

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 18, 2021

SESSION OF 2021 205TH OF THE GENERAL ASSEMBLY

No. 48

SENATE

MONDAY, October 18, 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 MIKE GREEN, of East Shore Church of Christ, Harrisburg, offered the following prayer:

Let us pray.

Dear Father in Heaven, we come before You in all humility and sincerity and seek Your wisdom according to Your righteous judgment and governance. We seek Your wisdom in all matters of responsibility and accountability as the people of this great country and fine State have entrusted our well-being with those who have assembled together to perform the will of the people. Father God, as You have blessed us with all good things and preserved us through all our times, both good and bad, we now ask for Your blessing and Your wisdom upon this assembly. We will continue to seek Your guidance and endeavor to maintain Your judgments. May You bless all here in accordance with Your knowledge and divine favor, that we may act according to that judgment and be a blessing to all who have placed their trust in their decisions. We will continue to honor Your sovereignty and seek Your guidance, and I humbly lift up this prayer and dedication in the name of our beloved Savior, the Lord Jesus Christ. Amen.

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

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

October 12, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 11, 2021, of Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Sharon Knoll, Fairview, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

October 12, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 11, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice George Khoury, Lemont, whose term expired.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 19, 2021, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2022, vice the Honorable Donald R. Walko, Jr., resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 19, 2021, of Anne Gingrich Cornick, Esquire, 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2022, vice the Honorable John A. Zottola, deceased.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
JUNIATA AND PERRY COUNTIES

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 23, 2021, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as Judge, Court of Common Pleas, Juniata and Perry Counties, to serve until the first Monday of January 2022, vice the Honorable Kathy A. Morrow, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
LANCASTER COUNTY

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 23, 2021, of Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Court of Common Pleas, Lancaster County, to serve until the first Monday of January 2022, vice the Honorable James P. Cullen, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 14, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for

appointment as Magisterial District Judge, in and for the County of Bucks, Magisterial District 07-1-04, to serve until the first Monday of January 2022, vice the Honorable Robert Wagner, Jr., resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 1, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Erie, Magisterial District 06-1-02, to serve until the first Monday of January 2022, vice the Honorable Paul Urbaniak, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 2021

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 19, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-2-01, to serve until the first Monday of January 2022, vice the Honorable Christina Hale, resigned.

TOM WOLF
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

October 12, 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, Joseph Volk, 14 Chestnut Cluster, Doylestown 18901, Bucks County, Tenth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2024, and until the successor is appointed and qualified.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

October 15, 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, Sabrina Korbel, Esquire, 408 Sangree Road, Pittsburgh 15237, Allegheny County, Thirty-eighth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2022, vice the Honorable Donald R. Walko, Jr., resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

October 15, 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, Lisa Middleman, Esquire, 2615 Glenchester Road, Wexford 15090, Allegheny County, Thirty-eighth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2022, vice the Honorable John A. Zottola, deceased.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
JUNIATA AND PERRY COUNTIES

October 15, 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, Andrew Bender, Esquire, 530 Jacobs Road, Elliottsburg 17024, Perry County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Juniata and Perry Counties, to serve until the first Monday of January 2022, vice the Honorable Kathy A. Morrow, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
LANCASTER COUNTY

October 15, 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, JoAnne Murphy, Esquire, 1198 Trout Run Road, Mount Joy 17522, Lancaster County, Thirty-sixth Senatorial

District, for appointment as Judge, Court of Common Pleas, Lancaster County, to serve until the first Monday of January 2022, vice the Honorable James Cullen, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 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, Terrence Hughes, Sr., 524 Elford Road, Fairless Hills 19030, Bucks County, Sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Bucks, Magisterial District 07-1-04, to serve until the first Monday of January 2022, vice the Honorable Robert Wagner, Jr., resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 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, Edward Wilson, 914 Reed Street, Erie 16503, Erie County, Forty-ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Erie, Magisterial District 06-1-02, to serve until the first Monday of January 2022, vice the Honorable Paul Urbaniak, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 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, Patrick Krouse, 431 Timber Circle, Wayne 19087, Montgomery County, Seventeenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Montgomery, Magisterial District 38-1-09, to serve until the first Monday of January 2022, vice the Honorable William Maruszczak, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 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, Edward Tarantelli, 19 Pine Street, Ashland 17921, Schuylkill County, Twenty-ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of

Schuylkill, Magisterial District 21-2-01, to serve until the first Monday of January 2022, vice the Honorable Christina Hale, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 15, 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, Kelly Tua Hammers, 1413 Main Street, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Westmoreland, Magisterial District 10-3-08, to serve until the first Monday of January 2022, vice the Honorable Mark Bilik, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

October 18, 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, Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Tammy O'Neill, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

October 18, 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 a member of the State Board of Cosmetology, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Carolyn Folk, Wallingford, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

October 18, 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 (Public Member),

1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve until March 18, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Scott Custead, Hollidaysburg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

October 18, 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 a member of the State Board of Landscape Architects, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick West, Pittsburgh, whose term expired.

TOM WOLF
Governor

CORRECTION TO NOMINATION
REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

October 12, 2021

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

Please note that the letter dated September 2, 2021, for the nomination of Steven Erickson, 755 Windrush Drive, Dallastown 17313, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Board of Psychology, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, should be corrected to read:

Steven Erickson, 755 Windrush Drive, York 17313, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Board of Psychology, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 859**, with the information the House has passed the same without amendments.

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:

October 6, 2021

Senators TARTAGLIONE, FONTANA, COLLETT, STREET, SANTARSIERO, BREWSTER, KANE, HUGHES and CAPPELLETTI presented to the Chair **SB 887**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions, for imposition of tax, for reports and payment of tax and for consolidated reports; and, in general provisions, further providing for underpayment of estimated tax.

Which was committed to the Committee on FINANCE, October 6, 2021.

Senators LAUGHLIN, TARTAGLIONE, MENSCH and STEFANO presented to the Chair **SB 892**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in special vehicles and pedestrians, providing for electric low-speed scooter pilot program.

Which was committed to the Committee on TRANSPORTATION, October 6, 2021.

Senators LAUGHLIN, PITTMAN and BAKER presented to the Chair **SB 893**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for definitions, for request for lower limits of coverage, for coverages in excess of required amounts, for stacking of uninsured and underinsured benefits and option to waive, for notice of available benefits and limits and for availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles.

Which was committed to the Committee on TRANSPORTATION, October 6, 2021.

Senators YAW, FONTANA, MENSCH, PHILLIPS-HILL, PITTMAN and GEBHARD presented to the Chair **SB 894**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in fireworks, further providing for use of consumer fireworks and for penalties.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, October 6, 2021.

Senators TOMLINSON, VOGEL, MENSCH, LAUGHLIN and AUMENT presented to the Chair **SB 898**, entitled:

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, further providing for title of act; repealing provisions relating to fee schedule; providing for definitions and for fees for recordation of documents; and further providing for County Records Improvement Fund and for county demolition fund; and making related repeals.

Which was committed to the Committee on LOCAL GOVERNMENT, October 6, 2021.

Senators BROOKS, STEFANO and J. WARD presented to the Chair **SB 899**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in educational tax credits, further providing for limitations.

Which was committed to the Committee on EDUCATION, October 6, 2021.

October 13, 2021

Senators MENSCH, CORMAN, BAKER, PHILLIPS-HILL, TOMLINSON, AUMENT, COSTA, DiSANTO, FONTANA, LAUGHLIN, MARTIN, MASTRIANO, SCHWANK, STEFANO, L. WILLIAMS, REGAN, YUDICHAK and J. WARD presented to the Chair **SB 801**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in other offenses, further providing for the offense of contingent compensation; in lobbying disclosure, further providing for definitions, for registration and for reporting, providing for equity reporting and for financial assistance reporting and further providing for exemption from registration and reporting, for prohibited activities, for administration and for penalties; making a related repeal; and making editorial changes.

Which was committed to the Committee on STATE GOVERNMENT, October 13, 2021.

Senators PHILLIPS-HILL, CORMAN, BAKER, MENSCH, TOMLINSON, AUMENT, COSTA, DiSANTO, FONTANA, LAUGHLIN, MARTIN, MASTRIANO, SCHWANK, STEFANO, L. WILLIAMS, REGAN, YUDICHAK and J. WARD presented to the Chair **SB 802**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for definitions and for prohibited activities.

Which was committed to the Committee on STATE GOVERNMENT, October 13, 2021.

Senators BAKER, CORMAN, MENSCH, PHILLIPS-HILL, TOMLINSON, AUMENT, COSTA, DiSANTO, FONTANA, LAUGHLIN, MARTIN, MASTRIANO, SCHWANK, STEFANO, L. WILLIAMS, REGAN, YUDICHAK and J. WARD presented to the Chair **SB 803**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for definitions, for registration, for reporting, for exemption from registration and reporting, for prohibited activities, for administration and for penalties; and making editorial changes.

Which was committed to the Committee on STATE GOVERNMENT, October 13, 2021.

Senators TOMLINSON, CORMAN, BAKER, MENSCH, PHILLIPS-HILL, AUMENT, COSTA, DiSANTO, FONTANA, LAUGHLIN, MARTIN, MASTRIANO, SCHWANK, STEFANO, L. WILLIAMS, REGAN, YUDICHAK and J. WARD presented to the Chair **SB 804**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, providing for ethics training and further providing for administration.

Which was committed to the Committee on STATE GOVERNMENT, October 13, 2021.

October 14, 2021

Senators SAVAL, COSTA, HUGHES, HAYWOOD, CAPPELLETTI, MUTH, COMITTA, STREET, KANE, A. WILLIAMS, TARTAGLIONE and BREWSTER presented to the Chair **SB 890**, entitled:

An Act providing for equitable housing recovery.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, October 14, 2021.

Senator PITTMAN presented to the Chair **SB 891**, entitled:

An Act designating a bridge, identified as Bridge Key 41272, on that portion of Pennsylvania Route 286 over Crooked Creek, Rayne Township, Indiana County, as the Sergeant First Class Randy McCaulley Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, October 14, 2021.

Senators BAKER, MENSCH, STEFANO, PHILLIPS-HILL, MARTIN, MUTH, SANTARSIERO, COLLETT, BARTOLOTTA, KANE, SCHWANK, COSTA and CAPPELLETTI presented to the Chair **SB 904**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in other criminal provisions, further providing for definitions and providing for meetings.

Which was committed to the Committee on JUDICIARY, October 14, 2021.

Senators BAKER, MENSCH, STEFANO, PHILLIPS-HILL, MARTIN, MUTH, SANTARSIERO, COLLETT, BARTOLOTTA, KANE, SCHWANK, COSTA and CAPPELLETTI presented to the Chair **SB 905**, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for County Adult Probation and Parole Advisory Committee.

Which was committed to the Committee on JUDICIARY, October 14, 2021.

October 18, 2021

Senators LAUGHLIN, STREET, BOSCOLA, KANE, KEARNEY, SCHWANK, COMITTA and SAVAL presented to the Chair **SB 473**, entitled:

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for adult use cannabis, for medical marijuana, for lawful use and authority and for personal use of cannabis, establishing the Cannabis Regulatory Control Board, providing for regulation of cannabis business establishment, for advertising, marketing, packaging and labeling, for taxes and for cannabis clean slate; and, in driving after imbibing alcohol or utilizing drugs, further providing for driving under influence of alcohol or controlled substance and for authorized use not a defense.

Which was committed to the Committee on LAW AND JUSTICE, October 18, 2021.

Senators TARTAGLIONE, KANE, FONTANA, CAPPELLETTI, COSTA and BREWSTER presented to the Chair **SB 888**, entitled:

An Act amending Titles 53 (Municipalities Generally) and 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in transportation network companies, further providing for transportation network company drivers; and, in transportation network service, further providing for transportation network company drivers.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 18, 2021.

Senators TARTAGLIONE, KANE, SAVAL, FONTANA, CAPPELLETTI, COSTA and BREWSTER presented to the Chair **SB 889**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in transportation network service, further providing for rates and forms of compensation.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 18, 2021.

Senators ROBINSON, BARTOLOTTA, YUDICHAK, LANGERHOLC, STEFANO, VOGEL and BREWSTER presented to the Chair **SB 906**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in entertainment production tax credit, further providing for definitions, for credit for qualified film production expenses, for carryover, carryback and assignment of credit, for limitations, for reissuance of film production tax credits and for pass-through entity.

Which was committed to the Committee on FINANCE, October 18, 2021.

Senators YAW, FONTANA, MUTH, BAKER, BREWSTER and BROOKS presented to the Chair **SB 907**, entitled:

An Act establishing the Animal Welfare Board; and providing for its powers and duties.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, October 18, 2021.

Senators BAKER, BARTOLOTTA, A. WILLIAMS, SANTARSIERO, MARTIN, HAYWOOD, KANE, STEFANO, FONTANA, MENSCH, BOSCOLA, CAPPELLETTI, STREET, COLLETT, TARTAGLIONE, COMITTA, FLYNN, SCHWANK, PITTMAN, YAW and COSTA presented to the Chair **SB 913**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for conditions of probation and for modification or revocation of order of probation.

Which was committed to the Committee on JUDICIARY, October 18, 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:

October 6, 2021

Senators MARTIN, MENSCH, DiSANTO, PHILLIPS-HILL, FONTANA, BARTOLOTTA, J. WARD, PITTMAN, STEFANO, MASTRIANO and COSTA presented to the Chair **SR 189**, entitled:

A Resolution designating October 3 through 9, 2021, January 9 through 15, 2022, and April 3 through 9, 2022, as "PIAA Officials Appreciation Weeks" in Pennsylvania.

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

October 18, 2021

Senators TARTAGLIONE, K. WARD, GEBHARD, BREWSTER, KEARNEY, BROOKS, STREET, VOGEL, J. WARD, PHILLIPS-HILL, LANGERHOLC, HUGHES, LAUGHLIN, FONTANA, SCHWANK, BARTOLOTTA, SANTARSIERO, COMITTA, KANE, MARTIN, MUTH, SCAVELLO, MENSCH, ROBINSON, COSTA, PITTMAN, GORDNER and STEFANO presented to the Chair **SR 191**, entitled:

A Resolution recognizing the month of October 2021 as "National Breast Cancer Awareness Month" in Pennsylvania and October 15, 2021, as "National Mammography Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 2021.

Senators L. WILLIAMS, KEARNEY, HUGHES, STREET, FONTANA, STEFANO and COSTA presented to the Chair **SR 192**, entitled:

A Resolution recognizing the month of October 2021 as "National Principals Month" in Pennsylvania and honoring the contributions that principals make in the elementary schools, middle schools and high schools of our nation.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 2021.

Senators HAYWOOD, BROWNE, STREET, SCHWANK, KEARNEY, HUGHES, SANTARSIERO, FONTANA, BREWSTER, BARTOLOTTA, COSTA, MENSCH, KANE and SAVAL presented to the Chair **SR 193**, entitled:

A Resolution recognizing the week of October 24 through 30, 2021, as "Pro Bono Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 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:

October 6, 2021

HB 520 -- Committee on Banking and Insurance.

HB 763, 1224, 1385 and 1493 -- Committee on Transportation.

HB 1332 -- Committee on Education.

HB 1829 -- Committee on Labor and Industry.

October 18, 2021

HB 930 -- Committee on Judiciary.

HB 1642 -- Committee on Education.

GENERAL COMMUNICATIONS

ACT 77 REPORT FISCAL YEAR 2020-21

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

COMMONWEALTH OF PENNSYLVANIA
Department of General Services
515 North Office Building
Harrisburg, PA 17125

September 30, 2021

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Dear Secretary-Parliamentarian Martin and Parliamentarian Myers:

The Department of General Services is pleased to provide you with a copy of the Act 77 Report for Fiscal Year 2020-2021.

Act 77 requires the Department of General Services to report annually to the General Assembly concerning the award of contracts to small and disadvantaged businesses (now known as small diverse businesses) during the preceding fiscal year. The report includes a list of all small diverse businesses that participated as contractors, subcontractors or suppliers during the preceding fiscal year for contracts if the number of contractors under a previously existing contract for the same supply or service is reduced to a single contractor or reduced by more than 50% of the number existing on September 30, 2003.

Please distribute this report to the General Assembly as no printed copies are available. Should you have any questions, please do not hesitate to contact me.

Regards,

Sarah Hammaker
Legislative Liaison

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

ANNUAL REPORT PURSUANT TO ACT 36 OF 2018 EMPLOYMENT FIRST ACT

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

COMMONWEALTH OF PENNSYLVANIA
Office of the Governor
238 Main Capitol Building
Harrisburg, PA 17120

September 30, 2021

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Good Afternoon,

Per Act 36 of 2018, please find attached the PA Employment First Oversight Commission's 2021 Annual Report.
The report is also posted on the L&I Employment First website.
Please let me know if you have any questions.

Thanks,

Spencer Schaeberle
Special Assistant to the Secretary

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

2022-23 BUDGET REQUEST OF THE CONSUMER ADVOCATE

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

COMMONWEALTH OF PENNSYLVANIA
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

October 6, 2021

Hon. Tom Wolf
Governor of Pennsylvania
Commonwealth of Pennsylvania
Room 225, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Jake Corman
President Pro Tempore
Senate of Pennsylvania
Room 350, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Bryan Cutler
Speaker
House of Representatives
Room 139, Main Capitol Bldg.
Harrisburg, PA 17120

Gentlemen:

Enclosed with this letter is the Budget Request of the Office of Consumer Advocate (OCA) for Fiscal Year 2022-23.

The present budget request is submitted pursuant to Act No. 25 of July 20, 1983. *The OCA budget is not derived from the General Fund*, but is funded through a direct assessment on the companies that are under the jurisdiction of the Pennsylvania Public Utility Commission (PUC).

Please contact me if you have any questions about the OCA's Budget Request or about the Office of Consumer Advocate.

Sincerely,

CHRISTINE MALONI HOOVER
Interim Acting Consumer Advocate

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

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDENT. The Chair wishes to announce the Majority Leader has made the following appointment:

Honorable John C. Rafferty as a member of the Judicial Computer System Financial Audit Committee.

BILL SIGNED

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

SB 859.

BILL REPORTED FROM COMMITTEE

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

HB 1332 (Pr. No. 2272) (Amended)

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, providing for online curriculum availability.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Cappelletti, Senator Comitta, and Senator Schwank, and legislative leaves for Senator Tartaglione and Senator Anthony Williams.

The PRESIDENT. Senator Gordner requests a temporary Capitol leave for Senator Yudichak, and a legislative leave for Senator DiSanto.

Senator Costa requests temporary Capitol leaves for Senator Cappelletti, Senator Comitta, and Senator Schwank, and legislative leaves for Senator Tartaglione and Senator Anthony Williams.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

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

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 12, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of May 12, 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-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUEST OF SENATOR KRISTIN PHILLIPS-HILL PRESENTED TO THE SENATE

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

Senator PHILLIPS-HILL. Mr. President, I rise to introduce today's guest Chaplain, Pastor Michael Green of Harrisburg Church of Christ, who is a guest of the gentleman from Dauphin County. Having been in the ministry for over 10 years, Pastor Green served as an evangelist at the East Shore Church of Christ for the past 3 years. He is also the brother of our Senate Reading Clerk, Rob Green. Pastor Green is married to Andrea and they have two children, Michael II and Valerie. Thank you, Pastor Green, for your thoughtful prayer today. Would my colleagues please join me in giving Pastor Green a warm Senate welcome.

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

(Applause.)

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

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

AFTER RECESS

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Cappelletti, Senator Comitta, Senator Schwank, and Senator Anthony Williams have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVE

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

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

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

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held here on the floor.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Appropriations to be held on the floor of the Senate, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Yudichak has returned, and his temporary Capitol leave is cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

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

BILL LAID ON THE TABLE

SB 113 (Pr. No. 84) -- The Senate proceeded to consideration of the bill, entitled:

An Act selecting, designating and adopting the Pennsylvania March as the official march of the Commonwealth of Pennsylvania.

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

SB 113 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 113, Printer's No. 84, 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 OVER IN ORDER

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

On the question,

Will the Senate agree to the bill on third consideration?

SCHWANK AMENDMENT A0693 OFFERED

Senator SCHWANK offered the following amendment No. A0693:

Amend Bill, page 1, line 5, by striking out "in certification of teachers," and inserting:

in professional employees, further providing for qualifications; and, in certification of teachers, further providing for State certificates.

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting:

Section 1. Sections 1109(a) and 1202 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, are amended to read:

Section 1109. Qualifications.--(a) Every teacher employed to teach in the public schools of this Commonwealth must be a person of good moral character, must be at least eighteen years of age, and must be a citizen of the United States: Provided, That citizenship may be waived:

(1) in the case of exchange teachers not permanently employed, and teachers employed for the purpose of teaching foreign languages, including special teachers who speak the idiomatic or colloquial language of immigrants residing in the school district, and employed for the purpose of easing the transition period of such immigrants[.]; or

(2) if the individual holds a valid immigrant visa, work visa or a valid employment authorization document which allows the individual to work in the United States.

* * *

Section 1202. State Certificates.--State certificates shall be issued as herein provided. Each such certificate shall set forth the branches which its holder is entitled to teach. No teacher shall teach, in any public school, any branch which he has not been properly certificated to teach.

A certificate to teach shall not be granted or issued to any person not a citizen of the United States, except in the case of exchange teachers not permanently employed and teachers employed for the purpose of teaching foreign languages[.

In the case of a resident foreign national holding an immigrant visa who has declared, in writing, to the Department of Public Instruction the intention of becoming a citizen of the United States, such person

shall be eligible for a provisional college certificate.] or an individual who holds a valid immigrant visa, work visa or a valid employment authorization document which allows the individual to work in the United States.

Section 2. Section 1206 of the act is repealed:

Amend Bill, page 2, line 11, by striking out "2" and inserting:

3

Amend Bill, page 3, line 11, by striking out "3" and inserting:

4

Amend Bill, page 3, line 11, by striking out "in 60 days." and inserting:

as follows:

(1) The following shall take effect immediately:

(i) The amendment of sections 1109(a) and 1202 of the act.

(ii) This section.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the Senate agree to the amendment?

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

Senator SCHWANK. Mr. President, I rise today to offer an amendment to Senate Bill No. 224 that would allow Deferred Action for Childhood Arrival (DACA) recipients to be certified as teachers in Pennsylvania.

We are all aware that Pennsylvania is facing a teacher shortage. Senate Bill No. 224 seeks to help address the problem by making it easier for teachers from out of State to be certified in Pennsylvania, which, I agree, we should be doing. But why would we not do the same thing for DACA recipients who are already here, went to our schools, who came up through and got their degrees here--likely in the Commonwealth, possibly at our PASSHE State system schools--and who want nothing more than to go back into their communities and teach our students? As the sponsors of this legislation point out in the cosponsorship memo they sent out, Pennsylvania is not in a unique position in terms of having a teacher shortage. If lots of States are facing a shortage, there is no need for droves of teachers to move to Pennsylvania to teach. Presumably, the State they are already living in has opportunities just like we do.

But, by denying DACA recipients who are Pennsylvanians--who have lived here for the majority of their lives and who are ready, willing, and capable of teaching in our schools right now--that opportunity, we are in fact pushing them away to the benefit of neighboring States that will happily take them. Everybody here should understand that 13 States already allow DACA students to get a teaching certificate, including New York, New Jersey, Ohio, even West Virginia. We are trying to solve a problem by importing teachers while we are simultaneously pushing people away who are already here. That does not make any sense.

But we can do both, and we should be doing both if we are serious about getting our teacher shortage under control. After all, we have already invested in educating these DACA recipients from kindergarten to 12th grade. We should not be denying them this opportunity to serve their communities and the Commonwealth because of their immigration status. I would add, DACA has been upheld by the U.S. Supreme Court, most recently just last year in 2020. I know, in my district, I have heard from DACA recipients about this issue. I could tell you many stories about some of the individuals who I have talked with, and

they are heartbreaking. They love Pennsylvania, and they want to serve the communities they grew up in: that is why they want to teach. These are valuable members of our community, and my district, by the way, is not an exception. These people are all over the Commonwealth, and they want to give back to the places they call home.

Not to mention, multiple studies have found that students perform better in class when their teacher is a racial or ethnic match. In Pennsylvania, just 1.1 percent of teachers are Latino, while 12.1 percent of our students are. Allowing DACA recipients to teach in schools can help us close this gap. It is important that students have teachers who they can relate to. I believe this is the morally right thing to do, and I think we can all agree that we want Pennsylvania to be a place that gives everyone a chance to succeed. So let us give Pennsylvania's DACA recipients, who are here lawfully, a chance to teach in schools across the Commonwealth. I ask you all to join me in voting "yes" on this amendment.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, I appreciate the comments of the speaker. I will ask for a negative vote from our side.

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

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

YEA-22

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

NAY-26

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

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

On the question,
Shall the bill pass finally?

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

Senator BARTOLOTTA. Mr. President, as we heard from my distinguished colleague, Pennsylvania is facing a teacher short-

age. According to the Department of Education, newly issued in-State teaching certificates have dropped by 66 percent since 2010. The COVID-19 pandemic has made the problem even more challenging, which highlighted the need to improve our ability to attract the best and brightest teachers in the nation. Currently, Pennsylvania's teacher certification process is not hospitable to teachers from other States. This hurts our students because qualified, out-of-State teachers are less likely to consider teaching in the Commonwealth during their careers because the process is costly and overly cumbersome. Senate Bill No. 224, which I am pleased to be cosponsoring with Senator Langerholc, would streamline the process for approving certified, out-of-State teaching candidates to be eligible for the comparable in-State instructional certification.

First, this legislation would clarify that the base requirement for certification is completion of any State-approved educator preparation program, which includes field placement or student teaching, from an accredited institution of higher education. For individual candidates, this legislation would allow PDE to recognize and accept out-of-State candidates' qualifying scores on equivalent content tests towards PDE's testing and certification requirements. Currently, out-of-State candidates are required to complete Pennsylvania-specific content tests, which was identified as an unnecessary and costly barrier in attracting qualified, out-of-State candidates. Finally, Senate Bill No. 224 would codify a provision and regulations that would grant permanent Pennsylvania certification to any candidate who holds a valid certification issued by the National Board for Professional Teaching Standards.

Finally, not only would this bill benefit our students by improving access to the best teachers, but it would also help the families of our veterans who are often forced to move from State to State. Currently, veteran spouses are barred from teaching in the Commonwealth unless they earn a Pennsylvania certification, which often does not make sense for them to do so based on how short a time period they expect to be stationed in Pennsylvania. At a time when fewer and fewer Pennsylvanians are choosing to enter the teaching profession and as school leaders struggle to staff positions across the board, it is important that we do everything we can to attract qualified, out-of-State candidates. I ask my colleagues for an affirmative vote on Senate Bill No. 224.

Thank you, Mr. President.

RECONSIDERATION OF SB 224

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

Senator GORDNER. Mr. President, I move to reconsider the vote by which Senate Bill No. 224 was agreed to on third consideration.

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

And the question recurring,
Will the Senate agree to the bill on third consideration?

RECONSIDERATION OF AMENDMENT A0693

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

Senator GORDNER. Mr. President, I move that the vote by which amendment No. A0693 was defeated be reconsidered.

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

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

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

YEA-21

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

NAY-27

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

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

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

NAY-0

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

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

LEGISLATIVE LEAVE

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

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

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 457 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

SB 696 (Pr. No. 793) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for title of act, for definitions and for notification of breach; prohibiting employees of the Commonwealth from using nonsecured Internet connections; and providing for Commonwealth policy and for entities subject to the Health Insurance Portability and Accountability Act of 1996.

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

SB 696 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 696, Printer's No. 793, 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 703, SB 704 and SB 775 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 780 (Pr. No. 920) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 39537, on that portion of State Route 1005 over a tributary of Crooked Creek, Rayne Township, Indiana County, as the Sergeant Charles R. Learn 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-48

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

NAY-0

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

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

BILL OVER IN ORDER

SB 846 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 847 (Pr. No. 1039) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the portion of State Route 2004, also known as North Broad Street, within the Borough of Lansdale, Montgomery County, as the Dr. Frank Erdman Boston Memorial Highway.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator MENSCH. Mr. President, Senate Bill No. 847 designates the Frank Erdman Boston Memorial Highway in the borough of Lansdale. Born in Philadelphia in 1891, Dr. Boston attended Lincoln University--originally established as the Ashmun Institute, the nation's first degree-granting Historically Black College and University--before going on to medical school. Dr. Boston enlisted in the Army Medical Reserve Corps and served during World War I. After the war, Dr. Boston returned to work in Philadelphia and later settled in Lansdale, where he opened the Elm Terrace Hospital, which has since become part of the Abington-Jefferson Health Systems. Dr. Boston also formed a first aid medical service in Lansdale, eventually known as the Volunteer Medical Service Corps of Lansdale. He was also a

member of the Reserve Officers Association of Military Surgeons, the Montgomery County Medical Society, and the American Medical Association. Dr. Boston died on February 8, 1960, and was buried in Lansdale.

The life accomplishments of Dr. Boston are a testament to what materializes from the best qualities in a human being. His selflessness, respect of life, dedication to his neighbors, and unwavering commitment to do good service is an inspiration for all, and they are the reasons we should be celebrating his legacy for generations to come.

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 862, SB 865, HB 1013 and HB 1452 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 140 (Pr. No. 117) -- 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 primary and election expenses, further providing for reporting by candidate and political committees and other persons, for late contributions and independent expenditures, for oath of compliance, perjury, disqualification from office and commercial use, for residual funds and for place of filing, providing for manner of filing and for inability to file reports or statements electronically by deadline and further providing for late filing fee and certificate of filing, for additional powers and duties of the Secretary of the Commonwealth and for reports by business entities and publication by Secretary of the Commonwealth.

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

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

BILLS OVER IN ORDER

SB 222, SB 225, SB 284, SB 320, SB 507, SB 519 and SB 525 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 551 (Pr. No. 576) -- 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 tenure of justices, judges and justices of the peace.

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 562, SB 565, SB 573, SB 597 and SB 617 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 635 (Pr. No. 1125) -- The Senate proceeded to consideration of the bill, entitled:

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

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 667, SB 689, SB 717 and SB 718 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 723 (Pr. No. 2193) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, 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 establishment, 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.

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 737, SB 745, SB 782, SB 806 and SB 815 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 830 (Pr. No. 1126) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, establishing the Veteran-owned Business Loan Guarantee Program.

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 832, HB 941 and HB 951 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

HB 1500 (Pr. No. 1563) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions, for medical consultation and judgment and for reporting.

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

HB 1500 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 1500, Printer's No. 1563, 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 OVER IN ORDER

HB 1598 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1849 (Pr. No. 2092) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, in definitions, further providing for definitions; and, in powers and duties of the State Real Estate Commission - general, further providing for continuing education.

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.

SENATE RESOLUTION No. 164, AMENDED AND ADOPTED

Senator GORDNER, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 164**, entitled:

A Concurrent Resolution urging the Secretary of the Navy to designate the City of Philadelphia and both banks of the Delaware River as the site of the main celebration of the 250th birthdays of the United States Navy and the United States Marine Corps in October and November 2025.

On the question,

Will the Senate adopt the resolution?

Senator ROBINSON offered the following amendment No. A2580:

Amend Resolution, page 3, line 5, by striking out "authorize" and inserting:
urge

On the question,

Will the Senate agree to the amendment?

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

Senator ROBINSON. Mr. President, thank you for bringing Senate Resolution No. 164 to the floor today and for the opportunity to make remarks. Senate Resolution No. 164 recognizes the 250th anniversaries of the United States Navy and the United States Marine Corps. It also urges the Secretary of the Navy to designate Philadelphia and portions of the Delaware River as the site of the celebrations in October and November 2025. Much of the history of these branches is based in our Commonwealth, so it is fitting that Pennsylvania is the host site of this important celebration. Philadelphia, specifically, is rich with Marine Corps and Navy history. On October 13, 1775, the Second Continental Congress passed a resolution to procure two armed vessels in anticipation of conflict with the British Empire. The Continental Marines were established shortly afterward on November 10, 1775, to augment Naval forces in the Revolutionary War and conduct ship to ship fighting. Tun Tavern, on Water Street in Philadelphia, is considered to be the birthplace of the Marine Corps, the branch of which I am proud to have served.

The commemoration of these anniversaries will bring ceremonies and parades along with historical replica and active-duty ships. It also will include the rebuilding of the historic Tun Tavern. The resolution, with its adoption today, will shine a well-deserved spotlight on Pennsylvania and attract much-needed tourism to our Commonwealth and the Philadelphia region. Senate Resolution No. 164 is supported by the Navy and Marine Corps officials along with Welcome America, the Philadelphia Convention and Visitors Bureau, the Independence Visitors Center, the Independence National Historical Park, the Museum of the American Revolution, the Tun Tavern Legacy Foundation, the Navy League of Philadelphia, and the 250th Steering Committee. This resolution was reported unanimously from the Committee on Veterans Affairs and Emergency Preparedness in September, and I very much appreciate your consideration.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

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

YEA-48

Argall	Costa	Laughlin	Scavello
Aument	DiSanto	Martin	Schwank
Baker	Dush	Mastriano	Stefano
Bartolotta	Flynn	Mensch	Street
Boscola	Fontana	Muth	Tartaglione
Brewster	Gebhard	Phillips-Hill	Vogel

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

NAY-0

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

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

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

SB 157 (Pr. No. 139) (Rereported)

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

SB 236 (Pr. No. 1102) (Rereported)

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions, for unlawful acts and penalties and for unwanted telephone solicitation calls prohibited.

SB 327 (Pr. No. 902) (Rereported)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in coroner, further providing for coroner's investigation.

SB 603 (Pr. No. 1160) (Amended) (Rereported)

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 731 (Pr. No. 843) (Rereported)

An Act amending the act of October 16, 1996 (P.L.712, No.127), known as the Charitable Gift Annuity Exemption Act, further providing for definitions.

SB 777 (Pr. No. 917) (Rereported)

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

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

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 827 (Pr. No. 1009) (Rereported)

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.

SB 849 (Pr. No. 1043) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' preference, further providing for definitions; and, in voluntary veterans' preference in private employment, further providing for definitions.

BILL ON FIRST CONSIDERATION

Senator GORDNER. 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:

HB 1332.

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

TUESDAY, OCTOBER 19, 2021

11:30 A.M.	JUDICIARY (to consider Senate Bills No. 814, 904, 905 and 913)	Room 8E-B East Wing (LIVE STREAMED)
12:30 P.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 275, 448 and 755; and House Bill No. 430)	Room 8E-A East Wing (LIVE STREAMED)
12:45 P.M.	GAME AND FISHERIES (to consider House Bill No. 1122)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Senate Chamber (LIVE STREAMED)

WEDNESDAY, OCTOBER 20, 2021

10:00 A.M.	EDUCATION (public hearing to discuss the proposed regulation #6-349 from the Pennsylvania Department of Education on charter schools and cyber charter schools)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
10:30 A.M.	STATE GOVERNMENT (public hearing on Senate Bills No. 801, 802, 803 and 804, lobbying disclosure)	Room 8E-A East Wing (LIVE STREAMED)

TUESDAY, OCTOBER 26, 2021

11:00 A.M.

APPROPRIATIONS and EDUCATION Hrg. Rm. 1
 (joint public hearing on the Pennsylvania North Off.
 State System of Higher Education update (LIVE
 regarding the latest report pursuant to Act STREAMED)
 50 of 2020)

PETITIONS AND REMONSTRANCES

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

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

Mr. President, today marks 5,580 days since the Pennsylvania legislature last raised the minimum wage. That is over 15 years, and it is far too long.

Mr. President, many of my colleagues may be familiar with the name Reid Hoffman, but for those who are not familiar, he is the cofounder of LinkedIn, a venture capitalist, and one of the richest people in the world. Mr. Hoffman is an entrepreneur in every sense of the word, and he has given us a very powerful quote that illustrates the type of forward-thinking mentality that any successful business owner should have. "Starting a company is--like--jumping off a cliff and assembling the plane on the way down," he said.

In other words, entrepreneurship is a leap of faith. Entrepreneurs know there will be risks involved in their enterprise, and they do their best to minimize and prepare for them. At the same time, an entrepreneur knows he or she cannot predict or plan for every potential peril. Yet, the entrepreneur presses forward, determined to overcome all challenges as they present themselves. Unfortunately, the same entrepreneurial spirit is lost on far too many employers--individually and collectively--when fair, equitable worker compensation is the concern.

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

In recent months, they have often said, we are just recovering from the pandemic; this is the worst possible time to raise the minimum wage, as they conveniently ignore that the minimum wage was precisely created to aid in the recovery from a historic economic downturn: the Great Depression. Similarly, raising the minimum wage now will stimulate our economy and help us recover from a terrible economic downturn.

Mr. President, when employers say these things, what they are really saying is that they do not have confidence that investing more in the workforce and putting more money into consumers' hands will benefit their bottom line--that paying more to their lowest-earning employees will help them build a more stable, efficient, and motivated workforce.

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

The tragic irony is--under Pennsylvania's obsolete minimum wage law--hundreds of thousands of low-wage workers are being forced to make their own leap of faith each time they take a job and collect a paycheck. They have been forced to believe, or hope, that by accepting

inadequate and immoral compensation in the short term, they will be rewarded in the long run--that they will be able to make ends meet someday and maybe even get a little bit ahead of their bills. Yet, all too often, their hopes and faith lead to disappointment. Their paychecks never catch up to their bills and the raises they get never keep pace with the rising costs of living. It is why 1 in 8 Pennsylvanians are living in poverty and why Philadelphia is the poorest city among the nation's 10 largest cities.

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

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I rise in recognition of Senate Resolution No. 196, recognizing October as Pregnancy and Infant Loss Awareness Month. Pregnancy and infant loss is defined as loss during and after pregnancy, including stillbirths, neonatal death, miscarriage, and sudden infant death syndrome, better known as SIDS.

For those who do not know, a miscarriage is a loss of pregnancy before the 20th week, and a stillbirth is the loss of pregnancy at 20 weeks or later. Though we may never know the true number of miscarriages, it is estimated that as many as 26 percent of all pregnancies, and 10 percent of all clinically recognized pregnancies, end in miscarriage. Stillbirths affect about 1 percent of all pregnancies in the United States, which is approximately 24,000 infants each year. SIDS is the unexplained death of an infant 1 year or younger that has no known cause after a complete investigation, and that affects over 1,000 infants each year. In 1988, October was proclaimed as National Pregnancy and Infant Loss Awareness Month to recognize the grief of the families, to remember all of the pregnancies lost, and to increase awareness about pregnancy loss.

I want to thank my colleagues personally for their support on this resolution because it has personal meaning to me. Since taking this job in January, I have experienced two miscarriages. I am lucky I was able to take the time I needed to grieve and heal physically and emotionally. For those who do not know, a miscarriage can take a lot out of you physically, and it can feel very isolating--no matter how much you know about them and how common it is. You know that oftentimes there is no real reason for that to have happened. There is no explanation. Yet, you still want to know why. You still want to know, why did this happen? What could I have done differently? I am sharing my story today not because I want sympathy, but because I want to share it with those who are struggling. I want them to know that they are not alone, and that there is somebody in Harrisburg who is thinking about them and their experiences when they are making policy. That is why I have introduced Senate Bill No. 873.

Senate Bill No. 873 would require 3 days paid leave for anybody who experiences a pregnancy loss. I have shared my own and, like I said, I was able to take the time that I needed to heal both physically and emotionally. As you can see, it is still an emotional topic for me. Since I first opened up about this with constituents and with others, sharing this legislation, I have been honored that people shared their stories with me from all across the Commonwealth. I have heard about employers who have

compassion and offer paid time off, but they do not know how to categorize it. Then, you have to have a conversation with your employer about exactly what is going on--how that might be categorized. Is it medical leave? Is it bereavement? What is it? Sometimes, when you are in the thick of it, that is an emotional toll you just do not have the energy to do over and over again.

There are employers that have determined that miscarriages do not qualify for medical leave despite a doctor's note. About 2 weeks ago, I believe, I held a Democratic policy hearing to talk about support for pregnant people in the workplace, and it ended up coming out the story of a worker who had a miscarriage of twins and needed some additional time off; had a doctor's note to request that time off be medical leave because of the emotional and physical toll that took on her; and her employer decided that a miscarriage just was not a reason, did not qualify for medical leave. She ended up having to leave her job to make sure that she was okay physically and mentally for her family. I have heard from people who have had to return to work immediately after having the miscarriage. Some have told me that it was in the middle of the day while they were at work, which I cannot even imagine. I was lucky enough to be at home with my husband, somebody who loves me, to hold my hand and tell me that it was going to be okay. Others had to return the next day.

These are people who come from all walks of life: factory floors, grocery stores, office buildings, everything. It does not matter; it affects all of us. As I said, I cannot imagine because I went through a significant amount of pain to have my first miscarriage--stopped developing after 6 weeks, and I miscarried at eight. The physical cramping and pain was something I had never experienced before. The doctor said it might seem like normal menstrual cramping intensified a little bit. I had never felt that before. I had a heating pad all evening to my stomach hoping that the pain would go away, that it would just end. But even after I miscarried, the pain did not end there because--what most people do not know is--it takes days and sometimes even weeks for the bleeding of a miscarriage to end as your body ensures that it has expelled everything necessary for you to move forward in a healthy manner. That is what those people did not have the time to do and to handle properly because they did not have paid time off, and they were expected to go back to work immediately.

So, I told you I stand here in support of Senate Resolution No. 196, and I thank those of you who have signed on because it is good. We need to ensure that the many families who have experienced this across the Commonwealth know that there is support out there, that pregnancy and infant loss is not this rare thing that is isolating to them, and that we have resources for them to help them grieve. But recognizing it is not enough, and talking about it is not enough. We need to actively support them as they are going through this process. We should be using our days in Harrisburg to pass Senate Bill No. 873 and provide grieving families just a little bit of reprieve as they struggle to make sense of something that has no rhyme or reason.

Thank you, Mr. President.

(Applause.)

The PRESIDENT. The Senate will be briefly at ease.

(The Senate was at ease.)

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:

October 18, 2021

Senators REGAN, MENSCH, YUDICHAK, LAUGHLIN, PITTMAN, MARTIN, AUMENT, YAW, SABATINA, BREWSTER, ROBINSON, STEFANO and SCAVELLO presented to the Chair **SB 895**, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for disclosure of information by online marketplaces to inform customers.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 18, 2021.

Senators BROOKS, BARTOLOTTA, J. WARD, TARTAGLIONE, STEFANO, STREET, SCHWANK, YUDICHAK, PITTMAN, MASTRIANO and CAPPELLETTI presented to the Chair **SB 896**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax.

Which was committed to the Committee on FINANCE, October 18, 2021.

Senators PITTMAN, STEFANO, MARTIN, SCHWANK, J. WARD and BREWSTER presented to the Chair **SB 897**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in regulated fishing lakes, further providing for fees, for receipts for fish caught and for classification of lakes.

Which was committed to the Committee on GAME AND FISHERIES, October 18, 2021.

Senator BROWNE presented to the Chair **SB 915**, entitled:

An Act providing for the capital budget for fiscal year 2021-2022; itemizing public improvement projects, furniture and equipment projects, transportation assistance, redevelopment assistance projects, flood control projects and Pennsylvania Fish and Boat Commission projects leased or assisted by the Department of General Services and other State agencies, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services and other State agencies; authorizing the use of current revenue for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services and other State agencies stating the estimated useful life of the projects; and making appropriations.

Which was committed to the Committee on APPROPRIATIONS, October 18, 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:

October 18, 2021

Senators FONTANA, SANTARSIERO, FLYNN, SCHWANK, COMITTA, BREWSTER, KEARNEY, HUGHES and KANE presented to the Chair **SR 190**, entitled:

A Resolution urging the Senate Intergovernmental Operations Committee to withdraw and rescind the subpoena issued by the committee to the Department of State on September 15, 2021, seeking the personal information of Pennsylvania voters and urging the committee to conduct public hearings, and the Senate as a body to conduct public debate, on the issue.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 2021.

Senators CAPPELLETTI, KANE, SANTARSIERO, KEARNEY, HUGHES, BARTOLOTTA, SAVAL, BROWNE, SABATINA, MUTH, PHILLIPS-HILL, L. WILLIAMS, MARTIN, FONTANA, COLLETT, LAUGHLIN, COMITTA, SCHWANK, COSTA, PITTMAN and HAYWOOD presented to the Chair **SR 196**, entitled:

A Resolution recognizing the month of October 2021 as "Pregnancy and Infant Loss Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 2021.

Senator SCAVELLO presented to the Chair **SR 197**, entitled:

A Resolution recognizing October 24, 2021, as "World Polio Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 18, 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:

October 18, 2021

HB 291 -- Committee on Aging and Youth.

HB 1196 -- Committee on Judiciary.

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Senator Marty Flynn as a member of the Pennsylvania Military Community Enhancement Commission.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Tuesday, October 19, 2021, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:42 p.m., Eastern Daylight Saving Time.