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WEDNESDAY, JANUARY 27, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 6

SENATE

WEDNESDAY, January 27, 2021

The Senate met at 11 a.m., Eastern Standard Time.

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

PRAYER

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

Let us pray.

The Letter of James tells us what true wisdom is. "Who among you is wise and understanding? Let him show his works by a good life in the humility that comes from wisdom." "The wisdom from above is first of all pure, then peaceable, gentle, compliant, full of mercy, and good fruits, without inconstancy or insincerity. The fruit of righteousness is sown in peace for those who cultivate peace." Heavenly Father, we ask You to guide us with Your wisdom and peace in all that we say and do for the people we serve in this great Commonwealth. Amen.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

January 27, 2021

Senators FONTANA, KEARNEY, HUGHES, SANTARSIERO, MUTH, TARTAGLIONE, SCHWANK, BREWSTER, COSTA, HAYWOOD and KANE presented to the Chair **SB 129**, entitled:

An Act providing standards for carbon monoxide alarms in child care facilities; and imposing penalties.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, January 27, 2021.

Senators FONTANA, STREET, COLLETT, HUGHES, SANTARSIERO, SCAVELLO, BARTOLOTTA, KEARNEY, CAPPELLETTI and COSTA presented to the Chair **SB 133**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in film production tax credit, further providing for limitations and for film production tax credit districts.

Which was committed to the Committee on FINANCE, January 27, 2021.

Senators FONTANA, HUGHES, STREET, MUTH, KEARNEY, SANTARSIERO, BLAKE, CAPPELLETTI, SCHWANK, TARTAGLIONE, COSTA, KANE, COMITTA, COLLETT and HAYWOOD presented to the Chair **SB 134**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in actions, proceedings and other matters generally, providing for extreme risk protection orders.

Which was committed to the Committee on JUDICIARY, January 27, 2021.

Senators HUTCHINSON, PITTMAN, BLAKE and MENSCH presented to the Chair **SB 136**, entitled:

An Act establishing the number of signatures required for nomination petitions during the COVID-19 pandemic.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2021.

Senators HUTCHINSON, MENSCH, PITTMAN, REGAN, SCAVELLO, STEFANO, YAW, AUMENT and DUSH presented to the Chair **SB 137**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in budget and finance, establishing the Drug Recognition Expert Training Fund.

Which was committed to the Committee on JUDICIARY, January 27, 2021.

RESOLUTION INTRODUCED AND REFERRED

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

January 27, 2021

Senators BROWNE, SANTARSIERO, LANGERHOLC, BARTOLOTTA, KEARNEY, VOGEL, PHILLIPS-HILL, HUGHES, MENSCH, J. WARD, ARGALL, SCAVELLO, MARTIN, PITTMAN, COSTA, YUDICHAK, COMITTA, KANE, STEFANO and HAYWOOD presented to the Chair **SR 20**, entitled:

A Resolution recognizing the week of February 22 through 28, 2021, as "Eating Disorders Awareness Week" in Pennsylvania in conjunction with the observance of "National Eating Disorders Awareness Week."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, January 27, 2021.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Cris Dush as a member of the Local Government Commission.

Senator Devlin Robinson as a member of the Ben Franklin Technology Development Authority.

ANNOUNCEMENT BY THE PRESIDING OFFICER

The PRESIDING OFFICER. Pursuant to Senate Rule 21, permission has been given to photographers from the Republican Caucus to take photographs today during the condolence resolution honoring Senator Arnold.

BILLS REPORTED FROM COMMITTEES

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

SB 106 (Pr. No. 71)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for Lieutenant Governor.

SB 113 (Pr. No. 84)

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

SB 116 (Pr. No. 87)

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents and providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for title to historic property and for powers over certain historic property.

Senator LANGERHOLC, from the Committee on Transportation, reported the following bills:

SB 49 (Pr. No. 31)

An Act designating the bridge, identified as Bridge Key 8659, carrying State Route 3037, also known as William Penn Avenue, over the Norfolk Southern and Lehigh Valley Rail Management rail lines in the City of Johnstown, Cambria County, as the Reverend Andrew William Tilly, Jr., Bridge.

SB 55 (Pr. No. 32)

An Act designating the bridge, identified as Bridge Key 8365, carrying Pennsylvania Route 53 over Little Conemaugh River in Croyle Township, Cambria County, as the Private Fredrick Kinley Memorial Bridge.

LEAVE OF ABSENCE

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

ANNOUNCEMENT BY THE PRESIDING OFFICER

The PRESIDING OFFICER. For the information of the Members, we are about to consider a condolence resolution. Will the Sergeant-at-Arms see that all doors in the Chamber are closed.

MEMORIAL SERVICE FOR FORMER SENATOR DAVID J. ARNOLD, JR.

SENATE RESOLUTION ADOPTED

Senators CORMAN, ARGALL, AUMENT, BAKER, BARTOLOTTA, BLAKE, BOSCOLA, BREWSTER, BROOKS, BROWNE, CAPPELLETTI, COLLETT, COMITTA, COSTA, DiSANTO, DUSH, FONTANA, GORDNER, HAYWOOD, HUGHES, HUTCHINSON, KANE, KEARNEY, LANGERHOLC, LAUGHLIN, MARTIN, MASTRIANO, MENSCH, MUTH, PHILLIPS-HILL, PITTMAN, REGAN, ROBINSON, SABATINA, SANTARSIERO, SAVAL, SCAVELLO, SCHWANK, STEFANO, STREET, TARTAGLIONE, TOMLINSON, VOGEL, J. WARD, K. WARD, A. WILLIAMS, L. WILLIAMS, YAW and YUDICHAK by unanimous consent, offered **Senate Resolution No. 21**, entitled:

A RESOLUTION

Honoring the life and achievements of Pennsylvania State Senator David J. Arnold, Jr.

WHEREAS, David "Dave" J. Arnold, Jr., passed away January 17, 2021, at the age of 49 after a 15-month battle with brain cancer; and

WHEREAS, Mr. Arnold was a lifelong resident of Lebanon County and graduated from Cedar Crest High School in 1989; and

WHEREAS, After high school, Mr. Arnold earned his bachelors degree in criminal justice at Kutztown University; and

WHEREAS, In 1996, Mr. Arnold earned his law degree from Widener University School of Law, passed the bar exam and began a long legal career; and

WHEREAS, After working at the Lebanon County District Attorney's Office and in private practice, he successfully ran to be Lebanon County's District Attorney in 2005; and

WHEREAS, He held that position for 14 years until being elected to the State Senate and, from 2016-2017, he served as president of the Pennsylvania District Attorney's Association; and

WHEREAS, After the then State Senator for the 48th district in Pennsylvania resigned, Mr. Arnold announced he would be entering the race as a Republican; and

WHEREAS, Mr. Arnold was selected as the Republican nominee from a pool of seven candidates and campaigned on the issue of eliminating child pornography; and

WHEREAS, In January 2020, Mr. Arnold won the special election with nearly two thirds of the vote and began to serve his beloved Lebanon County, and portions of both York and Dauphin counties, in the State Senate; and

WHEREAS, Mr. Arnold chose to forego his optional pension package and salary, preferring to serve the public in hopes of making things better for the public; and

WHEREAS, Despite his cancer diagnosis and medical treatments, Mr. Arnold tirelessly pushed to increase penalties for child pornogra-

phy-related offenses and had planned to continue to do so in the 2021-2022 session; and

WHEREAS, Mr. Arnold is survived by his wife, Alicia, and his daughter, Reese; therefore be it

RESOLVED, That the Senate honor the life and achievements of Pennsylvania State Senator David J. Arnold, Jr.

On the question,

Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, last Saturday, I had the opportunity, privilege, and honor to be invited to the memorial service for Senator Arnold. Obviously, in the days of COVID-19, you cannot have the public events as we normally do to honor our lost ones. As I sat there and listened to many of the friends and family talk about Dave and his life, it reminded me of our time here. One of my favorite things to do as a Senator is to get to know the other Members of the Chamber, their lives, and stories about their children, particularly. Senator Aument, who is here, has a great story about his son, Jack, and getting an unexpected flu vaccination that his father was not completely transparent about. Senator Baker and I shared many baseball stories of our children and how much we enjoyed the games that we got to watch. Senator Tomlinson, his daughter becoming a Member of the legislature and getting to vote on one of her bills. Senator Hughes and I talked about how we married way over our heads, both of us were very fortunate in that game. Senator Tony Williams and I are always talking about being legacies. And, really, what this does, these stories of our home lives and our families, it really humanizes us and gives us a face to who we are. We sort of focus on us as Senators. We are all humans, and we all have our backgrounds and interests.

Listening to those stories, I will be honest with you, I felt a little cheated because I would have loved to have heard so many more stories about Dave. The fun ones that we heard about Dave's daughter, an accomplished softball pitcher, and Dave being her catcher. As you know, I can speak to this, as we get older and our kids get better at pitching, we get worse at catching. Someone shared a very nice story about how the ball bounced, hit Dave in the head, and knocked him a little senseless while he was catching with his daughter. A story about how he had to explain to his wife and daughter that the biggest picture in his office was not of them but of his dog Xander. These were the great stories that we heard, and I wish we would have had an opportunity to share many more over the brief time that we got to be with Dave.

But Dave's legislative career, even though it was short, had two really impactful moments that I will never forget. The first is when he came and spoke about Senate Resolution No. 333, which was recognizing June as "Cancer Survivors Recognition Month." Obviously, Dave was going through his own battle at that period in time. When we are here on the Senate floor, during times when we speak, there are people milling about, doing things, or having sidebar conversations. As he spoke that day, you could hear a pin drop, and he walked us through his journey of fighting cancer at that point in time. It was very emotional, and we all just listened. He really knocked it out of the park, as it was mentioned the other day. To be honest with you, I took notice on Zoom, as we had Zoom at the time and still do, that my

colleague from Allegheny County, Senator Brewster, was particularly moved by his remarks. And being a good friend to Senator Brewster, as we all know, he tragically lost a daughter to cancer last year. You could tell he was specifically moved by Dave's speech.

So Dave reintroduced that resolution this year and, unfortunately, according to the rules of the Senate, if you are no longer a Member of the Senate, your name cannot be one of the sponsors. So, I cosponsored that resolution for this year with Dave so that if his journey ended, as we thought it might, we would have a prime sponsor. On my way to the memorial service I thought, what an appropriate thing, and I reached out to Senator Brewster and asked him to cosponsor it with me because I thought, what better person to have an understanding as Senator Brewster would, and he graciously agreed. The only thing I can say is, Senator Brewster, you and I have our work cut out for us in June to match the story and the passion of what Dave gave us last year.

The other time was, quite frankly, when we dealt with his legislation, I believe it was mentioned, dealing with child pornography, and, unfortunately, Dave could not be here that day. Senator Baker, the chair of the Committee on Judiciary, stood up for Dave that day and really, again, captured the moment, you could hear a pin drop in here, about Dave as a father. He could not have imagined that some other parent would have a child facing such a heinous act. Her passion that day, channeling Dave's passion, led to a unanimous vote of the Senate, and, ultimately, for whatever reason, we did not get it passed in the House. I guarantee you this Session, as we are going to take up that legislation again today, and Senator Baker has graciously primed that for Dave, we will get it through the House and into law this Session.

So it was brief, but it was wonderful. His wife, Alicia, and his daughter, Reese, are here, and we just want to thank you for sharing Dave with us.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, like the President pro tempore, I, too, was honored and privileged to be extended an invitation to participate in Senator Dave Arnold's memorial service. As indicated, it was very moving. While I have remarks that I will offer for the record, I would like to talk a little bit about what I learned about someone I had read about up to that point in time. What we learned during that service was the wonderful person that Dave Arnold was as a person, a family man, a husband to Alicia, and a father to Reese. What we learned, I guess, he was a father as a softball coach to many other young ladies over the years who became very close to the family. Certainly, I remember last summer when he made those remarks, how moving they were. But, to me, it was the courage he had to share with us the journey that he went through, and was going through at the time, and being able to share that information with us. Those personal stories.

During the service, there were wonderful stories that were told about the work Dave had done as a district attorney and how he consistently had worked to fight for folks. The work that he did, it was a 24/7 position that he had, and he worked at it. Alicia even talked about the times when they would get calls at 3 o'clock in the morning, and she is laying next to him in bed, and

he is reciting the Crimes Code instead of whispering sweetnesses into her ear. At the end of the day, that is the kind of person he was. He worked very hard, was committed to public service, and continued that here in the Senate.

So on behalf of all of our colleagues, Alicia and Reese and Mr. Arnold--I am not sure if he is here today, I had a chance to speak with him as well--please accept our deepest sympathies on behalf of our Senate Democratic Caucus. Thank you for the opportunity to allow me to represent us there at the service.

Thank you, Mr. President.

The PRESIDING OFFICER. 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 gentleman from Allegheny, Senator COSTA:)

Mr. President, it was just over a week ago that I got the painful news of the passing of Senator Dave Arnold. While I only served in this body with Senator Arnold for a brief time, this loss is no less heart-breaking for me or for anyone else in this Chamber. I know that I, my colleagues, and our staff express our deepest condolences to Senator Arnold's wife, his daughter, and all those who knew and loved Dave. I doubt there is a soul in this room who has not felt the crushing moment when you hear that a loved one has gotten a cancer diagnosis. It is the most unforgiving of diseases. No matter how strong or how resilient a person may be, lives are forever changed by this disease.

Over the summer, Senator Arnold stood in this very Chamber to offer a resolution honoring the brave souls who have survived their battles with cancer. They served as inspirations and beacons of hope to Dave, and to all of us. But I think that those who are no longer here to share the stories of their battle are no less brave, and no less worthy of our admiration.

I will remember Dave, his family, and his fight as a reminder of the importance of the work we do here. When tragedies such as this strike us, we should use them as a reminder to fight for those who still bravely fight their own battles, and in the memory of those no longer here fighting with us.

Dave was elected to the Senate in a special election under difficult circumstances. During his campaign, he promised to restore honor to the Senate seat he was campaigning to fill. He certainly did just that. Dave took his experience of 14 years as Lebanon County District Attorney and introduced legislation to hold perpetrators of despicable crimes accountable and bring justice to victims.

Senator Dave Arnold, his family, and all those afflicted with the heinous disease of cancer will remain in the prayers of me and my family.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Thank you, Mr. President; thank you, Reese and Alicia, for being here. My experience with Dave goes back to around 2008-09 when I was a United States Marshal and we were planning to have a fugitive task force operation in Lebanon County. From past experience, one of the many hurdles that we needed to overcome in other counties was getting the blessing of the DA. Many times we found that DAs, although hardworking, were a little territorial and a little bit resistant to having folks from a Federal agency come into their jurisdiction and kind of take over. So I set up a meeting with Dave and we met, and I was initially struck by how easygoing he was. His attitude was, hey look, if we are going to take bad people off the streets, I am all for this, and you have my 110 percent worth of support. We went through the operation. He was such a gentleman. Then, when we had our press conference at the completion of arresting over 100

fugitives, he was so grateful that we were able to do it. It really, in my mind, set him apart. A true blue public servant.

Then, when I found out Dave was running for the Senate, I was so excited because we had something in common. I knew he was someone who was going to bring a very smart, cogent approach to legislation which dealt with law enforcement issues, and there are so many issues like that. I just knew that Dave was going to be such a benefit to this esteemed body, and he really was in that short period of time. It was easy to see that he was going to be a great Senator. I'm very sad that he is gone, but he certainly touched a lot of lives and did such an amazing body of work for the people of Pennsylvania, the people of Lebanon County, and for us. So, God bless you both. My deepest condolences to your entire family. Thank you, as the boss said, thank you for sharing him with us because he was truly special. Thank you very much.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, I first met Dave Arnold in the summer of 2017 when he was the district attorney in Lebanon County and I was the Chief Deputy Attorney General for Environmental Protection. I was making the rounds throughout the State, meeting district attorneys to talk about environmental crimes in the hope that they would be referred to our office so we could prosecute them. I did not know what to expect when I went into that meeting. Dave was one of the first Republican district attorneys who I met in the process, and I was not sure whether he would be particularly open to the idea of referring cases to the Attorney General's Office. But when I got there and I met with him and his first deputy, they were completely welcoming. It became clear, very quickly, that they were very eager to work with our office as partners in making sure we could work together in prosecuting environmental crimes. It really was a lesson to me that, you know, there are many people out there in public life who, first and foremost, put the well-being of their community ahead of everything else, and that became clear to me with Dave Arnold.

So, when he joined the Senate, I was happy to support his bill on child pornography, something which, as I spoke about the other day when we moved it out of the Committee on Judiciary, is so important because it is such a central charge for all of us as elected officials, in my view, to make sure we are safeguarding the well-being of the children of our Commonwealth. As the President pro tempore noted, although his tenure in the legislature was unfortunately brief, he will have that legacy. That is an important legacy that I hope this year we will be able to pass into law, that he will have that impact beyond all the other public service he gave in his work as a district attorney for the people, and particularly the children of Pennsylvania.

So, Ronni and I extend our deepest sympathies to Alicia and Reese. I will say to all of you, my colleagues: let Dave's legacy be that work he did on the issue of child pornography, but let his untimely passing also be a reminder to all of us that our time here in this legislature and, for that matter, on this Earth is fleeting. We should, every day, try to remember that we are people first, and all the other differences that may at times seem to divide us are less important.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Anthony Williams.

Senator A.H. WILLIAMS. Mr. President, my comments are not so much directed at the Senator's professional achievements or accomplishments, they are directed at him and, most specifically, to his family. I have traveled the journey of cancer, and I have been fortunate enough to have recovered for 10 years. I can only imagine what his family went through as he suffered. I know what mine went through. And I also know what family means in that context, and I do not just mean biological family, I mean extended family, those who you do not even imagine who notice what you are going through and lift you up. I will tell you, I have been on the Senate floor when I was struggling, physically, because of the challenges of chemotherapy and other medications. Literally, men and women, Democrat or Republican, would carry me to and from my seat or to caucus to make sure I could get through the day. Accommodations of providing water and those kind of small thoughts are part of my everyday perspective about the Senate. I want his family to know that what Jake said--and I will suffer every penalty that you want to put upon me for making it personal--I will tell you that on behalf of his perspective of the institution, every once in a while God will tap me on the shoulder and remind me, it is not me, it is us and humanity. We happen to have the privilege of serving in one of the greatest institutions in this country and the Commonwealth, and sometimes we do not act like we respect it. But we should never forget that we really are, what Senator Santarsiero said, we are just people with our stories. If we knew more about our stories, then we would have more in common about what we are fighting for on behalf, from our perspective, of those whom we represent.

But I want to make sure that his family knows that he was not just valued as a public servant, he was valued as a person. He is respected as a loyal husband and a faithful father. He is admired by many people who you will never hear from because of the way he served and carried himself with dignity. I was moved, as Jake was, in terms of delivering what it means for us to sort of connect in this space, the challenges on a daily basis. But I have to say thank you to all of you who have made reflection on this moment about a human being who served with all of us in one of the greatest places that we can serve. But to his family, we pray for peace, we pray as you grieve, we pray that you are protected like we want you to be protected and that your life will be everything that your husband and father would want it to be. With those I say, God bless you.

The PRESIDING OFFICER. Will the Members please rise for a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Senator DAVID J. ARNOLD, JR.)

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

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

YEA-48

Argall	Corman	Laughlin	Scavello
Aument	Costa	Martin	Schwank

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

NAY-0

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

The PRESIDING OFFICER. The resolution is adopted.

PERMISSION TO ADDRESS

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

Senator BREWSTER. Mr. President, I apologize for being a little late. First, I want to offer my sympathies and condolences to Senator Arnold's family. I was not aware that they were in the building. This is always kind of difficult, so if you will bear with me. I also thank Senator Corman for actually mentioning the effort, and to those who reached out to me that day, I certainly remember that as well. A friend once asked me the question, Jim, did you ever stop and think about how many times your name came up at the kitchen table? This was during our athletic days. At the time, I thought that was a flattering comment. That was not the point he was making. So, I want to start on a little bit of levity because this is difficult for me to talk about, but it does create a segue into my comments about Senator Arnold.

When he passed away, my first thought was, I said to my wife, you know, he gave a wonderful speech on the floor, which I told her about. When he passed away, I called her and I said, I feel so horrible, I never got to know the man. I never really got to know him. The significance of that, to me, is this has been a bad year for all of us in the Senate, for a lot of reasons. I will not mention names, you know who you are. Filling these voids are so difficult, and for some of us who think we can handle these things on our own, that really does not ever happen. It may appear that way, but what gets us through these moments and these days of emptiness and sadness are really people like Senator Arnold, who are willing to stand up and put things in perspective for us. We are not in this battle alone, there are others going through the same thing, as Senator Anthony Williams mentioned. All of a sudden, you feel like you are part of a group mourning, if you will, and it does add comfort to your day. I do not want to talk too much about it because I am not ready to do that, but I did not want to miss the opportunity to thank Senator Arnold's family, because his name will come up at our kitchen table forever because of that moment. He did not plan it that way, I did not plan it that way, Jay sure did not plan it that way. But as someone mentioned earlier, we all should be a little mindful of how we are thought of by the other people in this precious Chamber and separate the politics, get to the human side, and realize that if any one of us needed support for any reason, I know there are 49 other people I could go to and it would not matter how we voted that day. I think that is the important message we should get from Senator Arnold when he shared a precious moment.

I will just close by saying I think we only said hello to each other twice, because of the pandemic, we never really were back together again. I regret that I did not pick the phone up and call him like I wanted to do many times, but I was not sure I could get through the conversation. So, another lesson, but a special thank you to the family. A stranger will be mentioned every year at our memorial. So, that must mean something, it certainly does to us. Thank you to my colleagues for being patient with me, and certainly be patient with others in the Caucus who have lost loved ones this year.

Thank you, Mr. President.

The PRESIDING OFFICER. Thank you, Senator Brewster, for your remarks, and once again, the Senate offers its condolences to Alicia and Reese at this time.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 8 and **SB 81** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 87 (Pr. No. 64) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sexual abuse of children; in child protective services, providing for task force on child pornography; and, in sentencing, further providing for sentencing for offenses involving sexual abuse of children.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, this bill was something that our colleague, Dave Arnold, was firmly committed to as a professional who devoted himself to enforcing laws and securing justice for crime victims. As a proud and caring parent, and as someone who possessed a strong moral conscience, our action here and now is meant as a lasting tribute to his leadership and his determination. No one should see this as a simple, well-meaning gesture. This important measure is a serious response to an enduring problem that is vile and despicable. Most people would think this is an automatic vote, as they are appalled by suppliers and possessors of child pornography, but there are voices out there objecting to the prospect and cost of putting more people in jail. As someone who has supported criminal justice reform, I understand the work that we need to do, but I do have one simple question: do we really want a criminal justice system where we cannot put away those who maliciously exploit children? As a society, we must work together to insure that our

children are protected, and anyone who would engage in an act that harms an innocent child must be held accountable for their actions. I cannot, and I know Senator Arnold could not, comprehend leniency for a crime of this nature. What we seek to penalize through this bill is not casual or incidental action, because the resources of law enforcement and child protection are committed to stopping this. People have to search hard and run serious risks to locate this offensive material.

When we put high priority on this bill, I took a look at the statistics from the U.S. Sentencing Commission. Child pornography is not a crime conveniently blamed on others. Nearly all of the offenders are men, five out of six are white, and fewer than one out of four had a criminal record. It is a problem of Main Street, not back alleys or hidden corners. The embarrassing and disgraceful misconduct of a former Member of the General Assembly reinforced that this was not some distant concern far removed from our experience. Over 5 years, up to 2018, the Administrative Office of the Pennsylvania Courts reported that child pornography led statewide cybersecurity statistics and, amazingly, accounted for 39 percent of all sexual offenders sentenced. As every massive hack reminds us, those using technology for illicit purposes are often more agile than those charged with protecting, enforcing, and penalizing wrongdoing. For that reason, Senator Arnold's key piece of legislation includes a task force of professional experts charged with upgrading every aspect of our fight against this sin. One child victimized would be too many if he or she were yours or mine, including my precious 3-year-old and 7-month-old grandchildren. Thousands are being victimized who are effectively under our care. This is intolerable.

Last Session, Senator Arnold's bill cleared the Senate, but unfortunately, things stopped there and it did not get across the finish line. So, today, as we start as early as possible in this Senate Session, we have the memory and the guiding light of Dave Arnold represented here today by his beloved wife, Alicia, and their daughter, Reese, to further compel action toward enshrining his work in State law. Beginning today, there are 254 elected officials who must answer a basic question: if we are unwilling to do everything in our power to protect innocent children from this degrading and damaging exploitation, what does it say about our conscience, our responsibility, and our priorities? So, today, I stand in memory and in tribute to Senator Arnold. I felt privileged to get to know him and work with him on this very important measure, and it should reflect, although my name may appear first, his name will always be first. Stand with me as a voice for our children and vote "yes" on this important and meaningful bill in honor and tribute to a good man.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

Senator K. WARD. Mr. President, I request a temporary Capitol leave for Senator Aument, and a legislative leave for Senator Martin.

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

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

NAY-2

Saval	Street
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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.

SB 109 (Pr. No. 102) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, establishing the Hospitality Industry Recovery Program, providing for emergency education relief to nonpublic schools and for emergency education relief to area career and technical schools, intermediate units and other educational entities and repealing provisions relating to Pennsylvania Housing Finance Agency; establishing the Rental and Utility Assistance Grant Program; in additional special funds and restricted accounts, providing for Workers' Compensation Security Fund transfer to COVID-19 Response Restricted Account; in 2020-2021 Restrictions on Appropriations for Funds and Accounts, further providing for fund transfers; and making appropriations.

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

SAVAL AMENDMENT A0205 OFFERED

Senator SAVAL offered the following amendment No. A0205:

Amend Bill, page 29, line 27, by striking out "AUGUST 31" and inserting:

July 1

Amend Bill, page 30, line 1, by striking out "SEPTEMBER 1" and inserting:

July 2

Amend Bill, page 30, line 5, by striking out "SEPTEMBER" and inserting:

July

Amend Bill, page 30, line 15, by striking out "AUGUST 31" and inserting:

July 15

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Saval.

Senator SAVAL. Mr. President, I offer this amendment, which would change the date that counties must certify whether they have obligated 65 percent of their grant funds from August 31 to July 1. Rental assistance programs entail a number of steps: tenants and landlords submitting applications, staff processing applications, staff reaching back out to applicants to correct information, submitting approved applications for payment processing, and actually disbursing funds. Program administrators have found that, in the best case, it takes about 3 weeks for this whole process to unfold, and more often it takes 5 to 6 weeks. If funds are not redistributed until after August 31, 2021, which is the current date in the bill and which date I seek to amend, it will make it significantly more challenging, if not impossible, for counties to process those redistributed funds within the timeframe established by the act. I strongly urge the Senate to move these dates up, revising the date by which counties must certify their expenditures to the department to July 1, and the date of recouping and reallocating excess funding to July 15, 2021.

Let me be clear, if the counties are not on track to spend these funds by these dates, the money simply is reallocated to the Feds and disappears from the State of Pennsylvania. This allows our State the possibility of meeting its full 65 percent goal of spending its funds. If we do not spend those funds, we will be in a similar situation to what we were in last year with rental assistance where the funds were not spent on rental assistance and, in this case, would be returned to the Federal government and distributed to other States. The money would go to California, to States like that.

So for those reasons, I believe we need to meet the needs of the people in our State, and to do so, I am asking for this amendment. I ask my colleagues for an affirmative vote on the amendment. Thank you.

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

Senator K. WARD. Mr. President, I ask for a "no" vote on the amendment.

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

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

YEA-21

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

NAY-27

Argall	DiSanto	Mastriano	Stefano
Aument	Dush	Mensch	Vogel
Baker	Gordner	Phillips-Hill	Ward, Judy
Bartolotta	Hutchinson	Pittman	Ward, Kim

Brooks	Langerholc	Regan	Yaw
Browne	Laughlin	Robinson	Yudichak
Corman	Martin	Scavello	

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

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

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

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Mr. President, I rise to ask my colleagues to support Senate Bill No. 109, legislation that I initially introduced to repeal the now-defunct Housing Assistance Program at the PHFA. Since the introduction, and thanks to a collaboration with Senator Stefano, Senator Martin, as well as Chairman Browne from the Committee on Appropriations, this legislation now serves to drive out nearly \$1 billion of assistance to our communities to address the ongoing impacts of COVID-19. Through business assistance, rental assistance, and assistance to our education community, this legislation is vitally important to drive out these dollars that are literally sitting in our State Treasury right now. These are dollars that came to us from the Trump administration several weeks ago, and it is time that we put them on the street, in our communities, to address these important needs. Particularly as it relates to the rental assistance, Mr. President, we are providing nearly \$570 million to all 67 counties through this legislation to support tenants through rental and utility assistance programs. We have crafted this legislation very carefully to insure that we have timelines to make it clear that if funds will not be used by our counties, we will be able to reallocate them and keep them here in our Commonwealth, where they are most needed.

Mr. President, we have insured that the funding will be made available to actually pay the bills through rent and utility offsets. We have worked very hard to make sure we are using existing programs that our counties are familiar with and aware of to make this as seamless as possible. I ask my colleagues to support Senate Bill No. 109 so we can move this process forward and get these dollars into the hands of the people who need them most.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I rise to urge a "yes" vote. Not because the legislation is necessarily perfect, but because Pennsylvanians can no longer wait. We have Pennsylvanians who need assistance in the form of rental and mortgage assistance. We have Pennsylvanians who need small business assistance. We have Pennsylvanians who need a number of forms of assistance that this bill will provide. So while not perfect--and I agreed with many of the changes that my colleague, Senator Saval, recommended, and there are others--but as a wise man once said, we cannot let the perfect be the enemy of the good. In

this case, Pennsylvanians have waited long enough and we need to move forward with getting them the resources that they need. We must take legislative action because Pennsylvanians, unfortunately, cannot wait.

Thank you, Mr. President.

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

Senator STEFANO. Mr. President, I rise to support Senate Bill No. 109, as part of the legislation contains \$145 million to be appropriated to the Hospitality Industry Recovery Program distributed through the Department of Economic and Recreational Development and through the county economic development organizations. Eligible recipients will be some of our small businesses across Pennsylvania: hotels, restaurants, bars, and taverns that have certain stipulations. The grants will be awarded between \$5,000 and up to \$50,000 increments--a maximum of \$50,000. But the restaurant industry is the second-largest private industry in our country, which employed more than 500,000 employees in Pennsylvania before the pandemic. That number was driven down to 171,000 by the end of December 2020 due to the pandemic and all of the restrictions we have had. In December alone, Pennsylvania saw another drop of 36,000 employees in this industry. This is an opportunity to help some of these small businesses across Pennsylvania, and I ask my colleagues for an affirmative vote.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I appreciate the opportunity to say a few words on Senate Bill No. 109. There are several components to this, as the previous speakers discussed. The small business assistance is timely, it is necessary. The Senate Democratic Caucus has proudly taken a leadership role in trying to get assistance to small businesses, and this is another step in that process. The support for our education community that has suffered dramatically--I was just on a Zoom conversation last night with about 150 educators from all types of our academic and education community--and the pain they reflected to me that our children of all ages and circumstances are going through requires assistance. So I am glad that we are able to move this forward and, of course, the biggest portion of this effort is in the rental assistance program. There is significant pain with our renters and our landlords, and it requires a significant response. I think this reflects, although an unfinished product, a significant move forward in that space.

It cannot be, however, the only thing that is done to deal with the problems and the pain that our renters are facing. Hopefully, when it gets over to the House, they will make final positive adjustments, some of which have been discussed, and they will move quickly. We cannot allow this to sit around. It needs to be addressed next week, out of the House of Representatives, so we can get the resources into our communities all across Pennsylvania. The fact that we crafted a measure that all 67 counties will benefit from is significant. We missed the mark at the end of last year, and now we need to make sure that we fix that and get the help out there that is so deserving, given the amount of pain. So I encourage an affirmative vote, get it to the House, and let us get this work done to finish this product up and get the money out to the people who so deserve the assistance.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, I will submit my remarks for the record.

The PRESIDING OFFICER. 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 Montgomery, Senator MUTH:)

Mr. President, today I tried to ready an amendment that would address serious gaps in Senate Bill No. 109 as it currently stands.

My amendment would have expanded the definition of eligible applicant for the Hospitality Industry Recovery Program to include nonprofits alongside for-profits. We need to be thinking about our VFWs and American Legions, that have also suffered during this pandemic. My amendment would have also defined that for eligible applicants to the Hospitality Industry Recovery Program who have under 500 employees, at least 75 percent of those employees must work in Pennsylvania. We need to make sure the assistance is going to those in Pennsylvania and not out of State.

Finally, my amendment would have also addressed the insufficient administration fee for the rental and utility assistance grant program, increasing the current 1 percent to 10 percent. As we witnessed with the COVID-19 Mortgage and Rental Assistance Grant Program, if we underfund the administering of the program, we fail to reach all those in need. We must support the workers and technology needed to effectively and efficiently administer the program. Furthermore, Senate Bill No. 109 as written conflicts with Federal guidelines. In Section 102-D(2), it currently reads: "If a landlord or utility service provider refuses to participate in the program, a payment received by an individual must be forwarded to the landlord or utility service provider to reduce the tenant's obligation."

This language is different from the Federal language in the Federal Act which states: "If the lessor or utility provider does not agree to accept such payment from the grantee after outreach to the lessor or utility provider by the grantee, the grantee may make such payments directly to the eligible household for the purpose of making payments to the lessor or utility provider." The Federal language is sufficient and, in fact, preferable because, while it still makes it clear that the intention is for the funds to be used to satisfy the tenant's housing cost obligations, it does not put an untenable burden on the tenant to forward the funds to a landlord or service provider who may not accept them.

We are failing Pennsylvanians by not addressing these failures in the bills. I dearly hope the Pennsylvania House of Representatives takes up these issues and fixes them before we again disenfranchise Pennsylvania's most marginalized and vulnerable populations. Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, first, I would like to thank all those who worked on this legislation to get it done, particularly the rental assistance, as so many Members have already said, is urgently needed in our communities. Also, we very much would like to thank Governor Wolf for finding the funds to support the small business program for an industry that has been severely hit through this pandemic. Third and finally, as you look ahead to what is next, let us also consider those who are suffering and likely to suffer from foreclosure, losing homes. The HEMAP program has been very successful in helping individuals to stay in their homes when they fall behind, operated by the Pennsylvania Housing Finance Agency. That program is pretty close to being out of money, meaning that many people could lose their homes if we do not fund the HEMAP program.

So as we look forward, let us keep our eye on the next agenda as we thank each other and really celebrate what we are able to do today.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I rise to join my colleagues in support of the important provisions of Senate Bill No. 109. It goes without saying that the effects of the coronavirus on our communities, institutions, and individuals have been more than devastating. It is important that we look to measures to counter the effects that the pandemic has had across Pennsylvania. In partnership with us, and this should be acknowledged, our colleagues in Washington over that period of time have looked to appropriate and distribute money to many of the areas that have been significantly affected by the pandemic, from institutions to individuals. It has been in several different components that we have had to work with them to make sure that the policies they are trying to advance are accomplished. The most recent action, of course, happened at the end of December. On December 28, our U.S. Congress, together with the White House, had finalized a \$900-plus billion stimulus package, which is enormously far-reaching in its effects and requires us to be proactive to make sure that we meet our joint expectations and responsibilities in insuring that our communities are properly served by this very comprehensive package. It includes \$125 billion for vaccine development, testing, and contract tracing; \$10 billion for child care; \$26 billion for transportation needs; \$310 billion to continue to fund the important and cutting edge, actually, very successful, Paycheck Protection Program, often referred to as PPP, that has been so important to so many businesses across Pennsylvania and the nation; a new \$15 billion program for shuttered performance venues--we know the effects the coronavirus has had on our arts and cultural institutions across the Commonwealth; \$12 billion for various agricultural programs; and, of course, \$130 billion for direct payments to individuals, and \$157 billion for the extension of unemployment compensation.

Many of these programs are going to be administered directly by the Federal government or directly to institutions that we serve. But in order to make sure that this initiative gets fully implemented, there are certain things that we need to act on now. Congress passed this bill at the end of December. Money for various programs was deposited in our Treasury in the middle of this month. The two primary things that we need to collectively act on--or two things we know, based on our own collective experience here in Harrisburg and back home--have been significantly affected by the current pandemic. Twenty-five billion dollars nationwide for housing assistance. We know the housing instability that a lot of our constituents are experiencing. People who are unemployed, or underemployed, people who have difficulty paying utility bills, paying their rental payments. Washington, in its wisdom and being proactive and bipartisan, moved on \$25 billion, but unlike some of the other provisions of this, it requires us to work towards a package that will make sure our constituents are served. Our piece of this is north of \$800 million.

As they had done with the general relief package in the CARES Act, they had provided direct allocations to certain counties, in this case counties over 200,000 people. But they did not provide direct allocations to counties that are smaller than this. They left that up to us. It is us who needs to put together and advance a package to make sure that all of our communities and the constituents in those communities who are experiencing

housing instability have resources available to them to assist them. So this package makes sure that every single one of our 67 counties has a proportional amount of dollars to help their constituents with housing instability, and also makes sure--because sometimes population distributions and need do not match each other--that when a county has an opportunity to spend on behalf of their constituents, if their needs are met with the current distribution and some have extra money, they reallocate it around the State of Pennsylvania to make sure that we maximize the dollars available from Washington to serve our constituents. Some of this reflects on our prior experience, and it is always a good idea to look to prior experience to make sure that we do our programmatic funding appropriately. We have made changes in this proposal reflecting on the last round to make sure that the dollars in the distribution to our constituents is maximized.

Secondly, we all recognize the tremendous effects that the pandemic has had on our educational institutions. In the stimulus package coming from Washington, there was a tremendous investment made directly to some of our most important institutions. Primary and secondary ed, \$2.2 billion; higher education, \$742 million; nonpublic schools, \$150 million. But there are some institutions that we traditionally, over many years working collaboratively, on a bipartisan basis with the Governor in passing general appropriations in the education area, have not received any direct support. Those that have experienced the same effects the other institutions have but have not received any direct support. So our objective in advancing this is to make sure that all the institutions we support - primary and secondary ed, higher ed, intermediate units, the career and technical educational institutions, the institutions that take care of the deaf and the blind, approved private schools, all those that we appropriate for - are given an allocation of these dollars so they can counter the effects of the pandemic on their operations, their students, and their families.

Lastly, which is separate from the stimulus package, but we know how important this is, the effects of the pandemic--and we can see this in our budgets, in our communities, and with our families--on our business community has been substantial. Probably the segment that has been most affected--obviously, there has been devastating affects across many segments--are the ones that were part of the actions in December that were necessary in order to counter the spike that was going on after November, and that was the restaurant and lodging industry; our taverns, bars, and hotels; those small businesses that are owned and operated in our districts that have experienced enormous effects of the pandemic over the last 10 months. Using dollars that are available, as recommended by the Governor, the Workers' Compensation Security Fund, \$145 million which we will utilize for this purpose that are above the actual requirements of the fund, which we will reimburse to the fund if and when--and I am pretty confident that it will happen, that there will be a general relief package coming out of Washington--and reimburse those dollars. Direct support on a need-based basis directly to these very important businesses in our districts. Prioritizing those who have lost a tremendous amount of activity over the last 10 months to insure that we have those family-owned businesses in our communities for years to come.

We have a lot more to do, Mr. President. We have a lot more to do collectively to insure that we can protect our communities and our businesses from the devastating effects of the pandemic

on Pennsylvania. But collectively today, hopeful that all the Members of the Senate support it, we will be proactive in making sure we do some very important things for our families and our businesses in partnership with our friends from Washington to insure that we can continue to move forward in the most appropriate way to address the pandemic and its effect on our community. So, thank you very much, and I ask for the Members' support of Senate Bill No. 109.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 78 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION

SB 84 (Pr. No. 66) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in district attorney, assistants and detectives, further providing for filling of vacancies.

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

SB 85 (Pr. No. 85) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in district attorney, assistants and detectives, further providing for filling of vacancies.

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

SB 86 (Pr. No. 68) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to home rule and optional plan government, further providing for limitation on municipal powers.

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

**UNFINISHED BUSINESS
BILLS ON FIRST CONSIDERATION**

Senator SCAVELLO. 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 49, SB 55, SB 106, SB 113 and SB 116.

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

MONDAY, FEBRUARY 1, 2021

12:00 P.M. ENVIRONMENTAL RESOURCES AND ENERGY (to consider a letter to IRRC disapproving of Reg #7-559 regarding the Regional Greenhouse Gas Initiative (RGGI))
Senate Chamber (LIVE STREAMED)
CANCELLED

Off the Floor JUDICIARY (to consider Senate Bill No. 137; and House Bill No. 14)
Senate Chamber (LIVE STREAMED)
CANCELLED

TUESDAY, FEBRUARY 2, 2021

Off the Floor ENVIRONMENTAL RESOURCES AND ENERGY (to consider a letter to IRRC disapproving of Reg #7-559 regarding the Regional Greenhouse Gas Initiative (RGGI))
Senate Chamber (LIVE STREAMED)
CANCELLED

Off the Floor JUDICIARY (to consider Senate Bill No. 137; and House Bill No. 14)
Senate Chamber (LIVE STREAMED)
CANCELLED

WEDNESDAY, FEBRUARY 3, 2021

10:00 A.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bills No. 96, 158, 159 and 160)
Hrg. Rm. 1 North Off. (LIVE STREAMED)

10:45 A.M. AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 36 and 64)
Senate Chamber (LIVE STREAMED)

Off the Floor ENVIRONMENTAL RESOURCES AND ENERGY (to consider a letter to IRRC disapproving of Reg #7-559 regarding the Regional Greenhouse Gas Initiative (RGGI))
Senate Chamber (LIVE STREAMED)

THURSDAY, FEBRUARY 4, 2021

11:00 A.M. AGING AND YOUTH and HEALTH AND HUMAN SERVICES (joint public hearing on implementation of the State Vaccination Plan)
Senate Chamber (LIVE STREAMED)

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Mr. President, today marks 5,317 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Yesterday, as we in the Senate engaged in a thorough constitutional debate on the respective roles of our executive and legislative branches in a declaration and administration of disaster emergency responses, our counterparts in Washington, D.C., were also hard at work introducing legislation that would provide a much-needed financial lifeline to nearly 32 million American workers. Leading Members of the U.S. House introduced the Raise the Wage Act of 2021. Leading U.S. Senators endorsed the proposal. With a new President in the White House, it should not be difficult to predict where this legislation has landed. For the record, the Raise the Wage Act of 2021 proposes to increase the Federal minimum wage from \$7.25 an hour to \$15 over the next 5 years. After that, it would index the minimum wage to the nation's median wage so that the wage floor rises in proportion with the overall wage growth. Further, the Federal legislation would gradually eliminate the sub-prime minimum wage for tip earners. The provisions of the bill are very similar to my own minimum wage legislation, Senate Bill No. 12, that I introduced in 2019 and will soon reintroduce.

However, in spite of yesterday's great news, we could not, and should not, relent in our push for \$15 at the State level. We must not stop fighting for the other key provisions in my minimum wage legislation, including the repeal of preemption. I think folks on both sides of the minimum wage debate agree that economic conditions can vary significantly from one part of the Commonwealth to the next. Therefore, it makes good sense to allow local authorities to raise their wage to accommodate the needs of the workforce and employers. It will also be very important on the State level to move forward with the wage protection provisions that I will reintroduce in Senate Bill No. 12.

Several years ago, the Sheller Center for Social Justice at Temple University studied the issue of wage theft and found that, on any given work week, Pennsylvania employers deprived

workers of \$19 million to \$32 million in earned wages. The same research also concluded that Pennsylvania families lose an average of 15 percent of their annual income to wage theft. In this environment, raising the minimum wage is just a start. We must also strengthen the Department of Labor and Industry's wage enforcement powers and enhance the punishment for those who violate wage laws. My forthcoming legislation, Senate Bill No. 12, would achieve these objectives. I urge my Senate colleagues to support it.

Thank you, Mr. President.

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

Senator KEARNEY. Mr. President, the difference of opinion is essential to the American experiment. Dialogue and debate have been the parents of brilliant ideas and historic achievements. As I have learned from 32 years of marriage, it is also the hallmark of a strong and loving partnership. The Constitution guarantees this right to express different opinions. Enshrined in the First Amendment is our freedom of speech, our freedom to petition the government, and our freedom to peacefully assemble. But rights without responsibilities is not freedom, it is adolescence. We are not a nation of adolescents, we are a nation of laws. So while we enjoy freedom of speech, we also cannot yell "fire" in a crowded movie theater. We can face legal sanctions for libel. We can be disqualified from public office if we engage in insurrection or rebellion against this country.

Insurrection is not a simple difference of opinion. We should have robust debates about which party or policies are better for this country, but when you provoke an attack on our government, you cross a very serious line. Insurrection is exactly what we witnessed, in horror, on January 6; an insurrection that was inspired, nurtured, and led by false allegations about a stolen election. Words have consequences, and those consequences were on full display on that deadly day in our nation's Capitol.

A Member of this body took a leading role in advocating overturning the election results, despite being reelected in the same election. This Member used rhetoric that made the violence at the Capitol all but inevitable. On December 12, this Member spoke at a rally in Washington, D.C., and asked the crowd, quote, "are we going to stand aside and watch the republic ripped out of our hands? What are you going to do about it? It is time to rise up, Americans." On January 4, this Member gave an interview and said, quote, "we are in this death match with the Democratic Party." This is where the difference between freedom of speech and incitement of insurrection becomes clear. Disliking the outcome of an election is one thing, but urging the American people to take revenge for supposedly a stolen election is quite another. Criticizing Members of the other party is one thing, but calling for a death match with your political opponents is another. It would be small comfort if this Member's behavior had stopped with these incendiary statements, but this Member took an even more direct role in the events of January 6. The Member sold bus tickets to a rally in D.C., generously offering a discount for children. This Member posed for a picture at the rally with a former Member of the Pennsylvania House who bragged about storming the Capitol, and by the end of that rally, five people were dead.

As I mentioned earlier, we have a right to peacefully protest and assemble, but let us remind ourselves what the purpose of this rally really was. The constant refrain was to quote, "stop the

steal," unquote. But stop what, exactly? Well, stop the certification of a free and fair election. Stop Congress from carrying out its constitutional duty. Stop the peaceful transfer of power. Stop our democracy. As Members of the Senate, we have a sworn obligation to support and defend the Constitution, but encouraging people to obstruct the constitutional duties of Congress and disrupt the peaceful transfer of power is a clear violation of that obligation. Our obligation as public servants goes further than defending the Constitution. Our unspoken obligation as civic leaders is to set an example, earn the trust and respect of the people who voted for us, and even those who did not.

I am a father of two, and I know many of my colleagues are parents as well. Do we not think every day about the example that we set for our children? What example are we setting as public servants when we spread demonstrably false information and then act as if we are not responsible for the results? What example are we setting when we call for a death match and then act surprised when a police officer is beaten to death with a fire extinguisher? On the day the Constitution was adopted in 1787, a crowd asked Benjamin Franklin what kind of government our Founding Fathers had created. Franklin replied, "A republic, if you can keep it." Can we keep this republic if public officials incite violence without accountability? When an insurrection goes without consequence, it becomes a training exercise. The endurance of our republic and the cause of freedom demand accountability, and they demand a fuller commitment by Members of this body.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Franklin, Senator Mastriano.

Senator MASTRIANO. Mr. President, thank you for your indulgence. On this day in 1945, the Red Army liberated Auschwitz-Birkenau only to find a catastrophe, a death camp that the Nazis had set up, killing millions and millions of innocent people. There is one place just a few hours down the road from Auschwitz called Umschlagplatz in Warsaw where a quarter-million Jews were loaded on cattle car trains and sent to Auschwitz-Birkenau for their death. In the end, in this awful tragedy of the Second World War, this insidious plague of the Holocaust eliminated nearly 6 million beautiful Jewish people just because of their ethnicity and religious identity. As the Soviet forces rolled into these camps, other Allied units would pour across Europe, finding more and more of these concentration camps and death camps and see this awful tragedy that the world, even when it had indications of things going wrong in Germany in the 1930s, looked the other way. So, on this important day, as many say in Israel and across America and around the world: may we never forget, and never again.

Thank you, Mr. President.

RECESS

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

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Monday, February 1, 2021, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:46 p.m., Eastern Standard Time.

(Session for February 1, 2021, and February 2, 2021, was cancelled, but concurrent with the Weekly Recess Resolution, the Senate was recessed until Wednesday, February 3, 2021, at 11 a.m.)