

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JUNE 9, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 31

SENATE

WEDNESDAY, June 9, 2021

The Senate met at 12 m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend ADAM BOWER, of Praise Community Church, York, offered the following prayer:

Greetings from York, Pennsylvania. Thank you guys for your service. I have a brief reading from Scripture that is a prayer. It is by King David, son of Jesse; very last words of his life:

"The God of Israel said, the Rock of Israel spoke to me, 'He who rules over men righteously, who rules in the fear of God, is as the light of the morning when the sun rises, a morning without clouds, when the tender grass springs out of the earth, through sunshine after rain.' Truly is not my house so with God? For He has made an everlasting covenant with me, ordered in all things, and secured; for all my salvation and all my desire, will He not indeed make it grow? But the worthless, every one of them He will be thrust away like thorns, because they cannot be taken in hand..."

So, Father, we thank You. I thank You for every servant in here, I bless them with wisdom. Let us get right on the inside so that what You want on the outside may happen in Pennsylvania. In Jesus' name, Amen.

The PRESIDENT pro tempore. The Chair thanks Pastor Bower, who is the guest today of Senator Phillips-Hill.

PLEDGE OF ALLEGIANCE

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

RESOLUTION INTRODUCED AND REFERRED

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

June 9, 2021

Senators DiSANTO and CORMAN presented to the Chair **SR 127**, entitled:

A Concurrent Resolution calling for an amendment to the Constitution of the United States via a Convention of the States, pursuant to

Article V of the Constitution of the United States, establishing term limits for members of Congress.

Which was committed to the Committee on STATE GOVERNMENT, June 9, 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:

June 9, 2021

HB 722, 877, 987 and 1091 -- Committee on Transportation.

HB 952 -- Committee on Finance.

HB 979 and 1095 -- Committee on Judiciary.

HB 1012 and 1500 -- Committee on Health and Human Services.

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

June 9, 2021

HR 106 -- Committee on Veterans Affairs and Emergency Preparedness.

LEGISLATIVE LEAVE

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

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

The PRESIDENT pro tempore. Senator Costa requests a legislative leave for Senator Anthony Williams. Without objection, the leave will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of March 16, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of March 16, 2021.

Senator K. WARD. 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 K. WARD and were as follows, viz:

YEA-47

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

**GUESTS OF SENATOR JUDY WARD
PRESENTED TO THE SENATE**

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

Senator J. WARD. Mr. President, today it is my honor and privilege to welcome Meghan Sinisi, Miss Central Pennsylvania. Meghan lives in Altoona, Blair County. I have known her parents for many years and watched her grow up, and it is so nice for me to be able to introduce her to you all today. Meghan is competing this year to be Miss Pennsylvania. She is a speech-language pathologist and the founder and president of From A New Perspective, a 501(c)(3) nonprofit organization that connects autism families in PA with resources in their communities. For nearly a decade, she has been an advocate for autism acceptance through many social impact initiatives and has coauthored a children's book titled *Building Blocks About Autism*.

As Miss Central Pennsylvania, and hopefully the next Miss Pennsylvania, she plans to continue working on community projects, such as installing sensory rooms in public spaces for families with autistic children to comfortably access community opportunities. With her today is her brother, Chris. Please join me in wishing Meghan well and much success in her endeavors.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Judy Ward please rise so the Senate can give you its usual warm welcome.

(Applause.)

**GUEST OF SENATOR KRISTIN PHILLIPS-HILL
PRESENTED TO THE SENATE**

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

Senator PHILLIPS-HILL. Mr. President, I rise to welcome today's guest Chaplain, Pastor Adam Bower of Praise Community Church located in York. Pastor Bower has been with the church since 2005, and one of the church's values is service. One of the many ways that Praise Community Church is serving its community is by handing out meals for those in need. It started out small, but they are now handing out over 100 meals every Friday night. I look forward to joining Pastor Bower and his congregation in the upcoming weeks.

We are very grateful to have Pastor Bower with us today to pray for our work as we begin this important season of the budget. So, would my colleagues please join me in giving Pastor Bower a warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guest of Senator Phillips-Hill please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR SCOTT F. MARTIN
PRESENTED TO THE SENATE**

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

Senator MARTIN. Mr. President, I rise today to honor the champions of the PA girls' wrestling tournament, which took place in Lancaster County at Spooky Nook Sports this past March. It was an honor to be able to attend, witness the event, and proclaim the day to be Girls' Wrestling Day in Pennsylvania. These girls' accomplishments are a testament to their hard work and dedication. As is the tradition here in the Capitol, those who are crowned State champions were invited to join us in the Chamber today. Some of our State champions are joining us in the Senate gallery, and we have several girls who are three-time State champions and national champions seated with us on the floor. In becoming champions, they have proven that they have put in the time and effort to be the best in their sport.

Wrestling has been a great positive influence on my life, and I am glad to see that the opportunity for girls to experience that influence is growing in our State and across the country. However, these girls have a different experience than I did. They are not only champion athletes, but also champions of growing their sport. It is for that reason that I would again like to voice my support for the SanctionPA effort. I am proud of the work that this organization has accomplished and hope to see girls' wrestling become a PIAA-sanctioned sport in the near future, because the girls in this Commonwealth should have the opportunity to compete to become PIAA State champions.

These young ladies are joined today by family members, coaches, and other supporters who are so proud of what they have done and what girls' wrestling means for our Commonwealth. Today, my Senate colleagues would like to honor their

constituents specifically, and I look forward to everyone hearing about their individual accomplishments. But before I turn it over to them, I ask that my colleagues welcome our special guests who are here today to not only honor these young ladies, but who have been amazing advocates to grow the sport of girls' wrestling and to push it to become an official PIAA-sanctioned sport.

We have with us Brooke Zumas, chair of SanctionPA and assistant coach at Parkland High School; Joe Stabilito, with SanctionPA and chairman of Pennsylvania USA Wrestling; Chris Atkinson with SanctionPA and director of women's wrestling for Pennsylvania USA Wrestling; Jon Mitchell of SanctionPA and athletic director at JP McCaskey High School; Leah Wright, the SanctionPA media liaison; Shelby Hoppis, the SanctionPA and USA Wrestling medical pool; Mattie Potter, SanctionPA and director of special programs for the National High School Coaches Association; and Mike Moyer, executive director of the National Wrestling Coaches Association. Finally, we also have with us today Bruce Baumgartner, a four-time Olympic wrestling medalist and world champion. Bruce won the gold medal in wrestling at the 1984 and 1992 Olympics. We thank him for his support today of girls' wrestling in Pennsylvania.

The people I have mentioned, along with organizations like Wrestle Like a Girl, USA Wrestling, Pennsylvania USA Wrestling, the Pennsylvania Wrestling Coaches Association, the National Wrestling Coaches Association, the National High School Coaches Association, and the Pennsylvania Chapter of the National Wrestling Hall of Fame are all working in collaboration for one simple goal, and that goal is to make girls' wrestling a PIAA-sanctioned sport. So I would like all my colleagues to please welcome our special guests who are here today.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Martin please rise so the Senate can give you our usual warm welcome.

(Applause.)

**GUEST OF SENATOR KIM L. WARD ON
BEHALF OF THE PRESIDENT PRO TEMPORE
PRESENTED TO THE SENATE**

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

Senator K. WARD. Mr. President, on behalf of Senator Corman, I rise to recognize Grace Stem of Bald Eagle High School for capturing the 2021 Pennsylvania Girls' State Wrestling championship, which was held in Lancaster in March.

Grace won the title in her weight class by pinning her two opponents in a combined total of just 1 minute and 30 seconds, less than the time allotted for a single period in wrestling. Her hard work and dedication not only resulted in a State title, but also makes her a role model in the effort to sanction high school girls' wrestling in Pennsylvania. We are seeing tremendous progress towards that goal, and I congratulate Grace for setting a great example and being a terrific ambassador for her sport. Please join me in giving Grace our usual warm Senate welcome.

The PRESIDENT pro tempore. Would my guest please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR JUDY SCHWANK
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, today I have the pleasure of introducing Jayleah Pletz, who is visiting the Capitol today as part of the PA Girls' State Wrestling championship, and her parents, too.

Jayleah is a junior at Governor Mifflin High School and has been wrestling since the fifth grade. Throughout her 6 years of wrestling, she has been named as the PA Folk Style State champion at 101 pounds, PA Freestyle State champion at 100 pounds, and Jayleah was the first female to earn a medal in the BCIAA Individual Tournament. Jayleah enjoys math and science at school and has a GPA of 3.46. She is looking forward to continuing her college education in psychology or special education to become a child therapist. Jayleah also would like to continue her wrestling and soccer career at the college level. I had the pleasure of meeting this young lady this morning; she is delightful. Would my colleagues join me in welcoming her to the Senate. Thank you.

The PRESIDENT pro tempore. Would the guests of Senator Schwank please rise so the Senate can give you its usual warm welcome.

(Applause.)

**GUEST OF SENATOR CAROLYN T. COMITTA
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Chester, Senator Comitta.

Senator COMITTA. Mr. President, thank you very much for introducing me, and it is my great pleasure to welcome to the Senate, Haylie Jaffe. She is a student in Kennett Square. Haylie, I want to welcome you to the Capitol. I thank you so much for making Kennett Square, Chester County, and Pennsylvania proud. I wish you all the best in your continued endeavors. Will my colleagues please join me in congratulating and welcoming Haylie Jaffe.

The PRESIDENT pro tempore. Would the guest of Senator Comitta please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR
DOUGLAS V. MASTRIANO
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Franklin, Senator Mastriano.

Senator MASTRIANO. Mr. President, it is my distinct pleasure to recognize two great athletes from my district from Adams County. The first is Rachel Keller joining us here with her father, Brian, and her coach, Chris Haines. She is completing her senior year at Gettysburg High School in Adams County and resides in Orrtanna, a great part of my district. Not only is she a great champion and athlete, but she also won the Pennsylvania State championship and is a two-time State place winner, four-time varsity letter winner in softball, and a great academic as well. She is an honor roll student, member of the mini-THON, and a member of the Gettysburg district championship wrestling team.

She is going on to attend Salisbury University in Maryland for exercise science.

Additionally, another outstanding athlete is Montana DeLawder, attending with her parents, Phoenix and Meagan, and her coach, Chris Haines. She also was a senior at Gettysburg High School, putting Gettysburg back on the map again. She is a four-time Pennsylvania State champion--incredible--Junior Women's Freestyle national champion; two-time Womens' Folk Style national champion--there is a lot more--eight-time high school All-American; and a great academic as well. Member of the National Honor Society; honor roll student; leader of the school's public communications; holds career wins and records in Pennsylvania for female against male opponents--I am not going to wrestle her, that is for sure--first female to count as scoring competitor at the Pittsburgh Classic; three-year varsity team captain at Gettysburg High School; volunteer coach at Gettysburg Youth Wrestling--passing it on to the next generation--and will be continuing her academic and athletic career at King University in Bristol, Tennessee, for psychology. Please join me in welcoming these great athletes.

The PRESIDENT pro tempore. Would the guests of Senator Mastriano please rise so the Senate can give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, today we have the honor of recognizing outstanding young women who have found a competitive challenge in wrestling and excelled in their pursuit. There are two here from the 20th Senatorial District who took first place at the recent competition at Spooky Nook Sports Complex in Lancaster County.

We have Lexia, known as Lexi, Schechterly from Hunlock Creek in Luzerne County. She is a student at Lake-Lehman High School and a member of Team USA; she finished first in the 108-pound class. Now, we all know that victories are inspiring, but hers is even more special because she defeated the returning champion. It is a standard slogan in sports that to be the best you must beat the best, and Lexi did just that. She also placed second in the PIAA District II championships as a member of the Lake-Lehman High School Wrestling Team.

Also joining me from the 20th Senatorial District is Lily Sherer, a senior from Delaware Valley High School, from Shohola in Pike County. She scored her second consecutive championship. This notable feat comes with an interesting sidebar. She won the 140-pound weight class in 2020 and the 134-pound weight class in 2021. She has signed a letter of intent with Lock Haven University for a wrestling scholarship. So, no doubt these young women have heard over the years that wrestling is not a sport for girls. They proved them wrong, they never gave up. When you consider what they invested in training, strength, agility improvement, and competitive spirit, they made a choice that we all are here today to laud and admire. We applaud them for their athletic accomplishments, but also for their character and perseverance that they have displayed. Lily is seated here on the floor of the Senate. She is accompanied by her

mom, Vivica, and her coach Lou DeLauro. Unfortunately, her proud dad, Allen, could not make the trip today but he is with her in spirit. Also in the gallery are Lexi Schechterly and her parents, Alison and Tim.

I would also like to take a moment to thank our colleague, Senator Martin, for his advocacy and leadership in advancing girls' wrestling here in Pennsylvania. He has been a steady, constant, and passionate champion for growing the sport, and we are doing this today because of his leadership and dedication. So as we honor these young women, let us give them a warm Senate welcome and also take a moment to thank Senator Martin for his efforts.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Baker please rise so the Senate can give you its usual warm welcome.

(Applause.)

GUEST OF SENATOR CRIS DUSH PRESENTED TO THE SENATE

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

Senator DUSH. Mr. President, today I am honored, just as the previous speakers have been, to introduce and congratulate my constituent, Andrea Wilmoth. Andrea is a two-time Pennsylvania girls' State wrestling champion, once in the 140-pound class and once in the 147-pound class. In her most recent tournament in March, she went 4-0 with all four victories coming by pin fall. Andrea also won the bronze medal in her sophomore year. It takes a lot of hard work and dedication to be a champion. It also takes very unique and strong attributes and character to start a new program. Andrea has been working diligently to start a program at DuBois Area High School. She is the driving force behind the DuBois Lady Beavers. Just like other ladies present here today, Andrea hopes that the sport she loves can continue to grow and be formally recognized by the PIAA. I have no doubt that we will see great things in the future from Andrea. I look forward to seeing what she can do as she heads into her senior year at DuBois, as well as the rest of these ladies who have shown some great perseverance. Please join me in welcoming Andrea to the Senate.

The PRESIDENT pro tempore. Would the guest of Senator Dush please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUEST OF SENATOR KRISTIN PHILLIPS-HILL PRESENTED TO THE SENATE

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

Senator PHILLIPS-HILL. Mr. President, it is a great honor to rise to welcome my guest, Ms. Tiffani Baublitz from Kennard-Dale High School in southeastern York County. Tiffani is one of 11 young women being recognized here today for her outstanding achievements in the sport of wrestling. She has won three State championship titles and brought home a gold medal at the Cadet Pan-American Championships in Mexico in 2019. Tiffani is ranked second in the nation by USA Wrestling, FloWrestling, and the National Wrestling Hall of Fame and Mu-

seum. Tiffani plans to continue her educational and athletic endeavors at King University in Tennessee, and Tiffani plans to major in political science, so this may not be the last time that Tiffani is present in this Chamber. I look forward to watching her continued and future success both on and off the mat. Would my colleagues please join me in giving Tiffani a warm Senate welcome.

The PRESIDENT pro tempore. Would the guest of Senator Phillips-Hill please rise and be welcomed by the Senate.
(Applause.)

**GUEST OF SENATOR ROBERT B. MENSCH
AND SENATOR MARIA COLLETT
PRESENTED TO THE SENATE**

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

Senator MENSCH. Mr. President, today it is my pleasure to introduce everyone here to Ms. Trinity Monaghan. Trinity is a constituent from Harleysville, Pennsylvania, Lower Salford Township, and is the daughter of Matthew and Angela Monaghan. Trinity attends Souderton Area High School, where she has been wrestling for the past 4 years. Trinity is being honored today for winning first place during the 2021 MyHouse Pennsylvania State High School Girls' Individual Wrestling Championships. Trinity won the USA Wrestling Northeast Regional championship last month to qualify her for the Pennsylvania Women's National Team for the third year in a row. She is currently ranked by USA Wrestling as the number 21 girl in the country at 225 pounds. This summer, Trinity will be wrestling with Team Pennsylvania at the USA Wrestling Junior National Duals competition in Tulsa, Oklahoma, and will also wrestle at the USA Wrestling National Championships in Fargo, North Dakota. Mr. President, I welcome everyone to join me in welcoming Trinity Monaghan to the Senate today.

Thank you, Mr. President.

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

Senator COLLETT. Mr. President, thank you to Senator Martin for organizing this event and offering remarks in support of the SanctionPA Wrestle Like a Girl movement. I am proud to also personally congratulate Trinity Monaghan, a junior at Souderton Area High School, on her first wrestling State championship. While I am unfortunately unable to join you all in person today, I want to say just how proud I am to see young women like Trinity and these other honorees blazing new trails in what might traditionally be considered a men's sport. You each represent the best of Pennsylvania's young women, and I have no doubt you will inspire more girls to pursue their own goals and dreams, whatever they may be, and work hard to achieve them. When I look at these young women, I see the future of Pennsylvania in their fearlessness, determination, talent, and hard work. I can think of no better way for the Commonwealth to honor the achievements of these athletes than sanctioning girls' wrestling as a sport in the PIAA.

Trinity, congratulations on this momentous achievement. Know that your accomplishment is both a personal victory and a symbolic one. You and your fellow champions are pioneers of girls' wrestling here in Pennsylvania, and your victories on the mat are only the beginning of your success.

Thank you, Mr. President, and thank you, Trinity.

The PRESIDENT pro tempore. Would the guest of Senator Mensch and Senator Collett please rise so the Senate can give you its usual warm welcome.

(Applause.)

**GUESTS OF SENATOR WAYNE LANGERHOLC
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise today to introduce an impressive young lady who is my guest today, Chestnut Ridge Middle School student, Patron Plummer. Patron is an exceptional young athlete who recently captured first place in the girls' varsity division of the 2020 Powerade Junior High School Wrestling Tournament. She remained undefeated during the tournament, recording 5 wins, and won the gold medal defeating her opponent in the final match by a score of 13-2. Earlier this year, Patron received a Senate citation for her performance. It is my pleasure to congratulate her on her personal and athletic achievements and wish her continued success in her academic and athletic careers. I ask for a warm Senate welcome for this outstanding young lady.

The PRESIDENT pro tempore. Would the guest of Senator Langerholc please rise so the Senate can give you our usual warm welcome.

(Applause.)

Senator LANGERHOLC. Mr. President, I rise to introduce Kelley Peters, who serves as my constituent service coordinator out of my Richland office in Cambria County. Kelley started working in this role when I was elected in 2016. She assists constituents with many State-related issues, but most recently has served as our office's unemployment expert. I am reminded frequently of her work as I travel throughout the district and constituents inform me of how Kelley helped them for the past 15 months. It is my honor to introduce Kelley today, thank her for her tireless work for the constituents of the 35th Senatorial District, and ask for a warm Senate welcome.

The PRESIDENT pro tempore. Would the guest of Senator Langerholc please rise so the Senate can give you our usual warm welcome.

(Applause.)

**GUESTS OF SENATOR KIM L. WARD
PRESENTED TO THE SENATE**

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

Senator K. WARD. Mr. President, before we get started on the very important business of swearing in our two new colleagues, Senator-elect Flynn and Senator-elect Gebhard, soon-to-be Senators, I want to take a minute to recognize some elected officials who are here on the floor with us today. We have Lebanon County Commissioner Bill Ames; Representative Frank Ryan; Representative Russ Diamond; Dauphin County Representatives, Representative Sue Helm and Representative Tom Mehaffie; and we also have with us former Senate Majority Leader David Brightbill and State Senator Jeffrey Piccola. So it is so nice to see you all here today. Thank you for being here.

The PRESIDENT pro tempore. Would the guests of Senator Kim Ward please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, as we swear in our good friend, Senator-elect Marty Flynn, today, and as many of us in this room know, he has enjoyed a very great relationship with his colleagues from the Pennsylvania House of Representatives. They are represented here today in large number and I would like to take a moment to run through the list of his colleagues who joined him here today to celebrate this important occasion: Representative Bridget Kosierowski; Representative Ryan Bizzarro; Representative Steve Malagari; Representative Dan Burgos; Representative Maureen Madden; Representative Kyle Mullins; Representative Mike Carroll; Representative Mark Rozzi; Representative Austin Davis; and the next mayor of the city of Pittsburgh, Representative Ed Gainey. We also are joined by the Mayor of Scranton, Paige Cognetti; and Chris Patrick, chair of the Lackawanna Democratic Committee. Mr. President, last but not least, I am pleased and honored to introduce to the Members here and our guests today the undisputed middleweight champion of the world, a famous boxer who served as Marty Flynn's sparring partner for a number of years, Bernard Hopkins.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Costa please rise to be welcomed by the Senate.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SWEARING-IN OF NEW MEMBERS**

Senator K. WARD. Mr. President, as a special order of business, I ask that the Senate proceed to receive the returns of elections for the special elections that were held in the 48th Senatorial District and the 22nd Senatorial District on the 18th of May and that the oath of office be administered to Senator-elect Chris Gebhard and Senator-elect Marty Flynn.

The PRESIDENT pro tempore. At the request of Senator Kim Ward, and without objection, as a special order of business, the Senate will now proceed to receive the official election returns for the special elections held in the 48th Senatorial District and the 22nd Senatorial District on May 18, 2021, and administer the oath of office to Senator-elect Chris Gebhard and Senator-elect Marty Flynn.

ELECTION RETURNS PRESENTED

The PRESIDENT pro tempore. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Acting Secretary of the Commonwealth, Veronica Degraffenreid.

The PRESIDENT pro tempore. The Chair recognizes the Acting Secretary of the Commonwealth, Veronica Degraffenreid.

Acting Secretary DEGRAFFENREID. Mr. President, I have the privilege and honor of presenting the election returns and the certifications of campaign expense compliance for the special elections held on May 18, 2021, in the 22nd and 48th Senatorial Districts.

The PRESIDENT pro tempore. The Chair thanks Acting Secretary Degraffenreid.

The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Twenty-second Senatorial District, as the same have been certified to and filed with my office by the Lackawanna, Luzerne and Monroe County Boards of Elections. Marty Flynn, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this seventh day of June in the year of our Lord two thousand twenty-one and of the Commonwealth the two hundred forty-fifth.

VERONICA DEGRAFFENREID
Acting Secretary of the Commonwealth

OFFICIAL RETURNS
SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
22nd Senatorial District

May 18, 2021

| | | <u>VOTES</u> |
|-------------|-------------------------|--------------|
| DEMOCRATIC | - Marty Flynn | 30,548 |
| REPUBLICAN | - Chris Chermak | 22,465 |
| LIBERTARIAN | - Nathan Covington | 698 |
| GREEN | - Marlene Sebastianelli | 5,373 |
| WRITE-INS | - Scattered | 203 |

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Forty-eighth Senatorial District, as the same have been certified to and filed with my office by the Dauphin, Lebanon and York County Boards of Elections. Chris Gebhard, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Har-

risburg, this seventh day of June in the year of our Lord two thousand twenty-one and of the Commonwealth the two hundred forty-fifth.

VERONICA DEGRAFFENREID
Acting Secretary of the Commonwealth

OFFICIAL RETURNS
SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
48th Senatorial District

May 18, 2021

| | | <u>VOTES</u> |
|------------------------|----------------------|--------------|
| DEMOCRATIC | - Calvin C. Clements | 14,806 |
| REPUBLICAN | - Chris Gebhard | 30,367 |
| LIBERTARIAN | - Tim McMaster | 1,499 |
| BRING PEOPLE TOGETHER- | Edward H. Krebs | 2,326 |
| WRITE-INS | - Scattered | 53 |

**STATEMENT BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. For the record, the Acting Secretary of the Commonwealth has also certified that both Senators-elect Flynn and Gebhard have filed the accounts and affidavits as required by the election laws of this Commonwealth.

**ANNOUNCEMENT BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. The Chair takes this opportunity to announce that permission has been granted for photographers from each Caucus to take photographs on the floor of the Senate during today's swearing-in ceremonies. Videographers from both Caucuses as well. For our guests, however, I politely advise you that taking still pictures or videotaping in the Senate Chamber is not permitted. I ask that during the administration of the oath of office, no pictures be taken or video be taped. At the end of today's ceremonies, however, the Senate will go at ease so you may have time to take some photographs.

ADMINISTRATION OF THE OATH OF OFFICE

The PRESIDENT pro tempore. It is an honor and privilege to have with us today the Honorable Thomas Saylor, Justice of the Supreme Court of Pennsylvania. Justice Saylor has kindly consented to be with us today to administer the oath of office to Senator-elect Gebhard in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present himself with your Bible at the bar of the Senate.

Members and guests will please rise.

Justice Saylor will now administer the oath.

Justice SAYLOR. Thank you, Senator. Would you please place your left hand on the Bible, raise your right hand, and repeat after me:

I, Chris Gebhard, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.
(Applause.)

**REMARKS BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. On behalf of the Senate, the Chair thanks Justice Saylor for presiding at this ceremony and congratulates Senator Gebhard.

ADMINISTRATION OF THE OATH OF OFFICE

The PRESIDENT pro tempore. It is an honor and privilege to have with us today the Honorable Maria McLaughlin, Judge of the Superior Court of Pennsylvania. Judge McLaughlin has kindly consented to be with us today to administer the oath of office to Senator-elect Flynn in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present himself with your Bible at the bar of the Senate.

Members and guests will please rise.

Judge McLaughlin will now administer the oath.

Judge McLAUGHLIN. Well, it is certainly my privilege to be here today. It is a great honor that we get as judges to be able to administer oaths of office, even more special for me today to be able to administer it to my dear friend. I have never felt so safe in the Chambers of the Senate as I am today, surrounded by all of the wrestlers and boxers, and we have our own professional boxer who I get to swear in today. So, thank you for affording me this opportunity and, Marty, if you will, please place your left hand on the Bible, raise your right hand, and repeat after me:

I, Martin Flynn, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations, Senator.

(Applause.)

**REMARKS BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. On behalf of the Senate, the Chair thanks Judge McLaughlin for presiding over this ceremony and congratulates Senator Flynn.

The Senate will be at ease.

(The Senate was at ease.)

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 a Republican caucus to be held in the Majority Caucus Room and via Zoom.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, we have already caucused, no need to caucus for the Democrats. Thank you.

The PRESIDENT pro tempore. For the purpose of a Republican caucus to be held in the Majority Caucus Room 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.

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request legislative leaves for Senator Baker, Senator Judy Ward, and Senator Laughlin.

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

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

The PRESIDENT pro tempore. Senator Kim Ward requests legislative leaves for Senator Baker, Senator Judy Ward, and Senator Laughlin.

Senator Costa requests legislative leaves for Senator Brewster and Senator Comitta.

Without objection, the leaves will be granted.

CALENDAR**THIRD CONSIDERATION CALENDAR****BILL REREFERRED**

SB 1 (Pr. No. 839) -- 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 preliminary provisions, providing for advertising and for mandate waiver program; in pupils and attendance, providing for transfer of attendance records to another school entity or nonpublic school; in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions and for concurrent enrollment agreements; in charter schools, further providing for definitions, for powers of charter schools, for charter school requirements and for powers of board of trustees, providing for duties of administrators, further providing for establishment of charter school, establishing the Public Charter School Commission and providing for application process, further providing for regional charter school, for contents of application, for term and form of charter, for State Charter School Appeal Board, for facilities, for enrollment, for school staff and for funding for charter schools, providing for fee prohibition, further providing for tort liability, for causes for nonrenewal or termination, for multiple charter school organizations, for charter school grants, for provisions applicable to charter schools, for powers and duties of department, for cyber charter school requirements and prohibitions, for school district and intermediate unit responsibilities, for establishment of cyber charter school, for State Charter School Appeal Board review and for applicability of other provisions of this act and of other acts and regulations; and, in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships.

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

BILLS OVER IN ORDER

SB 78, HB 101, SB 113, HB 125, SB 137, SB 423, SB 457 and SB 461 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 486 (Pr. No. 515) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, in preliminary provisions, providing for preference for training programs.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator SABATINA. Mr. President, my legislation, Senate Bill No. 486, seeks to provide preference for members of the Pennsylvania National Guard and Reserve components of the U.S. Armed Forces who have been ordered to active service replacement in any program under the Workforce Development Act. Preference would also be extended to their spouses for the same duration. Unfortunately, as of 2020, Pennsylvania has had the 11th-highest rate of veteran unemployment in the United States at 7.7 percent. This legislation seeks to give eligible service members and their spouses a leg up in seeking out these workforce programs when they return home and join the workforce. I was honored to have the unanimous support of the Committee on Labor and Industry and the Committee on Appropriations, and I respectfully ask my colleagues for their support of this important bill.

Thank you, Mr. President.

LEGISLATIVE LEAVE

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

Senator K. WARD. Mr. President, I request a legislative leave for Senator Langerholc.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-49

| | | | |
|--------|---------|-----------|----------|
| Argall | DiSanto | Laughlin | Scavello |
| Aument | Dush | Martin | Schwank |
| Baker | Flynn | Mastriano | Stefano |

| | | | |
|-------------|------------|---------------|----------------------|
| Bartolotta | Fontana | Mensch | Street |
| Boscola | Gebhard | Muth | Tomlinson |
| Brewster | Gordner | Phillips-Hill | Vogel |
| Brooks | Haywood | Pittman | Ward, Judy |
| Browne | Hughes | Regan | Ward, Kim |
| Cappelletti | Hutchinson | Robinson | Williams, Anthony H. |
| Collett | Kane | Sabatina | Williams, Lindsey |
| Comitta | Kearney | Santarsiero | Yaw |
| Corman | Langerholc | Saval | Yudichak |
| Costa | | | |

NAY-0

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

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

SB 516 (Pr. No. 802) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for payment of court costs, restitution and fines.

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?

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Laughlin has returned, and his legislative leave is cancelled.

And the question recurring,
Shall the bill pass finally?

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

Senator SAVAL. Mr. President, I rise today in opposition to Senate Bill No. 516. I appreciate what I perceive to be my colleague's intention to create accountability in our court system and consistency across it. But, along with criminal justice reform advocates and the Pennsylvania Coalition Against Domestic Violence, I worry that the impact of this bill will be to hurt indigent defendants who are already targeted by the current system. Referral to a private collection agency has both the potential to affect a defendant's credit as well as adding a surcharge to existing fees, restitutions, etc., which are already punitive. Current practice only allows it to referral after a hearing in which the defendant is determined to be, quote, financially able to pay. Referral to a collection agency in the case of non-appearance makes no allowances for why people fail to appear in court - because of a lack of child care; inability to take off work; or any similar, reasonable barrier. The creation of additional penalties for a system that is multifarious in the ways that it penalizes indigent defendants makes it difficult for me to support this legislation, and I urge my colleagues to vote "no." Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-34

| | | | |
|------------|------------|---------------|-------------|
| Argall | DiSanto | Martin | Santarsiero |
| Aument | Dush | Mastriano | Scavello |
| Baker | Flynn | Mensch | Stefano |
| Bartolotta | Fontana | Phillips-Hill | Vogel |
| Boscola | Gebhard | Pittman | Ward, Judy |
| Brewster | Gordner | Regan | Ward, Kim |
| Brooks | Hutchinson | Robinson | Yaw |
| Browne | Langerholc | Sabatina | Yudichak |
| Corman | Laughlin | | |

NAY-15

| | | | |
|-------------|---------|---------|----------------------|
| Cappelletti | Haywood | Muth | Tomlinson |
| Collett | Hughes | Saval | Williams, Anthony H. |
| Comitta | Kane | Schwank | Williams, Lindsey |
| Costa | Kearney | Street | |

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

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

BILL OVER IN ORDER

SB 524 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 554 (Pr. No. 875) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in open meetings, further providing for public notice and providing for notification of agency business required and exceptions.

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

On the question,
Shall the bill pass finally?

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

Senator STEFANO. Mr. President, Senate Bill No. 554 amends the Sunshine Act to further increase government transparency. The Sunshine Act's purpose is to ensure the public can be informed and present at their government's proceedings. However, it is all too easy for the public to be interested in the topic but be unaware of when it is to be considered. This legislation will require agencies to post their agenda at least 24 hours in advance of a meeting. The agenda must be posted on the agency's publicly accessible Website, if available; at the location

of the meeting; and at the agency's principle location. In addition, copies must be made available to those who choose to attend the meeting. As the public is becoming increasingly more interested in government, I believe they have a right to know in advance what is to be considered at a public meeting so they have an opportunity to engage in the issues that matter most to them. I ask for an affirmative vote.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

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 561 and **SB 563** -- 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 618 (Pr. No. 876) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

Senator PHILLIPS-HILL. Mr. President, I rise in support of Senate Bill No. 618. Senate Bill No. 618, which I have sponsored alongside the Senators from Mercer and Blair Counties, is a simple concept. It would ban the State, county, local municipality, school district, or college that receives State taxpayer subsidies from requiring a proof of the COVID-19 vaccine to enter a facility within its territory. The State could not require proof of vaccines for a citizen to enter into a restaurant, barber shop, or live their daily lives. New York State created the Excelsior Pass, which is a QR code that individuals show to prove they have received the vaccine. Taxpayers in New York State paid IBM to develop this vaccine passport app to the tune of \$2.5 million. Here is something to be aware of. The three approved vaccines have been approved under emergency use authorization. None of the vaccines have been fully approved by the Federal Food and Drug Administration. Under Federal law, an individual must be given the option to accept or refuse administration of the vaccine. The good news is that the administration has stated that they have no plans to implement a vaccine passport in Pennsylvania. This bill will ensure that remains the case.

Yesterday, the gentlewoman from Blair County amended the legislation to prohibit the Secretary of Health from unilaterally putting in place prohibitions that we have all experienced and heard a lot about from our constituents over the last 15 months. Over the last few months, we have seen a massive data breach over very sensitive personal healthcare data and information from the third party vendor the Department of Health tasked to contact trace citizens here in the Commonwealth. We still do not have the answers for the more than 70,000 Pennsylvanians impacted. This legislation will assure the people of Pennsylvania that the State will not even entertain a possible vaccine passport smartphone app, as well as ban any requirement of proof of vaccine to carry on with our day-to-day lives. I respectfully ask for an affirmative vote.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I was very supportive of this legislation when it started out prohibiting proof of vaccination, but there are 67 counties, 500 school districts, and 2,561 municipalities in this Commonwealth; so the idea that there could be 3,128 different vaccination policies across this Commonwealth was concerning to me, made no sense. So the legislation at that time made some sense. Since then--let me put it this way--since we are now roughly 60 percent fully vaccinated for people over 12 and over 70 percent have received their first shot, I do not believe we really need a policy requiring individuals to show proof that they are vaccinated at this point. Everywhere you go a lot of people are not wearing their masks, mitigation orders have been lifted, and many people are now acting as if life has gone back to normal.

Unfortunately, what happened with this legislation was that an amendment was added yesterday that is totally irresponsible policy. The amendment precludes the Secretary of Health from instituting protective measures to address future public health crises and some that could be far more contagious, far more deadly than COVID-19. Why are we doing this? Just because some people in this building do not like Governor Wolf, and that makes no sense to me. We should never legislate off emotion. Tying the hands of future secretaries of health, future administra-

tions, and future legislators is political nonsense. It really is. It does not belong in this bill. Quite frankly, it is reckless policy. So, while inserting this amendment may have been very politically popular for some in this Chamber, it is clearly not the responsible thing to do. The legislation started off, it was great policy, but then this whole thing turned into, to me, a political punch at our Governor. So because of this amendment, it is an easy--I was going to vote "yes"--it is an easy "no" vote for me because it is so totally irresponsible.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, I want to build upon the comments of my colleague, the gentlewoman from Northampton. I think she explained exactly some of the reasons why, including the portion with some of the amendments that were added. More specifically, there was one that was added yesterday that dealt with higher education institutions, and I think it is an overburdened situation that we have developed here. Beyond that, I understand the Governor will be vetoing this legislation, and to the point that was made by my colleague, why are we doing these things? I ask for a negative vote.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, this is tyranny. Taking away the decisions of local school districts which are in the communities all across our Commonwealth is nothing short of tyranny. Those individuals are fully committed to protecting our citizens and our residents. Taking away the decisions of private higher education institutions just because they receive some level of annual support from the Commonwealth, tyranny. How are they now to protect the students, the faculty, the staff at these organizations? We all should know that the spread of the virus is a population matter and that the schools are typical places where these viruses spread. From children to parents, teachers, and shop owners, all throughout the communities. What we are saying to these local leaders is that the most effective ways of preventing the spread of the most infectious disease, the most deadly disease that we have had, that they would be prohibited from using that which is most effective. This is a hostile attack on everyday people. Infectious diseases like mumps, chicken pox, rubella, those are immunizations that are currently required. Now, after 27,000 people have died from COVID-19, will we strip those same school districts from immunizing the young people who attend? Will we know that those young people may be infected and therefore it will spread as I have said?

Now, this legislation in fact, Mr. President, encourages the spread of COVID-19 by stripping those with the most responsibility to stop it from using the most effective message to do so. Including something as simple as washing hands. There has been no assessment or hearing on this matter to test whether this makes any sense whatsoever. I am certain that at some point we would have thought of some kind of public health assessment as to the wisdom, or lack thereof, of this prohibition. Mr. President, with freedom comes responsibility. There is no amount of individual freedom that can protect us from a contagious, infectious disease. The very nature of infectious disease means it is beyond individual solution. This legislation is wrong and, Mr. President, I encourage a "no" vote. Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-29

| | | | |
|------------|------------|---------------|------------|
| Argall | Dush | Mastriano | Stefano |
| Aument | Gebhard | Mensch | Tomlinson |
| Baker | Gordner | Phillips-Hill | Vogel |
| Bartolotta | Hutchinson | Pittman | Ward, Judy |
| Brooks | Langerholc | Regan | Ward, Kim |
| Browne | Laughlin | Robinson | Yaw |
| Corman | Martin | Scavello | Yudichak |
| DiSanto | | | |

NAY-20

| | | | |
|-------------|---------|-------------|----------------------|
| Boscola | Costa | Kane | Saval |
| Brewster | Flynn | Kearney | Schwank |
| Cappelletti | Fontana | Muth | Street |
| Collett | Haywood | Sabatina | Williams, Anthony H. |
| Comitta | Hughes | Santarsiero | Williams, Lindsey |

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

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

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION AND RECOMMENDED

SB 255 (Pr. No. 230) -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2021; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2021; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 256 (Pr. No. 231) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide

for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 257 (Pr. No. 232) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 258 (Pr. No. 235) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 259 (Pr. No. 236) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 260 (Pr. No. 237) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2021, to June 30, 2022.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 261 (Pr. No. 238) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 262 (Pr. No. 239) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 263 (Pr. No. 240) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 264 (Pr. No. 241) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the fiscal year July 1, 2021, to June 30, 2022.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

NON-PREFERRED APPROPRIATION BILLS ON
SECOND CONSIDERATION AND RECOMMITTED

SB 265 (Pr. No. 242) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 266 (Pr. No. 243) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 267 (Pr. No. 244) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 268 (Pr. No. 245) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; providing for a method of accounting for the funds appropriated; and providing for certain fiscal information disclosure.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

SB 269 (Pr. No. 246) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Considered the second time and agreed to,

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 recommitted to the Committee on Appropriations.

BILLS REREFERRED

HB 104 (Pr. No. 245) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for the assessment of improper payments by Commonwealth agencies and for public information on payments and programs of Commonwealth agencies.

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

HB 108 (Pr. No. 124) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for improper payments; and establishing Do-Not-Pay Initiative.

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

BILLS OVER IN ORDER

SB 194, SB 236 and SB 242 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND RECOMMITTED

SB 291 (Pr. No. 294) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2021-2022 and for limitation on redevelopment assistance capital projects; and making a related repeal.

Considered the second time and agreed to,
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 recommitted to the Committee on Appropriations.

BILL OVER IN ORDER

SB 305 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 312 (Pr. No. 322) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; in procedure, further providing for written requests; and, in judicial review, further providing for fee limitations.

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

SB 312 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 312, Printer's No. 322, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

BILL OVER IN ORDER

SB 368 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 385 (Pr. No. 868) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, providing for a long-term care facility ventilation grant program.

Considered the second time and agreed to,
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.

BILLS OVER IN ORDER

SB 397 and SB 398 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 416 (Pr. No. 872) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for the definition of "advanced practice registered nurse-certified registered nurse anesthetist"; further providing for registered nurse, clinical nurse specialist, use of title and abbreviation "R.N." or "C.N.S." and credentials and fraud; and providing for certified registered nurse anesthetist and qualifications and for scope of practice for certified registered nurse anesthetists.

Considered the second time and agreed to,
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.

BILLS OVER IN ORDER

HB 416, SB 431, SB 435, SB 455, SB 463, SB 480, SB 519, SB 562 and SB 578 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION

SB 588 (Pr. No. 648) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for when prosecution barred by former prosecution for different offense.

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

BILLS OVER IN ORDER

SB 597 and SB 617 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 620 (Pr. No. 769) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in COVID-19 disaster emergency, providing for COVID-19 vaccine.

Considered the second time and agreed to,
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.

BILL OVER IN ORDER TEMPORARILY

HB 649 -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

BILL OVER IN ORDER

SB 668 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 671 (Pr. No. 740) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for retaining health care innovations during the COVID-19 pandemic and imposing duties on the Joint State Government Commission.

Considered the second time and agreed to,
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.

BILLS OVER IN ORDER

SB 673, SB 675, SB 689, SB 703, SB 704, SB 725, SB 733 and SB 734 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 736 (Pr. No. 840) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for use of farm vehicle plates.

Considered the second time and agreed to,
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.

BILL OVER IN ORDER

SB 737 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION
AND REREFERRED

SB 739 (Pr. No. 874) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for definitions and for assistance to fire companies and EMS companies.

Considered the second time and agreed to,
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.

SB 740 (Pr. No. 847) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency medical services system, further providing for support of emergency medical services.

Considered the second time and agreed to,

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.

HB 765 (Pr. No. 1420) -- The Senate proceeded to consideration of the bill, 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.

Considered the second time and agreed to,

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.

BILL OVER IN ORDER TEMPORARILY

HB 854 -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

BILL OVER IN ORDER

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

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 a short Republican caucus right here around the podium.

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

Senator COSTA. Mr. President, we will do the same around our podium.

The PRESIDENT pro tempore. For purposes of short caucuses at the Leaders' podiums, 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.

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request legislative leaves for Senator Regan, Senator Tomlinson, and Senator Vogel.

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

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

The PRESIDENT pro tempore. Senator Kim Ward requests legislative leaves for Senator Regan, Senator Tomlinson, and Senator Vogel.

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Brewster, Senator Comitta, and Senator Langerholc have returned, and their legislative leaves are cancelled.

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 a meeting of the Committee on Veterans Affairs and Emergency Preparedness to be held here on the floor and via Zoom.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Veterans Affairs and Emergency Preparedness 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.

LEGISLATIVE LEAVE

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

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

The PRESIDENT pro tempore. Senator Costa requests a legislative leave for Senator Cappelletti. Without objection, the leave will be granted.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Hughes has returned, and his legislative leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

HB 649 CALLED UP

HB 649 (Pr. No. 1026) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 11 of the Second Consideration Calendar, by Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 649 (Pr. No. 1026) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for access to congregate care facilities for essential caregivers, for additional safety requirements for residents of con-

gregate care facilities, for suspension of access for essential caregivers and for costs associated with safety measures related to essential caregivers.

Considered the second time and agreed to,

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.

HB 854 CALLED UP

HB 854 (Pr. No. 1155) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 14 of the Second Consideration Calendar, by Senator K. WARD.

BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

HB 854 (Pr. No. 1155) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 record retention.

On the question,

Will the Senate agree to the bill on second consideration?

Senator K. WARD offered the following amendment No. A1582:

Amend Bill, page 1, line 21, by inserting after "retention":
and for temporary regulatory flexibility authority
Amend Bill, page 1, lines 25 and 26, by striking out "an article" and inserting:
articles
Amend Bill, pages 2 and 3, lines 1 through 30; page 4, lines 1 through 8; by striking out all of said lines on said pages and inserting:
COVID-19 RECORD RETENTION

Section 2101-E. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"COVID-19." The coronavirus disease 2019, being an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.

"Executive agency." An office, department, authority, board, multistate agency or commission of the executive branch of the Commonwealth which is subject to the policy supervision and control of the Governor.

"Order." Any of the following:

(1) the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020); or

(2) a declaration of disaster emergency relating to COVID-19 which is issued after March 6, 2020.

"Record." Information, regardless of physical form or characteristics, that documents a transaction or activity of an executive agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the executive agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.

Section 2102-E. Retention of records related to COVID-19.

An executive agency shall preserve all records in possession of the agency relating to the order in accordance with the executive agency's existing record retention policy.

Section 2103-E. Construction.

Nothing in this article shall be construed to reduce the retention period of any Commonwealth record as provided by law or prevent the transfer of records to the State Archives for permanent retention.

ARTICLE XXI-F

TEMPORARY REGULATORY FLEXIBILITY AUTHORITY

Section 2101-F. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"COVID-19." The coronavirus disease 2019, being an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.

"Order." Any of the following:

(1) the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020); or

(2) a declaration of disaster emergency relating to COVID-19 which is issued after March 6, 2020.

Section 2102-F. Temporary regulatory flexibility authority.

(a) Extension.--The suspension of a regulatory statute prescribing the procedures for conduct of Commonwealth business, or an order, rule or regulation of an Commonwealth agency which was suspended under 35 Pa.C.S. § 7301(f)(1) (relating to general authority of Governor) as of the last day that the order, as amended and renewed, was in effect is extended until September 30, 2021, unless sooner terminated by the authority which initially authorized the suspension.

(b) Applicability.--A suspension which is extended under subsection (a) shall be retroactive to the last day that the order, as amended and renewed, was in effect.

(c) Notice.--Upon the termination of an extension of a suspension under subsection (a), the authority which terminated the extension of the suspension shall notify all of the following:

(1) The President pro tempore of the Senate.

(2) The Majority Leader of the Senate.

(3) The Minority Leader of the Senate.

(4) The Speaker of the House of Representatives.

(5) The Majority Leader of the House of Representatives.

(6) The Minority Leader of the House of Representatives.

(7) The chair and minority chair of each committee of the Senate and of the House of Representatives which have oversight authority over the Commonwealth agency which administers the regulatory statute, order, rule or regulation.

On the question,

Will the Senate agree to the amendment?

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

Senator COSTA. Mr. President, I did not know whether or not anyone else was going to be speaking on the amendment. I personally rise and ask for support for this particular amendment. There has been a lot of controversy with respect to the emergency declaration that we now have in place and more importantly the viability of the continuance of that emergency declaration. I support the comments that were previously made by my colleague from Montgomery County who is part of the Committee on Veterans Affairs and Emergency Preparedness that there are concerns with the underlying House Resolution No. 106 that will terminate and end this declaration. That is a whole conversation that we will deal with tomorrow, I believe, on the Senate floor as to whether or not that is something that is appropriate and should be done.

That all being said, Mr. President, what this amendment does--as we understand it--is continues to put into place a num-

ber of the waivers that have been granted under the authority of Title 35 that the Governor has put into place over the course of the 15 or 16 months of the emergency declaration related to the COVID-19 pandemic. It is our belief that these waivers would remain in effect until September 30 or until such time as the Governor would make the decision to terminate the emergency declaration, if there would be one in place, or make changes along those lines to these regulations. If these regulations would be changed, this amendment also requires that notice be provided to the various subject matter committees to make sure that folks are aware of those types of things. At the end of the day, what we will have in place with the authority of this amendment and the Members voting in support of that would allow the Governor and his administration to continue to waive the various regulations pursuant to Title 35 as we go forward. For those reasons, I think that is a good step for all of us to be taking.

Again, not knowing what the outcome of Senate Resolution No. 106 will be and an emergency declaration's length and a certification of the election, et cetera--those are complicated legal issues that need to be resolved at some point in time--but the ability of this to be applied retroactively to the very last day of that declaration, I think, is what is important so there will be no gap with regard to the manner and nature in which these waivers would be put into place to protect the people of Pennsylvania.

Thank you, Mr. President.

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

The yeas and nays were required by Senator K. WARD and were as follows, viz:

YEA-49

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

NAY-0

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

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

It was agreed to.

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

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

**UNFINISHED BUSINESS
RESOLUTION REPORTED FROM COMMITTEE**

Senator STEFANO, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

HR 106 (Pr. No. 1751) (Amended)

A Concurrent Resolution terminating the March 6, 2020, proclamation of disaster emergency, as amended and renewed, issued under the hand and seal of the Governor, Thomas Westerman Wolf.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, JUNE 10, 2021

| | | |
|---------------|--|---|
| 11:00 A.M. | LABOR AND INDUSTRY (public hearing to discuss Senate Bill No. 320) | Hrg. Rm. 1 North Office (LIVE STREAMED) |
| Off the Floor | APPROPRIATIONS (to consider House Bills No. 649, 854 and 1154) | Senate Chamber (LIVE STREAMED) |
| Off the Floor | LAW AND JUSTICE (to consider House Bill No. 1154) | Senate Chamber (LIVE STREAMED) |

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 Office |
|-----------|---|-----------------------|

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 464**.

GENERAL COMMUNICATION

APPOINTMENTS OF CHAIRMAN AND MEMBERS TO STANDING COMMITTEES OF THE SENATE

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

SENATE OF PENNSYLVANIA

June 9, 2021

TO: The Honorable Megan Martin
Secretary of the Senate

FROM: Senator JAKE CORMAN
President Pro Tempore

SUBJECT: Standing Committee Changes 2021-2022

Pursuant to Rule XIV of the Rules of the Senate, I hereby appoint Senator Christopher Gebhard to serve as a member of the Appropriations Committee; the Banking and Insurance Committee; the Game and Fisheries Committee; the Intergovernmental Operations Committee; the Urban Affairs and Housing Committee; and the Veterans Affairs and Emergency Preparedness Committee.

Senator Cris Dush will no longer serve as a member of the Appropriations Committee.

Senator John Gordner will no longer serve as a member of the Banking and Insurance Committee, the Game and Fisheries Committee, and the Urban Affairs and Housing Committee.

Senator Ryan Aument will no longer serve as a member of the Intergovernmental Operations Committee.

Senator Kim Ward will no longer serve as a member of the Veterans Affairs and Emergency Preparedness Committee.

Pursuant to Rule XIV of the Rules of the Senate, I hereby appoint Senator Devlin Robinson to the Committee on Health and Human Services.

Senator Scott Martin will no longer serve as a member of the Health and Human Services Committee.

Pursuant to Rule XIV of the Rules of the Senate, and in consultation with the Minority Leader, I hereby appoint Senator Marty Flynn as Chair of the Finance Committee.

Senator Wayne Fontana will no longer serve as Chair of the Finance Committee.

Pursuant to Rule XIV of the Rules of the Senate, and in consultation with the Minority Leader, I hereby appoint Senator Marty Flynn as a member of the Appropriations Committee; the Community, Economic and Recreational Development Committee; and the Transportation Committee.

Senator James Brewster will no longer serve as a member of the Appropriations Committee.

Senator Maria Collett will no longer serve as a member of the Community, Economic and Recreational Development Committee.

Pursuant to Rule XIV of the Rules of the Senate, and in consultation with the Minority Leader, I hereby appoint Senator Maria Collett as a member of the State Government Committee.

Senator Arthur Haywood will no longer serve as a member of the State Government Committee and the Intergovernmental Operations Committee.

BILL SIGNED

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

HB 464.**RECESS**

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

Senator K. WARD. Mr. President, I move that the Senate do now recess until Thursday, June 10, 2021, at 9 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 10:02 p.m., Eastern Daylight Saving Time.