollout as well as other things, or the National Guard in the role that they played in helping the work to make sure we dealt with this issue--they should be given the opportunity to manage this pandemic without interference every 21 days from the legislature. I would much prefer, and I believe the number of people who I represent, a good number of them believe, that they would rather have those folks making decisions about whether or not we continue with an emergency declaration as opposed to 253 people in this General Assembly.

Now, granted, is 90 days a long time? Absolutely it is. Maybe I would have felt differently if it was a much more reasonable number of days that we should maybe limit the length of an emergency declaration, but the fact of the matter is, that is the choice we have. Twenty-one days, we are back here in the legislature determining whether we should continue to protect the people of Pennsylvania, allowing the Governor to be able to do that. I believe that is what should be done, but not within 21 days. We should have a conversation about what needs to be done. Certainly, we need to enhance or ramp up further the issue with regard to our conversations among the various parties, whether they be the administration with Democrats, Republicans, House and Senate, industry leaders, healthcare experts, and the like. I know that those conversations did go on, apparently not to the extent that people were happy about. But, at the end of the day, what we have before us is an opportunity to be able to say to Pennsylvanians, we believe, and I believe, the Governor, the Secretary of Health, and others should be given the opportunity to continue to manage an emergency declaration, particularly one that looks like and has acted like this pandemic.

Thank you, Mr. President.

RECESS

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

Senator GORDNER. Mr. President, I move that the Senate do now recess until Tuesday, May 11, 2021, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:05 p.m., Eastern Daylight Saving Time.