

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, SEPTEMBER 28, 2021

SESSION OF 2021 205TH OF THE GENERAL ASSEMBLY

No. 46

SENATE

TUESDAY, September 28, 2021

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

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

PRAYER

The Chaplain, Reverend DAVE BISER, of Crosspoint United Methodist Church, Harrisburg, offered the following prayer:

It is good to be in this place today. God bless you. Let us join together in a word of prayer.

As we bow our heads before You, O Lord, You are the one in whom we are all found, where the weak are made strong, the lost who seek are finally at home. Thank You for making this great nation our home this day. Thank You for those who are serving us. Thank You for those who are giving all, so that we might have.

We ask, O Lord, today, that You would bless our families, that You would bless this house and all of the decisions that are made in this place. We ask, O God, that You would bring unity to our great Commonwealth. That our neighborhoods, our State, our counties, the world that we live in, would be seen as a strong place once again. That our allies would see us as a strong people. That we, united together once again, would be found as Your people. That the decisions made in this room this day would bring a flood of blessings to the people of this Commonwealth. We ask this, O God, as You watch over us and over this Commonwealth, that You would see all that we do in this place, and that You would guide and direct. This we pray on behalf of every faith represented here and throughout the State, on behalf of my own faith, in the name of Jesus we pray, and all of God's people said. Amen.

The PRESIDENT. The Chair thanks Pastor Biser, who is the guest today of Senator DiSanto.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the

Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

CORONER, BRADFORD COUNTY

September 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Coroner, in and for the County of Bradford, to serve until the first Monday of January 2022, vice Thomas Carman, resigned.

TOM WOLF
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

September 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2024, vice the Honorable Nazario Jimenez, Jr., resigned.

TOM WOLF
Governor

JUDGE, SUPERIOR COURT OF PENNSYLVANIA

September 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Superior Court of Pennsylvania, to serve until the first Monday of January 2024, vice the Honorable Jacqueline Shogan, resigned.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until October 17, 2024, and until the successor is appointed and qualified, vice Christopher Lewis, Philadelphia, resigned.

TOM WOLF
Governor

BILL INTRODUCED AND REFERRED

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

September 27, 2021

Senators SAVAL, TARTAGLIONE, HUGHES, FONTANA, SANTARSIERO, HAYWOOD, SABATINA, MUTH, KANE, COMITTA, STREET, A. WILLIAMS, COSTA, COLLETT, SCHWANK, KEARNEY, CAPPELLETTI, BOSCOLA, L. WILLIAMS and FLYNN presented to the Chair **SB 879**, entitled:

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, further providing for definitions; and providing for specific liability.

Which was committed to the Committee on LABOR AND INDUSTRY, September 27, 2021.

**APPOINTMENTS BY THE
PRESIDENT PRO TEMPORE**

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

Senator Judy Ward as a member of the Task Force on Child Pornography.

Detective Michael McMorrow as a member of the Task Force on Child Pornography.

BILLS REPORTED FROM COMMITTEES

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

SB 603 (Pr. No. 1107) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for health services.

SB 786 (Pr. No. 1108) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in open campus initiatives, further providing for legislative intent, for definitions, for open campus initiatives, for cooperative agreements, for reimbursements by the Commonwealth and for parental and public information.

SB 846 (Pr. No. 1109) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for face covering or mask mandate opt-out.

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 525 (Pr. No. 919)

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental stewardship and watershed protection, further providing for legislative findings, for fund and for agencies.

SB 806 (Pr. No. 1105) (Amended)

An Act amending the act of July 20, 1979 (P.L.183, No.60), known as the Oil and Gas Lease Act, further providing for definitions, for payment information to interest owners and for accumulation of proceeds from production.

SB 832 (Pr. No. 1106) (Amended)

An Act amending Titles 3 (Agriculture) and 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in Conservation Excellence Grant Program, further providing for criteria for evaluation of applications; providing for nonpoint source pollution reduction and establishing the Agriculture Conservation Assistance Program, the Pennsylvania Clean Water Procurement Program and the Municipal Storm Water Assistance Program.

Senator BARTOLOTTA, from the Committee on Labor and Industry, reported the following bills:

SB 320 (Pr. No. 397)

An Act prohibiting enforcement of covenants not to compete in broadcast employment agreements.

SB 775 (Pr. No. 913)

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in interpretation and definitions, further providing for definitions; and, in liability and compensation, further providing for compensation for post-traumatic stress injury.

HB 723 (Pr. No. 2193) (Amended)

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, further providing for title of act; in preliminary provisions, further providing for declaration of policy, for definitions and for lobbying; in board, further providing for establishment, for membership, for conflicts of interest, for plan, functions and responsibilities and for State performance management system and providing for performance accountability system; in local workforce investment areas and boards, further providing for establish-

ment, for membership, for conflicts of interest, for plan, functions and responsibilities and for local performance measures; in critical job training grants, further providing for purpose, for definitions, for program operation and for grants; in workforce leadership grants, further providing for innovative programs; in industry partnerships, further providing for definitions, for industry clusters, for grant program operation, for interdepartmental cooperation and for industry and labor market research and providing for dissemination of industry and labor market research to educational institutions; in miscellaneous provisions, further providing for construction; and making editorial changes.

Senator ARGALL, from the Committee on State Government, reported the following bills:

SB 507 (Pr. No. 552)

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in open meetings, further providing for use of equipment during meetings and for General Assembly meetings covered.

SB 573 (Pr. No. 612)

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in district election officers, further providing for appointment of watchers; and, in penalties, further providing for refusal to permit overseers, watchers, attorneys or candidates to act and for hindering or delaying performance of duty.

SB 745 (Pr. No. 862)

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in procedure, further providing for exceptions for public records.

SB 862 (Pr. No. 1062)

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for residual funds.

HB 1452 (Pr. No. 1573)

An Act amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, providing for flexibility in emergency publication of the Pennsylvania Bulletin: in Uniform Electronic Legal Material Act, further providing for definitions; and, in codification and publication of documents, further providing for preliminary publication in Pennsylvania Bulletin.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request legislative leaves for Senator Corman and Senator Mensch.

The PRESIDENT. Senator Gordner requests legislative leaves for Senator Corman and Senator Mensch. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 10, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of May 10, 2021.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

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

**GUEST OF SENATOR MICHAEL R. REGAN
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, joining us today is my executive assistant and good friend, Lisa Reisteter, who is retiring from the Senate with 27 years of service to this Commonwealth and nearly 5 of them with my staff. As my assistant in Harrisburg, she has managed my Capitol scheduling and has assisted countless constituents seeking help with their State-related matters. Lisa has also been a trusted staffer to several of our former colleagues, including Senator Dominic Pileggi, Senator Mike Brubaker, Senator Bob Regola, and Senator Bob Jubelirer. She also served the Governor's Office of Legislative Affairs and the Governor's Office of General Counsel under the Ridge-Schweiker Administration for 10 years combined.

The knowledge and experience that Lisa brought to my office has been invaluable and will be sorely missed, as will her energy and willingness to jump in and help wherever needed. She also brought kindness, friendship, and camaraderie to a very tough

business, and my entire staff will sorely miss her. I respectfully request that my colleagues join me in congratulating Lisa Reisteter for her unfailing commitment to the Commonwealth and, most recently, to my district, the 31st Senatorial District.

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

The PRESIDENT. Would the guest of Senator Regan please rise to be welcomed by the Senate.

(Applause.)

GUESTS OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

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

Senator STEFANO. Mr. President, today I rise to recognize and congratulate my executive secretary, Lucy Kepp, who is joined by her husband, Tony Kepp, seated in the gallery. After 32 years of service with the Commonwealth, she will be entering a well-earned retirement on September 30.

Most people who visited my office know Lucy; she certainly has been a fixture here in the Senate, making friends wherever she goes. Since I was first elected, she has been an integral part of my office. I could not ask for a more dedicated and loyal team member. She was always truly determined to make my life easier, whether by being concerned about my well-being or ensuring that I had everything I needed for a very busy day full of meetings. Lucy would always go out of her way to make sure that any of my family members, friends, or constituents felt incredibly welcome. In fact, she would drop everything to give them her super special "Lucy Tour" of the Capitol. Her tours would rival any of those given by even the most seasoned tour guide. Lucy, you have been a superb employee, and it has been wonderful to have you here in my office. You will be greatly missed.

However, as I always say to you, every book has a beginning, a middle, and an end. Your Senate book might be coming to an end, but look out, it is time to start the next one. Best wishes, and thank you again for all of your service to the 32nd Senatorial District and to the Commonwealth of Pennsylvania.

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

The PRESIDENT. Would the guests of Senator Stefano please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR JOE PITTMAN PRESENTED TO THE SENATE

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

Senator PITTMAN. Mr. President, the Senate's ultimate utility player will be retiring from this institution on Thursday. Anne Achenbach worked in district offices, managed schedules, wrote thousands of correspondence, drafted legislation, brought stakeholders together, and currently serves as the executive director of the Committee on Urban Affairs and Housing. For 35 years, Anne has provided distinguished service to this institution and, by extension, to the constituents we all serve here throughout the Commonwealth. Mr. President, I got to know Anne in 2007 when she joined Senator White's staff. She and I worked together for nearly 14 years. In 2019, when I was elected, she chose to join and continue with my staff. I am deeply grateful for everything Anne has done for the constituents who I represent, her

fellow coworkers, and me personally. Anne's retirement is well-deserved, well-earned, and I wish Katherine, Vern, and her entire family the very best on this well-earned retirement. But I have to say, Mr. President, when Anne leaves this building for the final time on Thursday, this place will be less efficient, effective, compassionate, passionate, and joyful. Anne's service and her abilities are irreplaceable, and we will be less of an institution because of her retirement. Godspeed Anne, and God bless you.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Pittman please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, today, like many of my colleagues, we are saying a fond farewell to individuals who have served this institution with distinction. Today, we say a fond farewell to Liz Clancy, who has worked in the Senate for nearly 37 years. It is hard to believe that she started with this institution in 1985, not so long after my college internship and my first position as a research analyst here with the Majority Leader's office. We have been colleagues and friends all along the way since that time. Over the years, Liz has witnessed history being made here inside this Chamber. She has worked with outstanding Members and staff on both sides of the aisle. As she leaves, like many of her colleagues, she will be taking a great deal of institutional knowledge and a collection of good stories and wonderful memories of the Senate with her.

A large majority of Liz' career was spent working in the Senate Republican Communications Office. When she started, think about it, it was a time of typewriters, yellow legal pad notes, fax machines, and hand-stuffing constituent newsletters. Anyone who knows Liz knows that she is extremely kind, thoughtful, dedicated, and hardworking. Over the last decade, she has been an integral part of my team. She is a top-notch office manager. She is the gatekeeper to my Harrisburg office, keeping us organized, on schedule, and, on many special occasions, adding well-fed with her tasty treats that she brings to the office. She always was willing to help those who came through our door or anyone who called the office. When I was out in the district, I would have people comment about the ability of Liz to cut through red tape to secure results in a timely manner, all with that very kind, steady, calm demeanor. She was the consummate professional. So, Liz, it is a privilege to have worked with you, to call you a friend, and I wish you much happiness with Joe, and Anna Kate as you start that next chapter of your life. Whatever that may bring, whatever that may hold, you will be sorely missed. We are honored to have worked with you, and we wish you nothing but the very best.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Baker please rise to be welcomed by the Senate.

(Applause.)

The PRESIDENT. The Senate will go at ease for pictures.

(The Senate was at ease.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, first let me say, before I introduce my guests, this is certainly a wonderful day for the individuals who are moving on to a different phase of their life; but we are losing a lot of talent and individuals who have served this institution, as was so aptly said by my colleagues, so, greatly appreciated. Thank you all. I, however, focus on some high school students who came to shadow me today. I had two students today, Riley Frymoyer, as well as Donovan Frymoyer, and the interesting part is they are not related. They go to two different schools, but we will start with Donovan. Donovan is currently taking protective services at Berks Career and Technology Center and is in his second AP U.S. government and politics class at Exeter Township High School. It says a lot about Donovan that not only is he traveling to the CTC every day, but he is also taking an AP course, and we all know how difficult that is. Donovan is interested in pursuing a career in law and justice with ambitions of serving his community as a judge, police officer, or politician. His highest aspiration is to become President of the United States. We will see, Donovan, where you go from here.

Riley Frymoyer is a senior from the Wyomissing High School in Berks County. A member of the school's National Honor Society--also a great achievement--with a career interest in political science. Riley is participating in an internship with the Berks County Democratic Committee this semester. By the way, I will note that with her, who helped drive her here, is her mentor, Debbie Noel, who is a Democratic committeewoman in Berks County. In addition to her academic interests, Riley is very involved in athletics. She is a member of the high school wrestling team and has been involved in a variety of club wrestling programs since she was 6 years old. She is a volunteer coach for local youth programs where she also recruits other young girls to support sanctioning women's wrestling in Pennsylvania. Riley hopes to be selected as a team captain for the boys' high school wrestling team this winter. Riley also participates in track and field, where she throws shot put and javelin. Outside of academics and athletics, Riley is co-president of the high school gay-straight alliance club, an educational support club for members of the LGBTQ+ community and their allies. Following high school, Riley intends to major in political science and humanities as she plans to pursue a career in political law. Two great students. Two of many who we see come here to the Senate, Mr. President, and I hope my colleagues would join me in welcoming them here today. Thank you.

The PRESIDENT. Would the guests of Senator Schwank please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR RYAN P. AUMENT PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Mr. President, it is my pleasure to introduce my guest, Connor Joyce. Originally from Elizabethtown, Pennsylvania, Connor is a senior at Harrisburg Academy where

he plays varsity basketball and represents his peers on student council. Outside of school, Connor participates in outreach programs benefitting the community such as Wreaths Across America and Habitat for Humanity. In his free time, he enjoys bowling, watching Steelers games with his family--not so much this year--and spending time outside in the beautiful countryside and farmlands of Lancaster County. After high school, Connor plans to attend college to major in political science, minor in history, and complete an ROTC program. Please join me in giving Connor a warm welcome to the Pennsylvania Senate.

The PRESIDENT. Would the guest of Senator Aument please rise to be welcomed by the Senate.

(Applause.)

GUESTS OF SENATOR DANIEL J. LAUGHLIN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, today, I would like to take a moment to introduce a very important group from Erie, Pennsylvania. The Jefferson Civic Leadership Academy prepares Erie professionals for meaningful engagement within the Erie area. They provide these individuals with a dynamic and unique environment that fosters teamwork, growth, and learning through a transformative experience for those seeking to be change agents within their community. This year, the Leadership Academy is devoting its research to "The Future of Work in Erie County," touching on the lag in innovation, the next-generation industries that will make sense for Erie, investment in alternative energy production, and also green jobs, while improving our workforce development. Please join me in giving the Jefferson Civic Leadership Academy a warm Senate welcome.

The PRESIDENT. Would the guests of Senator Laughlin please rise to be welcomed by the Senate.

(Applause.)

The PRESIDENT. Please continue.

Senator LAUGHLIN. Mr. President, I think that is the most people from Erie here at one time, by the way.

(Applause.)

GUEST OF SENATOR SCOTT F. MARTIN PRESENTED TO THE SENATE

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

Senator MARTIN. Mr. President, as everyone in this body can attest, our district offices provide critical services to our constituents, allow us to keep a finger on the pulse of our communities, and are essential to our relationship with our respective districts. That is why having the right staff for these offices is so vitally important and why I wanted to take a moment to recognize my district office's newest fall intern, Emma Coliano. Emma is a 2018 graduate of John Carroll High School in Harford, Maryland, and is currently enrolled at the University of Delaware, studying political science, set to graduate in May of 2022. Emma is the daughter of Caroline Coliano, a pharmaceutical sales rep, and Anthony Coliano, a firefighter. Emma grew up in Bel Air, Maryland, and during high school, she played 4 years of varsity high school soccer. Emma has hopes to pursue a career working in either the State or Federal government after she grad-

uates, and from what I have seen so far, I have no doubt she will be successful in either pursuit. I ask my colleagues to join me in welcoming my newest district office intern, Emma Coliano.

The PRESIDENT. Would the guest of Senator Martin 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 GORDNER, as Special Orders of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1774 (Pr. No. 2149) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for access to prescription information and for expiration; and making an editorial change.

Considered the second time and agreed to,

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

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

BILL ON SECOND CONSIDERATION AND RECOMMITTED

HB 1861 (Pr. No. 2107) -- 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 temporary regulatory flexibility authority, further providing for definitions and for temporary regulatory flexibility authority.

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 recommitted to the Committee on Health and Human Services.

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held here on the floor, followed by a meeting of the Committee on Health and Human Services to be held in the

Rules room in the rear of the Chamber, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meetings of the Committee on Appropriations and the Committee on Health and Human Services, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT. For purposes of a series of meetings, beginning with the Committee on Appropriations to be held here on the floor, followed by the Committee on Health and Human Services to be held in the Rules room, followed by Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Kim Ward requests a temporary Capitol leave for Senator Tomlinson. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL LAID ON THE TABLE

SB 1 (Pr. No. 911) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for advertising and for mandate waiver program; in pupils and attendance, providing for transfer of attendance records to another school entity or nonpublic school; in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions and for concurrent enrollment agreements; in charter schools, further providing for definitions, for powers of charter schools, for charter school requirements and for powers of board of trustees, providing for duties of administrators, further providing for establishment of charter school, for contents of application, for term and form of charter, for State Charter School Appeal Board, for facilities, for enrollment, for school staff and for funding for charter schools, providing for fee prohibition, further providing for tort liability, for causes for nonrenewal or termination, for multiple charter school organizations, for provisions applicable to charter schools, for powers and duties of department, for cyber charter school requirements and prohibitions, for school district and intermediate unit responsibilities, for establishment of cyber charter school and for State Charter School Appeal Board review, providing for payments to cyber charter schools and further providing for applicability of other provisions of this act and of other acts and regulations; and, in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships.

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

SB 1 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 1, Printer's No. 911, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

SB 113, SB 137 and SB 224 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 396 (Pr. No. 384) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge, identified as Bridge Key 35000, carrying State Route 2040 in Bentleyville Borough, Washington County, as the Mrs. Madeline Finney Memorial Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

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 457, SB 696, SB 703 and SB 704 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 725 (Pr. No. 1103) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses; and in commercial drivers, further providing for requirement for commercial driver's license.

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

Senator BARTOLOTTA. Mr. President, the Federal government passed transportation laws almost 10 years ago that gave farmers the flexibility to operate without a commercial driver's license, or CDL, when hauling products to and from their farms. To bring Pennsylvania law in line with Federal law, the General Assembly passed legislation in 2014 that mirrored that Federal transportation policy. Despite farmers across the State operating in accordance with the intent of the law, I have heard from residents who have been cited by the Pennsylvania State Police for not having a Class A driver's license when driving a truck with a trailer to deliver crops.

The Pennsylvania Farm Bureau has been working with me to clarify the issue through Senate Bill No. 725. It specifically states that farmers may use a Class A, B, or C driver's license when driving vehicles with a combined weight of more than 26,000 pounds on roadways. The bill is compliant with Federal regulation, as States are permitted to exempt operators of a farm vehicle from having a CDL. At a time when we are already experiencing supply chain issues, the last thing we want is for our hardworking farmers to believe that serving their communities is more challenging than it has to be. It is important to preserve access to nutritious options for families, which is why I am focused on resolving the uncertainty that exists before the height of the harvest season. I ask my colleagues for an affirmative vote.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Argall	Dush	Martin	Schwank
Aument	Flynn	Mastriano	Stefano
Baker	Fontana	Mensch	Street
Bartolotta	Gebhard	Muth	Tartaglione
Boscola	Gordner	Phillips-Hill	Tomlinson
Brewster	Haywood	Pittman	Vogel
Brooks	Hughes	Regan	Ward, Judy

Cappelletti	Hutchinson	Robinson	Ward, Kim
Collett	Kane	Sabatina	Williams, Anthony H.
Comitta	Kearney	Santarsiero	Williams, Lindsey
Corman	Langerholc	Saval	Yaw
Costa	Laughlin	Scavello	Yudichak
DiSanto			

NAY-0

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

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

SB 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 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-49

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

NAY-0

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

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

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Bill No. 736. Senate Bill No. 736 will permit farmers to deliver agricultural products for home delivery without requiring an additional commercial registration. Current law requires farmers wishing to engage in home delivery to obtain both a farm-registered vehicle and a commercial registration. This bill will allow the farm-registered vehicle to serve as the commercial registration. We have seen a tremendous increase in demand for home delivery during this pandemic. This legislation will help our number one industry in Pennsylvania, agriculture, and our farmers. This legislation is supported by the Pennsylvania Farm Bureau, and I would ask for an affirmative vote.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 867 (Pr. No. 1067) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the portion of Pennsylvania Route 309 from the intersection with Pennsylvania Route 29 in Monroe Township, Wyoming County, to the intersection with State Route 1026 in Dallas Township, Luzerne County, as the Kunkle Firefighter Edward L. Nulton, Sr., Memorial Highway.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, the bill before us today will establish the Edward L. Nulton, Sr., Memorial Highway. In 2018, Ed was directing traffic as a volunteer fire policeman with

the Kunkle Fire Company at the scene of a motor vehicle accident when he was, unfortunately, struck by a dump truck. He suffered significant trauma, never fully recovered from those injuries, and died the following year on September 19, 2019. With this highway designation, we come together to preserve the memory of a very dedicated and inspirational volunteer firefighter.

Our first responders risk their lives every day when answering the call, and it is imperative that we ensure everything possible is done to prevent future tragedies. The heartbreaking death of Ed Nulton further underscores the importance of safety and slowing down when there is an incident on our roadways in which first responders are engaged. Earlier this year, in April, the new Move Over Law went into effect to help better protect our first responders. It calls for drivers to move to the left when approaching an emergency vehicle with lights flashing, including police officers, EMS crews, tow truck drivers, or a disabled vehicle with indicators set up. If the driver cannot slowly move to the outer lane of the highway, then the driver needs to slow down to 20 mph. This law cannot change the past and the tragic death of Ed Nulton, but by educating drivers about the importance of safety when approaching areas with first responders on or near our roadways, we can help prevent future, horrific loss.

So, today, I ask my colleagues to join me in support of Senate Bill No. 867 to stand alongside the Kunkle Fire Company, the police chief, local officials, and his family as we come together to honor him by naming this section of roadway in his memory, where his fire service and his life ended.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 880 (Pr. No. 1091) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the portion of State Route 2014/Washington Street beginning at the intersection of South Courtland Street and Day Street at segment 0011 offset 1858 and ending at the intersection of Brown Street at segment 0011 offset 0000 in East Stroudsburg Borough, Monroe County, as the Samuel Newman Way; and making a repeal.

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-49

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

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 1013 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1591 (Pr. No. 2139) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers, classification of counties, further providing for ascertainment, certification and effect of change of class; and making related repeals.

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-49

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

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.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 25, SB 140, SB 222 and SB 225 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 284 (Pr. No. 904) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental protection, providing for bonding for alternative energy production projects; and, in special programs, providing for solar forced labor prevention.

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

SB 284 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 284, Printer's No. 904, be taken from the table and placed on the Calendar.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 428 (Pr. No. 432) -- 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, in dates of elections and

primaries and special elections, further providing for general primary and candidates to be nominated and party officers to be elected.

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

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

BILL OVER IN ORDER

SB 435 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 519 (Pr. No. 668) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for election of members and vacancies.

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

SB 519 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 519, Printer's No. 668, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

SB 551, SB 562, SB 565, SB 597, SB 607, SB 617, SB 667, SB 689, SB 705, SB 706, SB 717, SB 718, SB 737, SB 780, SB 782 and SB 815 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 818 (Pr. No. 1004) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, providing for ambulatory surgical facility permitted surgical procedures.

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

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

SB 827 (Pr. No. 1009) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Weigh Station Preclearance Program in the Pennsylvania State Police; and providing for criteria for preclearance system and devices and for data access.

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

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

BILLS OVER IN ORDER

SB 847, SB 865, SB 871, HB 941 and HB 951 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 1082 (Pr. No. 1830) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing an education program to assist in the early detection and diagnosis of Alzheimer's disease or a related disorder.

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

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

BILLS OVER IN ORDER

HB 1500 and HB 1598 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

SENATE RESOLUTION No. 172, ADOPTED

Senator K. WARD, without objection, called up from page 10 of the Calendar, **Senate Resolution No. 172**, entitled:

A Resolution urging the Congress of the United States and the United States Department of Transportation to take action on the nationwide school bus driver shortage.

On the question,
Will the Senate adopt the resolution?

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

Senator LANGERHOLC. Mr. President, I rise to ask for support for Senate Resolution No. 172, which will urge Congress and the United States Department of Transportation to take action on the nationwide school bus driver shortage. In the last 10 years, Pennsylvania has lost approximately 2,000 school bus drivers, and I am sure many of the Senators in this Chamber have heard from their constituents or various school boards. This resolution would urge the Congress of the United States, as well as the Department of Transportation, to consider regulations or

legislation that would ease the barriers to recruitment and retention of school bus drivers, while preserving the safety of the children on the bus, the general motoring public and pedestrians, and specifically requests they investigate the feasibility of possibly developing a school-bus-only CDL. I would ask for an affirmative vote.

Thank you, Mr. President.

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

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

BILLS REPORTED FROM COMMITTEE

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

SB 859 (Pr. No. 1052) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for enforcement of failure to stop for school bus with flashing red lights.

HB 1774 (Pr. No. 2149) (Rereported)

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for access to prescription information and for expiration; and making an editorial change.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 859 (Pr. No. 1052) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for enforcement of failure to stop for school bus with flashing red lights.

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-49

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

Costa Laughlin Scavello Yudichak
DiSanto

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.

**UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE**

Senator BROOKS, from the Committee on Health and Human Services, reported the following bill:

HB 1861 (Pr. No. 2200) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in temporary regulatory flexibility authority, further providing for definitions and for temporary regulatory flexibility authority.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 320, SB 507, SB 525, SB 573, SB 603, SB 745, SB 775, SB 786, SB 806, SB 832, SB 846, SB 862, HB 723 and HB 1452.

And said bills having been considered for the first time,

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, SEPTEMBER 29, 2021

9:00 A.M.	LAW AND JUSTICE (S) and LIQUOR CONTROL (H) (joint public hearing on PA Liquor Control Board supply chain disruption)	Room 140 Main Capitol
9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider Senate Bills No. 635 and 830)	Room 8E-B East Wing (LIVE STREAMED)
10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on consolidation of State agency IT services and systems)	Room 8E-B East Wing (LIVE STREAMED)
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider House Bill No. 1849)	Room 461 Main Capitol

Off the Floor APPROPRIATIONS (to consider Senate Bill No. 869; and House Bills No. 1182, 1183 and 1861) Senate Chamber (LIVE STREAMED)

Off the Floor RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 397 and 398; and certain Executive Nominations) Senate Chamber (LIVE STREAMED)

MONDAY, OCTOBER 4, 2021

1:00 P.M. JUDICIARY and STATE GOVERNMENT (joint public hearing on the Department of State's failure to advertise a constitutional amendment giving child sexual abuse victims a two-year window to file claims) Hrg. Rm. 1 North Off. (LIVE STREAMED)

TUESDAY, OCTOBER 5, 2021

11:00 A.M. STATE GOVERNMENT (public hearing to receive comments from the Pennsylvania Department of State on Senate Bill No. 878 and legislation to implement recommendations of the Special Committee on Election Integrity and Reform) Hrg. Rm. 1 North Off. (LIVE STREAMED)

TUESDAY, OCTOBER 12, 2021

1:00 P.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing to consider Senate Bill No. 698, Countywide Public Safety Authorities) Connellsville Twp. Vol. F.D. 905 Fireman's Lane Connellsville

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Mr. President, today marks 5,560 days since the Pennsylvania legislature last raised the minimum wage. That is more than 15 years, and it is far too long.

Mr. President, as bars and restaurants in the Commonwealth continue their economic recovery from the pandemic, and as these popular businesses begin welcoming more patrons through their doors, we have been reading and watching a lot of news reporting about a shortage of workers in this industry. Typically, the reports showcase interviews with business owners discussing their fruitless efforts to fill open staff positions, and why? As the proprietors will often say in so many words, good help is hard to find. I cringe to repeat such a stale, and frankly disrespectful, adage, but that is the essence of the message we are being told by understandably frustrated business owners via media organizations large and small. Even worse, the interviewees and interviewers are all too often content to perpetuate the simplistic and rhetorical notion that enhanced, pandemic-related unemployment benefits were to blame, despite data that showed no significant change to the State's employment numbers after many voluntarily declined the enhanced payment from the Federal government.

That said, I was pleasantly surprised to read an article from the *Standard-Speaker* from northeastern Pennsylvania, in which the top official from one of the State's leading hospitality industry organizations was quoted as offering a more thoughtful and elaborate assessment of labor market conditions. He acknowl-

edged that the pandemic has led workers to realize there is a fundamental flaw with many of the jobs the industry has to offer, that waiting tables or tending bar is not the type of stable, recession-proof career they want for themselves or their families. Yes, money is a factor, but it is one of many. There is a much bigger picture to see. Workers are also concerned about their personal health and protecting themselves from the whims of patrons who resist basic precautions like mask wearing. Workers want access to paid sick leave and vacation, affordable child care, and other benefits. They want the consistent, predictable earnings that Pennsylvania's antiquated tip credit system deprives them. They want the financial stability that will enable them to further their education, buy a home, and plan for their long-term future.

Mr. President, there has long been a glaring need for an overhaul of our minimum wage law, including the tipped minimum wage. The coronavirus pandemic has only hastened that need. The need will not be satisfied by one-time hiring bonuses or the haphazard, delayed, and deficient wage increases that some employers have finally decided to offer prospective employees: the kind of anecdotal narratives that seems to be the focus of most of the reporting on the topic of late. On the other hand, my legislation, Senate Bill No. 12, would create meaningful and universal reform in our minimum wage law. It will end the tipped minimum wage and ensure that the wages for all Pennsylvania workers, including tip earners, increase regularly and predictably as consumer prices increase. Senate Bill No. 12 would help to solve the worker shortage that many of our bar and restaurant owners have been talking about of late. For the benefit of the industry and its workers, I urge the Senate to advance my legislation.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I rise today to ask my colleagues to support Senate Resolution No. 176, which designates the month of October 2021 as National Physical Therapy Month throughout the Commonwealth. Mobility is one of the keys to a healthier, happier, and more productive life. But, as we age and become affected by ailments and injuries, our bodies lose their physical capabilities. We may lose our flexibility, strength, and balance. Very often, it is only then that we truly understand the importance of maintaining good physical health and mobility.

Thanks to physical therapy, mobility loss is treatable and usually preventable. Many people may not realize that licensed physical therapists are highly trained practitioners who require years of graduate-level education and specialty certification. In Pennsylvania, a doctoral degree is the common standard for a physical therapist working independently. Physical therapists understand the body's major systems and use their knowledge to craft personalized treatment plans that strengthen muscles, tendons, and ligaments while improving mobility and restoring function. Treatments are structured so that the patient can live, work, and be active while their bodies are healing and being reconditioned. In many instances, physical therapists improve a patient's quality of life without surgery or prescription medications.

For many people, physical therapists have been lifesavers. Therapists improve the patient's mobility and teach the patient how to prevent or manage their health condition to improve their

overall quality of life. During National Physical Therapy Month, many therapists and therapist assistants host open houses, fitness walks, seminars, and other special events to raise awareness of the benefits of physical therapy. I urge my colleagues to tell their families and friends about the opportunities. Mr. President, I also share my admiration and thanks to physical therapists. Their talent, training, and dedication has allowed countless residents of the Commonwealth to regain mobility and experience life to the fullest. In honor of this profession, I ask my Senate colleagues to support this resolution and to join me in recognizing October as National Physical Therapy Month throughout Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for the third time, the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, today I rise to speak about an observance that celebrates the rich cultural history of Hispanic Americans and their many contributions in our country and Commonwealth. I ask my colleagues to support Senate Resolution No. 166, designating September 15 through October 15 as Hispanic Heritage Month in Pennsylvania. The Federal government began recognizing Hispanic heritage formally in 1968, when President Lyndon Johnson created Hispanic Heritage Week. Twenty years later, President Ronald Reagan proclaimed the first National Hispanic Heritage Month, starting on September 15 of that year. The date is significant because it marks the independence day for Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their independence on September 16 and 18, respectively.

In my home district and communities across the Commonwealth, Hispanic Heritage Month is enthusiastically celebrated every year in street festivals, music, dancing, and cultural activities, but it is also a wonderful educational opportunity. We can use this period to learn how some of the nation's earliest settlers brought Hispanic traditions and customs to Pennsylvania during the 1400s and how Hispanic Americans constitute the nation's largest and fastest-growing ethnic group. We can also learn about the individuals whose dedication and ingenuity have enabled the United States to become a global leader and a beacon of freedom and innovation. The contributions of Hispanic people have already enriched the American melting pot and continue to do so today. Therefore, I ask my Senate colleagues to support this resolution recognizing Hispanic Heritage Month in Pennsylvania.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, on March 23 I recounted the different mass shootings that have shaped my world view and my career in public service. I, like many young Americans, have gone to school worried that we would not come back home in the afternoon. I, like many of us who have family in primary school today, worry that our loved young ones will not come back in the afternoon. We see a new shooting every day on the TV, alerts on our cell phones, surfing on the web on our computers, listening to the radio, and scrolling through social media. All of this has an impact on us, a detrimental impact. Legislators have let our nation's children take on an extraordinary amount of trauma because we lack the will to act.

My colleagues, who dragged their feet with every attempt to save lives, have failed in their duty as elected officials. Because this may not be clear to some of my colleagues, firearms vio-

lence has only grown more rampant in this Commonwealth since the last time I spoke on this issue. On March 26, 17 shots were fired into a crowd in Kensington, wounding three. There was no motive, no robbery, nothing. Someone simply decided that because they had a weapon, they could and should use it on a crowd of strangers, and in a sardonic twist of fate, a man was shot and killed while filming a video about the harmful effects of firearm violence in Philadelphia. He had just stepped outside to grab his camera equipment from his van so that he could interview families affected by firearms violence. But this is not just a Philly problem. We are seeing an increase in firearms violence in my district and in many districts across Pennsylvania. In fact, bullet holes and broken glass were found at a local political party's office because someone did not like the results of the 2020 election.

There was a shooting at the local bowling alley, which prompted me to first speak out on this issue. There have been several murders, including one most recently on September 18. There was a shooting over Labor Day weekend in my district. Earlier this month, a 16 year old was injured during a shooting. This past Sunday, we had two separate incidents of firearms violence, not far from one another. The first in Plymouth Township, where two people were shot at a local Wawa. The second, further down in Norristown, just a little ways from Plymouth Meeting, there was a stream of bullets that went through a neighborhood, luckily only resulting in damaged vehicles. But these are only the incidents that have been reported on. Take the time to talk to people, and you will find out that firearms violence is commonplace. Individuals are waving them around and using them as if it is nothing. Communities are traumatized by the threat of and the actual violence being perpetrated against them every day by firearms. They are overwhelmed and tired of it.

I could spend the rest of our afternoon speaking about the victims of gun and firearm violence. Frankly, I could spend much longer doing so, but they are not just stories. They were people; they were someone's son or daughter, brother or sister, niece or nephew, or friend. They had hopes, dreams, and aspirations, but their lives were tragically cut short because of this body's failure to press for meaningful change through policy. Although this has become a political and partisan stalemate, I want to try. I want to try and appeal across the aisle by humanizing the individuals who are hurt every day by firearm violence--by the fact that we have done nothing for this. These are people who you represent too. It is not only our job, but it is also our moral responsibility to come up with a solution. Even if our work means that we only stop a handful of shootings, well then we have done something.

Now, I do not think that we can resolve this issue overnight. I have mentioned it before, and I will say it again, I come from a firearms-owning family. People in my family own guns, but there are steps that we can and must take to limit future, senseless violence. We need to enact commonsense firearms laws. In fact, a majority of Americans want us to do that. A majority of Pennsylvanians want us to do that. I can tell you that the gun-owning veteran who I am married to agrees with me on this issue.

So, today, once again, I am calling upon my colleagues to take on the issue of firearms violence and take it seriously. Work with me to establish a 72-hour waiting period, which is just three days, for all sales and other transfers of firearms within Pennsyl-

vania. Study after study has shown that waiting period laws like that reduce suicides and violent crimes. There is no reason somebody needs to own a gun immediately. This is just one simple step that we can take to save lives. Every second we waste by not legislating, the blame is on us for those lives lost. So we must act now.

Thank you for your time and support in saving lives across the Commonwealth.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 523**.

BILLS INTRODUCED AND REFERRED

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

September 28, 2021

Senators HUGHES, AUMENT, KANE, FONTANA, COSTA, MUTH, KEARNEY, COMITTA, SANTARSIERO, STREET, L. WILLIAMS, HAYWOOD and BREWSTER presented to the Chair **SB 99**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for agreements with institutions of higher education; and establishing the Committee on Diversification of the Education Workforce, the Diversification of the Education Workforce Account and the Diversification of the Education Workforce Grant Program.

Which was committed to the Committee on EDUCATION, September 28, 2021.

Senators BOSCOLA, FONTANA, CAPPELLETTI and BREWSTER presented to the Chair **SB 882**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for proposal of amendments by the General Assembly and their adoption.

Which was committed to the Committee on STATE GOVERNMENT, September 28, 2021.

Senators PHILLIPS-HILL, MARTIN, COSTA, YUDICHAK, STEFANO, J. WARD and BREWSTER presented to the Chair **SB 883**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for exemptions from jury duty.

Which was committed to the Committee on JUDICIARY, September 28, 2021.

Senators GEBHARD and MENSCH presented to the Chair **SB 886**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in district election officers,

further providing for election officers to be sworn; in dates of elections and primaries and special elections, further providing for affidavits of candidates; in nomination of candidates, further providing for petition may consist of several sheets and affidavit of circulator, for affidavits of candidates, for examination of nomination petitions, certificates and papers and return of rejected nomination petitions, certificates and papers, for vacancy in party nomination by failure to pay filing fee or for failure to file loyalty oath, for affidavits of candidates, for filling of certain vacancies in public office by means of nomination certificates and nomination papers and for substituted nominations to fill certain vacancies for a November election; in ballots, further providing for form of ballots and printing ballots; in returns of primaries and elections, further providing for manner of computing irregular ballots; and replacing references to "justice of the peace" with "magisterial district judge."

Which was committed to the Committee on STATE GOVERNMENT, September 28, 2021.

Senators HUGHES, BARTOLOTTA, COMITTA, FONTANA, BREWSTER, MUTH, ROBINSON, YUDICHAK, CAPPELLETTI, COSTA, J. WARD, AUMENT, SCHWANK and STREET presented to the Chair **SB 900**, entitled:

An Act amending Titles 51 (Military Affairs) and 62 (Procurement) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for definitions, for regulations, for participation goal, for duties of Department of General Services, for bonding and progress payments, providing for request for full or partial waiver and good-faith efforts, further providing for reports and providing for disparity study; in small and disadvantaged businesses, further providing for heading of chapter, for policy and for definitions, providing for Small and Diverse Business Program and for nonapplicability, further providing for regulations and for duties of department, providing for request for full or partial waiver and good-faith efforts, further providing for bonding and progress payments and report to General Assembly, providing for aspirational target, for disparity study and for program review and expiration; and providing for Program for Construction and Design Professional Services.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 28, 2021.

RESOLUTIONS INTRODUCED AND REFERRED

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

September 28, 2021

Senators BROWNE, J. WARD, BARTOLOTTA, MARTIN, KANE, FONTANA, BROOKS, SANTARSIERO, HUGHES, MUTH, COSTA, STEFANO, PITTMAN, SCHWANK, CAPPELLETTI and PHILLIPS-HILL presented to the Chair **SR 184**, entitled:

A Resolution designating the week of September 20 through 27, 2021, as "Idiopathic Pulmonary Fibrosis Research and Awareness Week" in Pennsylvania to increase awareness and understanding of idiopathic pulmonary fibrosis.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2021.

Senators COMITTA, SANTARSIERO, MUTH, FONTANA, SAVAL, COSTA, KEARNEY, COLLETT, L. WILLIAMS and HUGHES presented to the Chair **SR 185**, entitled:

A Resolution designating October 6, 2021, as "Energy Efficiency Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2021.

Senators BOSCOLA, COSTA, FONTANA, HUGHES, SCHWANK, MUTH, BROWNE, MENSCH, BARTOLOTTA, CAPPELLETTI, HUTCHINSON, KANE, KEARNEY, MARTIN, STEFANO and J. WARD presented to the Chair **SR 186**, entitled:

A Resolution recognizing the month of September 2021 as "Vertebral Subluxation Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2021.

Senators BROWNE, COLLETT, HUGHES, MARTIN, COSTA, MENSCH, SCHWANK, BROOKS, BARTOLOTTA, KEARNEY, FONTANA, PHILLIPS-HILL, MUTH, J. WARD, PITTMAN and STEFANO presented to the Chair **SR 187**, entitled:

A Resolution recognizing the month of September 2021 as "Blood Cancer Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 2021.

Senators TARTAGLIONE, BARTOLOTTA, KEARNEY, STREET, HUGHES, MARTIN, FONTANA, MUTH, SCHWANK, BREWSTER, J. WARD, COSTA, MENSCH, STEFANO and CAPPELLETTI presented to the Chair **SR 188**, entitled:

A Resolution recognizing September 20 through 26, 2021, as "National Rehabilitation Awareness Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, September 28, 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:

September 28, 2021

HB 591 -- Committee on Environmental Resources and Energy.

HB 1120, 1121, 1304, 1312, 1410 and 1658 -- Committee on Transportation.

HB 1350 -- Committee on Local Government.

HB 1650 and 1657 -- Committee on Aging and Youth.

BILL SIGNED

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

HB 523.

RECESS

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

Senator K. WARD. Mr. President, I move that the Senate do now recess until Wednesday, September 29, 2021, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:03 p.m., Eastern Daylight Saving Time.