

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, OCTOBER 26, 2021

SESSION OF 2021 205TH OF THE GENERAL ASSEMBLY

No. 51

SENATE

TUESDAY, October 26, 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 MARLON CARTER, of Small Memorial AME Zion Church, York, offered the following prayer:

Let us pray.

As we gather today, we praise You for this day and Your purpose for it. We ask now, God, that You reset our agendas as we sit in Your presence, for You assure us that where two or three are gathered together in Your name, that You are here. We ask that You recalibrate our intentions and refocus our hearts. We ask that Your will for our lives does not always reflect our plans, but we ask that You change them to reflect Your will. Help us to understand that we do not need full clarity to walk in the unique purpose You have laid in our lives. Lift our eyes to seek You first today and always. We pray that surrendering our needs to achieve, understand, and be known shift our perspective to seek Your peace above everything else. In every situation we ponder in our daily lives, let the spirit of God translate Your commands. Give us a renewed strength and Godly courage to obey You without questioning. Forgive us for striving beyond our means and worrying about enforcing results. Only You know what lies ahead. You are just and righteous. Though our circumstances will be unfair from time to time in this life, You are always unwavering and protecting, and be our shield. Now, Lord God, we pray that You let Your peace rain down upon us today, as we seek You more than anything else. In Christ's name and forsake we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Carter, 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 26, 2021

Senators ROBINSON, VOGEL, STEFANO, SCAVELLO, MENSCH, YUDICHAK, BREWSTER, YAW, MARTIN, KEARNEY, CAPPELLETTI, FLYNN, ARGALL, AUMENT, GEBHARD, BAKER and LAUGHLIN presented to the Chair **SB 901**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for definitions and for confidentiality of records.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 26, 2021.

Senators ROBINSON, VOGEL, STEFANO, SCAVELLO, MENSCH, YUDICHAK, BREWSTER, YAW, MARTIN, KEARNEY, CAPPELLETTI, FLYNN, ARGALL, AUMENT, GEBHARD, BAKER and LAUGHLIN presented to the Chair **SB 902**, entitled:

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in general provisions, further providing for definitions and for confidentiality of records.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 26, 2021.

Senators BROOKS, BAKER, HUTCHINSON, YUDICHAK, SCAVELLO, GORDNER, MASTRIANO and VOGEL presented to the Chair **SB 924**, entitled:

An Act amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Intellectual Disability Act of 1966, in preliminary provisions, further providing for definitions; and, in responsibilities of the State, providing for State center closure moratorium.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 26, 2021.

GENERAL COMMUNICATION

STATE ETHICS COMMISSION RULINGS

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

COMMONWEALTH OF PENNSYLVANIA
State Ethics Commission
Finance Building
613 North Street, Room 309
Harrisburg, PA 17120-0400

TO: Director or Administrator
FROM: Robert Caruso, Executive Director

DATE: State Ethics Commission
October 7, 2021
RE: Distribution of State Ethics Commission Rulings

On June 26, 1989, the revised Public Official and Employee Ethics Law was enacted which re-authorized the State Ethics Commission. The State Ethics Commission is responsible for issuing various types of rulings on matters within its mandated jurisdiction. Pursuant to the law, the Commission is mandated to forward, quarterly, a copy of every Opinion, Advice of Counsel, and Order issued to one law library in each county, one public library in each county, the State Library, the State Senate Library, each authority appointing a Commission member, the Pennsylvania Association of County Commissioners, the Pennsylvania Association of Boroughs, the Pennsylvania State Association of Township Supervisors, the Pennsylvania State Association of Township Commissioners, the Pennsylvania State School Boards Association, and the Pennsylvania League of Cities. Your agency is either specifically identified in the above requirement or has been selected as a library to which this mailing will be made pursuant to the above authority. As such, enclosed please find decisions of the State Ethics Commission from July 1, 2021 to September 30, 2021. Due to budgetary restraints, a CD containing said rulings will replace paper copies that were previously sent.

For your information, the Commission generally issues these types of decisions as follows:

Commission Opinions - Opinions are advisory rulings issued by the State Ethics Commission regarding the duties and responsibilities of public officials and employees under the Public Official and Employee Ethics Law. Opinions are catalogued by year of issuance followed by the sequential number of the opinion during that year. As such, opinions relating to 2021 will begin with the number 21-001 and proceed there from as decisions are rendered.

Advice of Counsel - The Commission's Chief Counsel is authorized to issue similar advisory letters. Such letters are issued generally when there is prior precedent for counsel to rely upon in issuing a decision or when the provisions of the State Ethics Act directly provide the answer to the question posed. Advice of Counsel letters are numbered with the year and a 500 series number that progresses in order therefrom as rulings are issued. If more than 100 such letters are issued, a 600 series number will then be used.

Orders - Commission orders are issued at the end of an investigation and are determinations as to whether or not there has been a violation of the State Ethics Act. Commission orders are categorized numerically from the date of the first order in 1979. That is, the first Order issued was Order No. 1. All orders proceed there from.

It is recommended that Opinions, Advices of Counsel and Orders be maintained separately (in numerical order) so as to afford better retrievability.

The enclosed items are being forwarded for retention, cataloging and for the purpose of being publicly available for review by citizens of the Commonwealth of Pennsylvania who may have an interest therein. Additional mailings will be made on a quarterly basis henceforth. If you have any questions in relation to your receipt of these documents and future distribution, please contact me at 717-783-1610 or 800-932-0936. For your information, all Commission rulings are available on-line at www.ethics.pa.gov.

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:

Dr. Geith Shahoud as a member of the Medical Marijuana Advisory Board.

BILL SIGNED

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

HB 1452.

BILL REPORTED FROM COMMITTEE

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

HB 930 (Pr. No. 2240)

An Act amending Titles 18 (Crimes and Offenses) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in kidnapping, further providing for missing children; and, in DNA data and testing, further providing for policy, for definitions and for State DNA Data Base, providing for collection of DNA in investigations of high-risk missing persons and missing children, for collection of DNA in investigations of missing persons and for collection of DNA in investigations of unidentified decedents and further providing for DNA data base exchange.

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Kim Ward requests legislative leaves for Senator Dush and Senator Tomlinson. Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 25, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of May 25, 2021.

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUEST OF SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

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

Senator BAKER. Mr. President, I rise today to introduce a guest shadow joining me today, Greg Brannan of Mountain Top in Luzerne County. He and his family have resided in five other States before calling Pennsylvania home, when his dad relocated for a professional opportunity. He started his career at the University of Kentucky, and now he is a student at Penn State Wilkes-Barre studying supply chain management. He hopes to move to Penn State World Campus in the next semester. In addition to a rewarding career, he hopes to make a difference in his public service, service to the community. In his free time, Greg enjoys the outdoors, traveling, spending time with family and friends; he is a frequent visitor to Ricketts Glen and Hickory Run State Parks. He enjoys hiking and taking photographs. Today, for his job shadow experience, he attended a variety of meetings: some in my office, a press conference, and a meeting of the Committee on Judiciary. So please join me in welcoming Greg Brannan to the Senate. We wish him well in his future endeavors, and it was a delight to have him here in the Senate for the day as a job shadow.

Thank you, Mr. President.

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

(Applause.)

**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 our guest Chaplain, Reverend Marlon Carter of Small Memorial African Methodist Episcopal Zion Church located in York. The church has a rich history, predating the Civil War. The Small Memorial AME Zion Church has generations of families who attend every Sunday, and their congregation continues to grow. Reverend Carter is a United States Navy veteran and was one of the survivors of the attacks on the USS *Cole*, which claimed the lives of 17 brave American sailors. At Small Memorial, they stand on every promise of God and believe that God is an ever-present help. The church keeps that promise by helping their community with local food drives. During the pandemic, they provided over a million pounds of food to community members in need. Would my colleagues please join me in giving a warm Senate welcome to Reverend Carter.

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

(Applause.)

**GUESTS OF SENATOR MARIO M. SCAVELLO
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I welcome Adam Stratz, a very special guest who is visiting me here in the Capitol today. Adam is 12 years old and is in the seventh grade at Pocono

Mountain East Junior High School. Adam is an avid student who consistently gets A's. Adam is an all-star baseball player, a student of Brazilian Jiu Jitsu, Muay Thai, and boxing at the Killer Bees in Stroudsburg. Adam loves to work out, hunt, and play basketball--he loves to play any sport put in front of him. Adam is also in his fourth year in the United States Naval Sea Cadet program. He has earned his Petty Officer Third Class rank recently. He has ambitions to attend the United States Naval Academy and, one day, to become a pilot. It is Adam's dream to serve our nation as well as to box and play baseball for the U.S. Navy. Please join me in giving Adam Stratz and his father, Andrew Stratz, who are seated in the gallery, our normal warm Senate welcome.

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

(Applause.)

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

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

Senator SCHWANK. Mr. President, today I have the pleasure of introducing another student intern, Daniel Gobar. Dan decided to intern in my district office because he wanted to learn more about politics, the law, and, actually, some of the issues associated with policy. He is currently studying writing and digital media as a fourth-year senior at Penn State Berks with an anticipated graduation date of May 2022. Upon graduation, he wants to attend law school and someday become a public interest attorney.

When Dan is not focusing on his studies, he enjoys watching sports and is an avid fan of Philly teams. He also enjoys exercising and reading about sports and politics. With him, Mr. President, is his father. Interestingly enough, his father is the district manager in my office, but I think he may hold the record for the world's longest-serving intern himself. He started with the late Senator O'Pake, and he willingly came on with my staff and has been serving since I have been a Senator. He has raised three fine boys, he and his wife, Sharon. He is an outstanding employee. I am happy to welcome both of them here today and would ask if both of them would stand, Mr. President, and welcome them for being here.

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

(Applause.)

**GUESTS OF SENATOR PATRICK J. STEFANO
PRESENTED TO THE SENATE**

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

Senator STEFANO. Mr. President, joining us today in the gallery are Mike and Freda Maendel from the Spring Valley Bruderhof Christian community in the heart of my district in Fayette County. They have with them many students who came to Harrisburg today to understand how our government works and to see this process firsthand as part of their curriculum. I ask our Members here for our traditional warm Senate welcome.

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

(Applause.)

CALENDAR

SECOND CONSIDERATION CALENDAR

BILLS OUT OF ORDER

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

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 349 (Pr. No. 352) -- 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, in personal income tax, further providing for classes of income.

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

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

HB 416 (Pr. No. 1494) -- 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 school health services, providing for seizure recognition and related first aid training.

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

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

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room and via Zoom.

The PRESIDENT. 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.

RECESS

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

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

The PRESIDENT pro tempore. For the purpose of an off-the-floor meeting of the Committee on Appropriations to be held here on the Senate floor, 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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1, SB 113, SB 137, SB 327, SB 457, SB 696, SB 703, SB 704 and SB 775 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL AMENDED

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator YUDICHAK offered the following amendment No. A2766:

Amend Bill, page 1, line 15, by striking out "where" and inserting:
if a person flees or attempts to evade arrest or detention for an underlying offense that constitutes a felony or misdemeanor and

Amend Bill, page 1, line 18, by striking out "first" and inserting:
second

Amend Bill, page 1, line 18, by inserting after "if":
a person flees or attempts to evade arrest or detention for an underlying offense that constitutes a felony or misdemeanor and

Amend Bill, page 2, line 3, by striking out the period after "degree" and inserting:

if a person flees or attempts to evade arrest or detention for an underlying offense that constitutes a felony or misdemeanor.

(4) Except as provided under paragraph (1), (2) or (3), a summary offense.

Amend Bill, page 2, line 13, by striking out "second" and inserting:

third
Amend Bill, page 2, line 14, by inserting after "suffers":

death or
Amend Bill, page 2, line 15, by striking out "felony" and inserting:
misdemeanor
Amend Bill, page 2, line 15, by striking out "third" and inserting:
second

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

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

Senator YUDICHAK. Mr. President, the amendment before the Senate is a product of discussions with the Committee on Judiciary chair, the Minority chair of the Committee, and the Pennsylvania District Attorneys Association. I appreciate the support and respect of the Committee on Judiciary chairs and the law enforcement community. Specifically, I want to publicly acknowledge and thank the Minority chair for withdrawing his amendment to the bill. Amendment No. A2766 to Senate Bill No. 814 would clarify the grading of new offense under the Crimes Code: evading arrest or detention on foot. Intentionally evading arrest on foot that results in serious bodily injury of another person would be a felony of the third degree and a felony of the second degree if another person suffers a fatal injury. The amendment further clarifies that if a person evades arrest for an underlying offense that constitutes a summary offense, they can only be charged with a summary offense. Finally, the amendment also changes the grading of the offense of harming a police animal while evading arrest to a felony of the third degree if the offense results in the death or a misdemeanor of the first degree if the police animal suffers bodily injury. Mr. President, I ask for an affirmative vote on Amendment No. A2766 to Senate Bill No. 814.

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

Senator SANTARSIERO. Mr. President, I thank the maker of the amendment for offering it. I think it does improve the bill, and I urge all my colleagues to support it. Thank you.

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

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

YEA-37

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

NAY-13

Cappelletti	Hughes	Saval	Tartaglione
Collett	Kearney	Schwank	Williams, Anthony H.
Comitta	Muth	Street	Williams, Lindsey
Costa			

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

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

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

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

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

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 225 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION

SB 275 (Pr. No. 1163) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for restrictions on utility services prohibited.

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

BILLS OVER IN ORDER

SB 284, SB 320, SB 448, SB 507, SB 519, SB 525 and SB 562 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

SB 565 (Pr. No. 610) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 565 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 565, Printer's No. 610, 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 573, SB 597, SB 617, SB 667, SB 737, SB 745, SB 815 and SB 832 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 904 (Pr. No. 1140) -- The Senate proceeded to consideration of the bill, 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.

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

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

SB 905 (Pr. No. 1141) -- The Senate proceeded to consideration of the bill, 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.

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 913 and HB 951 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1122 (Pr. No. 1170) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

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

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

BILLS OVER IN ORDER

HB 1332 and HB 1500 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

SENATE RESOLUTION No. 53, TABLED

Senator K. WARD, without objection, called up from page 7 of the Calendar, **Senate Resolution No. 53**, entitled:

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

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

SENATE RESOLUTION No. 53 TAKEN FROM THE TABLE

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

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

BILLS REPORTED FROM COMMITTEE

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

SB 347 (Pr. No. 350) (Rereported)

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.

SB 349 (Pr. No. 352) (Rereported)

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.

SB 705 (Pr. No. 949) (Rereported)

An Act relating to telemedicine; authorizing the regulation of telemedicine by professional licensing boards; and providing for insurance coverage of telemedicine.

SB 915 (Pr. No. 1180) (Amended)

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.

HB 416 (Pr. No. 2322) (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, providing for seizure recognition and related first aid training.

HB 425 (Pr. No. 1495) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping during 2020 disaster emergency.

HB 1082 (Pr. No. 1830) (Rereported)

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL AMENDED

HB 425 (Pr. No. 1495) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping during 2020 disaster emergency.

On the question,

Will the Senate agree to the bill on third consideration?

Senator K. WARD offered the following amendment No. A2745:

Amend Bill, page 1, lines 21 and 22, by striking out "during 2020 disaster emergency"

Amend Bill, page 2, line 14, by striking out "] COVID-19"

Amend Bill, page 2, line 14, by inserting after "Emergency":

] Extension of Licensed Service Area and Issuance of Off-premises

Catering Permits

Amend Bill, page 4, line 1, by striking out "2022" and inserting:
2024

Amend Bill, page 4, line 4, by striking out "During 2020 Disaster Emergency"

Amend Bill, page 4, lines 6 through 10, by striking out "may" in line 6, all of lines 7 through 9 and "disaster emergency" in line 10 and inserting:

shall do the following

On the question,

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.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 705 (Pr. No. 949) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to telemedicine; authorizing the regulation of telemedicine by professional licensing boards; and providing for insurance coverage of telemedicine.

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 Beaver, Senator Vogel.

Senator VOGEL. Mr. President, first I want to thank all of the staff for their input and leadership on this bill. I also thank all of the stakeholders who saw the importance of this bill and worked tirelessly to get it here today for final passage. Pennsylvania is

one of a handful of States without a statutory definition for telemedicine. Telemedicine can vastly improve the availability of healthcare options for people in rural or urban areas, lower the cost of healthcare, and strengthen the bond between patients and their doctors. Telemedicine is especially vital for patients who suffer from chronic illness, seniors who are homebound, and families who live in rural areas where they have to travel a far distance to receive medical care. We need to make this option available for all Pennsylvanians. Healthcare practitioners in my district and across the State are tasked with increased pressure to expand access to care by improving efficiency in the face of limited resources. I believe telemedicine can help bridge this gap and meet the demands. Studies show that telemedicine saves time, money and lives. The ability to treat patients from their homes, giving valuable medical support and information, providing service in areas lacking the ability to deliver quality healthcare, and having access to a medical professional whenever and wherever you are is no small feat. That point is the essence of my legislative initiative. With more visits being conducted through the use of technology, it will decrease unnecessary emergency room visits, improve limited physician resources, and decrease hospital readmissions while creating countless savings on the cost of healthcare. We have worked through the policy points of this legislation and the reality is that the sooner this is implemented, the sooner we can enhance the health and well-being of every citizen in the Commonwealth of Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. Senator Brooks 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 Mercer, Senator BROOKS:)

Mr. President, I understand and support our healthcare systems and providers in expanding access to healthcare across Pennsylvania through this telemedicine legislation. I am, however, very concerned about the increase of access to virtual and telephonic healthcare causing a decrease in rural healthcare accessibility. We need to protect rural healthcare access, not just by offering telemedicine but by ensuring a stronger healthcare presence and practice in rural Pennsylvania. Convenience should never replace quality of care and the impact of having local, personal, healthcare experiences. I support telemedicine but with guardrails to ensure that healthcare professionals remain in the regions they serve--not housed in urban markets, phoning in to provide care to rural Pennsylvania--and accessible for in-person care.

If COVID-19 isolation has not taught us enough already, we have certainly heard and learned the impact of having professional eyes on our children, seeing our doctors, and relying on our healthcare systems to help connect Pennsylvanians to the important social services and healthcare services that they need. I will be a "no" vote on Senate Bill No. 705.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-46

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

NAY-4

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

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

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. 2 and move the Senate proceed to consider House Bill No. 425, 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. 2**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 425 (Pr. No. 2314) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEA-50

Argall	DiSanto	Martin	Schwank
Aument	Dush	Mastriano	Stefano

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

NAY-0

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

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

LEGISLATIVE LEAVE

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

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

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

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. 3 and move the Senate proceed to consider Senate Bill No. 814, 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. 3**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 814 (Pr. No. 1178) -- 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 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 Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise in support of Senate Bill No. 814 and would like to recognize Senator Yudichak, Senator Flynn, as well as Senator Santarsiero from the Committee on Judiciary. Those of us from northeastern Pennsylvania remember the tragic death of Scranton police officer John Wilding, who died after suffering a head injury from a fall sustained while chasing armed robbery suspects on foot. On July 12, we lost a good man and a good cop. I will read to you from his obituary. *(Reading:)*

It was John's dream to be a good and just police officer in Scranton, where he was raising his family. He worked for years to earn his place on the force, and was grateful every day for the opportunity to serve and protect his community. In the short time he did so, John's impact in the neighborhoods he patrolled has become clear through the stories of kindness and fairness that he exercised on the beat.

That is who Officer Wilding was. So we should carry forward the power of the message about not forgetting our uniformed protectors, about honoring them constructively and supporting them. This bill does that by making it clear that fleeing on foot is a crime. We have an obligation to provide every legal protection possible to the dedicated men and women who face unforeseen risks while providing protection for us, our families, our neighborhoods, and our entire communities. I would like to acknowledge the Voices of JOE, an organization in northeastern Pennsylvania, a law enforcement advocacy group, that talked about getting this bill passed by the Senate and the House and they say, quote: *(Reading)*

If there was ever a time that our officers need clarity and legal backing in making arrests it is now. Citizens resisting and evading arrest have been at the very heart of these contentious cases of police using deadly force. Clear direction is imperative for these officers....It is important that as these men and women go forth in harms way, they are assured that they have the backing of their legislators.

Officer Wilding is gone from us today, but his life and sacrifice will never be forgotten through this important legislative change. I thank my colleagues for their efforts with Senate Bill No. 814.

Thank you, Mr. President.

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

Senator LANGERHOLC. Mr. President, I rise to speak to the second section of this legislation, specifically Section 5104.3, and that of harming a police animal. An incident occurred in my district approximately a year ago on November 22, 2020, just after 4 a.m. Johnstown police were dispatched to a report of a burglary at a warehouse in the Woodville section of the city of Johnstown. When officers arrived on the scene, they conducted a search of the building and apprehended two suspects hiding throughout the building. Officers on scene quickly found that there were to be five suspects in total and called for Officer Stephens and K-9 Titan to assist with the search.

While conducting the search for the remaining suspects, K-9 Titan tragically fell through an unsecured open elevator shaft

from the fourth floor. K-9 Officer Titan died honorably in the line of duty while searching for individuals evading police during a burglary in progress. Titan's partner, Johnstown Police Department Officer Brian Stephens, said it best, "It could have been another officer who ran into there...or one of the bad guys. He's gone because he was the first to go in. Because he was doing his job." Hundreds of police and emergency responders, as well as members of the Johnstown community, lined the streets to say farewell to Titan as he was taken to his final resting place. Following his tragic death, prosecutors were stunned to find out that they could not properly charge the five suspects for causing Titan's death. This legislation will address this gap and better protect those who protect and serve our communities, both two legged and four. I thank my colleague, Senator Yudichak, for his diligent work in bringing this bill forward and ask for an affirmative vote for Senate Bill No. 814.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I rise to oppose Senate Bill No. 814 and to remind us of some of our often-forgotten history. Specifically troubling to me are the provisions of this bill that require folks not to flee attacks by police dogs. If we are going to tell stories, in February of this year, *The Marshall Project* recounts: (*Reading*)

Charles Carey was riding his dirt bike through north Baton Rouge in June 2019 when a police officer cruiser flipped on its lights.

The bike had no license plate, and the 17-year-old thought police just wanted it off the road, he said. So he sped away. Officers gave chase.

He hit a stump and went flying, busted open his chin. He got up and ran, then hid under a house. Officers set loose a dog after him. The animal bit his foot, then his knee. He kept screaming as the dog dragged him from under the house. Police camera footage shows him yelling, "My leg!" as officers questioned him.

Throughout the history of this country, the use of dogs to pursue people of color--Black and brown folks--has a storied history. Dogs were used against civil rights protesters in the Civil Rights Movement; we all saw the videos when Dr. King was marching. We also know dogs were used against protesters as recently as 2020 after people spoke out after the murder of George Floyd and protested. The use of dogs to pursue people cannot be equated to the use of human beings. There is a reasonable man standard that we can use in applying what the conduct of a person will be in pursuit. An officer, a human officer, is subject to certain standards around training and decency. It is well known that dogs have a history of biting. Particularly dogs when sought after suspects. This bill criminalizes not the intentional harming of a police dog, which is already illegal, it criminalizes the mere running from it. You cannot undo the damage that is done when a dog begins to bite you, rip away your flesh, and tear at you. You cannot change the fact that people, particularly people of color, for years have seen dogs used to attack people of color. The idea that folks will be subject to severe penalties if the dog trips and hurts itself, if the dog runs into something, is unconscionable. The idea that a person who was doing something--like Eric Garner was doing when he was selling loose cigarettes--that would constitute a felony, if he ran from police dogs, then he would be subject to potentially 7 years

if the dog was injured, even though the underlying offense would bear a penalty far less than that. The idea that we are going to criminalize people having a legitimate fear of running from a dog that has been sicced on them, or multiple dogs, is unconscionable. It ignores the brutal history of the use of dogs in attacking people of color, and it makes this bill unconscionable. Mr. President, for those reasons and more, I urge a "no" vote on this bill.

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

Senator REGAN. Mr. President, I support this bill, and I thank the maker of the bill. I think, above all, this is a very important police safety and security bill. In my 23 years in law enforcement, I have been part of and witnessed--I would say--hundreds of foot chases after suspects or fugitives, and it is always such a dangerous endeavor. I have seen police officers injured while running, whether it is a broken ankle--I saw a police officer had a compound fracture of his leg--and I have seen police officers run into dangerous situations where they have been assaulted. This is a good, commonsense bill that will protect our men and women who serve. It is so important that we agree to this, and I appreciate the time.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Flynn.

Senator FLYNN. Mr. President, I stand in support of Senate Bill No. 814. I knew Officer John Wilding. I did not know him that well, but as a new member of the force, I would see him frequently in the neighborhoods in my district when I was a House Member. I got to know him casually. He was a great man, a great family man.

Senate Bill No. 814 is about accountability: accountability for actions and accountability for criminals. If you do a crime and you do not comply, there should be effects for your decision. You should have to comply with the officers. We are a nation of laws. If you do not follow laws, there are consequences. This bill will finally put some teeth in fleeing the scene for criminals. That is why I support Senate Bill No. 814, and I think we all should support this bill. It is not perfect, but it moves us in the direction and brings us into some compliance and have accountability for people who do not follow the law. Thank you.

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

Senator YUDICHAK. Mr. President, before I begin my remarks, I want to clarify for the record, my friend, the good Senator from the great city of Philadelphia--he is a great leader in that city--Senate Bill No. 814 does not make it a crime to run from a police dog or from a police officer. It makes it a crime, under the Crimes Code, to knowingly and willfully evade arrest. It is a difference. It is not lost on me that Harrisburg can be a strange place. I have taken up the mantle of this legislation from my friend and former colleague, Senator John Blake from Lackawanna County. Now, I have been joined by Senator Flynn--as noted in his remarks--who not only represents that community of the city of Scranton, but also knows the Wilding family.

Under the previous bill sponsored by Senator Blake, the grading of the offenses under Senate Bill No. 814 were tougher than the ones that we negotiated with the Minority chair that are now reflected in the bill. Yet, votes have changed from "aye" to "nay" on this floor today. It is an interesting evolution on this subject

of protecting police officers in the field who put their lives on the line to protect and serve our community. I rise today in support of Senate Bill No. 814, legislation that will strengthen the State Crimes Code by adding penalties for evading an arresting officer by foot. With the strong support of Senator Flynn from Lackawanna County, the Committee on Judiciary chair, and the Minority chair, I have introduced Senate Bill No. 814 in honor of fallen Scranton Police Officer John Wilding.

Six years ago, on July 12, 2015, Officer Wilding was killed in the line of duty trying to apprehend three armed robbery suspects who evaded arrest on foot. In service to the citizens of Scranton and our great Commonwealth, Officer Wilding left behind a beautiful young family--his wife, Kristen, and their two children, Lola and Sidney. Senate Bill No. 814 addresses a serious deficiency in the Pennsylvania Crimes Code that prevents district attorneys from charging suspects who put a police officer, a police animal, or the public--again, a police officer, a police animal, or the public--at serious risk of bodily injury or death by willfully evading arrest on foot. In the existing statute, evading arrest by operating a vehicle is a crime, struggling with an officer while being placed under arrest is a crime, but evading arrest on foot that results in the death of a police officer is not a crime punishable under the current law. It comes down to a simple question: do those who protect and serve our communities, like Officer Wilding, have a right to have their lives protected by the law?

Senate Bill No. 814, what I am calling the Officer John Wilding Law, would make it a felony offense under the Crimes Code to knowingly and intentionally evade arrest by foot that results in the serious bodily injury or death of a police officer, a police animal, or the public. The Officer John Wilding Law is supported by the Pennsylvania Troopers Association, the Fraternal Order of Police, Voices of JOE, and the Pennsylvania District Attorneys Association, along with the loving support of the Wilding family, who joins us in spirit today: John's mom, Mary; his wife, Kristen; and his children, Lola and Sidney.

The only known opponent of Senate Bill No. 814, the ACLU, argues that a criminal suspect has the constitutional right to evade arrest. It is an absurd argument. It is a dangerous argument for law-abiding citizens throughout Pennsylvania. Does a criminal suspect also have a constitutional right to kill a cop? Does an armed robbery suspect have a constitutional right to injure an innocent store owner they just robbed? Pennsylvania should protect police officers who serve and protect our communities with their lives and reject this radical, extreme argument made by the ACLU that a suspect in a crime should willfully and knowingly put an officer's life in danger.

Mr. President, I respectfully ask my Senate colleagues to affirm their support of the men and women in the law enforcement community in Pennsylvania by casting an affirmative vote for Senate Bill No. 814, the Officer John Wilding Law. Thank you.

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

Senator STREET. Mr. President, I have relatives, several uncles, who have served in law enforcement. I have been counsel to the Philadelphia Sheriff's Office, and I am not unsympathetic to law enforcement. In fact, as the gentleman pointed out, in the previous version of this bill that looked to exclusively protect human beings who are pursuing people, you did not see the level of opposition. But this bill goes further than that bill did, because

it now says that not only a person who is fleeing a human officer, but also a person who sees a vicious dog coming towards them and runs from the dog has now committed a felony. You see, when the dog gets to them and bites them, you cannot undo that. You cannot expect people to have, particularly given the history, the same reaction to seeing a human police officer running towards them as seeing a dog pursuing them--a dog whose teeth will be bared, a dog who will most assuredly bite them.

Those injuries will be sustained before there is a trial to determine whether there is guilt or innocence. They will be sustained before the person has been convicted of anything. The person will, in fact, have been sentenced to be ravaged by dogs before anything else has happened. That is the fundamental difference between this bill and the version we had before. The version that we had before did not receive this kind of debate, and it did not require people to stand there before a trial, before being convicted, and be bitten and attacked by dogs simply because somebody suspects them of being a criminal.

While I have the greatest respect for our men and women in blue, this bill goes too far. No one should have to face the biting, the vicious teeth of dogs, and have to stand there and take it or face penalties up to seven years in jail. It is unconscionable. I urge a "no" vote.

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-36

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

NAY-14

Cappelletti	Haywood	Saval	Tartaglione
Collett	Hughes	Schwank	Williams, Anthony H.
Comitta	Kearney	Street	Williams, Lindsey
Costa	Muth		

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

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

**UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION**

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

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

SB 915 and HB 930.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, OCTOBER 27, 2021

10:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 470, 474, 504, 851 and 922; and House Bills No. 636, 1107, 1120, 1121, 1304 and 1312)	Room 461 Main Capitol
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)
Off the Floor	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 482)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 420; and certain Executive Nominations)	Senate Chamber (LIVE STREAMED)
<u>MONDAY, NOVEMBER 1, 2021</u>		
1:00 P.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (roundtable discussion with female veterans)	Natl. Counter Drug Training Center Clrm. Ft. Indiantown Gap Annville

PETITIONS AND REMONSTRANCES

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

Senator MASTRIANO. Mr. President, America's longest war ended on August 30, 2021. The collapse of Afghanistan back to the hands of the Taliban has marred, in a matter of days, 20 years of blood, sweat, and sacrifice. This has been particularly difficult for the men and women who served in uniform in that theater and who pledged their lives to serve and defend this great Republic, many having heeded the call in the aftermath of the 9/11 terrorist attacks. America's intervention in Afghanistan began October 2001, less than a month after the horrific attacks on our nation on 9/11. Afghanistan was the target as the Taliban were hosting Al Qaeda, of which the attacks came from. In this, Americans from across the State and nation answered the call that so

few were willing to answer. Joined with all of our NATO allies, many coalition partners from around the world, and Afghan forces, the Taliban and other terror organizations were beaten back.

Whether in the deserts of Kandahar, the steep ravines of Kunar Province, the mountains of Mazar-i-Sharif, or the frontier lands of Herat, the men and women who served over in Afghanistan held the line for two decades, keeping the forces of darkness at bay and preventing a repeat of 9/11 on our own soil. The gentleman from Allegheny County is a fellow Afghan veteran serving with the 2nd Battalion, 8th Marine Regiment, in Kunar Province, one of the most dangerous places on the face of the Earth, in 2003 and 2004. Mr. President, I ask you to recognize the gentleman from Allegheny County to resume the remarks.

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

Senator ROBINSON. Mr. President, thank you for bringing Senate Resolution No. 198 to the floor today and for the opportunity to make remarks. I am pleased to join my friend, colleague, and fellow Afghan veteran, Senator Mastriano, in offering this important resolution, which designates the month of October 2021 as Pennsylvania Afghanistan War Veterans Month in honor of Pennsylvania's Afghan veterans. The heroic men and women who have served during Operation Enduring Freedom and the International Security Assistance Force in the aftermath of 9/11 deserve the utmost respect, recognition, and honor for their valiant service defending our nation, combating terrorism, freeing Afghan civilians from oppression, and preserving international peace and security. Ninety-five of Pennsylvania's heroes made the ultimate sacrifice in Afghanistan since 2001. They are all listed by name in Senate Resolution No. 198, which my colleague Senator Mastriano and I will read.

Each of these members of the United States Armed Forces made our land that we love more free because they were so brave. I had the honor and privilege of serving in the Kunar Province on the border of Pakistan. There, with my fellow Marines in the mountains, we learned new languages, were exposed to new cultures, established medical clinics, built schools, made new friends, and lost some of those fellow Marines. I even celebrated my 21st birthday there. We grew as people and we are far better off for having lived that experience, as I hope my fellow veteran brothers and sisters will see that as well.

As this chapter in American history has come to a close, I want the Afghan veterans of Pennsylvania to know how honored I am to have served with them. You served well, you served with integrity, and for that we can all be proud. This month is for you and the outstanding job you all did.

Senator MASTRIANO. Mr. President, the images of the three deployments, in my case, are engraved in my memory, and the men and women who I had the honor and pleasure to serve with on those three deployments, I will never forget them. We truly were forged in fire, a band of brothers and sisters, in common cause against an enemy who killed nearly 3,000 of our countrymen on 9/11. Never forget the departures, as well, from our loved ones; in my case, my wife and son three times out of Germany, not out of the United States, deploying to Afghanistan. The first two deployments were voluntary and the third one, my unit was called forth to support the mission, including 80 men and women from 18 countries. We did not stand alone in that mission. It was an honor for me to serve with men and women

from all the armed services of the United States and then from across NATO and around the world, allies standing with us. We are now left to count the costs and reflect upon the human toll. So many incredible men and women never came home from that mission, 95 of whom were Pennsylvanians. Brothers, sisters, sons, fathers, neighbors, friends. As I am in the habit of posting each day on the men and women who fell in combat, it is heart-breaking to read the comments of those who are either related to or friends with these great heroes.

Presented to us on the Senate floor here 19 November 1863 is a painting of Abraham Lincoln giving his Gettysburg Address. In there he called on us never to forget those who gave the last full measure of devotion. So we are called forth with such a time as this, likewise, to remember our heroes. It is estimated about a quarter of a million people lost their lives in Afghanistan and Pakistan from October 2001 through August 2021. This included 2,461 U.S. military members, of which 95 were Pennsylvanians. We must now seek an honorable way to communicate and to commemorate those in our Commonwealth, the great heroes who paid the ultimate sacrifice and gave, indeed, the last full measure of devotion, as well as to honor the sacrifice of the family members and those who live with the scars of war. For the Afghan veterans, the end of that mission was hard for us to watch, but your service was not in vain. You held back the darkness for 20 years. There was no other 9/11 on our soil thanks to your sacrifice and service. You made the difference, you fought the good fight for freedom, you answered when your nation called. In Isaiah we read, where God calls out, "Whom shall I send?" Isaiah says, "Here I am [Lord]. Send me!" Your answer to that call is reflected in that. So, in honor of the fallen heroes in Pennsylvania, we remember: (*Reading*)

Sgt. Jan M. Argonish, United States Army, 27 August 2007, in Nangarhar Province, Afghanistan, from Peckville;

Master Sgt. Scott R. Ball, United States Army, 27 August 2007, in Nangarhar Province, Afghanistan, from Mount Holly;

Staff Sgt. Thomas A. Baysore Jr., United States Army, 25 September, 2013, in Paktia Province, Afghanistan, from Milton;

Senior Airman Bryan R. Bell, United States Air Force, 5 January, 2012, in Helmand Province, Afghanistan, from Erie;

Airman 1st Class Austin Gates Benson, United States Air Force, 3 May, 2010, in Khyber Pakhtunkhwa, Afghanistan, from Hellertown;

Lt. Col. Richard J. Berrettini, United States Army National Guard, 11 January, 2008, Khowst, Afghanistan, from Wilcox;

Master Sgt. Benjamin F. Bitner, United States Army, 23 April, 2011, Kandahar, Afghanistan, from Greencastle;

Capt. David A. Boris, United States Army, 12 November, 2007, Pakitka Province, Afghanistan, from Pottsville;

Capt. Michael C. Braden, United States Army, 18 April, 2012, Parwan Province, Afghanistan, from Lock Haven;

Pvt. Matthew W. Brown, United States Army, 11 May, 2008, Kunar Province, Afghanistan, from Zelenople;

Sgt. Douglas J. Bull, United States Army, 8 July, 2008, Kandahar, Afghanistan, from Wilkes-Barre;

Sgt. Joseph D. Caskey, United States Marine Corps, 26 June, 2010, Helmand, Afghanistan, from Pittsburgh;

Special Warfare Operator 1st Class Nicolas D. Checque, United States Navy, 19 December, 2012, Kabul, Afghanistan, from Monroeville;

1st Lt. Jeffrey F. Deprimo, United States Army, 20 May, 2008, Ghazni, Afghanistan, from Pittston;

Pfc. James R. Dillon, Jr., United States Marine Corps Reserve, 13 March, 2003, Kuwait, Afghanistan, from Grove City;

Pfc. Michael R. Dinterman, United States Army, 6 September, 2008, Kunar, Afghanistan, from Littlestown;

Staff Sgt. Patrick R. Dolphin, United States Marine Corps, 7 July, 2011, Herat, Afghanistan, from Moscow;

Staff Sgt. Dylan J. Elchin, United States Air Force, 27 November, 2018, Ghazni, Afghanistan, from Hookstown;

Sgt. 1st Class Kenneth B. Elwell, United States Army, 17 July, 2011, Kandahar, Afghanistan, from Holland;

Staff Sergeant Troy S. Ezernack, United States Army, 9 October, 2005, Zabul, Afghanistan, from Lancaster;

Lance Corporal Ralph J. Fabbri, United States Marine Corps, 28 September, 2010, Helmand, Afghanistan, from Gallitzin;

Specialist Louis R. Fastuca, United States Army, 5 July, 2010, Kabul, Afghanistan, from West Chester;

Sgt. 1st Class Robert Fike, United States Army National Guard, 8 April, 2019, Zabul, Afghanistan, from Conneautville;

Staff Sergeant Sean M. Flannery, United States Army, 22 November, 2010, Kandahar, Afghanistan, from Wyomissing;

Sergeant James F. Fordyce, United States Marine Corps, 17 February, 2006, the Gulf of Aden, Afghanistan, from Newton Square;

Petty Officer 3rd Class John T. Fralish, United States Navy, 6 February, 2006, Laghman, Afghanistan, from New Kingston;

Lance Corporal Michael L. Freeman, Jr., United States Marine Corps, 1 February, 2010, Helmand, Afghanistan, from my hometown of Fayetteville;

1st Lieutenant Demetrius M. Frison, United States Army, 10 May, 2011, Khost, Afghanistan, from Lancaster;

Sergeant Joseph M. Garrison, United States Marine Corps, 6 June, 2011, Helmand, Afghanistan, from New Bethlehem;

Sergeant Christopher P. Geiger, United States Army National Guard, 9 July, 2003, Bagram, Parwan, Afghanistan, from Allentown;

2nd Lieutenant Michael R. Girdano, United States Army, 1 August, 2008, Kandahar, Afghanistan, from Apollo;

Cpl. Joshua A. Harton, United States Army, 18 September, Khan, Afghanistan, from Bethlehem;

Sgt. Patrick C. Hawkins, United States Army, 6 October, 2013, Kandahar, Afghanistan, from Carlisle;

Sgt. Michael W. Heede, Jr., United States Marine Corps, 13 July, 2009, Helmand, Afghanistan, from Delta;

Spc. Brett M. Hershey, United States Army National Guard, 26 March, 2005, Logar, Afghanistan, from Conneautville;

Sgt. Benjamin Hines, United States Marine Corps Reserve, 8 April, 2019, Parwan, Afghanistan, from York;

Sfc. Derek D. Holland, United States Army National Guard, 3 June, 2008, Paktika, Afghanistan, from Wind Gap;

Staff Sgt. Eric S. Holman, United States Army, 15 August, 2012, Ghazni, Afghanistan, from Evans City;

Staff Sgt. Bryan A. Hoover, United States Army National Guard, 11 June, 2010, Zabul, Afghanistan, from Elizabeth;

Lance Cpl. Abram L. Howard, United States Marine Corps Reserve, 27 July, 2010, Helmand, Afghanistan, from Williamsport;

Staff Sgt. Matthew N. Ingham, United States Marine Corps, 11 January, 2010, Helmand, Afghanistan, from Altoona;

Pfc. David A. Jefferson, United States Army, 2 July, 2010, Kandahar, Afghanistan, from Philadelphia;

Lance Cpl. Larry M. Johnson, United States Marine Corps, 18 February, 2010, Helmand, Afghanistan, from Scranton;

Capt. Jason B. Jones, United States Army, 2 June, 2014, Nangarhar, Afghanistan, from Orwigsburg;

Sgt. Nathan P. Kennedy, United States Army, 27 April, 2010, Quarando Village, Afghanistan, from Claysville;

Pfc. John F. Kihm, United States Army, 19 April, 2011, Kandahar, Afghanistan, from Philadelphia;

Spc. Jarrid L. King, United States Army, 12 January, 2011, Ghazni, Afghanistan, from Erie;

Sgt. Edward W. Koehler, United States Army National Guard, 18 July, 2011, Ghazni, Afghanistan, from Lebanon;

Spc. Dale J. Kridlo, United States Army, 7 November, 2010, Kunar, Afghanistan, from Hughestown;

Pfc. Serge Kropov, United States Marine Corps, 20 December, 2009, Helmand, Afghanistan, from Hawley; and

Staff Sgt. Patrick F. Kutschbach, United States Army, 10 November, 2007, Kapisa, Afghanistan, from McKees Rocks.

Senator ROBINSON. *(Reading:)*

Sgt. Ryan H. Lane, United States Marine Corps, 23 July, 2009, Helmand, Afghanistan, from Pittsburgh;
 Master Sgt. Arthur L. Lilley, United States Army, 15 June, 2007, Paktika, Afghanistan, from Smithfield;
 Sfc. Jonathon L. Luscher, United States Army, 17 August, 2008, FOB Mehtar Lam, Laghman, Afghanistan, from Scranton;
 Master Sgt. Thomas D. Maholic, United States Army, 24 June, 2006, Kandahar, Afghanistan, from Bradford;
 Sgt. Jason Mitchell McClary, United States Army, 2 December, 2018, Ghazni, Afghanistan, from Export;
 Sgt. Jonathan E. McColley, United States Marine Corps, 17 February, 2006, the Gulf of Aden, Afghanistan, from Gettysburg;
 Sgt. Andrew H. McConnell, United States Army, 14 September, 2009, Kandahar, Afghanistan, from Carlisle;
 Pfc. Joshua Mikeasky, United States Army, 13 December, 2018, Bagram Airfield, Afghanistan, from Johnstown;
 Staff Sgt. Edward D. Mills, United States Army, 26 May, 2011, Kandahar, Afghanistan, from New Castle;
 Staff Sgt. Brian K. Mowery, United States Army National Guard, 18 July, 2011, Bagram, Afghanistan, from Halifax;
 Staff Sgt. Brandon R. Pepper, United States Army, 21 July, 2012, Ghazni, Afghanistan, from York;
 Cmdr. Job W. Price, United States Navy, 22 December, 2012, Uruzgan, Afghanistan, from Pottstown;
 Staff Sgt. Patrick H. Quinn, United States Army, 13 October, 2013, Paktika, Afghanistan, from Quarryville;
 1st Sgt. Christopher C. Rafferty, United States Army, 21 July, 2006, Sharana, Afghanistan, from Brownsville;
 Lt. Col. Christopher K. Raible, United States Marine Corps, 15 September, 2012, Helmand, Afghanistan, from North Huntingdon;
 Spc. Jesse D. Reed, United States Army, 14 July, 2010, Zabul, Afghanistan, from Orefield;
 Sgt. Joshua J. Rimer, United States Army, 22 July, 2009, Zabul, Afghanistan, from Rochester;
 Chief Warrant Officer 3 Matthew P. Ruffner, United States Army National Guard, 9 April, 2013, Pachir Wa Agam, Afghanistan, from Tafford;
 Gunnery Sgt. Justin E. Schmalstieg, United States Marine Corps, 15 December, 2010, Helmand, Afghanistan, from Pittsburgh;
 Sgt. Derek L. Shanfield, United States Marine Corps, 8 June, 2010, Helmand, Afghanistan, from Hastings;
 Sgt. 1st Class Michael P. Shannon, United States Army, 17 January, 2010, Kabul, Afghanistan, from Canadensis;
 Sgt. Robert C. Sisson, Jr., United States Army, 21 February, 2011, Saryah Kalach, Afghanistan, from Aliquippa;
 Chief Warrant Officer 4 Michael Slebodnik, United States Army, 11 September, 2008, FOB Nagil, Afghanistan, from Gibsonia;
 Staff Sgt. Marc J. Small, United States Army, 12 February, 2009, Zabul Afghanistan, from Conneautville;
 Pfc. Cameron J. Stambaugh, United States Army, 8 July, 2012, Maidan Shahr, Afghanistan, from Spring Grove;
 Staff Sgt. Glen H. Stivison, Jr., United States Army, 15 October, 2009, Kandahar, Afghanistan, from Blairsville;
 Cryptologist Technician Collection Petty Officer 1st Class (Expeditionary Warfare Specialist) Michael J. Strange, United States Navy, 6 August, 2011, Wardak, Afghanistan, from Philadelphia;
 Pfc. Brandon M. Styer, United States Army, 15 October, 2009, Kandahar, Afghanistan, from Lancaster;
 Staff Sgt. Paul A. Sweeney, United States Army, 30 October, 2003, Helmand, Afghanistan, from Lakeville;
 Staff Sgt. Peter W. Taub, United States Air Force, 21 December, 2015, Bagram, Afghanistan, from Philadelphia;
 Staff Sgt. Richard J. Tieman, United States Army, 18 May, 2010, Kabul, Afghanistan, from Waynesboro;
 Cpl. Eric M. Torbert, Jr., United States Marine Corps, 18 December, 2010, Helmand, Afghanistan, from Lancaster;
 Lance Cpl. Joshua T. Twigg, United States Marine Corps, 2 September, 2010, Helmand, Afghanistan, from Indiana;
 Staff Sgt. Kenneth R. VanGiesen, United States Army National Guard, 18 July, 2011, Bagram, Afghanistan, from Erie;

Spc. Anthony Vargas, United States Army, 8 November, 2010, Nangarhar, Afghanistan, from Reading;
 Staff Sgt. William D. Vile, United States Army, 1 May, 2009, Nishagam, Afghanistan, from Philadelphia;
 Sgt. David W. Wallace III, United States Marine Corps, 27 January, 2009, Helmand, Afghanistan, from Sharpville;
 Cpl. Jonathan M. Walls, United States Army, 1 August, 2009, Mushan Village, Afghanistan, from West Lawn;
 Staff Sgt. Dave J. Weigle, United States Army, 10 October, 2010, Kandahar, Afghanistan, from Philadelphia;
 Cpl. Anthony L. Williams, United States Marine Corps, 22 March, 2009, Helmand, Afghanistan, from Oxford;
 Capt. Bryan D. Willard, United States Marine Corps, 17 February, 2006, Gulf of Aden, Afghanistan, from Hummelstown;
 Sgt. Christopher M. Wrinkle, United States Marine Corps, 31 July, 2011, Herat, Afghanistan, from Dallastown;
 Chief Warrant Officer 2 Jarett M. Yoder, United States Army National Guard, 9 April, 2013, Pachir Wa Agam District, Afghanistan, from Mohnton; and
 Tech. Sgt. Daniel L. Zerbe, United States Air Force, 6 August, 2011, Wardak, Afghanistan, from York.

Senator MASTRIANO. Mr. President, a poem was written in 1914 that captures this very poignant moment. I would like to thank my colleague for his service in the United States Marine Corps, his sacrifice with both the Marine Corps in Afghanistan and Iraq, and for all that you did to make a difference. But we honor those of each name that we read, of a dream, of a hope, of a love lost in Pennsylvania. Laurence Binyon wrote in 1914 of this. *(Reading:)*

They shall not grow old, as we that are left grow old;
 Age shall not weary them, nor the years condemn.
 At the going down of the sun and in the morning
 We will remember them.

We will remember them, Mr. President.

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

Senator COLLETT. Mr. President, in the 19 months since the COVID-19 pandemic took root here in the United States, nearly 3 million women have dropped out of the workforce. More than 300,000 left this September alone. We are already seeing the grave ramifications of this exodus on America's economy, but hope is not lost. There are steps we can and must take today to ensure our economy bounces back. To understand what we need to do and why it is important, we must acknowledge the vital and often overlooked role care work--i.e., paid or unpaid direct, personal, or relational activities like caring for children or nursing someone who is ill, as well as indirect care like cooking and cleaning--plays in a robust economy. Women represent more than 60 percent of food servers and more than 55 percent of retail workers and, as a whole, make significantly less than men in the same sector. Women represent 95 percent of childcare workers and nearly 80 percent of frontline health and long-term care workers. Not only were the lost jobs in female-dominated industries, but the unpaid care burdens in families--which overwhelmingly fall on women even when they are the primary or sole breadwinner--rose significantly.

While the pandemic has exacerbated problems and exposed glaring holes in our economy, the issues surrounding working women and care work are not new. Care work has been one of the fastest-growing sectors of the American economy since the early aughts according to the Institute for Women's Policy Re-

search. The senior care workforce is nearly 90 percent women and the number of these jobs, which tend to pay much less than the median annual wage, is expected to continue to grow as our population ages. So it should not be surprising that there are staffing shortages. We were already experiencing a decline in the number of people working in nursing and other care professions before COVID-19. There simply have not been enough new nurses and certified nursing assistants to account for the growing number of patients and the number of nursing staff nearing retirement age.

There are things we can do to keep women in the workforce and bring them back to the workforce before things get worse and take an even bigger toll on our economy. To do so, we, as legislators and policymakers, have to acknowledge that these are not typical times. We simply do not have years to keep kicking the ball down the field or to use proposed legislation as political bargaining chips. People's lives are literally on the line. I am proud to support the Governor and the Department of Health's proposal to increase the number of minimum daily direct care hours for each patient in a long-term care facility from 2.7 to 4.1. Doing so will ensure that patients receive the care and treatment they deserve and that we are not facing staffing shortages due to an overburdened and underappreciated workforce. Ensuring the stability of the nursing workforce is also one of the reasons I have introduced Senate Bill No. 240, the Patient Safety Act, which sets minimum staffing ratios for patients in acute care settings.

We all know that the pandemic has taken a brutal toll on our healthcare workers, especially our nurses who have risen to the challenge of caring for patients with COVID-19 exposure with limited PPE, impacted staffing, and overrun ICUs. Legislation like Senate Bill No. 240 would not only improve healthcare outcomes for patients and reduce liability exposure for providers, it would go a long way to help recruit and retain staff. We have heard arguments against these changes from providers and legislators concerned that this will be too burdensome and expensive and that there are not enough potential workers to achieve these goals. Without simultaneously addressing other major problems, perhaps that would be true. This is a once-in-a-generation moment and it requires bold action. We need a living wage, quality affordable child care, and paid leave. It is not too late to address this mounting problem yet, but I am not sure how long we will be able to say that. It is past time for us to properly value care work and its necessity to maintaining a robust economy.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I rise today in recognition of Pro Bono Week in Pennsylvania. National Pro Bono Week lasts the full last week of October. It highlights the positive impacts attorneys make when they donate their legal services to their communities. Each year individuals submit more than 6,000 legal aid matters to the Pennsylvania Bar Association alone. This does not include county bar associations or direct donations of services. Since 2000, the Pennsylvania Bar Association's pro bono office has assisted over 100,000 people with legal aid issues ranging from landlord/tenant, immigration, healthcare, estate planning, and more. Pro bono services powered the Clean Slate project, helping individuals convicted of minor crimes to clear their records. Pro bono attorneys work in youth aid pro-

grams, like the Montgomery County Childcare Advocacy Project, representing abused and neglected children. The longstanding pro bono program, Wills for Heroes, provides free, basic estate planning to first responders and the military. Wills for Heroes has created almost 17,000 wills since it was established in 2009.

Attorneys also participate in pro bono events to help the elderly by creating estate plans, dealing with powers of attorney, and other senior issues. There is much pro bono work in legal education as well. Attorneys go to events and inform people what their rights are and guide them on how to get the proper help. This year, the Pennsylvania Bar Association is partnering with the American Bar Association. They will focus on the unique legal needs of vulnerable communities resulting from COVID-19, including housing injustice, employment difficulties, and experiences of domestic violence. Please join me and the Pennsylvania Bar Association in recognizing October 24 through 30, 2021, as Pro Bono Week in Pennsylvania. Thank you.

The PRESIDENT. The Chair recognizes, for the second time, the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, this petition is very different than the prior one and focuses on our tragic history, as a nation, of racial oppression. From 1619 to 1865, we had a system of enslavement for Africans coming to this nation. Then, from 1890 to 1968, not that long ago, we had a system of segregation, often called Jim Crow, that created legal barriers to all kinds of opportunities: employment; wealth; education; and beyond. Since 1968, we have not had enslavement or segregation, but we have a continuation of race discrimination, and this race discrimination is in a system, much like the respiratory system, with rules that make it operate.

Mr. President, I rise today to address four of the rules of systemic racism and how we in the General Assembly can change those rules. The first of the four rules that I would like to address, Mr. President, is the rule of denial of quality education. Teaching enslaved Blacks during enslavement was illegal, subject to murder, cutting off hands, and other atrocities. After slavery, Black education was separate from Whites and severely unequal. Recently, in our age of discrimination, our public school funding formula was demonstrated to have a very negative effect on predominantly Black schools. That study demonstrated that Black schools in public education that had a predominantly Black population were consistently underfunded, and we know some are unsafe with toxic conditions in the buildings. Denial of quality education is a core feature of systemic racism and the first rule. Now, we, in the General Assembly, can address this denial by properly funding the education formula. We have an education formula that would provide about four times the money to poor districts than to rich. Yet, we failed to put the money into that formula to address the inequities. This formula gives poor, Black districts the funding they need to provide a quality education to all students. That is the first action we can take to address the first rule: denial of quality education.

The second rule of systemic racism is poverty pay. We all know that during enslavement, Africans in America received no pay. That was the core of the model. During segregation, Black people were locked into low-paid jobs, often called Black jobs. These jobs included domestic work, culinary work, janitorial work, so-called low-skilled work, but really they were low-pay work. Today, these jobs pay as little as \$2.83 an hour for food

service workers, or minimum wage, as low as \$7.25 an hour. Not just Black people have been caught up in the impact of this rule. Over 2 million Pennsylvanians now suffer from low pay and many are in poverty, those making under \$9 an hour. Again, we in the General Assembly can change this rule of systemic racism. We can do so by raising the minimum wage to \$15 an hour and lifting thousands of Black, brown, and White people out of poverty.

The third rule of systemic racism is over-incarceration and policing. During enslavement, any non-compliant Black person was a threat, brutalized, and often murdered. During segregation, laws were created to imprison. Put Black people into chain gangs so that they could not exercise their free labor. Today, Blacks are still perceived as a threat to be controlled with over-policing and over-incarceration. George Floyd is but one example of this system. The excessive policing rule can also be addressed in this General Assembly with additional funding to education, social services, and jobs training instead of unequal punishment.

The fourth rule for my discussion today, Mr. President, is the denial of wealth creation opportunities. It goes without saying that enslaved Blacks had no access to credit, capital, or opportunity to build wealth, business, or homes. Under segregation, access to credit and capital was largely restricted. Denied by major banks, insurance companies, financing companies, instead we got redlining. Land that was available to the public when we went west, denied. G.I. college education opportunities, denied. Today, Blacks are routinely subject to lending discrimination, which hinders the ability to accrue wealth and achieve upward mobility. The result we often see in statistics is White wealth eclipsing Black wealth by 10 times or more. Here, again, we in the General Assembly can make a difference. This denial of credit and access to capital can be addressed by requiring financial institutions to set aside accessible loans and grants to Black borrowers. We can implement what we did under the leadership of Senator Hughes, to create a grant program for historically disadvantaged businesses. These solutions are within our control. By changing these four rules we can begin to dismantle systemic racism in Pennsylvania. Where there are more than these four rules that affect us, but this would create a significant dent in the denial that persists. I urge all Members of the State Senate and the General Assembly for the legislative changes I have outlined, and I urge all Pennsylvanians to support the same.

Thank you, Mr. President.

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

Senator MENSCH. Mr. President, I rise today to speak on Senate Resolution No. 194, which recognizes October 8, 2021, as National Hydrogen and Fuel Cell Day in Pennsylvania. As we learned in chemistry class way back in high school, hydrogen is the most abundant chemical substance in the universe, and the United States produces and uses more than 10 million metric tons of hydrogen every year. The U.S. is also a world leader in the development and deployment of fuel cell and hydrogen technologies. Since engineers and safety code standard professionals have developed consensus-based protocols for the safe delivery, handling, and use of hydrogen, private industry, governments, national laboratories, and institutions of higher education continue to improve fuel cell and hydrogen technologies to address the most pressing energy, environmental, and economic issues in our country.

Fuel cells--utilizing hydrogen and hydrogen-rich fuels to generate electricity--are clean, efficient, and resilient technologies, and they are being sold for stationary and backup power for zero-emission, light-duty motor vehicles and buses; industrial vehicles; and portable power. Fuel cell electric light-duty motor vehicles and buses that utilize hydrogen can completely replicate the experience of internal combustion vehicles, including comparable range and refueling times, and hydrogen fuel cell industrial vehicles are being deployed at logistical hubs and warehouses across the United States and then exported to facilities in Europe and Asia.

As we continue to evolve the technologies for tomorrow, it is important that we recognize the current utilization of hydrogen and fuel cell technology. We need to continue to harness these innovations to make the world of tomorrow a better, cleaner, and greener place.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, when we passed the School Code and budget back in June, I spoke about how disappointed I was that the General Assembly flat funded our community colleges in fiscal year 2021-22--other than the new community college in Erie. I am still thinking about that failure to invest today.

Community colleges are one of our most valuable educational resources, and we are drastically underfunding them to the detriment of our current and future workforces and our communities. From CCAC in my home county of Allegheny County to Luzerne County Community College where I grew up, community colleges provide opportunities for students who otherwise would not be able to access postsecondary education. That might mean giving students a chance to take core degree classes at a lower tuition rate, making college more affordable. For example, Allegheny County residents attending CCAC pay an annual tuition rate of around \$3,540. Annual in-State tuition at University of Pittsburgh, not including room and board, is approximately \$12,000. It also might mean giving a student the chance to take a few classes and get their grades up to get, quote, university ready, before transferring to a four-year university; or allowing a student to try out a major with lower stakes before committing to a four-year degree; or, as in the case of my family, it might be giving someone the ability to earn their associate degree as an adult when they experience a job change later in life.

Community colleges provide irreplaceable career training for local students. Each of these schools provides training for our Pennsylvania nurses. We need nurses all across Pennsylvania, not just in acute hospital settings in larger cities--which we do desperately need--but across the State in nursing homes, congregate care facilities, and rural doctors' offices. Many of these nurses start their training at community colleges. Community colleges also host numerous technical training and workforce development programs like the building trades apprenticeship program through CCAC in Allegheny County, the wastewater treatment plant operator training program at Reading Area Community College, and the locomotive engineer and conductor basic training program at Bucks County Community College. These programs are all developed and conducted in close partnership with industry leaders to ensure that students graduate ready to work in their fields. Our community colleges also pro-

vide enrichment classes for the community at affordable prices. High school students can take drivers ed courses; hobbyists can take photography classes to hone their skills, something I might like to do if I had some spare time; community members of all ages can take fitness classes; community college libraries and their resources are open to the public.

They do all of this work on shrinking budgets as the General Assembly flat funds them, which we all know is really a budget cut, and as county contributions to their budget run short. We know who ends up picking up the tab for this: students. We have left an entire generation of students with a mountain of student loan debt--like myself and some of my colleagues here today--that prevents them from fully engaging in the economy, and we are doing it to the next generation, too. Instead of investing in this important educational and community resource, in this past budget we took \$7 billion of CARES funding and put it in the Rainy Day Fund. We keep talking the talk about how we need to prepare for the workforce of the future. But, a strong community college system is a big piece of that answer, and when it came time to walk the walk, there was no investment in our students, no investment in our communities, and no investment in our workforce. To compete for businesses of the future, Pennsylvania has to be able to provide the workforce capable of doing those jobs. Right now, we are simply not making the investment in our people who we need in order to make sure they are ready for the jobs of the future.

Thank you, Mr. President.

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

Senator KEARNEY. Mr. President, today I stand before you to demand that we--we as in the legislature, not John and I--tackle the childcare shortage in the Commonwealth. Specifically, the financial and structural issues facing our providers and crippling working class families. Quality, reliable, and affordable childcare is essential for working families and crucial for the development of any child of a working parent. Yet, we are facing a crisis. Far too many Pennsylvanians are unable to find quality childcare. Let me say that again. There is not enough care.

Recently, I surveyed centers in my district and the results were sobering. Many centers have waiting lists and parents begging them to take their children. Others are having to shut classrooms down because they cannot get enough staff. This lack of access plagues families at all income levels but is compounded for families who are struggling to make ends meet. Sixty percent of low-income working families with children younger than 6 have difficulty accessing center-based childcare, and 57 percent of those children have parents who are working nontraditional hours. Yes, the Commonwealth offers childcare subsidies through our early learning resource centers for families who need it the most, but time and experience have shown us that families continue to wait because of structural issues that prevent families from getting this help when they need it the most.

There are more than 2,000 children statewide on a waiting list to receive the subsidies. In some areas, the average wait time is 68 days. Given the labor market shortages, how many families can afford to wait? How many employers will want to hear from their employee, I cannot start work for at least 8 weeks? The other hardcore truth for childcare is that the financial model challenges both the provider and the user side of the equation. In some cases, monthly childcare costs are higher than a family's

monthly rent or mortgage. Despite the cost, childcare workers are some of the most underpaid workers in our communities--underpaid and typically without health and dental insurance. All of us here today have jobs with a family-sustaining wage, roofs over our heads, food on the table, and health insurance. Yet, we do not demand the same for the people who care for our most precious resource, our children. We do not make it possible for the industry to provide enough care to meet the demand, nor do we pay the workers enough to keep a roof over their heads, never mind having savings or emergency money for things like car repair or unexpected kid expense. Something that all of us take for granted.

I came across the quote a few weeks ago that said in part, quote, the entire world is short staffed, unquote. This is especially true for childcare providers, whose resources have been stretched beyond imagine amid the pandemic. What happens when these facilities cannot pay rent or keep qualified teachers? They close their doors; create more barriers to reliable childcare; and prevent more families from working, paying their bills, and participating in the economy we are trying so desperately to jumpstart. We have families and childcare administrators looking for answers. I believe as legislators, the answer lies in our power and our willingness to remove barriers to problems like these for our constituents whenever possible.

Pennsylvania is home to nearly 300,000 3- and 4-year-olds. Yet, last year, only about 1 in 6 of these young learners was enrolled in a publicly funded, high-quality pre-K. Yes, funding for pre-K is already part of Pennsylvania's annual State budget, but it is not enough to meet the needs for every 3- and 4-year-old. We are not lacking resources to help, we are lacking the fortitude to dismantle broken systems and the courage to institute new ones. We can increase access to quality childcare and education, but we must first commit to making significant and sustained investments in these systems, starting with the workers. Research shows that as much as \$17 is returned on every dollar invested in high-quality early learning programs. That investment saves the Commonwealth money in the long term by reducing the need for special education and remedial instruction; increasing the likelihood of graduation and college enrollment; and decreasing dropout rates, crime, and incarceration.

As a public servant, I am not sure what moves each of you to do any one thing. For some, it is compassion and empathy, for others it is loyalty or economic incentives for our State. But whatever compels you to fight for responsible local policy, this is an issue for which we must fight. What is your reason? We say all the time that children are our future. Their minds and bodies are the resources of tomorrow, but they are the investments of today. As cliché as it may sound, the truth of it lies in the vitality and success of our Commonwealth. Increasing access to childcare is a win for working families. It is a win for child development. It is a win for the Commonwealth of Pennsylvania.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I am going to follow up on the comments of my good colleague, Senator Kearney, and talk about human infrastructure and the investments that we could make in Pennsylvania right now that would benefit all of us.

First, I want to talk about a specific effort that Senator Cappelletti has joined me on. She is my fellow co-chair of the women's health caucus, and we have been working on the project that we call the #OptInPA Campaign. We are taking this campaign to different areas of the Commonwealth to raise awareness about the decision that Acting Secretary of DHS, Meg Snead, and the entire department made to extend postpartum Medicaid expansion from 60 days to 12 months, thanks to a provision in the American Rescue Plan. This is game changing. There are a lot of alarming statistics I could share with you all about why this is so important. But rather than throwing numbers at you, I will just say there is no question, this decision will save lives and is worth celebrating. For up to 5 years, Pennsylvania will ensure women and babies who qualify for Medicaid have the postpartum coverage they need to get a healthy start. But what happens immediately after those babies are born? In Pennsylvania, too many women, especially low-income women, have no choice but to rush back to work too soon after childbirth--sometimes in a matter of days or a few weeks--greatly increasing their chances of developing health problems and, in particular, mental health problems such as postpartum depression. We can make sure that no new mother has to go through that by providing paid family leave for up to 12 weeks to all Pennsylvanians. This, in tandem with the Medicaid expansion, I believe, would give every family and newborn the foundation they need for a healthy and promising start. These are not just words. I think we all know that if we can help those who are the youngest and most vulnerable in our Commonwealth, if we can get them off to a good start, we can really make a difference in their lives and in the entire State of Pennsylvania.

Regardless of race, class, or what area of the Commonwealth you call home, these issues are a part of everyday life. Investments in healthcare, paid family leave, and childcare, too, I would add, ensure the health and development of children and empower parents to be their best, most productive selves. My message to every young family in Pennsylvania is this: do not let anyone tell you these goals are unattainable in Pennsylvania. I know we can do this. We must do this. Just last week, I met with the staff at the Early Learning Resource Center in my district, and I had the opportunity to talk with them about what they are hearing from the people who come there for help. Childcare costs are devastating for most of them--and this is a place where they can get subsidized daycare--but even the copays, sometimes, are just too much. I learned that there is not a waiting list right now--many folks can get the subsidized care--the problem is, there are not enough slots. As Senator Kearney mentioned, there are not enough daycare facilities open and working so that they can send their children there. Even though Governor Wolf recently announced substantial investments that will, for a time, help make childcare more affordable using Federal funds, that does not absolve this Chamber of its responsibility to do what we can to help build a permanent childcare system that works for all Pennsylvanians.

Healthcare, family leave, and childcare are kitchen table issues in every corner of this Commonwealth. Investing in these human infrastructure initiatives will touch peoples' lives in a way that they can really feel and simultaneously drive so much economic development for the Commonwealth. This is an investment Pennsylvania can make using the American Rescue Plan funds that we receive from the Federal government. Using those

funds will make such a difference in peoples' lives. It will get people back to work. It will get children into the type of daycare that can really benefit them and get a good start in their lives. We can do this; we have to do this. These funds must be used judiciously, but I urge my colleagues, all of us, to take a look at how we can use those funds to help permanently expand childcare options, pay our childcare workers more, and make sure that there are more slots available. This is important work, and we need to get to it.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I rise today in support of Senate Resolution No. 175, which recognizes October as National Disability Employment Awareness Month. October 2021 marks the 76th anniversary of National Disability Employment Awareness Month, a month that was created to bring attention to disability employment issues and celebrate the many and varied contributions of America's workers with disabilities. U.S. Secretary of Labor Marty Walsh recently said, "Our national recovery from the pandemic cannot be completed without the inclusion of all Americans, in particular people with disabilities. Their contributions have historically been vital to our nation's success, and are more important today than ever."

Mr. President, I could not agree more. People with disabilities of working age are employed at a rate considerably below the general population. The U.S. Census Bureau indicates that 76.5 percent of working-age, general population is employed while only 32.9 percent of disabled population is employed. Mr. President, that means we as a society have to do more, and I will be ensuring we are moving society in Pennsylvania to a better and more inclusive place for all Pennsylvanians to work. Mr. President, in that light, let us recognize October 2021 as National Disability Employment Awareness Month 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, I rise today because it has been 5,588 days since our Pennsylvania legislature last passed a minimum wage increase for our Commonwealth's lowest earners.

Mr. President, as we stand here today, conversations are being had about passing Senate Bill No. 347 and Senate Bill No. 349, and I understand supporting businesses and employers is important, I really do; but, Mr. President, we cannot stand aside and only support businesses. We must also stand up for their employees as well. Mr. President, the proposed changes to the Tax Code would save businesses and corporations millions of dollars every year. But, Mr. President, we cannot continue to support businesses at the expense of their workers. That is why I am calling on the Senate to include a raise to the minimum wage in the package of legislation. Mr. President, we must ensure that the nearly 800,000 workers who are making under \$12 an hour, the minimum wage set by my legislation, also see a benefit in this package of legislation, not just businesses and corporations. My legislation, Senate Bill No. 12, must be passed to raise the minimum wage and support our Commonwealth's lowest earners.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, today I rise in recognition of the resolution designating October 2021 as Domestic Violence Awareness Month in Pennsylvania. Domestic Violence Awareness Month was launched nationwide in October 1987 as a way to connect and unite individuals and organizations working on domestic violence issues while also raising awareness.

One in 4 women and 1 in 9 men experience severe intimate partner physical violence, intimate partner sexual contact violence, and/or intimate partner stalking with impacts such as injury, fearfulness, post traumatic stress disorder, use of victim services, contraction of sexually transmitted diseases, and so much more. One in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner. This includes a range of behaviors such as slapping, shoving, and pushing, and, in some cases, it is not always considered domestic violence. One in 7 women and 1 in 25 men have been injured by an intimate partner. In fact, in Pennsylvania, 109 victims died from domestic violence incidents last year; 70 percent of those deaths were by firearms. I will just take another moment here to make a plea to act on firearms violence. Yet again, I am asking for this because we do have legislation that does not impact anyone's Second Amendment rights but are proven methods to reduce firearms violence. However, domestic violence is not best understood through statistics, but through stories.

Recently, since I have taken office, I met with the mother of a family whose lives were changed forever because of domestic violence. The mother who I met with came to my office, sat down with me, and shared the most intimate details of the worst days of her life. With a box of tissues between us, she pulled out pictures of her daughter and grandson, and she spoke of them with such great pride. However, her daughter was in an abusive relationship, and it was not necessarily always physical. That is the thing she wanted me to do. She wanted me to help people understand that there does not need to be black eyes, bruises, or broken bones for there to be abuse. You see, her daughter suffered from years of emotional abuse, harassment, and denigration. Her son, while not necessarily the primary target of abuse, suffered as well. Slowly, over the years, her view of herself changed and her reality distorted. When she finally had the strength and courage to leave, the courts betrayed her. They did not believe her stories of abuse and they granted her abuser partial physical custody of their shared son. One day she decided enough was enough. She purchased a gun and, fearing that her husband's abuse would turn fully onto her son, she used it on him before turning it onto herself. Because her daughter's reality was so distorted from years of trauma and emotional abuse, the victim of the abuser killed herself and her son. This distorted perception led the young mother to believe that the best and only way to protect both herself and her son from more abuse was to end their lives. She left behind perhaps the most gut-wrenching letters I have ever read, apologizing for the decision but assuring her parents that this was the only way out. What must someone have been put through to genuinely believe that the only way out was to take her life and the life of her loved and adored little boy? You see, domestic violence has the power to change the course of entire futures, leading to damage that some live with forever. The mother I met in my district office, she and her family must live with the consequences of domestic violence. They had to bury their daughter and their grandson.

Over the past few months we have seen our entire country get swept away in the coverage of the Gabby Petito story, a young woman and online influencer whose disappearance was wrapped up in questions of what role did intimate partner abuse play in her disappearance and ultimate death? Her story--like so many others who do not get the attention that they deserve, including Black, indigenous, and people of color who have suffered from and then fell victim to intimate partner violence--is telling of what many people face in relationships today. So I am asking that my colleagues join me in recognizing October as Domestic Violence Awareness Month here in Pennsylvania. That you help me break the stigma by committing to creating a national culture where we are all safe, empowered, and free from domestic violence.

Thank you, Mr. President.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 420**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule 13(c)(2)(i), the bill will be referred to the Committee on Rules and Executive Nominations.

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 26, 2021

Senators BROOKS, GORDNER, DiSANTO, HUTCHINSON, PITTMAN and J. WARD presented to the Chair **SB 923**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for telemedicine prohibited for medication safety program.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, October 26, 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 26, 2021

HB 598 -- Committee on Environmental Resources and Energy.

HB 889 and **1801** -- Committee on Consumer Protection and Professional Licensure.

HB 1615 -- Committee on Law and Justice.

HB 1837 -- Committee on Labor and Industry.

RECESS

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

Senator K. WARD. Mr. President, I move that the Senate do now recess until Wednesday, October 27, 2021, at 12 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 5:54 p.m., Eastern Daylight Saving Time.