

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 25, 2021

SESSION OF 2021 205TH OF THE GENERAL ASSEMBLY

No. 50

SENATE

MONDAY, October 25, 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 DR. DANIEL MOORE, of Guinston Presbyterian Church, Airville, offered the following prayer:

Let us pray.

Heavenly Father, You were here 150 years ago when this noble Capitol was dedicated. On that day, President Teddy Roosevelt said, "This is the handsomest building I ever saw." For the next 80 years, the Pennsylvania Capitol stood as the tallest building between Philadelphia and Pittsburgh. Today, we pray that, like this building, those who work here will stand tall. Please enable our elected representatives to stand for that which will strengthen and unite our people. Standing up for what is right, true, and noble can be daunting, especially when you are standing alone. So give our officials the courage they need to stand on Your principles for the good of all Pennsylvanians.

Give them wisdom, also, to know when it is time to make judicious compromises for the good of the Commonwealth. Give them grace to stand with integrity, even when standing is unpopular. Just as the three friends in Daniel's prophecy refused to kneel before Nebuchadnezzar's idol, keep these Senators from bowing to any ideals that may fail to promote the best interests of the people of this State. Keep them noble and honorable. Keep them wise and selfless in their service. Keep them standing tall, holding high the light of Your hope. Just like Lady Liberty stands tall for freedom, shining her light into the dark Atlantic waters each night, may the women and men in this Chamber stand tall and shine truth, justice, freedom, and equality into the darkest corners of our land.

The Founders of America designed our country to promote freedom and equality. They stood tall and signed the Declaration of Independence in Philadelphia, not far from here. William Penn embraced these same principles when he established Penn's Woods as a safe haven of religion and personal freedom. In 1683, Penn established representative government to preserve that freedom and promote the welfare of all those who lived here. This Senate, gathered here in this place 338 years later, bears that same mantle of responsibility. Today, will You give them wisdom to enact fair and just legislation that will promote greater unity and healing in our divided land. We pray it all in the

matchless name of our Lord and Savior, Your son, Jesus Christ, and for Your glory. Amen.

The PRESIDENT. The Chair thanks Reverend Dr. Moore, who is the guest today of Senator Phillips-Hill.

PLEDGE OF ALLEGIANCE

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

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 22, 2021

Senators CAPPELLETTI, COLLETT, COMITTA, COSTA, MUTH, FONTANA, SCHWANK, STREET, HUGHES, KEARNEY, KANE, BREWSTER, L. WILLIAMS, SAVAL, SANTARSIERO, MARTIN, HAYWOOD, SABATINA, LAUGHLIN, TARTAGLIONE and BOSCOLA presented to the Chair **SB 873**, entitled:

An Act providing for paid leave time for a pregnancy loss or related reason.

Which was committed to the Committee on LABOR AND INDUSTRY, October 22, 2021.

Senators GEBHARD, BROOKS, COLLETT, SCHWANK, YUDICHAK, LANGERHOLC, HUTCHINSON, J. WARD, COSTA, PITTMAN, STEFANO, MASTRIANO and AUMENT presented to the Chair **SB 908**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for volunteer certified emergency medical technician tax credit; and imposing duties on the Department of Revenue.

Which was committed to the Committee on FINANCE, October 22, 2021.

October 25, 2021

Senators AUMENT, PHILLIPS-HILL, MARTIN, FONTANA, LAUGHLIN, J. WARD, MUTH, STEFANO, MENSCH, SCHWANK, SABATINA, KEARNEY, PITTMAN and KANE presented to the Chair **SB 917**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for pharmacy benefits manager audit and obligations.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 25, 2021.

Senator LANGERHOLC presented to the Chair **SB 922**, entitled:

An Act designating a bridge, identified as Bridge Key 45531, carrying Pennsylvania Route 879 over the West Branch Susquehanna River, Lawrence Township, Clearfield County, as the Gerald "Jerry" Confer Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, October 25, 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 25, 2021

Senators MASTRIANO, ROBINSON, STREET, PHILLIPS-HILL, ARGALL, BROWNE, BROOKS, LAUGHLIN, VOGEL, MENSCH, FONTANA, SCAVELLO, MUTH, SCHWANK, PITTMAN, J. WARD, HUTCHINSON and STEFANO presented to the Chair **SR 198**, entitled:

A Resolution designating the month of October 2021 as "Pennsylvania Afghanistan War Veterans Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 25, 2021.

Senators PHILLIPS-HILL, BREWSTER, DUSH, FONTANA, BARTOLOTTA, LANGERHOLC, ARGALL, ROBINSON, MARTIN, COSTA, MENSCH, J. WARD, STEFANO, MASTRIANO, PITTMAN, SCHWANK and SCAVELLO presented to the Chair **SR 199**, entitled:

A Resolution recognizing October 1, 2021, as "Manufacturing Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 25, 2021.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

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

October 25, 2021

HB 1893 -- Committee on Health and Human Services.

LEGISLATIVE LEAVES

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 Baker, and a legislative leave for Senator Tomlinson.

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

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

The PRESIDENT. Senator Kim Ward requests a temporary Capitol leave for Senator Baker, and a legislative leave for Senator Tomlinson.

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

LEAVES OF ABSENCE

Senator K. WARD asked and obtained leaves of absence for Senator DUSH and Senator HUTCHINSON, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator K. WARD offered the following resolution, which was read as follows:

In the Senate, October 25, 2021

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene the week of Monday, November 8, 2021, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, November 8, 2021, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-48

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Baker has returned, and her temporary Capitol leave is cancelled.

GUESTS OF SENATOR RYAN P. AUMENT AND SENATOR JOHN T. YUDICHAK PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, this afternoon it is my pleasure to introduce a real son of Pennsylvania and a legendary figure in the United States Army family, Sergeant Major of the Army Daniel A. Dailey, retired. I had the privilege of serving with Sergeant Major of the Army Dailey nearly 20 years ago--2001 through 2003--and I have shared with many over the years that he was the finest leader who I had the privilege of serving with. He was a real mentor to me--teaching me about preparation, the pursuit of excellence in even the small things, and the importance of always taking care of our fighting men and women.

I remember the first Christmas after 2001: many of our soldiers could not go home, return to their homes, due to rapid deployment status. I spent that Christmas with Sergeant Major of the Army Dailey and his wife Holly, who is here, and spending a portion of our day, Christmas Day, visiting with soldiers who were in the barracks. Sergeant Major of the Army Dailey, U.S. Army retired, currently serves as vice president of the Noncommissioned Officer and Soldier Programs for the Association of the United States Army.

He is a native of Palmerton, Pennsylvania, and enlisted in the United States Army in 1989. He attended basic training and advanced individual training at Fort Benning, Georgia. During his 30-year career, Dailey held every enlisted leadership position in the mechanized infantry, ranging from Bradley Fighting Vehicle commander to Command Sergeant Major. He served in the 1st, 2nd, 3rd, and 4th U.S. Army Infantry Divisions, stateside and overseas.

In addition to four tours in support of Operations Iraqi Freedom and New Dawn, Sergeant Major of the Army Dailey deployed in support of Operations Desert Storm and Desert Shield. He earned the Bronze Star with Valor for his leadership during the 4th Infantry Division's 2-month battle for Sadr City in 2008.

Sergeant Major of the Army Dailey holds a bachelor of science from Excelsior College and graduated summa cum laude. Dailey's awards include: (*Reading*)

The Distinguished Service Medal; Legion of Merit (2nd award), Bronze Star Medal with Valor, Bronze Star Medal (4th award), Meritorious Service Medal (2nd award), Army Commendation Medal (7th award), Army Achievement Medal (10th award), Good Conduct Medal (8th award), National Defense Service Medal (2nd award), South West Asia Service Medal (two bronze service stars), Iraq Campaign Medal (one silver and two bronze service stars), Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, NCO Professional Development Ribbon (4th award), Army Service Ribbon, Overseas Service Ribbon (6th award), Kuwait Liberation Medal (Kuwait), Kuwait Liberation Medal (Saudi Arabia), Ranger Tab, Expert Infantryman's Badge, Combat Infantryman's Badge, The Order of Saint Maurice (Centurion), and a member of the Distinguished Audie Murphy Club.

Sergeant Major of the Army Dailey is here with his wife, Holly. We are thrilled to have Holly here, and she currently serves as the director of family readiness with the Association of the United States Army. They have one son, Dakota, who is a graduate of Penn State.

I am pleased to have a few other soldiers who I had the privilege--and a few of them I have not seen since I was in Iraq in 2003--Karl Pfuetze, Alex Williams, and Joe Kashnow. The four of us served together with the 4th Infantry Division, 1st Battalion, 8th Infantry Fighting Eagles, during the first year of combat in Operation Iraqi Freedom from 2003 to 2004. Karl Pfuetze and Alex Williams both recently retired from the United States Army and now work in government as civilians, and Joe Kashnow, who is with us here, was medically retired from wounds sustained that same deployment and now works as a professional comedian.

Mr. President, I know Senator Yudichak has a few comments to make as well, but I appreciate the Senate welcoming my guests this afternoon.

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, thank you, Senator Aument. It is indeed an honor to welcome Sergeant of the U.S. Army Dan Dailey and his wife, Holly, here in this august Chamber--this Chamber, this Capitol, this government, on which we all rest.

The ideals of this democracy--the ideals that we cherish, that we spread around the world--are all built on your shoulders and the soldiers who you stood in arms with, like Senator Aument, throughout the world. I want to say thank you. I want to say, from the bottom of my heart--as someone who has the great privilege to represent the 23 communities in Carbon County--there have been many distinguished citizens who come out of Carbon County, very few as distinguished as your career service in the United States Army. Folks of Carbon County, particularly of your hometown in Palmerton and your high school, Palmerton High School, we are so proud of you today. We are happy on behalf of the Commonwealth of Pennsylvania, the Governor of Pennsylvania, and the very distinguished Members of the State Senate. Thank you for your service and God bless you. Thank you.

The PRESIDENT. The Chair invites Sergeant Major of the Army Dailey to the rostrum.

Sergeant Major DAILEY. Mr. President, honorable Members of the Pennsylvania State Assembly, it is an honor and a privilege to be afforded the opportunity to stand before you today.

I would like to begin by recognizing the Honorable Ryan Aument, serving the people of the 36th Senatorial District of the Commonwealth. I have had the distinct privilege of serving with, and for, Senator Aument during both peacetime and war. I can assure you, there is no finer gentleman than Senator Aument to represent the interests of the great citizens of northern Lancaster County. Sir, thank you. Thank you for your incredible service and sacrifice as both a soldier and representative of the people. I would be remiss if I failed to mention the tireless efforts of my local representatives: the Honorable Doyle Heffley, serving the people of Pennsylvania State House District 122, and the Honorable John T. Yudichak--who just spoke so eloquently for me, thank you, sir--serving the people of the 14th Senatorial District of the Commonwealth. I applaud the work you do along with the

General Assembly of representing the people of our district and the entire State of Pennsylvania.

As the Honorable Ryan Aument mentioned, I had the honor to serve our great nation for 30 years, wearing the fabric of a soldier, culminating my career as the 15th Sergeant Major of the United States Army. There was no greater honor for me than having the privilege to serve as the senior enlisted representative for over 1.2 million soldiers. The opportunity was, and forever will be, the highlight of my life. In complete honesty, I was extremely fortunate. I was blessed. I would have been content with the title of just a soldier. I was born and raised in Palmerton, Pennsylvania, by a working-class mother and father who could not provide us much by the way of luxury. They did, however, do what they could, which included ingraining myself, along with my three brothers, the value of hard work, moral compass, and most importantly, service to our fellow man. In truth, as a young man growing up, the opportunities for employment that were afforded the generations that preceded me in my mind were quickly faded. I recall as a young man that I thought I needed to do something different with my life. I was confident that that meant leaving the place that seemed to lack opportunity for me. While still in high school, as you heard, I enlisted in the Army. Still a child, I aspired to make my father proud, serve my country, return home, take advantage of my GI benefits, attend one of Pennsylvania's fine institutions of higher education, and do what most young Pennsylvanians do, move away and build my life. With every life journey things change. I quickly fell in love with being a soldier and, soon after, found the love of my life, where else but back in my hometown of Palmerton, Pennsylvania. It must have been the right place as it turned out. My wife, Holly, and I have proudly celebrated our 28th anniversary this month. Thank you.

Together we shared the joys of traveling the world, the pride of serving the people, the hardships of war, the sorrows of comforting the families of soldiers I failed to bring home. Our life in the military was a good one. Some tough days, yes, but not one was bad, not a single one. However, there is a time when every soldier must come home, and after traveling the world and being stationed all across the country, it was clear that there was no better place for us than from where we came. As a young man, I believed I needed to fight my way out of Palmerton, Pennsylvania, in Carbon County, and as I matured, I realized I was just fighting to get back. So what does this have to do with all of you? It is simple; it is a message: the work you do is what makes soldiers like me want to come home. I, along with almost 1 million veterans residing in Pennsylvania, which is the fourth-largest veteran population State in the country, are thankful. Thankful for the work done by this assembly and those in the past who recognize the service and the sacrifices of those who chose to serve our nation in uniform. Thank you. Thank you for making Pennsylvania a place we can call home. I would like to publicly thank those who chose to serve our great nation, many in this Chamber and in the House as well, especially those who paid the ultimate sacrifice, all of which was done so that we could be afforded a little bit better chance at life than those who came before us. Thank you, God bless you, God bless the Commonwealth of Pennsylvania, and God bless America. Soldier for life.

The PRESIDENT. Would the guests of Senator Aument and Senator Yudichak please rise to be welcomed by the Senate.

(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Collett has returned, and her legislative leave is cancelled.

GUESTS OF SENATOR WAYNE LANGERHOLC PRESENTED TO THE SENATE

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

Senator LANGERHOLC. Mr. President, I rise today to introduce three impressive young men from Cambria County who competed in the national wrestling championships in Wisconsin this summer: Tommy Verrette, Keegan Bassett, and Bo Bassett who are seated on the floor here today.

The first young man I want to recognize is Tommy Verrette. Tommy competed in the Greco-Roman and freestyle competitions where he placed second in freestyle and won the national championship in Greco-Roman. Tommy competed in the 14-and-younger division at the 110-pound weight class, where he won all four of his bouts to be named national champion. Keegan Bassett wrestled in the Greco-Roman and freestyle competitions as well, claiming both national championships. Keegan wrestled in the 12-and-younger division and truly dominated his competition as displayed by his impressive 16 to 3 victory in the freestyle championship bout. The last wrestler, Bo Bassett, needs no introduction in this Chamber. We recognized Bo on the floor before, in June of 2019, after he won five consecutive State titles. Two years ago, I said Bo had placed himself in an elite class of wrestlers. Well, after his recent accomplishments this summer, he might have just created his own elite class. This summer, Bo captured national titles in both Greco-Roman and freestyle competitions. Bo went undefeated in both tournaments, and his victories qualified him to represent the United States in the 2021 Cadet World Championships in Budapest, Hungary. Bo competed in freestyle where he earned two pins and a technical fall to qualify for the finals in Budapest. No opponents went the distance with Bo as he went undefeated and was crowned world champion, receiving a gold medal and also realizing one of his dreams where he was able to carry the American flag around the mat in victory. Bo is believed to be one of the youngest Cadet world champions in U.S. history, as well as being the first world champion in any sport from Cambria County.

I congratulate Tommy, Keegan, and Bo for their personal and athletic successes and wish them well in future events. They have all made their school, friends, family, teammates, coaches, and this Senator very proud. Tommy is joined in the gallery by his parents, Stephanie and Thomas Verrette, and Keegan and Bo are joined in the gallery by their parents, Karissa and Bill Bassett. Again, Mr. President, I would ask for our traditional warm Senate welcome congratulating these fine young men.

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

(Applause.)

**GUESTS 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 today to introduce our guest Chaplain, Pastor Daniel Moore of Guinston Presbyterian Church, located in Airville. Having been organized in 1754, Guinston Presbyterian has been recognized as one of York County's oldest houses of worship. One of their many beliefs is being community oriented, and Guinston Presbyterian Church serves their community by hosting blood drives and yard sales where proceeds go to different local, national, and global missions. Pastor Moore also gets the youth involved in giving back to their community as well. The youth ministry recently started a service project to revitalize the garden in front of the church. Joining Pastor Moore today are his daughters, Tasmin, Marilla, and Cora; and their friend, Avery. Would my colleagues please join me in giving Pastor Moore and his family and friend a warm Senate welcome.

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

(Applause.)

**GUEST OF SENATOR SHARIF T. STREET
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I rise along with several of my colleagues--Senator Anthony Williams, Senator Tartaglione, and Senator Saval--as we jointly host the honorable Franny DiCicco, also known to many as Franny Price, who is retiring as the executive director of Philly Pride. I cannot think of a more appropriate person to have here with us today as October is LGBTQ Pride Month. I thank Ms. Franny DiCicco for all of her work in the community; she has organized so many events over the years. There is a list of them that could go on for quite a while. But, when I think of Franny, I think of a person who has stood up against adversity, both externally and internally. A person who has worked to make a marginalized community more included and has worked within that community to make sure that all of the diversity of the LGBTQ+ community has been fully expressed. A person who has organized hundreds of thousands of people for events that have greatly enriched the economic vitality of the city of Philadelphia and areas throughout southeastern Pennsylvania. A person who has done things as diverse as helping to recruit people to the John Anderson Home, a senior citizens development; organized and is a founder of a night-watch program to help keep people safe in the community; and organized a science march for Kensington High School, a neighborhood that people often forget. She has been active both in Philadelphia and Delaware Counties, and she has been a pillar of the community for as long as I can remember. So, today, we are pleased and proud to honor her and to welcome her as a guest of ours in the Senate. It is with great pride and gratitude that we welcome Ms. Franny DiCicco to the Senate, thank her for all of her years of service, and wish her great prosperity in her endeav-

ors to come. Thank you. Will Members please rise to welcome Ms. Franny DiCicco.

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

(Applause.)

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

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

Senator SCHWANK. Mr. President, I am here today to introduce one of the interns in my office, a young high school student, senior Amelia Fortunato. Amelia, who goes by the nickname Ames, is a senior at Wilson High School where she is editor-in-chief of the school newspaper and part of the writing club. In fact, I learned this morning that she not only loves to read and write, she is actually working on writing her own fantasy novel and has completed more than 1,000 pages. Ames is passionate about politics and social justice, specifically LGBTQ+ rights, women's equality, stricter gun laws, and racial equity. She is very quiet when she is in the office but, boy, she is passionate about the things that she cares about, and she is extremely helpful to everyone. After high school, Ames plans on attending college with a major in English and hopes to make the world a better place with her writing. Would you please join me in welcoming Amelia to our Chamber today. Thank you.

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

(Applause.)

RECESS

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

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

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 immediately following those meetings.

The PRESIDENT. For purposes of off-the-floor meetings of the Committee on Rules and Executive Nominations, followed by the Committee on Finance, followed by Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Regan and Senator Pittman.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Schwank.

The PRESIDENT. Senator Kim Ward requests temporary Capitol leaves for Senator Regan and Senator Pittman.

Senator Costa requests a temporary Capitol leave for Senator Schwank.

Without objection, the leaves will be granted.

LEAVE CHANGED

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

Senator K. WARD. Mr. President, I request that Senator Dush's leave be changed from a personal leave to a legislative leave.

The PRESIDENT. Senator Kim Ward requests that Senator Dush's leave be changed from a personal leave to a legislative leave. Without objection, the leave will be changed.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1, SB 113 and SB 137 -- 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 236 (Pr. No. 1102) -- The Senate proceeded to consideration of the bill, entitled:

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.

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 Mercer, Senator Brooks.

Senator BROOKS. Mr. President, in response to numerous people expressing their frustrations in receiving telemarketing calls that identify as local numbers, I have introduced Senate Bill No. 236, which prohibits making a robocall after 8 p.m. and before 8 a.m. and adds caller ID spoofing to the unwanted telephone solicitation calls that are prohibited. A robocall is defined as a telephone solicitation using a computerized auto dialer, or prerecorded telemarketing message. Caller ID spoofing is defined as knowingly causing any caller identification service to transmit inaccurate or misleading caller ID information to a person or entity receiving a call.

This legislation also clarifies the definition of a legal holiday, as the Telemarketer Registration Act was amended in 2019 to prohibit telephone solicitation calls on legal holidays. When phone numbers are spoofed to appear to be from the local area, a senior citizen may believe the call to be from a family member or a neighbor contacting them about an emergency, especially when these calls are made later in the evening. Instead, the individual is met with a computerized telemarketing message and could also then become a victim of scams and fraud. According to an AARP Pennsylvania survey in 2019, 92 percent of those surveyed agreed that lawmakers should do more to help reduce the number of fake and misleading robocalls that consumers receive. AARP of Pennsylvania, on behalf of their 1.8 million members and older Pennsylvanians, supports this legislation.

Thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Haywood, Hughes, Kane, Kearney, Langerhole, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Sabatina, Santarsiero, Saval, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, 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 327 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 457 (Pr. No. 488) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for qualifications of Governor, Lieutenant Governor and Attorney General and for disqualification for offices of Governor, Lieutenant Governor and Attorney General.

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

SB 457 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 457, Printer's No. 488, 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 696, SB 703 and SB 704 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL AMENDED

SB 731 (Pr. No. 843) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator MENSCH offered the following amendment No. A2577:

Amend Bill, page 1, line 4, by inserting after "definitions":
and for exemption from regulation
Amend Bill, page 1, lines 17 and 18, by striking out "a commercial annuity company" and inserting:
an insurance company licensed, authorized or otherwise approved by the Insurance Department

Amend Bill, page 3, by inserting between lines 1 and 2:
Section 2. Section 3 of the act is amended to read:
Section 3. Exemption from regulation.

The laws of this Commonwealth regulating insurance, including, but not limited to, the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, and the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, shall not apply to the issuance by a qualified charity of a qualified charitable gift annuity. This section shall not apply to de-risking annuity contracts.

Amend Bill, page 3, line 2, by striking out "2" and inserting:
3

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

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

Senator MENSCH. Mr. President, I rise to offer a technical amendment at the request of the Pennsylvania Insurance Department, and I ask my colleagues for an affirmative vote.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

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

BILLS OVER IN ORDER

SB 775, SB 827, SB 846, SB 849 and SB 862 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

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 Corman.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 865 (Pr. No. 1056) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 36020, on that portion on Pennsylvania Route 66, known as Main Street, over the Norfolk Southern Railway, City of Greensburg, Westmoreland County, as the Sergeant Richard Ivory Cullen Memorial Bridge.

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. 865. I would like to thank our Majority Leader, Senator Kim Ward. She and I introduced Senate Bill No. 865 to designate the Sergeant Richard Ivory Cullen Memorial Bridge in the city of Greensburg, Westmoreland County. Sergeant Cullen was drafted in the United States Army and served during the Vietnam War. Sergeant Cullen was killed in action on May 23, 1968, while dutifully serving his country in South Vietnam. He was awarded the Purple Heart. Please join us in supporting Senate Bill No. 865 that reflects the life and service of Sergeant Cullen.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

| | | | |
|------------|---------|-----------|-------------|
| Argall | DiSanto | Martin | Schwank |
| Aument | Dush | Mastriano | Stefano |
| Baker | Flynn | Mensch | Street |
| Bartolotta | Fontana | Muth | Tartaglione |

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

NAY-0

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

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

HB 1452 (Pr. No. 1573) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-43

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

NAY-6

| | | |
|-------------|--------|----------------------|
| Cappelletti | Hughes | Williams, Anthony H. |
| Costa | Muth | Williams, Lindsey |

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Schwank has returned, and her temporary Capitol leave is canceled.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL LAID ON THE TABLE

SB 225 (Pr. No. 948) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality healthcare accountability and protection, further providing for definitions and for responsibilities of managed care plans, providing for preauthorization review standards and for preauthorization costs, further providing for continuity of care, providing for step therapy, further providing for required disclosure and for operational standards and providing for initial review of preauthorization requests and adverse determinations, for preauthorization denial grievances and for access requirements in service areas; and making an editorial change.

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

SB 225 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 225, Printer's No. 948, 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 275, SB 284 and SB 320 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 430 (Pr. No. 2274) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for effect of failure to receive tax notice.

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 448, SB 507, SB 519 and SB 525 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 562 (Pr. No. 594) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for airport land development zones.

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

SB 562 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 562, Printer's No. 594, 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 565, SB 573 and SB 597 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 617 (Pr. No. 694) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 617 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 617, Printer's No. 694, 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 667 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILLS OVER IN ORDER AND LAID ON THE TABLE

SB 689 (Pr. No. 762) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for qualifications required to secure compensation.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

SB 717 (Pr. No. 817) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 13, 1988 (P.L.530, No.94), known as the Environmental Hearing Board Act, further providing for definitions and for jurisdiction.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

SB 718 (Pr. No. 818) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 13, 1988 (P.L.530, No.94), known as the Environmental Hearing Board Act, further providing for Environmental Hearing Board.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

SB 737 and SB 745 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 755 (Pr. No. 943) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in general provisions, providing for certain transmittals and submissions to governmental bodies.

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 ON SECOND CONSIDERATION

SB 814 (Pr. No. 993) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for the offense of evading arrest or detention on foot and for the offense of harming a police animal while evading arrest or detention.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 815, SB 832, SB 904, SB 905, SB 913, HB 951, HB 1122, HB 1332 and HB 1500 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

MOTION PURSUANT TO SENATE RULE 12

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move the Senate proceed to consider Senate Bill No. 731, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 731 (Pr. No. 1169) -- The Senate proceeded to consideration of the bill, entitled:

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 and for exemption from regulation.

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 gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, charitable gift annuities provide donors the opportunity to support a charitable organization while receiving fixed annuity payments. Senate Bill No. 731 provides protections for annuitants who are donors to a charity that provides for charitable gift annuities. It is very difficult for smaller charitable organizations to utilize charitable gift annuities under the current law because the amount of unrestricted cash or publicly traded securities needed to cover the minimum is often outside of their operating budget. Under the current law, a smaller foundation or charity must commit a significant amount of foundation resources to secure the annuity and, unfortunately, cannot then commit those resources to their mission. Senate Bill No. 731 amends the Charitable Gift Annuity Exemption Act to allow charities to transfer their risk to a commercial insurance company, which will match all future payments of the charity

arising from a charitable gift annuity contract obligation. 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-47

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

NAY-2

Muth Saval

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

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

HB 416 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that House Bill No. 416, Printer's No. 1494, 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.

**UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE**

Senator BROWNE, on behalf of Senator HUTCHINSON, from the Committee on Finance, reported the following bill:

SB 349 (Pr. No. 352)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

BILL ON FIRST CONSIDERATION

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

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

SB 349.

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 26, 2021

| | | |
|---------------|--|--------------------------------------|
| 11:00 A.M. | APPROPRIATIONS and EDUCATION (joint public hearing on the Pennsylvania State System of Higher Education update regarding the latest report pursuant to Act 50 of 2020) | Hrg. Rm 1 North Off. (LIVE STREAMED) |
| 11:30 A.M. | JUDICIARY (public hearing on the confirmations of Andrew Bender, Esq., for appointment as Judge, Court of Common Pleas, Juniata and Perry Counties; Sabrina Korbel, Esq., for Judge, Court of Common Pleas, Allegheny County; and a voting meeting to consider House Bill No. 930) | Room 8E-B East Wing (LIVE STREAMED) |
| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 347, 349, 705 and 915; and House Bills No. 416, 425 and 1082) | Senate Chamber (LIVE STREAMED) |

WEDNESDAY, OCTOBER 27, 2021

| | | |
|------------|---|-------------------------------------|
| 10:00 A.M. | COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 482) | Room 8E-A East Wing (LIVE STREAMED) |
| 10:30 A.M. | BANKING AND INSURANCE (to consider Senate Bill No. 676; Senate Resolution No. 195; and House Bill No. 1588) | Room 8E-B East Wing (LIVE STREAMED) |
| 11:00 A.M. | HEALTH AND HUMAN SERVICES (to consider Senate Bill No. 924; and House Bill No. 764) | Room 8E-A East Wing (LIVE STREAMED) |
| 11:30 A.M. | COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider Senate Bill No. 881) | Room 8E-B East Wing (LIVE STREAMED) |

MONDAY, NOVEMBER 1, 2021

| | | |
|-----------|--|--|
| 1:00 P.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (roundtable discussion with female veterans) | Natl. Counter Drug Training Center Clsrm. Building 8-63 Ft. Indiantown Gap, Annville |
|-----------|--|--|

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Mr. President, I rise today in support of Senate Resolution No. 188, which I introduced to designate September 20 through 26, 2021, as National Rehabilitation Awareness Week in Pennsylvania.

First celebrated in 1976, National Rehabilitation Awareness Week began in Scranton, Pennsylvania, with a small campaign by Allied Services. Allied Services is a healthcare and human services provider that, for its 53-year history, has served those with disabilities and chronic illnesses. National Rehabilitation Awareness Week celebrates rehabilitation professionals, including those in physical, occupational, and speech therapies across the country. Each year, the National Rehabilitation Awareness Foundation recognizes the benefits of rehabilitation and the successes of those who have received treatment through all forms of rehabilitation during the third full week of September. The goal of the week is to educate the public on the benefits and impacts of rehabilitation, increase opportunities for nearly 50 million Americans living with a disability, and empower them to live their lives to their fullest potential. This year's theme, "The Power of Medical Rehab," highlights positive, inpatient medical rehabilitation patient outcomes. The culmination of the week features the release of the *Medical Rehab Matters* podcast.

Mr. President, I ask my colleagues to support this resolution designating September 20 through 26, 2021, as National Rehabilitation Awareness Week in Pennsylvania.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, today marks 5,587 days since the Pennsylvania legislature last raised the minimum wage for our Commonwealth's lowest earners. According to the Minimum Wage Advisory Board, which produces a report every year regarding the minimum-wage and low-wage workers, the last time the minimum wage was increased, the purchasing power of that minimum wage was \$8.75 in 2020 dollars and has been steadily declining since then. The value of the 2020 minimum wage of \$7.25 is projected to fall to \$7.13 in 2021 and \$7.01 in 2022 after adjusting for estimated inflation. Mr. President, that means not only are we failing to provide a raise for our lowest earners, but we are also forcing them to have less purchasing power year after year.

Last year, there was an estimated 74,400 Pennsylvania workers earning minimum wage or less and 693,000 Pennsylvanians earning between \$7.25 and \$12, which is what the minimum wage would be raised to under my legislation, Senate Bill No. 12. Mr. President, that means that more than 767,000 Pennsylvanians would see a growth in their income if our legislature would come together and put the lowest earners of Pennsylvania first. We need to come together and pass Senate Bill No. 12.

Thank you, Mr. President.

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

Senator FONTANA. Mr. President, Wednesday marks the third anniversary of the Tree of Life Synagogue attacks in Pittsburgh. That is the site where 11 people were killed in America's deadliest anti-Semitic attack. Wednesday also marks 3 years of inaction by the Pennsylvania legislature on meaningful gun reform.

Just last week, Nikolas Cruz pled guilty to 17 counts of first-degree murder for the 2018 shooting massacre at a high school in Parkland, Florida. It was after these events that I initially introduced what is now Senate Bill No. 134, my Extreme Risk Pro-

tection Order legislation, also known as red flag laws. This measure would empower families and police officers to petition a court to temporarily remove firearms from someone who is a threat to themselves or others. Two weeks prior to the 2019 mass shootings in El Paso, Texas, and Dayton, Ohio, a nonpartisan national survey found over three-fourths of the respondents said they are supportive of such measures when they involve family-initiated Extreme Risk Protection Orders. Similarly, 70 percent of survey takers said they were also in favor of those orders when they are police initiated. The support crosses ideological lines as well, with 70 percent of Republicans and 67 percent of gun owners stating that they are in favor of red flag laws. I can tell you that discussions I have had with sportsmen and gun enthusiasts also do not want to see firearms in the wrong hands. All they ask is that such a system be fair.

Senate Bill No. 134 would get guns away from dangerous people without violating Second Amendment rights. I am saddened that 3 years after the attack on our friends and neighbors in Pittsburgh, I am still standing here pleading that the legislature enact an Extreme Risk Protection Order law. This is about getting guns out of the hands of people who are clearly dangerous to themselves and others. This is about potentially preventing another mass shooting in Pennsylvania. This is about honoring the lives of the victims of the Squirrel Hill shooting and the many other victims of senseless shootings. Mr. President, it is time the Pennsylvania General Assembly does their part to prevent another senseless tragedy from ever happening again.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, on the last day of 2020, a 22-year-old named Hans walked into a firearm store in Philadelphia suburbs and legally purchased his first firearm. Two hours later, Hans was dead by suicide. His family had no idea that he was suicidal. Hans was deeply committed to his community. He served on student government association and led ultimate frisbee at his college. His passion for environmental justice took him to study sustainable practices and regenerative farming. He loved nothing more than slinging his portable hammock between two trees to enjoy the sounds of a forest. If Hans would have had to wait 72 hours before obtaining the firearm that he purchased, he might still be alive today.

Pennsylvania, along with the rest of America, is facing a firearm violence epidemic. In an average year, 1,574 people die by firearms in Pennsylvania. Of those, nearly 63 percent die by suicide, 33 percent die by homicide, and about 4 percent are killed in accidents. Using a firearm remains the most lethal method of attempting suicide in Pennsylvania. Eighty-five percent of self injury by firearm is fatal. While the best long-term solution to ending this firearm violence is by eliminating barriers to mental health treatment and breaking the stigma of needing help, the legislature can and should do more to decrease instances of firearm violence in Pennsylvania. However, like many important issues, this Chamber has historically done nothing to pass proven solutions. Data has proven time and again that certain laws can actually reduce this kind of violence. For one, safe storage laws--like the ones proposed in Senate Bill No. 581 and Senate Bill No. 582, sponsored by myself and Senator Santarsiero--can save children's lives and protect them from firearm-related trauma.

A 2018 study found that 4.6 million minors in the United States live in homes with at least one loaded weapon unlocked. In fact, most children know where their parents keep their firearms even if their parents think otherwise. From 2005 to 2014, roughly 20,000 American minors were killed or seriously injured in accidental shootings. The majority of those killed in these tragic accidents were age 12 or younger. When thinking back to Hans' tragic story, a waiting period could have made the difference between life and death. In many areas of Pennsylvania, especially rural areas, people are far more likely to die from firearm suicide than from being murdered with a firearm. Of all the deaths in Pennsylvania due to firearms in 2015, two-thirds of them were suicide. Senate Bill No. 761--one that I have sponsored--if enacted, would establish a 72-hour waiting period for all firearm transfers, giving those in crisis time to think more clearly and access needed help.

This is not about taking guns away from people, it is about recognizing that not everyone is thinking clearly when they purchase their firearms. These pieces of legislation are proven ways to take action against firearm violence. However, our Chamber has deemed inaction to be the priority to the detriment of so many Pennsylvanians. I am not willing to sacrifice the lives of Pennsylvanians in any Senatorial District to justify the political games that are played about guns and firearms. It is time to pass laws that actually help Pennsylvanians rather than wasting our time here in Harrisburg throwing away taxpayer money on suing each other and perpetuating lies about the 2020 elections or anything else.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

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

Senator SCHWANK. Mr. President, about a month ago, I received a text regarding a possible loss of health coverage from a trusted medical provider in my community. In fact, I am not the only one who received that text; about 24,000 Pennsylvanians received that same text. Here is the story. The medical practice that is being impacted is a gastroenterologist practice in Berks County. It is the only one in Berks County. As a matter of fact, there are, again, so many individuals in many counties ranging from Berks, Cumberland, Lancaster, Philadelphia, Delaware and beyond that will also be subject to the same issue.

What the issue is, is that negotiations between United States Digestive Health, which serves as an umbrella organization that offers services to gastroenterologists throughout Pennsylvania, has been in negotiation with Highmark health insurance. Apparently, the negotiations have recently broken down because United States Digestive Health has asked that when they add new providers to their network that they also be covered under the new contract. What does this mean to the average Pennsylvanian? Well, if you were scheduled for a colonoscopy, if you have had many other types of problems associated with the gastrointestinal tract or system, if you were receiving care from any of these providers, you will be out of network if you are covered by

Highmark, and that means higher costs for those patients. Again, it is about 24,000 patients.

This morning, when I decided to talk about this, I wanted to mention that I had yet to hear from Highmark, even though I and several of my colleagues had written a letter to them indicating our dismay with this situation. Missing these appointments is nothing to fool around with. They can be a matter of life or death, and I can tell you that in my case a dear friend of our family passed away from colon cancer at the end of September. So I know firsthand how important these services are. So where it stands right now is that as of October 31, individuals who are seeing these gastroenterologists who are covered under the United States Digestive Health network and are also insured by Highmark will be out of network. Highmark did send a letter today indicating that the negotiations seem to be at an impasse. I stand here today to urge, on behalf of 24,000 patients including myself, and probably many in this Chamber as well, that there be at least some sort of negotiation and harder work to try to come to an agreement on these important healthcare services.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I rise after reading and mulling through the most recent investigative report written about in *Rolling Stone* magazine that discusses the fact that members of the Republican Congressional staff, either directly or on behalf of their members, participated in the planning and implementation of a violent insurrection of our government on January 6, 2021. Specific members were referred to, Mr. President, it is written that there existed dozens of planning meetings leading up to that moment. Mr. President, and I rise to speak to the fact that when you take this information and you add onto it the reporting from the Senate Judiciary Committee that essentially reiterated the same, the level of organization and the fact that members of Congress, their senior staff, were active and engaged participants in the effort to overthrow our government—something that we all witnessed in horror on January 6. Then you add to the fact, Mr. President, that the former President's supporters and senior advisers set up a command center at the Willard hotel in Washington, D.C., on January 6, and had established meetings prior to then with hundreds of legislators all across the nation informing them that they had the power to overthrow the government. Mr. President, I would remind this body and all those paying attention of the very specific language in the United States Constitution. The 14th Amendment, Article 4, Section 3, reads as follows: (*Reading*)

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

Mr. President, no person at the Federal level, at the State level. We flag and we show the Constitution, we bring people in front of this body, we go out in our districts talking about how we love this country, this Constitution, that we must follow the rule of law, but we need to be very specific, Mr. President, right

here on this day. No person shall be allowed to serve in office if they were involved in an insurrection. This is not a left wing conversation. This is not a right wing conversation. This is what is written in the United States Constitution, the 14th Amendment, Article 4, Section 3. The language is specific. The language is very clear in that those individuals who participated should be removed from office. Unfortunately, Mr. President, we have a growing list, and it is being confirmed on almost a daily basis, of members of Congress and senior staff taking tours and involved in organizing the efforts of the violent insurrection. Unfortunately, Mr. President, one of our own Members of this body was mentioned 15 times in the Senate Judiciary report.

Mr. President, (*Reading:*)

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

We are clear, Mr. President. Our Constitution, which we take an oath to uphold, support, and defend is clear, Mr. President. No person shall serve Federal, State, judiciary, civil, military. No person.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 880**, with the information the House has passed the same without amendments.

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:

October 25, 2021

Senators LAUGHLIN, COSTA, HUGHES, SANTARSIERO, COLLETT, COMITTA, MENSCH, MUTH, FONTANA, BARTOLOTTA, STEFANO, L. WILLIAMS, SABATINA, ROBINSON and AUMENT presented to the Chair **SB 919**, entitled:

An Act authorizing electric distribution companies to establish local solar programs; and providing for solar renewable energy credits and for powers and duties of the Pennsylvania Public Utility Commission.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 25, 2021.

BILL SIGNED

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

SB 880.

RECESS

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

Senator GORDNER. Mr. President, I move that the Senate do now recess until Tuesday, October 26, 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 3:54 p.m., Eastern Daylight Saving Time.