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**Legislative Journal**

THURSDAY, JUNE 24, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 39

**SENATE**

THURSDAY, June 24, 2021

The Senate met at 10 a.m., Eastern Daylight Saving Time.

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

**PRAYER**

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

Let us pray.

Psalm 28 offers this beautiful song of praise and thanksgiving. "The Lord is my strength and my shield; in Him my heart trusts and I am helped; my heart exults, and with my song I give thanks to Him." These words remind us to thank the Lord for his goodness. So, today, I offer a prayer of gratitude. We all have so much for which to be thankful, and I hope this prayer helps us all to reflect upon these blessings with deep and lasting appreciation.

Heavenly Father, thank You for this day of health and strength. Thank You for the rich blessings You have bestowed upon all of us. Thank You for the privilege of serving in this Senate, whether it is as a Member, an officer, or a team member. We are all blessed to serve the people of Pennsylvania here in this Senate each and every day. Thank You for our loving families who support us so that we can be here, especially now during these long budget days. Thank You for giving us strength when we are weak, hope when we are despondent, and peace when we are troubled. Thank You for Your divine intercession in our lives, which results in these blessings and so many more. Amen.

**PLEDGE OF ALLEGIANCE**

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

**BILL INTRODUCED AND REFERRED**

The PRESIDING OFFICER laid before the Senate the following Senate Bill numbered, entitled, and referred as follows, which was read by the Clerk:

June 24, 2021

Senators CAPPELLETTI, FONTANA, KANE, HUGHES, MUTH, KEARNEY, HAYWOOD, STREET, COSTA, COLLETT, L. WILLIAMS and SANTARSIERO presented to the Chair **SB 761**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms.

Which was committed to the Committee on JUDICIARY, June 24, 2021.

**RESOLUTIONS INTRODUCED AND REFERRED**

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

June 23, 2021

Senators PHILLIPS-HILL, KEARNEY, BROWNE, J. WARD, BOSCOLA, FONTANA, BARTOLOTTA, BROOKS, MARTIN, MUTH, SCAVELLO, GORDNER, COMITTA, PITTMAN, COSTA, HUTCHINSON, MENSCH, STEFANO, SCHWANK and STREET presented to the Chair **SR 148**, entitled:

A Resolution designating the month of August 2021 as "YMCA Advocacy Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 23, 2021.

June 24, 2021

Senators CAPPELLETTI, KANE, L. WILLIAMS, MUTH, SCHWANK, BREWSTER, KEARNEY, COMITTA, SAVAL and COSTA presented to the Chair **SR 75**, entitled:

A Resolution amending the Rules of the Senate, further providing for bills and for committees.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators MUTH, L. WILLIAMS, BREWSTER, KEARNEY, KANE, SAVAL, CAPPELLETTI and COSTA presented to the Chair **SR 77**, entitled:

A Resolution amending the Rules of the Senate, further providing for amendments.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators MUTH, L. WILLIAMS, BREWSTER, KANE, SAVAL, CAPPELLETTI and COSTA presented to the Chair **SR 79**, entitled:

A Resolution amending the Rules of the Senate, further providing for committees.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators MUTH, L. WILLIAMS, BREWSTER, KEARNEY, KANE, SAVAL, CAPPELLETTI and COSTA presented to the Chair **SR 80**, entitled:

A Resolution amending the Rules of the Senate, further providing for committees.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators MUTH, L. WILLIAMS, BREWSTER, KANE, SAVAL and CAPPELLETTI presented to the Chair **SR 81**, entitled:

A Resolution amending the Rules of the Senate, further providing for amendments.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators KEARNEY, KANE, L. WILLIAMS, MUTH, BREWSTER, FONTANA, SAVAL, CAPPELLETTI, COSTA and COMITTA presented to the Chair **SR 85**, entitled:

A Resolution amending the Rules of the Senate, further providing for bills.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators MUTH, L. WILLIAMS, BREWSTER, KEARNEY, KANE, SAVAL and CAPPELLETTI presented to the Chair **SR 86**, entitled:

A Resolution amending the Rules of the Senate, further providing for committees and for video feed and audio feed.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators STREET, KANE, KEARNEY, SANTARSIERO, COLLETT, HUGHES, BOSCOLA, SAVAL, COMITTA, FONTANA, MUTH, HAYWOOD, BROWNE, BARTOLOTTA, CAPPELLETTI, COSTA, SCAVELLO, YUDICHAK and BREWSTER presented to the Chair **SR 137**, entitled:

A Resolution recognizing the month of June 2021 as "LGBTQ+ Pride Month" in Pennsylvania in celebration of past, present and future LGBTQ+ accomplishments and contributions to this Commonwealth and in commemoration of the 52nd anniversary of the Stonewall Inn demonstrations.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 2021.

Senators TARTAGLIONE, KEARNEY, COLLETT, HUGHES, SANTARSIERO, FONTANA, MARTIN, MUTH, BARTOLOTTA, MENSCH, VOGEL, YUDICHAK, STREET, COSTA, COMITTA, SCHWANK, STEFANO and BROWNE presented to the Chair **SR 140**, entitled:

A Resolution designating the week of June 19 through 26, 2021, as "Disability Pride Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 24, 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 23, 2021

**HB 636** -- Committee on Transportation.

**HB 1302** -- Committee on Environmental Resources and Energy.

June 24, 2021

**HB 1452** -- Committee on State Government.

**HB 1588** -- Committee on Banking and Insurance.

### BILL REPORTED FROM COMMITTEE

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

**SB 565 (Pr. No. 610)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to firearms not to be carried without a license, providing for license not required, repealing provisions relating to carrying firearms on public streets or public property in Philadelphia, providing for sportsman's firearm permit, further providing for licenses and repealing provisions relating to proof of license and exception.

### RESOLUTION REPORTED FROM COMMITTEE

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

**SR 146 (Pr. No. 956)** (Amended)

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the current limitations on liability under 42 Pa.C.S. §§ 8528 and 8553 and issue a report of its findings and recommendations to the Senate.

### LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Browne, Senator Gordner, Senator Yaw, and Senator Brooks.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Muth, and a legislative leave for Senator Brewster.

The PRESIDING OFFICER. Senator Kim Ward requests temporary Capitol leaves for Senator Browne, Senator Gordner, Senator Yaw, and Senator Brooks.

Senator Costa requests a temporary Capitol leave for Senator Muth, and a legislative leave for Senator Brewster.

Without objection, the leaves will be granted.

**JOURNAL APPROVED**

The PRESIDING OFFICER. The Journal of the Session of April 20, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of April 20, 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-50

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

NAY-0

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

The PRESIDING OFFICER. The Journal is approved.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDING OFFICER. Senator Gordner and Senator Yaw have returned, and their temporary Capitol leaves are cancelled.

**GUEST OF SENATOR JAY COSTA  
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I am honored and pleased today to introduce an intern who is working with us in our Senate legal office. John Baughman is serving in our legal department, as I mentioned, this summer while on his break from Yale Law School. John will graduate next June; and during his academic tenure at Yale, he has served as an editor for both the Yale Journal on Regulation and also the Yale Journal of Law and the Humanities. John is no stranger to important internships here in this Capitol building, having served last summer with then-Pennsyl-

vania Supreme Court Chief Justice and now-Justice Thomas Saylor. In 2019, he interned with the Pennsylvania Board of Probation and Parole. Prior to his law school career, John graduated first in his class from Dickinson College in Carlisle, Pennsylvania.

In his first few weeks that he served with us in our legal department, John has already impressed our legal team, which is no surprise because they have known him for some time. Many of you in this room who have served for a number of years would have known John's father, John Baughman. John was a strong advocate working as a government relation specialist for PSEA--and education, more broadly--and was a good friend to many of the people in this building, both here today and our colleagues who have served with us in the past, and he has been deeply missed this year since he passed last year. We are very happy that John has joined us and is working in the building that his father had the privilege of working in as well. We are pleased with the work that he is doing and wish him well as he moves on to his next endeavors after he graduates from law school. So please join me in recognizing, acknowledging, and welcoming John Baughman to our Senate floor here today.

The PRESIDING OFFICER. Would the guest of Senator Costa please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR JOHN M. DiSANTO AND  
SENATOR CHRISTOPHER M. GEBHARD  
PRESENTED TO THE SENATE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, I rise today along with my colleague from the 48th Senatorial District, Senator Gebhard, to introduce an outstanding group of athletes from a school district we both represent. The Lower Dauphin High School Boys' Volleyball Team, just a couple of weeks ago, claimed the 2021 PIAA Class AA State Championship. This team, with head coach David Machamer and assistants Doug Baker and Matt Kurtz, demonstrated superior sportsmanship and remarkable athletic skill, ending their championship season with 22 wins and 2 losses. I now would like to recognize, with your permission, Senator Gebhard.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Gebhard.

Senator GEBHARD. Mr. President, I have the privilege this morning to introduce the Falcons' roster. It includes Jack Burger, Will Sierer, Cameron Snelbaker, Kaden Kirchoefer, Toby Waters, Tyler Swartz, James Abraham, Craig Patrick, Ethan Espenshade, Liam Carney, Luke Gibbs, Colten Waters, Andrew Monuteaux, Richard Eber, and Kyler Holland. The team joins us in the gallery today. Please help us welcome the State champion Lower Dauphin High School Boys' Volleyball Team.

The PRESIDING OFFICER. Congratulations guys. Would the guests of Senator DiSanto and Senator Gebhard please rise to be welcomed by the Senate.

(Applause.)

### GUESTS OF SENATOR MARIA COLLETT PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Montgomery, Senator Collett.

Senator COLLETT. Mr. President, today it is my great privilege to rise and introduce my friend and Montgomery County's very own Superman, Dr. Mayank Amin, also known as Dr. Mak, who is in Harrisburg today with a few of his colleagues and volunteers to be honored for their heroic contributions to Pennsylvania's COVID-19 vaccination effort. Dr. Mak, a local pharmacist and the owner of a mom-and-pop pharmacy in Skippack, has gained national attention over the past few months for his work vaccinating more than 45,000 Pennsylvanians against COVID-19, all while wearing his now-famous Superman costume.

While it may feel like a distant memory, it was barely 4 months ago when our counties and healthcare providers, particularly our independent pharmacies, were struggling to procure doses and put systems in place to make appointments, maintain waiting lists, and manage operations. What started with two volunteers and 1,200 doses on a snowy, Super Bowl weekend turned into countless weekend clinics with hundreds of volunteers serving thousands a day; and, to date, Dr. Mak and his legion of volunteers have vaccinated more than 40,000 adults and 5,000 teens across the southeast. They made special efforts to reach seniors, veterans, and disabled individuals. They helped clinics for autistic and sensory-sensitive individuals. By his side were hundreds of local volunteers, some of whom are joining us this morning, who worked countless hours behind the scenes and at the clinics to create an efficient and welcoming experience for each and every patient. I was privileged to put my nursing skills to use and join the ranks of Dr. Mak's volunteers on multiple occasions, as I did at a number of clinics in and around my district, and I was simply blown away by the uplifting, celebratory atmosphere Dr. Mak and his team created, the positive energy they exuded, and the organization and professionalism they demonstrated.

Without Dr. Mak and the wonderful staff and volunteers at Skippack Pharmacy, Montgomery County, southeastern Pennsylvania, our Commonwealth would not be where we are today in terms of our rising COVID-19 vaccination rates and declining case rates. Please join me in saluting Dr. Mak and thanking him for his selfless work during this trying time for our Commonwealth by offering him and his guests our usual warm Senate welcome.

The PRESIDING OFFICER. Dr. Mak and your team, please rise to be welcomed by the Senate.

(Applause.)

### LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Brooks has returned, and her temporary Capitol leave is cancelled.

### GUESTS OF SENATOR CAROLYN T. COMITTA PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Chester, Senator Comitta.

Senator COMITTA. Mr. President, today I rise to welcome and recognize student interns from my district office located in the heart of the Borough of West Chester in Chester County.

Accompanying our current interns is a former intern turned valued staffer, Ethan Shaffer. Ethan started his journey as an intern in my House office and is now a key member of our constituent services team. These talented young people represent our future. They are a tremendous asset to our constituents and to my staff, and I am grateful for the chance to introduce them today.

Brian Burton was a spring intern for my office. Just a few weeks ago, he graduated from West Chester Bayard Rustin High School, where he was a member of the boys' soccer team, the National Honor Society, and the Tri-M Music Honor Society. Brian received the U.S. Marine Corps Semper Fidelis Award for Musical Excellence and the 2021 West Chester Area School District Spellman Humanitarian Award. In July, Brian will leave to serve a 2-year mission in France for the Church of Jesus Christ of Latter-day Saints. After his mission in France, he plans on studying political science/international relations in Europe. With Brian today is his grandfather, A. Wayne Burton. Now enjoying retirement, my friend, Mr. Burton, had an impressive career as a West Chester University political science professor, member of the West Chester Borough Council, and vice president of the Pennsylvania AFL-CIO. It is safe to say that Mr. Burton passed his passion for civic service and engagement in the political process on to his grandson. I, along with the constituents of the 19th Senatorial District, thank Brian for his time with our office, and we wish him safe travels.

I am also proud to welcome our two summer interns, Anika Chaudhary and Clare Kennedy. Anika is a high school student at West Chester Bayard Rustin High School and will be entering her junior year this fall. Anika works with Pennsylvania Youth Votes, a voter registration organization where she runs a podcast on political education and teenage life. Anika is also a Girl Scout delegate, a field hockey player, and a recently elected student council officer. She is excited to learn more about the work of the Senate, especially the legislative process.

Clare Kennedy is a rising senior at Brown University and a 2018 graduate of Spring-Ford Senior High School. Currently studying political science and philosophy with a focus on education reform and policy, Clare is actively involved in advocacy initiatives at Brown for educational equity and sexual assault prevention. Clare is the founder and president of Athletes for Sexual Assault Prevention, a Fellow of Brown Effective Altruism, and a sexual assault peer educator. She is also a member of Brown's varsity field hockey team. After Clare graduates, she plans to further her education in the field of education policy. On behalf of my staff and the constituents of the 19th Senatorial District, Anika and Clare, thank you for your service to the district, and we look forward to working with you this summer. Would my colleagues please give a warm Senate welcome to the interns of the 19th Senatorial District. Thank you.

The PRESIDING OFFICER. Would the guests of Senator Comitta please rise to be welcomed by the Senate.

(Applause.)

### GUEST OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I am pleased to introduce Joseph Dolobach. Joseph started as an intern in my office in

Connellsville this past May and will be working with us through the end of summer. Joseph is the son of Bernard and Heidi Dolobach from Masontown. He is a junior at the University of Pittsburgh, where he is pursuing a dual major in political science and economics and a minor in philosophy. Additionally, he is an undergraduate teaching assistant and a member of the Lambda Sigma Honor Society in the University Honors College. He has shown an excellent work ethic in my office and has already assumed a crucial role in assisting the constituents of my district. I am grateful for all of Joseph's hard work and look forward to watching his future success. I ask that we give him our usual warm Senate welcome.

Thank you, Mr. President.

The PRESIDING OFFICER. Would the guest of Senator Stefano please rise to be welcomed by the Senate.

(Applause.)

## CALENDAR

### SECOND CONSIDERATION CALENDAR

#### BILLS OUT OF ORDER

Without objection, the following bills on today's Calendar were called out of order by Senator K. WARD, as Special Orders of Business.

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 772 (Pr. No. 912)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life insurance, further providing for standard nonforfeiture law for individual deferred annuities; and, in suitability of annuity transactions, further providing for definitions, for applicability and scope of article, for duties of insurers and insurance producers, for insurance producer training, for mitigation of responsibility, for recordkeeping and for enforcement.

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 1300 (Pr. No. 1869)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, as follows: in preliminary provisions, further providing for definitions, providing for legislative authority over elections, establishing the Bureau of Election Audits and providing for special standing in challenges to the Election Code; in the Secretary of the Commonwealth, further providing for powers and duties of the Secretary of the Commonwealth and providing for reports on implementation of elections; in county boards of elections, further providing for powers and duties of county boards and providing for county boards of elections and satellite offices; in district election officers, further providing for qualifications of election officers, for compensation of district election officers and for appointment of watchers; providing for registration of electors; in ballots, further providing for form

of official election ballot and for number of ballots to be printed and specimen ballots; in voting machines, further providing for examination and approval of voting machines by the Secretary of the Commonwealth, for requirements of voting machines, for preparation of voting machines by county election boards and for delivery of voting machines and supplies by county election boards to election officers; in electronic voting systems, further providing for experimental use of electronic voting systems and for statistical sample and providing for requirements of accessible voting machines; in voting apparatus bonds, providing for voting system defects, disclosure, investigations and penalties; in preparation for and conduct of primaries and elections, providing for voter's bill of rights, for senior voter's bill of rights, for disabled voter's bill of rights and further providing for time for opening and closing polls, for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for delivering or mailing ballots, for voting by absentee electors, providing for supervised voting by qualified absentee electors in certain facilities and further providing for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for delivering or mailing ballots and for voting by mail-in electors; in Pennsylvania Election Law Advisory Board, further providing for Pennsylvania Election Law Advisory Board; providing for early voting by qualified electors; in returns of primaries and elections, further providing for returns to be open to public inspection and exceptions and for computation of returns by county board, certification and issuance of certificates of election; in recounts and contest, providing for powers and duties of the Attorney General relating to elections; in penalties, further providing for disobeying lawful instructions, for perjury, for false affidavits of candidates, for refusal to permit inspection of papers, destruction or removal and Secretary of the Commonwealth, for refusal to permit inspection of papers, destruction or removal and county boards of elections, for insertion and alteration of entries in documents, removal and refusal to deliver, for refusal to permit overseers, watchers, attorneys or candidates to act, for driving away watchers, attorneys, candidates or overseers, for refusal to permit election officers, clerks and machine inspectors to act and driving away said persons, for refusal to administer oath and acting without being sworn, for violation of oath of office by election officers, for peace officers, failure to render assistance and hindering or delaying county board members and others, for nomination petitions and papers and offenses by signers, for false signatures and statements in nomination petitions and papers, for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression, for offenses by printers of ballots, for unlawful possession of ballots and counterfeiting ballots, for forging and destroying ballots, for tampering with voting machines, for destroying, defacing or removing notices, et cetera, for police officers at polling places and for peace officer, failure to quell disturbances at polls, hindering or delaying election officers and others, for election officers permitting unregistered electors to vote, challenges and refusing to permit qualified electors to vote, for election officers refusing to permit elector to vote in proper party at primaries, for frauds by election officers, for prying into ballots, for interference with primaries and elections, frauds and conspiracy, for persons interfering in other districts, for assault and battery at polls, for unlawful assistance in voting, for election officers permitting unlawful assistance, for failure to keep and return record of assisted voters, for unlawful voting, for elector voting ballot of wrong party at primary, for repeat voting at elections, for removing ballots, for commissioners to take soldiers' votes, for fraudulent voting by soldiers, for bribery at elections, for receipts and disbursements of primary and election expenses by persons other than candidates and treasurers, for receipts of primary and election expenses by unauthorized persons, for contributions by corporations or unincorporated associations, for failure to file expense account, for prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise, for failure to perform duty, for hindering or delaying performance of duty, for violation of any provision of act, for violations of provisions relating to absentee and mail-in ballots and providing for unlawful collection of ballots and prohibiting duress and intimidation of elections officials; providing for reimbursements and withholding; 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 rereferred to the Committee on Appropriations.

**HB 1349 (Pr. No. 1443)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producers, further providing for powers and duties of department, for application for insurance producer license, for license renewals and for prohibited acts.

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 1429 (Pr. No. 1902)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, providing for the offense of financial exploitation of an older adult or care-dependent person.

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 1621 (Pr. No. 1797)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for small wireless facilities deployment.

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.

### RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations to be followed by a Republican caucus to be held in the Majority Caucus Room and via Zoom.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Rules and Executive Nominations, Sen-

ate Democrats will meet in the rear of the Chamber and via Zoom for caucus.

The PRESIDING OFFICER. For purposes of a meeting of the Committee on Rules and Executive Nominations to be held here in the Chamber and via Zoom, followed by Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, without objection, the Senate stands in recess.

### AFTER RECESS

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

### LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Martin, and a legislative leave for Senator Kim Ward.

The PRESIDING OFFICER. Senator Gordner requests a temporary Capitol leave for Senator Martin, and a legislative leave for Senator Kim Ward. Without objection, the leaves will be granted.

### LEGISLATIVE LEAVES CANCELLED

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

### RECESS

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

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

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

### AFTER RECESS

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

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

### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR

#### PREFERRED APPROPRIATION BILLS OVER IN ORDER

**HB 1508, HB 1509, HB 1510, HB 1511, HB 1512, HB 1513, HB 1514, HB 1515 and HB 1516** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

## BILL OVER IN ORDER

**SB 1** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 78 (Pr. No. 930)** -- The Senate proceeded to consideration of the bill, entitled:

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

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 Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise in support of Senate Bill No. 78, a bill that I have been very proud to work on with my counterpart in the Committee on Judiciary, Senator Santarsiero. It is a bill known as Kayden's Law. You have heard me in committee meetings and in other venues talk about this 7-year-old girl who was murdered by her father during an unsupervised, court-ordered, overnight visit in 2018, in what then turned out to be a murder-suicide. What we are here today to do for Kathy Sherlock and her family--the most unimaginable tragedy, the loss of her beloved daughter--is really about helping to advance positive system change. In a recent interview, Kathy said, quote, I hope that things will change. I think that is the only thing that is keeping me going.

Too many terrible tragedies are explained away with the unacceptable excuse that no system can protect everyone nor anticipate the actions of individuals intent on violence. Our responsibility in protecting children is to take every reasonable step available to keep them from harm's way and to prevent a repetition of what happened to Kayden. Without this change in law, the system would remain tilted to the detriment of the interests and the safety of at-risk children.

This bill does work to strengthen factors that family court judges must consider when deciding custody matters and makes it clear that the most important issue is protecting the child. Children need the law to protect their interests in custody proceedings, especially in cases where there are allegations of domestic violence or child sexual abuse. The courts, under this legislation, will be required to consider criminal convictions, child abuse, and involvement with protective services, as well as the other existing custody factors. If needed, courts will also implement within the order and ensure any safety conditions and instruc-

tions. The bill also encourages annual education and training for judges and relevant court personnel as well as information on child abuse, childhood traumatic experiences, domestic violence, and all of their impacts to children. Judges must include reasons for imposing safety condition restrictions or safeguards. In the event supervised contact is ordered, the bill ensures that court contact is going to continue to review and determine the risk or harm to the child.

As I stand here today, thinking of that unimaginable situation for a family, nothing in my mind can help me to understand what they have gone through. But stepping forward, taking the lead, and being advocates has demonstrated for this family the way that they can move forward in the memory and in honor of beautiful little Kayden. So I ask for an affirmative vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, I, too, rise in support of Senate Bill No. 78 and wish to thank my colleague on the Committee on Judiciary, chair Senator Baker, for her collaboration on this legislation that will truly make a difference in children's lives.

Kayden Mancuso's story is one that really impacted the entire community back home in Bucks County. I remember the day in early August 2018 when I heard the news that this beautiful little girl had been brutally murdered by her biological father during, as Senator Baker described, a murder-suicide during an unsupervised court-order visit. Kayden attended Edgewood Elementary School, not a mile from my house, the same school that my children attended when they were in elementary school. I remember the vigil that was held at that school that following week one evening. I thought to myself at that time, as the facts of the case were becoming public, that this legislature needed to act so that there would be no future tragedies such as Kayden's.

Over the last 2 1/2 years, a lot of work has gone into trying to do just that. The legislation before the Senate this afternoon, Senate Bill No. 78, first and foremost makes the health and safety of the child the number one consideration in any custody dispute. As Senator Baker just described, it does that through a number of changes to the existing law: changes in the factors that a court must consider in deciding a custody dispute and suggestions that court personnel and judges undergo annual training, as Senator Baker just said. I say suggestions because the legislature cannot order a co-equal branch of the government to undertake that training, but we can strongly encourage it, and we should strongly encourage it because it is in the interest of court personnel and judges, as well as all of us in the rest of the State, that they are trained on these issues adequately. I believe most Members of the Committee on Judiciary would embrace that.

Perhaps most importantly, this bill does what at least 20 other States and the District of Columbia have already done. It creates a presumption so that if there is a history of abuse that is proved by a preponderance of the evidence, a child like Kayden can never again be put in an unsupervised situation with an abuser. That is a change in the law that will save children's lives. It is a rebuttable presumption, so that if by a preponderance of the evidence the court can be convinced that the danger to the child has lifted, then some other form of custody could be ordered. But when we, as a legislature, are trying to address these difficult issues of child custody, our first consideration has to be doing

everything we can to ensure the safety of the child. I believe that Senate Bill No. 78, as it is now drafted after the amendment that we passed the other day, does just that while striking an appropriate balance with the interests of parents.

Now, make no mistake, this legislation in just the last few months through the work of Senator Baker's office and mine has been the subject of considerable negotiation and discussion with outside stakeholders. Stakeholders who have raised issues and concerns which we have endeavored to address in good faith. I believe we have done that. I believe we have done it in a way that takes those legitimate concerns into account but first and foremost protects children.

So, again, I thank Senator Baker and her executive director of the Committee on Judiciary, Mike Cortez; my executive director, Sean Brennan, on the Democratic side; my policy director, Cory Smith; our former executive director on the Committee on Judiciary on the Democratic side, Sarah Speed; and a woman named Danielle Pollack at the National Family Violence Law Center at George Washington University, who has had a tremendous amount of input on this issue. Last and not least, I want to thank a courageous woman who had to bear an unspeakable tragedy, a tragedy that any of us in this room who are parents is our worst nightmare. Not only did she have to bear that, but she had to deal with the frustration of knowing that the visitation that weekend should never have happened. She chose to take that tragedy and courageously stand up for other children throughout the Commonwealth of Pennsylvania and demand change. It is due, frankly, to her courage, her advocacy, that we stand here today with this legislation before the State Senate. Kathy Sherlock, Kayden's mom, she has time and again called for this legislation and our General Assembly to do the right thing. I am grateful for her courage and her leadership.

Make no mistake, Mr. President, if passed into law, Senate Bill No. 78 will save lives. It will save the lives of many children across this Commonwealth. For that reason, and there need be no other, I respectfully ask all of my colleagues to join Senator Baker and me in voting for Senate Bill No. 78. Thank you.

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

Senator KEARNEY. Mr. President, with great respect to the authors of the bill, I do have some concerns about the effects of this legislation. I know that the authors have the best intentions to ensure the safety of all children in the Commonwealth, and I know they have worked diligently to improve the bill and address concerns that have been raised, but there are some outstanding concerns that we should consider.

First and foremost, let me be clear, we need to protect children. All the good laws on the books cannot do that unless they are implemented justly and our system that currently fails children and families works. Without that, laws can fall short and have unintended consequences. It is for that reason I have concerns about the legislation. It stands to affect thousands of individuals and families. While some of those individuals have bad intentions, many others have good intentions. Many families who will be affected by this legislation, because visitation is extremely important to getting back on the right track, but will be unavailable because of the high cost. I am concerned we may be locking out the good with the bad. Families that can heal from dark episodes will need to afford costly professional or nonprofessional supervision, which is unavailable in many parts of the

Commonwealth and unavailable for parents in poverty. Until our family support systems and courts are properly resourced, our child advocates have concern about our court's capacity to ensure their orders are being followed in those cases.

Now, let me also be clear, this bill makes very good and long-needed improvements in court training if counties have the ability to raise the revenue to implement the cost here and to ensure that their courts have the staff and resources they need to adequately monitor the cases. Otherwise, it would be all up to the litigants to figure out, just as it was in Kayden Mancuso's tragic case. We need to step up to adequately resource the courts. At a time when we will not even adequately fund the CPCMS, I am concerned we may be setting up the courts for failure.

There are concerns about the racially disproportionate impact that this bill could further participate. Unfortunately, children and youth agency interventions can sometimes be misplaced and even harmful. Black and brown children are disproportionately removed from their families, adults of color are disproportionately subject to child abuse investigations and findings; the reasons for this are complex and multifaceted, from poverty to racial bias, to greater presence of human service and law enforcement systems in communities of color. These factors will affect which Pennsylvanians are impacted most. I am concerned that this legislation could deepen racial inequity in our family courts.

Now we, as legislators, strive to find the correct balance in our work. In this case, how do we keep families together while providing protections for vulnerable children at the same time? Now, I believe this legislation is important for child safety, and we should move it forward. I urge my colleagues to vote "yes" on the bill, but I also believe that we have a duty to make our family courts better equipped to carry out their work more fairly and more equitably, and I look forward to ironing out the remaining issues in future legislation.

Thank you, Mr. President.

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

Senator COLLETT. Mr. President, last fall, when the Committee on Judiciary met to consider the previous version of this legislation, we heard directly from Kayden's mother, Kathy Sherlock. I will never forget, as I am sure none of us who heard her will, Kathy's moving and gut-wrenching testimony about her beloved daughter, Kayden, and the preventable tragedy that cut Kayden's life short. She spoke about the failures within our child custody law system and how that system failed her and her family in the worst possible way, resulting in Kayden's murder.

As a former deputy attorney general in New Jersey, I have personal experience working on child abuse cases. I wish I could tell you that such cases are rare, but, sadly, they are not. Anyone who has worked in the child welfare system has met families like Kayden's and has devoted themselves to preventing outcomes like this. Tragedies like this do not just rip families apart, they take an immeasurable toll on the entire system. The people who work within the system are there to help children like Kayden, but they need the legal tools to do so. Senate Bill No. 78, through the leadership of Senator Santarsiero and Senator Baker, and further updated by amendments that reflect the input and concerns of the vast group of stakeholders convened on this legislation, gives those working to help children like Kayden the tools they need and will indisputably save lives.



Today I am proud to cast a "yes" vote in support of Senate Bill No. 78 and help restore the central focus of our child custody system to the health, well-being, and safety of the children in its care. It is bittersweet that it has taken a mother's grief to get us here, but I hope Kathy and all of Kayden's loved ones can take some comfort that her legacy will be to prevent other children and families from suffering. I encourage not just the Members of this body but our friends on the other side of the Capitol to pass this bill and get it to the Governor's desk so that not another day goes by where the failure of our child custody laws to put children's safety first leaves more children at risk.

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-46

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

NAY-4

Cappelletti	Muth	Saval	Williams, Lindsey
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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.

**LEGISLATIVE LEAVE**

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

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

The PRESIDENT pro tempore. Senator Gordner requests a temporary Capitol leave for Senator DiSanto. Without objection, the leave will be granted.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 101 (Pr. No. 1008)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

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 strong support of House Bill No. 101, sponsored by the gentlewoman from Cumberland County. House Bill No. 101 is the companion to legislation that I sponsored in this Chamber, Senate Bill No. 278, and is cosponsored by Members on both sides of the aisle.

Agritourism in York County, and all across our Commonwealth, continues to grow in popularity as our farming families get more and more creative in uses for their land. Unfortunately, the trend of agritourism in our State has been met with increased liability for our farming community. Corn mazes, pick your own produce, and many holiday-themed events provide valuable revenue options as our farmers look to diversify their business models. This bill puts in place commonsense protections to ensure patrons of certain agritourism events are well informed of their risks when entering the property and engaging in these activities. This legislation will provide much-needed protections for our family farms to ensure that they will be able to provide these unique experiences to their guests, as well as ensure that these farms stay in the family for many generations to come. I respectfully ask for an affirmative vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, today I rise in support of House Bill No. 101, the Agritourism Activity Protection Act, which promotes agritourism in the Commonwealth by providing those operating certain attractions with limited liability protection. Activities such as corn mazes, pumpkin patches, pick your own produce, and cut your own Christmas tree, just to name a few, have become increasingly popular and provide consumers with a unique on-the-farm experience and entertainment. At the same time, agritourism has provided family farms looking to maintain long-term viability with a new revenue source and income diversification. House Bill No. 101 requires appropriate warning notification signage be posted by the activity provider and requires a written agreement signed by the participant prior to their participation in an agritourism activity. By reducing risk to the activity provider, this legislation offers commonsense protection from liability for circumstances out of the operator's control. For example: bee stings, uneven ground, or other factors related to the unpredictability of animals and weather.

Mr. President, House Bill No. 101 is very important to the Commonwealth's agricultural community and is supported by the Pennsylvania Farm Bureau. I ask my colleagues for an affirmative vote on this important legislation.

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-48

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

NAY-2

Laughlin            Saval

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

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

BILLS OVER IN ORDER

**SB 113, HB 125 and SB 137** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 156 (Pr. No. 121)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for admissibility of certain statements.

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 Saval.

Senator SAVAL. Mr. President, I rise in opposition to House Bill No. 156, which amends the Tender Years Hearsay Act. Although I recognize the effect of this law is intended to protect young people who offer court testimony from facing excessive duress during a cross-examination in court, I believe it could potentially expand the criminal justice system that is already unwieldy, imprecise, and in urgent need of reform. We know from the stories of Black and brown youth that encounters with the police can be extremely traumatizing if they have not been

charged with a crime and most especially when they face interrogation in the isolation of a police department. We do not know what happens behind closed doors where the power imbalance between an officer and a young person is immense, but we know that statements solicited in such situations of duress can be imprecise. Such imprecise statements can then be used to incarcerate another person. I believe we should not broaden the law to subject more young people to such distressing situations, and we should not broaden the law such that incidents, of course, testimony, go unchecked by cross-examination or other means. I believe there are other ways to protect young people who are asked to testify in courts, and this is not it. So I will be a "no" vote on this legislation.

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	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mastriano	Street
Bartolotta	Fontana	Mensch	Tartaglione
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	Langerhole	Scavello	Yudichak
Costa			

NAY-1

Saval

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

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

**HB 178 (Pr. No. 1370)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in administration of act, further providing for records of and reports by employers; in compensation, further providing for qualifications required to secure compensation and for rate and amount of compensation; in determination of compensation, appeals, reviews and procedure, further providing for determination of compensation appeals and for decision of referee and further appeals and reviews; and, in shared-work program, further providing for participating employer responsibilities.

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

On the question,  
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

**HB 184 and SB 236** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-50

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

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

**HB 246, SB 318, SB 457 and SB 461** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 675 (Pr. No. 746)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, in city administrator, further providing for appointment of city administrator, for employment agreement, for residency and elective city office and for powers and duties; and, in accounts and finances, further providing for powers and duties of chief fiscal officer.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator SCHWANK. Mr. President, Senate Bill No. 675 makes a change to the Third Class City Code that is consistent with the recent revision to the First Class Township Code as updated by Act 96 of 2020. This legislation, which is actually out of the Local Government Commission, amends the Third Class City Code by authorizing a third class city to appoint a partnership, limited partnership, association, or professional corporation as the city administrator and/or manager. It would also specify that only a city administrator or manager who is an individual may also serve as the city chief fiscal officer. Currently, Act 112A of the Third Class City Code permits only an individual to be appointed and employed as the city administrator/manager, and Section 11802 permits a city to appoint the administrator or manager as the chief fiscal officer.

This bill would allow for further consistency among municipal classifications for procedural issues. It also offers greater autonomy for a third class city to receive management services. I can say only from my personal experience, Mr. President, in our city, the city of Reading which I represent, going through Act 47, I saw the real benefit of having professional management in terms of looking at the fiscal matters for a city. So I am pleased to be able to be the sponsor of this bill, and I urge a positive vote. Thank you.

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

Senator DUSH. Mr. President, I rise also in support of Senate Bill No. 675. This bill is a product of the Local Government Commission, of which the gentlewoman from Berks County is

a member, and she is also with us on the Committee on Local Government. This passed unanimously out of the Committee on Local Government for all the reasons that the gentlewoman described, and I would encourage our side to vote unanimously as well. 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-50

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

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 696** and **SB 708** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 741 (Pr. No. 1866)** -- 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, in powers and duties of the Department of Drug and Alcohol Programs, providing for notification of emergency contact.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

**SB 759 (Pr. No. 936)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 19033, on that portion of northbound State Route 119 over State Route 286 in White Township, Indiana County, as the Specialist Five Timothy Rice Memorial Bridge.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILL OVER IN ORDER

**HB 843** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 859 (Pr. No. 1309)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

**HB 925, HB 944, HB 1024 and HB 1390** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

**SB 25, SB 222, SB 225 and SB 242** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION

**HB 264 (Pr. No. 1003)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, adding provisions relating to bidder registration before sale; and, in sale of property, further providing for date of sale, for repurchase by owner, for restrictions on purchases and for sale of property in repository.

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

BILLS OVER IN ORDER

**SB 284, SB 312, SB 347, SB 368, SB 431, SB 435, SB 447, SB 519, SB 545, SB 562, SB 578, SB 586, SB 594, SB 597, SB 607, SB 617, SB 689, SB 703, SB 704, SB 705, SB 717, SB 718, SB 725 and SB 726** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 729 (Pr. No. 831)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, further providing for implementation.

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

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

BILL OVER IN ORDER

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 777 (Pr. No. 917)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

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

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

## BILLS OVER IN ORDER

**SB 783** and **HB 951** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

## BILL ON SECOND CONSIDERATION

**HB 954 (Pr. No. 1323)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, dealing with child abuse: in criminal history record information, further providing for information in central repository or automated systems; and, in organization and responsibilities of Child Protective Services, further providing for services for prevention, investigation and treatment of child abuse.

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**HB 957, HB 1010** and **HB 1013** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

## BILL ON SECOND CONSIDERATION

**HB 1431 (Pr. No. 1547)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of abuse of care-dependent person.

Considered the second time and agreed to,

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

## BILL OVER IN ORDER

**HB 1500** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

**SENATE RESOLUTION No. 53, TABLED**

Senator GORDNER, without objection, called up from page 15 of the Calendar, **Senate Resolution No. 53**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study and issue a report, by 12 months from the date of the adoption of this resolution, on the Pennsylvania Department of Transportation's highway maintenance funding.

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

**SENATE RESOLUTION No. 53  
TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that **Senate Resolution No. 53** be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**SENATE RESOLUTION No. 139, ADOPTED**

Senator GORDNER, without objection, called up from page 15 of the Calendar, **Senate Resolution No. 139**, entitled:

A Resolution urging the United States Environmental Protection Agency (EPA) to exercise its authority under section 211(o)(7)(A)(i) of the Clean Air Act to revise the nationwide Renewable Fuel Standard ("RFS") updating volume mandates to provide relief to refiners in Pennsylvania, the East Coast and elsewhere, and to implement additional reforms going forward which will allow for the blending of renewable fuels consistent with the original intention of the RFS program, while containing costs for independent refiners.

On the question,

Will the Senate adopt the resolution?

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

Senator MENSCH. Mr. President, it is my pleasure today to introduce Senate Resolution No. 139 with the valuable benefits it provides to Pennsylvania business. The renewable fuel standard, also referred to as RFS, requires United States transportation fuel to contain a minimum volume of renewable fuel. The RFS, established by the Energy Policy Act of 2005 and expanded in 2007 by the Energy Independence and Security Act, began with four billion gallons of renewable fuel in 2006 and is scheduled to grow to 36 billion gallons in 2022. The Environmental Protection Agency, EPA, has statutory authority to determine the volume amounts after 2022. Reduced demand for oil and gas due to COVID-19, along with the actions taken in the Trump Administration, have resulted in enormous volatility in the RFS markets. This has made it difficult for independent merchant refiners, such as Monroe Energy Transfer in Delaware County, to meet their RFS obligations. A particular concern is the implementation of the RFS compliance trading system used by EPA, also known as the renewable identification number, or RIN market. This has fluctuated wildly as a result of the various market forces. The market forces for a biodiesel RIN, or a corn-ethanol RIN, are surpassing all-time high levels. In May of 2020, the price of RINs was \$0.36; and in May of 2021, it had reached \$1.86.

The requests being made in this resolution for the EPA is to consider and act quickly to implement strategies to help provide more certainty and price stability in the RIN market. Inaction by the EPA would have a ripple effect in our State. According to a study performed by the Commonwealth of Pennsylvania, each refining job in southeastern Pennsylvania has a large multiplier effect on the regional and statewide economy, supporting an estimated 18.3 jobs in southeastern Pennsylvania and 22 jobs statewide. Inaction could also create a national security threat. If United States refineries close, Pennsylvania, as well as the coun-

try, would be more reliant on foreign petroleum and cyber security threats on pipelines.

Mr. President, I ask my colleagues to join me in support of Senate Resolution No. 139.

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

Senator KANE. Mr. President, I also rise today in support of Senate Resolution No. 139, requesting that the EPA use its waiver authority to provide relief to independent refineries. Governor Wolf first filed a petition for waivers back in 2017, and since then, the concerns have only grown. RIN prices continue to fluctuate from a few cents to the current price of nearly \$2, and the COVID-19 pandemic dramatically changed the demand on oil and gas, resulting in major volatility in the market. This body knows the importance of waivers in light of a pandemic. Just last week, we unanimously voted to extend many of the waivers put in place by the emergency declaration to allow our businesses and our economy more flexibility in its recovery. This resolution would simply encourage the EPA to allow our refineries this same flexibility. Let me be perfectly clear, we need to ensure our working folks are not being left behind in our transition to more sustainable, renewable energy. Working families bore the weight of this pandemic and are continuing to bear the weight of this economic recovery. This resolution will help our workers get back on their feet and protect jobs. This includes nearly 200 members of the steelworkers union and hundreds of my brothers and sisters of the building trades who work every day at Monroe Energy in my Senate district, the 9th Senatorial District. I urge a "yes" vote.

Thank you, Mr. President.

And the question recurring,  
Will the Senate adopt the resolution?

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

YEA-47

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

NAY-3

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

The PRESIDENT pro tempore. The resolution is adopted.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 480 (Pr. No. 505) (Rereported)**

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

**SB 772 (Pr. No. 912) (Rereported)**

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life insurance, further providing for standard nonforfeiture law for individual deferred annuities; and, in suitability of annuity transactions, further providing for definitions, for applicability and scope of article, for duties of insurers and insurance producers, for insurance producer training, for mitigation of responsibility, for recordkeeping and for enforcement.

**HB 1147 (Pr. No. 1202) (Rereported)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offender treatment.

**HB 1300 (Pr. No. 1869) (Rereported)**

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, as follows: in preliminary provisions, further providing for definitions, providing for legislative authority over elections, establishing the Bureau of Election Audits and providing for special standing in challenges to the Election Code; in the Secretary of the Commonwealth, further providing for powers and duties of the Secretary of the Commonwealth and providing for reports on implementation of elections; in county boards of elections, further providing for powers and duties of county boards and providing for county boards of elections and satellite offices; in district election officers, further providing for qualifications of election officers, for compensation of district election officers and for appointment of watchers; providing for registration of electors; in ballots, further providing for form of official election ballot and for number of ballots to be printed and specimen ballots; in voting machines, further providing for examination and approval of voting machines by the Secretary of the Commonwealth, for requirements of voting machines, for preparation of voting machines by county election boards and for delivery of voting machines and supplies by county election boards to election officers; in electronic voting systems, further providing for experimental use of electronic voting systems and for statistical sample and providing for requirements of accessible voting machines; in voting apparatus bonds, providing for voting system defects, disclosure, investigations and penalties; in preparation for and conduct of primaries and elections, providing for voter's bill of rights, for senior voter's bill of rights, for disabled voter's bill of rights and further providing for time for opening and closing polls, for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for delivering or mailing ballots, for voting by absentee electors, providing for supervised voting by qualified absentee electors in certain facilities and further providing for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for delivering or mailing ballots and for voting by mail-in electors; in Pennsylvania Election Law Advisory Board, further providing for Pennsylvania Election Law Advisory

Board; providing for early voting by qualified electors; in returns of primaries and elections, further providing for returns to be open to public inspection and exceptions and for computation of returns by county board, certification and issuance of certificates of election; in recounts and contest, providing for powers and duties of the Attorney General relating to elections; in penalties, further providing for disobeying lawful instructions, for perjury, for false affidavits of candidates, for refusal to permit inspection of papers, destruction or removal and Secretary of the Commonwealth, for refusal to permit inspection of papers, destruction or removal and county boards of elections, for insertion and alteration of entries in documents, removal and refusal to deliver, for refusal to permit overseers, watchers, attorneys or candidates to act, for driving away watchers, attorneys, candidates or overseers, for refusal to permit election officers, clerks and machine inspectors to act and driving away said persons, for refusal to administer oath and acting without being sworn, for violation of oath of office by election officers, for peace officers, failure to render assistance and hindering or delaying county board members and others, for nomination petitions and papers and offenses by signers, for false signatures and statements in nomination petitions and papers, for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression, for offenses by printers of ballots, for unlawful possession of ballots and counterfeiting ballots, for forging and destroying ballots, for tampering with voting machines, for destroying, defacing or removing notices, et cetera, for police officers at polling places and for peace officer, failure to quell disturbances at polls, hindering or delaying election officers and others, for election officers permitting unregistered electors to vote, challenges and refusing to permit qualified electors to vote, for election officers refusing to permit elector to vote in proper party at primaries, for frauds by election officers, for prying into ballots, for interference with primaries and elections, frauds and conspiracy, for persons interfering in other districts, for assault and battery at polls, for unlawful assistance in voting, for election officers permitting unlawful assistance, for failure to keep and return record of assisted voters, for unlawful voting, for elector voting ballot of wrong party at primary, for repeat voting at elections, for removing ballots, for commissioners to take soldiers' votes, for fraudulent voting by soldiers, for bribery at elections, for receipts and disbursements of primary and election expenses by persons other than candidates and treasurers, for receipts of primary and election expenses by unauthorized persons, for contributions by corporations or unincorporated associations, for failure to file expense account, for prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise, for failure to perform duty, for hindering or delaying performance of duty, for violation of any provision of act, for violations of provisions relating to absentee and mail-in ballots and providing for unlawful collection of ballots and prohibiting duress and intimidation of elections officials; providing for reimbursements and withholding; and making a related repeal.

**HB 1349 (Pr. No. 1443)** (Rereported)

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producers, further providing for powers and duties of department, for application for insurance producer license, for license renewals and for prohibited acts.

**HB 1429 (Pr. No. 1902)** (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, providing for the offense of financial exploitation of an older adult or care-dependent person.

**HB 1621 (Pr. No. 1797)** (Rereported)

An Act providing for small wireless facilities deployment.

Senator K. WARD, from the Committee on Rules and Executive Nominations, reported the following bills:

**SB 618 (Pr. No. 945)** (Rereported) (*Concurrence*)

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

**SB 664 (Pr. No. 954)** (Rereported) (*Concurrence*)

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

**SB 618 (Pr. No. 945)** -- 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.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 618?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 618.

On the question,

Will the Senate agree to the motion?

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. Over the last 15 months, we have seen shifting guidance from this administration that has caused confusion that has led to chaos. This legislation's goal is very simple: no State, county, municipality, school, or college can require proof of vaccination. Through the legislative process, our colleagues in both Chambers have refined this proposal.

One of the amendments that we debated in the Senate was limiting the Secretary of Health's powers. That has quickly drawn the ire of the Governor. But, let me explain the concerns that I, and many of my colleagues, have with the powers granted to the Secretary of Health under a law that was created back in 1955. In April of last year, the Secretary of Health imposed a stay-at-home order banning all non-essential travel. The two Senators from Lancaster County and I started receiving complaints from a health network that covers the midstate about doctors, nurses, and pharmacists who were being pulled over by the State Police under suspicion of violating Secretary Levine's orders. We sent a letter on April 4 of 2020 to the Governor seeking clarification about this issue that resulted in frontline workers



either getting pulled over going to or coming home from local hospitals. We heard nothing.

As the Senator who represents southern York County and a district that borders Maryland, there was even more confusion when travel bans went into effect last year from traveling to other States. Bureaucrats in Harrisburg decided on November 17 to place restrictions on travelers coming to and leaving the State. Secretary Levine allowed for five exemptions to this travel guidance, and those exemptions included work, medical care, military transit through the State, and additional exemptions issued by the department. Many of my constituents, especially those in Delta, Peach Bottom, Fawn Grove, and in other municipalities along the Maryland border, do a lot of their commerce in Maryland as it is closer to their home than any shopping center in Pennsylvania. The bureaucrats here in Harrisburg did not account for the people who I represent. So, again, I asked for clarification and guidance on behalf of my constituents on November 19 seeking to know: can I drive to Maryland to purchase groceries since that is my closest grocery store, or buy new clothes, or worship at the church I have always attended? The people of York County want to do the right thing, but with one-way orders from the Secretary of Health and no ability to ask for clarification, it is shown that this law needs to be reformed.

Most recently, the committee I chair wanted to hold a public hearing to get answers into a massive data breach that impacted over 72,000 Pennsylvanians and their very personal healthcare information. We sunshined a public hearing, and the Friday before the hearing at 6 p.m., the department announced that they would no longer testify. That is after this department entered into a \$22.9 million contract with a Georgia-based firm that was brought-on last year to conduct contact tracing in Pennsylvania. To date, taxpayers have paid \$29 million for this complete failure at the highest level. Not only did this entity ask about your COVID-19 diagnosis and who you have been near, it asked about your phone number, your email address, your gender, and your sexual orientation. This program gathered this information on Pennsylvania adults and children. All of this information just floating around on a publicly accessible Website. There were whistleblower accounts of this data breach dating back to February of this year. It was not until Rick Earle of WPXI broke the news that the department admitted that this data was floating around on the Internet at the end of April. Two months passed with this information sitting on the Internet. I cannot imagine the response if that was one of us with that information or, worse, one of our children.

This bill will ensure that this department does not continue its data creep by developing and using more taxpayer resources for another technology through a vaccine passport program. To our north, New York worked with IBM to create the Excelsior Pass, which is a smartphone app verifying your COVID-19 vaccine status. California is requiring proof of vaccination to attend events with more than 5,000 people. This bill would ensure that Pennsylvania does not follow the path of these States. Good news is that the Governor has indicated he does not plan to go down this path. But, as we have seen over these last 15 months, his guidance has changed. When I have reached out asking about this guidance, all that I have received has been crickets.

Senate Bill No. 618 will give constituents who I represent, and every person in this Chamber represents, much-needed assurances that this data creep will not continue and that an

unelected bureaucrat cannot wield power that creates confusion that leads to chaos when it comes to strict edicts and guidelines. I respectfully urge my colleagues to cast an affirmative vote on Senate Bill No. 618.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I urge a "no" vote from all of my colleagues on this legislation for a number of reasons. First of all, this legislation goes far beyond any concerns about contact tracing issues. Certainly a narrowly tailored piece of legislation that dealt solely with contact tracing might be worthy of greater support, but this legislation goes far beyond that. It says to school districts, all 501 school districts in our Commonwealth, that they are prohibited from requiring COVID-19 immunizations--just as when they have the authority to require immunizations for measles and mumps. This is also a piece of legislation that will deprive higher education institutions from doing the same. We know that the reason the schools were closed early on is because they are a common place for spread. What spreads in kindergarten spreads through the neighborhoods and in the households and throughout these communities.

COVID-19 killed over 27,000 Pennsylvanians, Mr. President. It put many more in hospitals, put many more in fear, put many more in positions where their businesses were no longer operating. We know the source of community spread was the schools, could have been the schools, which is why they were closed. So the public hearing that was described was not on the question of whether there will be community spread if we stopped immunizations. Not on the impact of what happens when we prohibit COVID-19 immunizations. Mr. President, this legislation, in the end, will promote the community spread of COVID-19 when we take away the freedom, we take away the power of school districts and higher education institutions. For these reasons, Mr. President, since we are not New York, we are not California, and the Governor has clearly said he has no intention of heading this direction, I encourage a "no" vote.

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

Senator J. WARD. Mr. President, it is a pleasure to cosponsor Senate Bill No. 618 with my colleagues Senator Phillips-Hill and Senator Brooks. At its core, Senate Bill No. 618 is about placing checks and balances on unrestrained authority that was forced on the people of Pennsylvania for more than 15 months. Whether mandating a vaccine, masking, social isolation, or business closures, today the General Assembly said no more to government overreach and unprecedented intrusion on behalf of the people whom we represent. It is my hope the Governor will take time to review these provisions with an open mind, and I urge my colleagues for a "yes" vote.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, I, too, rise and join my colleague from Montgomery and Philadelphia, Senator Haywood, in asking for a negative vote on this piece of legislation, Senate Bill No. 618. I spoke in committee of my opposition, specifically referencing the two major points that are here. One--certainly the most onerous to me and ironic--that we are continuing to go down this path where we are stripping powers or limit-

ing the powers of individuals, who are going and doing end runs to get to a place where we want to be because we do not like the outcome. Mr. President, with respect to our Secretary of Health and the issues that were raised by the previous speaker, Senator Phillips-Hill, while that Secretary of Health was not elected, she was confirmed by this Chamber, and I believe unanimously in this process--on multiple occasions, quite frankly. So there is an accountability with respect to that as we went forward through that process. But, at the end of the day, stripping powers away from a Secretary of this Commonwealth is a pretty significant step, and to do so because we are simply unhappy about some of the decisions or maybe contracts they have entered into or things they have done during the course of a pandemic--and I would remind folks, a once-in-a-century pandemic that we had to deal with over the course of the time--to me is not the way we should govern.

Yesterday, we dealt with the issue. We were not happy because we could not get voter ID legislation done legislatively, so we went around and did an end run and we did a constitutional amendment, which we did not support. Today, we are not happy with the results of the Secretary and the manner in which she conducted herself, so we are going to strip the power away. Granted, we are doing it legislatively. That is an improvement from yesterday, but at the end of the day, with the processes here, it just simply does not make sense and it is not appropriate.

I was thinking, after yesterday's vote, the concern was that we cannot get the Governor to side with us on our position. Well, now you all know what it feels like to serve in the Democratic Caucus here in the Senate, because that is what we feel like all the time. We have a significant number of measures that we would like to get to the Governor's desk. So while the Governor has the veto power over the voter ID stuff, you all have the power and consistently prevent us from bringing measures to this floor that allow us to at least get it to the House, let alone to the Governor's desk for a signature. So the idea that this makes sense to me, that we are going down this path again today, and likely tomorrow with House Bill No. 1300 or House Bill No. 1400, whatever that is going to be, and like this measure, will be vetoed by the Governor. But to argue that we cannot get the Governor to agree with us, we are going to change the rules, is wrong. If you want to change the rules, change them for us as well. Allow us the opportunity in the legislature to at least advance one bill every year, to allow us to get a vote that we can get it to the Governor's desk. That is what is wrong with the democracy we have in place in this building, in this Chamber in particular. I am asking my colleagues for a "no" vote on this measure and the other measures that are going to come that attempt to do the exact same thing, limit the powers of the Secretary or prevent people, and not liking the idea that we cannot get done what we want to get done.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator DiSanto has returned, and his temporary Capitol leave is cancelled.

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

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

YEA-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-21

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

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

**SB 664 (Pr. No. 954)** -- 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 pupils and attendance, providing for extended special education enrollment due to COVID-19; and, in terms and courses of study, providing for optional year of education due to COVID-19.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 664?

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

Senator GORDNER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 664.

On the question,

Will the Senate agree to the motion?

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

YEA-50

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

Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin		

NAY-0

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

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

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 480 (Pr. No. 505)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

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 Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, Senate Bill No. 480 is a Local Government Commission bill that makes various technical changes and clarifications to the Borough Code. The legislation also repeals current provisions to the Borough Code regulating the accumulation and collection of garbage and other refuse materials and creates a new chapter, Chapter 25B, the Solid Waste Collection and Disposition chapter. This chapter aligns with respective provisions of the County Code, the Third Class City Code, the Second Class Township Code, and the revised First Class Township Code. The boroughs formally requested for a resolution of inconsistent provisions in the Borough Code as well as technical changes due to subsequent statutory enactments. My colleagues on the Local Government Commission and I would appreciate an affirmative vote on this bill.

Thank you, Mr. President.

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

Senator DUSH. Mr. President, I rise today to, likewise, support Senate Bill No. 480. I join with the gentleman from Delaware County in support of this bill. The gentleman is my co-chair on the Committee on Local Government and has been, and still is, a colleague on the bipartisan, bicameral Local Government Commission. Those of us in the commission and Committee on Local Government have had a remarkable, bipartisan working

relationship, which is geared towards passing a number of unanimous pieces of legislation out of our committee, which are geared to reducing the confusion between the operation of municipal governments from one to another. I wish to thank my fellow chairman and all the Members of the commission on both sides of the aisle and the Committee on Local Government and urge Members to unanimously vote to adopt Senate Bill No. 480. I would also like to thank Leader Kim Ward, the President pro tempore, and others involved in this second, bipartisan, Democrat-sponsored bill that we have been able to get pushed out and across the floor today. 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-50

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

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.

**CONSIDERATION OF CALENDAR RESUMED**

**SECOND CONSIDERATION CALENDAR RESUMED**

**RECONSIDERATION OF HB 957**

**HB 957 (Pr. No. 1852)** -- Senator GORDNER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 957, Printer's No. 1852, went over in its order.

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

**BILL ON SECOND CONSIDERATION  
AND REREFERRED**

**HB 957 (Pr. No. 1852)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

Considered the second time and agreed to,

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

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

**UNFINISHED BUSINESS  
BILL ON FIRST CONSIDERATION**

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

The motion was agreed to by voice vote.  
The bill was as follows:

**SB 565.**

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, JUNE 25, 2021

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 574 and 674; and House Bills No. 336, 523, 952, 957 and 1348)	Senate Chamber (LIVE STREAMED)
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 255, 381, 411 and 532; House Bill No. 1154; and certain Executive Nominations)	Senate Chamber (LIVE STREAMED)
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**PETITIONS AND REMONSTRANCES**

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

Senator KANE. Mr. President, I rise today to speak on an issue close to my heart, that is Construction Opioids Awareness Week. I spent four decades as a union plumber and over 14 years as business manager of the largest plumbers' union in Pennsylvania. Through my years in the construction industry, I saw a lot of good, hardworking people who had issues with drugs and alcohol. See, I was one of them. In 1983, I was on a job site and brother Bill Deeney, Sr., who was on that site, a fellow plumber, knew I was struggling with addiction. He reached out to me, pulled me aside, and encouraged me to get help. If he had not had that conversation with me that day, I would not be here today. I had that conversation with many of my members during my time as business manager. I saw many of my members overdose and die--close to 24. The economic recession only made it worse. Members get laid off from a job, they struggle with anxiety and depression, and they turn to drugs and alcohol to cope. That is why I am introducing a resolution, along with Senator Bartolotta and Senator Tartaglione, designating the last week of

July, the height of construction season, as Construction Opioids Awareness Week in Pennsylvania, to support all of the good, hardworking people in the construction industry who are struggling. I hope you join me in supporting this important resolution and the folks who are struggling. I want you to know that there are people in recovery who are living a full life. They say, beyond your wildest dreams, and I know I am proof of that. Help is out there.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I rise to echo the comments of my colleague, Senator Kane, in raising awareness of the risk of opioid use, specifically in the construction industry. Construction jobs are physically demanding, and, unfortunately, workers sometimes get injured, and with that pain, turn to opioids to cope. Drug abuse in the construction industry is not only dangerous for the individual worker, but also creates potential hazards for other workers on the job site and the general public that may be near a job site where an impaired worker is jeopardizing safety. As chair of the Committee on Labor and Industry, I am pleased to note that earlier this year, we passed legislation, sponsored by Senator Langerholc, to require workers' compensation safety committees to provide education to employees about the dangers of substance abuse, including opioid use. I applaud the planned efforts of numerous contractor groups and building trade unions to raise awareness of the risks of opioid abuse during the week of July 26, Construction Opioids Awareness Week.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Kane, for the second time.

Senator KANE. Mr. President, I assure you this will be the last time. I rise today to recognize my lead constituent service representative, Emily Dalgleish, who is serving her last day in the 9th Senatorial District today. Emily has been with my team from day one and played a huge role in me getting here. Since taking office, people have consistently told me how much they have enjoyed interacting with our constituent service staff, and I know Emily has been a huge part of that. In the last few months, she has assisted hundreds of constituents with issues ranging from unemployment to road conditions. When a constituent came forward with a concern about workplace harassment, Emily took it upon herself not only to help the constituent but to research legislation, which I will be introducing to protect workers who come forward about workplace harassment. In fact, Emily has been so successful that constituents have called our office specifically because she has helped a friend of theirs.

In addition to constituent casework, Emily has shown tremendous service in the community. During her time with our office, she has organized events including a donation drive to support the Domestic Abuse Project of Delaware County, which has already led to a pack of cars full of donations. One week, on a Saturday, she made the 3-hour round trip to Harrisburg to stand in solidarity with advocates calling for education equality. Emily did all of this on a semester off from college. In the fall, she will

be going back to Gettysburg College for her senior year. I am so grateful for the time she has taken to work with our office and for the service she has given to the community in the 9th Senatorial District. I look forward to seeing what she does next, and hopefully Emily will be sitting at one of these desks one day.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I rise today to join my colleagues from Chester and Washington Counties to introduce a resolution designating the week of July 26 through July 30, 2021, as Construction Opioids Awareness Week in Pennsylvania. I thank my colleague from Chester County for his leadership on this issue. As the opioid addiction epidemic continues to ravage communities across the Commonwealth, Pennsylvania workers are not immune to this addiction. According to a 2019 report by Barclays Research, workers in the construction industry are roughly six times more likely than workers in other manufacturing, industrial, and service industries to become addicted to opioids. Our friends in organized labor have taken extraordinary steps to educate their members, as well as all workers in the construction industry, about the risks and dangers of opioids.

As our resolution states, the Keystone Contractors Association has partnered with the National Safety Council to create an educational toolbox about the dangers of opioids and prescription drug abuse for members of the construction industry. These efforts have likely saved hundreds or thousands of lives. While more work and partnership are needed to preserve even more individuals from succumbing to this tragic epidemic, we should recognize and applaud the tremendous work that has already been done. Our goal should be that one day in the future we will not have to make this designation because the opioid epidemic will be in the rearview mirror. Until then, I ask my colleagues to join me in designating the week of July 26 through July 30, 2021, as Construction Opioids Awareness Week in Pennsylvania.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione, for the second time.

Senator TARTAGLIONE. Mr. President, today marks 5,464 days since the Pennsylvania legislature last raised the minimum wage. That is almost 15 years, and it is far too long.

Mr. President, there are many critical components of Pennsylvania's Minimum Wage Act aside from the assigned dollar value of the minimum wage itself. Throughout this Session week, I have sought to highlight factors impacting other elements of the act, such as the tipped minimum wage, preemption, and enforcement of the statute; and I tried to demonstrate why the changes proposed to my Senate Bill No. 12 are needed now more than ever to fix Pennsylvania's dysfunctional labor market and to provide desperately needed financial relief for the lowest-paid workers in the Commonwealth.

Minimum wage is a complex issue, but there is one theme, one idea, that underpins every face of it: with each passing year, as consumer prices continue to increase and the minimum wage remains stagnant, Pennsylvania's low-wage workers are being asked to do more with less. They are expected to stretch that shrinking dollar further, and the disparity grows wider and wider each year between individuals at the very top of the income lad-

der and those on the lowest rungs. That is why it is so important to add indexing to Pennsylvania's minimum wage as 19 States, including New York, New Jersey, and Ohio, already have done. In stark numbers, the dollar has lost one-third of its buying power over the last 15 years. A product that cost \$1 in 2006 now costs \$1.34 on average. Yet, our minimum wage has remained essentially the same, notwithstanding a Federal increase in 2009 that took us from \$7.15 an hour to \$7.25. For the record, that amounts to a 1.4 percent increase in the minimum wage in the last 15 years. We in the Senate, and our counterparts in the House, are always going to have our political differences. That is just the way our system of government works. But we cannot allow our differences of opinion to harm our most vulnerable constituents as we have done for far too long.

Linking the minimum wage to the Consumer Price Index, as I have proposed in Senate Bill No. 12, would provide automatic annual adjustments to the minimum wage reflecting annual changes in the real costs that consumers pay for basic expenses like food, housing, clothing, transportation, and medical care. If the prices of these goods and services rise over time, the minimum wage will rise. Reasonable, proportionate increases in the minimum wage from year to year would not require General Assembly action, and we would be insulated from changes in the political landscape. Furthermore, Pennsylvania's low-wage workers will not be forced to make impossible decisions about paying their rent or grocery bill merely because consumer prices took a sharp climb in the prior year.

Mr. President, it is time we now remove politics from minimum wage, and it is time that we guarantee fair, family-sustaining wages for all Pennsylvania workers. We can achieve this by adopting Senate Bill No. 12, and I urge my colleagues to support the bill.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from York, Senator Phillips-Hill.

Senator PHILLIPS-HILL. Mr. President, I rise in recognition of August as YMCA Advocacy Month. As the co-chair of the legislative YMCA caucus, alongside my colleague, the gentleman from Delaware County, we have seen our local YMCAs do a yeoman's job at serving our communities. These YMCAs are pillars of many of the communities we are so honored to serve and, yes, they are great fitness centers, but our YMCAs provide so much more to our constituents, from childcare to our beloved summer camps, swim lessons, and health clinics. Our YMCAs do so much. As we all know, these community centers do provide fitness opportunities for individuals of all ages and abilities. This summer, we will see a return to normal with the 2021 Summer Olympics; and as a York Countian and a retired Y swim mom, I am so looking forward to cheering on Spring Grove native Hali Flickinger on Team USA as she swims in the 400 IM and the 200 fly. Hali is a YMCA alum from the York YMCA. Pennsylvania is home to over 700,000 YMCA members with more than 180,000 individuals participating in programs and services offered by our local Ys. My children were privileged to grow up at the YMCA, which opened the door to a successful collegiate career in swimming for our youngest.

Over this past year, our YMCAs dealt with major challenges throughout the pandemic, but they showed their resiliency. More importantly, they showed how valuable they are to our communities through childcare offerings and other programs and services

provided to every member regardless of their ability to pay. In York County, we are grateful to have strong local leadership for our respective YMCAs led by Larry Richardson and his entire team, and that is why I am honored to stand with my co-chair from Delaware County to recognize August as YMCA Advocacy Month in Pennsylvania.

Thank you, Mr. President.

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

Senator KEARNEY. Mr. President, I rise today in support of the resolution that my colleague, Senator Phillips-Hill, and I, as co-chairs of the YMCA caucus, have introduced. Our resolution recognizes August as YMCA Advocacy Month in the Commonwealth. As the State with the most YMCAs throughout the country, these YMCAs collectively represent the largest nonprofit organization serving our constituents across the Commonwealth. Most importantly, in their critical role as Pennsylvania's largest childcare providers. I am sure that many of us have personal experience with local YMCAs. In my case, I learned how to swim at an indoor pool in the winter of 1964 at a Y in Lakewood, New Jersey. The breadth of the Y's work across our communities include childcare, health and wellness, day camps, housing, water safety, mentoring and tutoring programs, child sexual abuse prevention programs, team leadership and civic engagement, character development, and structured family activities, just to name a few. They are foundational to the growth, development, and wellbeing of our constituents at all ages of life. The YMCAs are able to provide these programs through a variety of funding streams as well as the assistance of over 24,000 volunteers whose work is estimated at over \$8 million value to the Y. It is for these many reasons that I proudly rise today with the gentlewoman from York County in support of Senate Resolution No. 148 and ask that the Senate recognize August as YMCA Advocacy Month. Now Senator Phillips-Hill and I are going to do the YMCA dance. Okay, well, maybe we will do that later.

(Laughter.)

Thank you very much, Mr. President.

The PRESIDING OFFICER. Good try, Senator. Thank you.

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

Senator J. WARD. Mr. President, I would like to congratulate the new Miss Pennsylvania, Meghan Sinisi, from Altoona, Blair County. She was crowned last Saturday in York at the Miss Pennsylvania pageant. I was so proud and honored to bring her here to the Capitol last week to introduce her to this body. Meghan's social impact initiative is inspiring autism acceptance. Meghan will compete in the 100th Miss America Pageant in December. Please know how proud we in Pennsylvania are to have you represent us at the national pageant, Meghan. We wish you all the very best.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Lindsey Williams.

Senator L. WILLIAMS. Mr. President, I rise to discuss a crucial piece of legislation that we should have passed a long time ago and that should be part of this year's budget negotiations, the Commonwealth Fraud Prevention Act for taxpayer accountability. The Commonwealth Fraud Prevention Act, a bipartisan bill that was introduced by me and my colleague, the gentlewoman from York County, is modeled on the Federal False Claims Act,

which has been protecting taxpayer dollars for over 158 years. How did we discover the need for the original Federal False Claims Act? Simple. During the Civil War, contractor fraud was rampant. There were even instances where the Union Army was sold sawdust instead of gun powder. When Congress later investigated these incidents, they discovered that there were people who tried to report the fraud, but they were threatened into silence. Recognizing that one of the best ways to prevent fraud was to incentivize and protect whistleblowers, Congress passed and President Abraham Lincoln signed into law the False Claims Act on March 2, 1863.

We are now facing a unique budget negotiation. We have a lot of money that we need to spend, much more than even a normal budget year, which opens up even more opportunities for waste, fraud, and abuse. Like that Civil War Congress did, we, too, need to recognize that incentivizing and protecting whistleblowers is the best way to prevent waste, fraud, and abuse. According to the Association of Certified Fraud Examiners' 2020 global study on fraud, 43 percent of fraud is initially detected by tip, while only 2 percent of fraud is initially detected by law enforcement. The association conducts this global fraud study every 2 years, and the numbers are about the same every time. That means, even when Attorney General Josh Shapiro and Auditor General Timothy DeFoor are absolutely fantastic at their jobs, they are only going to find a very small percentage of fraud. That is simply not good enough. Pennsylvania's taxpayers deserve to have their money spent in a responsible and accountable way, and we cannot say that this is true right now. We must do more to encourage people to tip off law enforcement to State tax fraud, and we know how to do that. It is the Commonwealth Fraud Prevention Act.

In 2020 alone, the Federal government recovered \$2.2 billion under the Federal False Claims Act. Thirty-one States have seen value in passing their own State false claims act, including several of our border States. Maryland has recovered \$81.6 million in taxpayer dollars since the passing of their State false claims act in 2015; and since 2011, New Jersey has recovered \$122 million. The Federal government and many other States have recognized that protecting and encouraging people to report fraud is the absolute best way to detect fraud and deter future fraud. The antiretaliation provisions in the False Claims Act are the protections that make it less likely that a person will lose everything when they speak up to protect our taxpayer dollars. The reward provisions make sure that a whistleblower is compensated for the risk that they take in coming forward. Right now, if you walk into an attorney's office and ask them how to report abuse of State taxpayer dollars, the attorney would tell you about the mechanics of how to make the report, but would also tell you that current Pennsylvania law provides very weak antiretaliation provisions.

As a whistleblower myself, and as an attorney who worked with other whistleblowers for years, I can tell you that most people want to do the right thing. They want to report fraud when they see it; but without antiretaliation provisions in the law, whistleblowers stand to lose their jobs, pension, and healthcare all in one fell swoop. Most people simply cannot afford to take that risk, but Pennsylvania cannot afford for people to walk out of that attorney's office and stay silent, and we have the power here in this Chamber to ensure that they do not. As we pass the budget, I urge my colleagues to include the Commonwealth

Fraud Prevention Act for taxpayer accountability. I would like to see it pass with the budget, but I am not optimistic. I do hope that we move this bill quickly. If we do not--to echo my colleague from Allegheny County earlier--our rules do not allow the Members of the Minority party to fully participate in Senate operations. We cannot run a bill in committee or on the floor or have a hearing on a bill. I, Senator Muth, and Senator Brewster have rules reform that would allow all bills to receive a vote, not just the ones that are part of a deal.

Thank you very much, Mr. President.

#### **REMARKS ON VOTE**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, pursuant to Rule 20, I would like the record to show that my vote on Senate Bill No. 78 is a "no" and not an "aye." Thank you.

#### **BILLS SIGNED**

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Jacob D. Corman III) in the presence of the Senate:

**SB 618, SB 664 and HB 196.**

#### **RECESS**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Friday, June 25, 2021, at 10 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:16 p.m., Eastern Daylight Saving Time.