

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MARCH 23, 2021

SESSION OF 2021 205th OF THE GENERAL ASSEMBLY

No. 16

SENATE

TUESDAY, March 23, 2021

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

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

PRAYER

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

Let us pray.

Psalm 112 tells us, "Happy are those who fear the Lord, who greatly delight in God's commands. They shine through the darkness, a light for the upright; they are gracious, merciful and just." These are such beautiful words to which we all can aspire in our daily lives. So, Heavenly Father, we ask You today to help us this day and all days to follow You. To be that light in our world, to be gracious, merciful, and just. Amen.

PLEDGE OF ALLEGIANCE

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

BILLS REPORTED FROM COMMITTEES

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

SB 251 (Pr. No. 275)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; in seed, further providing for disposition of funds; establishing the Agronomic Regulatory Account within the General Fund; imposing duties on the Department of Agriculture; and making conforming amendments.

SB 434 (Pr. No. 441)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for milk sell by date and best by date labeling.

HB 101 (Pr. No. 1008) (Amended)

An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

HB 110 (Pr. No. 78)

An Act amending the act of October 21, 1988 (P.L.1036, No.116), known as the Hardwoods Development Council Act, further providing for Hardwoods Development Council.

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

SB 83 (Pr. No. 483) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for firefighter and emergency service training and establishing the Fire Training Fund.

SB 224 (Pr. No. 194)

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

SB 247 (Pr. No. 215)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, repealing provisions relating to religious garb, insignia, etc., prohibited and penalty.

SB 381 (Pr. No. 367)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for substitute teaching permit for prospective teachers.

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

SB 108 (Pr. No. 73)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for medical assistance payments for institutional care.

SB 156 (Pr. No. 135)

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, in medical assistance for workers with disabilities, further providing for definitions and for medical assistance benefits for workers with disabilities and workers with medically improved disabilities.

SB 317 (Pr. No. 325)

An Act providing for expedited partner therapy and for liability.

HB 203 (Pr. No. 239)

An Act providing for living donor protection; and imposing duties on the Department of Health and the Insurance Department.

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

SB 423 (Pr. No. 427)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in membership, credited service, classes of service, and eligibility for benefits relating to retirement for State employees and officers, further providing for mandatory and optional membership in the system and participation in the plan; and, in benefits, further providing for termination of annuities.

SB 441 (Pr. No. 484) (Amended)

An Act providing for qualifications of chairperson of the Legislative Reapportionment Commission.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 36 (Pr. No. 378)

A Resolution petitioning the Congress of the United States to extend daylight saving time throughout the year across the country.

The PRESIDENT. The resolution will be placed on the Calendar.

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:

March 23, 2021

Senators DUSH, SCAVELLO, VOGEL, PHILLIPS-HILL, FONTANA, BARTOLOTTA, PITTMAN, HUTCHINSON, MENSCH, ROBINSON, STEFANO, MASTRIANO and J. WARD presented to the Chair **SB 470**, entitled:

An Act designating a bridge, identified as Bridge Key 19557, on that portion of Pennsylvania Route 36 over the Redbank Creek, Brookville Borough, Jefferson County, as the CPT Harry "Bud" Hetrick Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, March 23, 2021.

Senators SCAVELLO, LAUGHLIN, BROWNE, KEARNEY, AUMENT, ARGALL, FONTANA, BREWSTER, MENSCH, TARTAGLIONE, CAPPELLETTI, COMITTA, MUTH, SCHWANK, BAKER, COLLETT, SANTARSIERO, HAYWOOD, PHILLIPS-HILL and BARTOLOTTA presented to the Chair **SB 472**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for community solar facilities.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 23, 2021.

Senators BROOKS, TARTAGLIONE, KEARNEY, STEFANO and PITTMAN presented to the Chair **SB 474**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for person with disability plate and placard.

Which was committed to the Committee on TRANSPORTATION, March 23, 2021.

RESOLUTION INTRODUCED AND REFERRED

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

Senators BROWNE, J. WARD, MARTIN, ARGALL, PITTMAN, VOGEL, HUGHES, SCHWANK, COSTA, FONTANA, BARTOLOTTA, MENSCH, KEARNEY, SCAVELLO, COLLETT, SANTARSIERO, STEFANO, YUDICHAK, COMITTA and MUTH presented to the Chair **SR 57**, entitled:

A Resolution recognizing April 10 through 16, 2021, as the "Week of the Young Child" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 23, 2021.

LEGISLATIVE LEAVE

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

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

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

LEAVE OF ABSENCE

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

CALENDAR**SECOND CONSIDERATION CALENDAR****SB 89 CALLED UP OUT OF ORDER**

SB 89 (Pr. No. 179) -- Without objection, the bill was called up out of order, from page 2 of the Second Consideration Calendar, by Senator KIM WARD, as a Special Order of Business.

BILL ON SECOND CONSIDERATION

SB 89 (Pr. No. 179) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in Multimodal Fund, repealing provisions relating to Balanced Multimodal Transportation Policy Commission.

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

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

YEA-47

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

NAY-0

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

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

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Permission has been granted for the Committee on Judiciary to meet today off the floor in the Senate Chamber and livestreamed to consider Senate Bill No. 420 and Senate Bill No. 457.

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 meeting of the Committee on Rules and Executive Nominations to be held here on the floor and via Zoom.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, 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.

BILL REPORTED FROM COMMITTEE

Senator K. WARD, from the Committee on Rules and Executive Nominations, reported the following bill:

HB 14 (Pr. No. 1017) (Amended) (Rereported)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

RECESS

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

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a series of committee meetings to be held here on the floor and via Zoom, beginning with the Committee on Aging and Youth, then the Committee on Consumer Protection and Professional Licensure, then the Committee on Veterans Affairs and Emergency Preparedness, and finally the Committee on Judiciary. Immediately following the committee meetings, there will be a Republican caucus to be held in the Majority Caucus Room and via Zoom.

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

Senator COSTA. Mr. President, at the conclusion of the meetings, Senate Democrats will meet in the rear of the Chamber and via Zoom for a caucus.

The PRESIDENT pro tempore. For purposes of meetings of the Committee on Aging and Youth, followed by the Committee on Consumer Protection and Professional Licensure, followed by the Committee on Veterans Affairs and Emergency Preparedness, followed by the Committee on Judiciary, to be followed by Republican and Democratic caucuses to be held in their respective caucus rooms and via Zoom, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVES

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

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

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

Senator SCHWANK. Mr. President, I request temporary Capitol leaves for Senator Haywood and Senator Boscola.

The PRESIDENT. Senator Kim Ward requests a temporary Capitol leave for Senator Aument.

Senator Schwank requests temporary Capitol leaves for Senator Haywood and Senator Boscola.

Without objection, the leaves will be granted.

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

BILL REREFERRED

HB 14 (Pr. No. 1017) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

Upon motion of Senator K. WARD, and agreed to by voice vote, the bill 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 meeting of the Committee on Appropriations to be held here and via Zoom.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

BILLS REPORTED FROM COMMITTEE

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

SB 411 (Pr. No. 489) (Amended) (Rereported)

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsyl-

vania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; providing for Board of Pardons; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation and Parole and for appropriations for the Office of Victim Advocate; making related repeals; and making editorial changes.

HB 14 (Pr. No. 1017) (Rereported)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

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. 14, 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 14 (Pr. No. 1017) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

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

MUTH AMENDMENT A0593 OFFERED

Senator MUTH offered the following amendment No. A0593:

Amend Bill, page 1, prior passage line, by striking out all of said line

Amend Bill, page 1, before line 1, by striking out "A JOINT RESOLUTION" and inserting:

AN ACT

Amend Bill, page 1, lines 1 through 17; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 20; by striking out all of said lines on said pages and inserting:

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5533(b) of Title 42 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a subsection to read:

§ 5533. Infancy, insanity or imprisonment.

(b) Infancy.--

(1) (i) If an individual entitled to bring a civil action is an unemancipated minor at the time the cause of action accrues, the period of minority shall not be deemed a portion of the time period within which the action must be commenced. Such person shall have the same time for commencing an action after attaining majority as is allowed to others by the provisions of this subchapter.

(ii) As used in this paragraph, the term "minor" shall mean any individual who has not yet attained 18 years of age.

(2) (i) If an individual entitled to bring a civil action arising from sexual abuse is under 18 years of age at the time the cause of action accrues, the individual shall have a period of 37 years after attaining 18 years of age in which to commence an action for damages regardless of whether the individual files a criminal complaint regarding the sexual abuse.

(i.1) If an individual entitled to bring a civil action arising from sexual abuse is at least 18 and less than 24 years of age at the time the cause of action occurs, the individual shall have until attaining 30 years of age to commence an action for damages regardless of whether the individual files a criminal complaint regarding the sexual abuse.

(ii) For the purposes of this paragraph, the term "sexual abuse" shall include, but not be limited to, the following sexual activities between an individual who is 23 years of age or younger and an adult, provided that the individual bringing the civil action engaged in such activities as a result of forcible compulsion or by threat of forcible compulsion which would prevent resistance by a person of reasonable resolution:

(A) sexual intercourse, which includes penetration, however slight, of any body part or object into the sex organ of another;

(B) deviate sexual intercourse, which includes sexual intercourse per os or per anus; and

(C) indecent contact, which includes any touching of the sexual or other intimate parts of the person for the purpose of arousing or gratifying sexual desire in either person.

(iii) For purposes of this paragraph, "forcible compulsion" shall have the meaning given to it in 18 Pa.C.S. § 3101 (relating to definitions).

(3) Notwithstanding the provisions under paragraph (2) or any other provision of law to the contrary, in the case of an individual entitled to bring a civil action arising from sexual abuse where the limitation period has expired, the individual shall have an additional period of two years from the effective date of this paragraph to commence an action.

(c) Exclusive jurisdiction.--The Pennsylvania Supreme Court shall have exclusive jurisdiction to hear any challenge to or to render a de-

claratory judgment concerning the constitutionality of subsection (b)(3). The Supreme Court is authorized to take such action as it deems appropriate, consistent with the Supreme Court retaining jurisdiction over such a matter, to find facts or to expedite a final judgment in connection with such a challenge or request for declaratory relief.

Section 2. Sections 8522(b)(10) and 8542(b)(9) of Title 42 are amended to read:

§ 8522. Exceptions to sovereign immunity.

(b) Acts which may impose liability.--The following acts by a Commonwealth party may result in the imposition of liability on the Commonwealth and the defense of sovereign immunity shall not be raised to claims for damages caused by:

(10) Sexual abuse.--

(i) Conduct which constitutes an offense enumerated under section 5551(7) (relating to no limitation applicable) if the injuries to the plaintiff were caused by actions or omissions of the Commonwealth party which constitute negligence.

(ii) This paragraph shall apply retroactively to any cause of action that arose before the effective date of this paragraph.

§ 8542. Exceptions to governmental immunity.

(b) Acts which may impose liability.--The following acts by a local agency or any of its employees may result in the imposition of liability on a local agency:

(9) Sexual abuse.--

(i) Conduct which constitutes an offense enumerated under section 5551(7) (relating to no limitation applicable) if the injuries to the plaintiff were caused by actions or omissions of the local agency which constitute negligence.

(ii) This paragraph shall apply retroactively to any cause of action that arose before the effective date of this paragraph.

Section 3. As follows:

(1) The addition of 42 Pa.C.S. §§ 5533(b)(3) and (c), 8522(b)(10) and 8542(b)(9) shall apply retroactively to civil actions, including to revive an action that was barred by a limitation period prior to the effective date of this section.

(2) The amendment of 42 Pa.C.S. §§ 8522(b)(10) and 8542(b)(9) shall apply to any action that was barred by an existing statute of limitations on the effective date of this section.

Section 4. This act shall take effect immediately.

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

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

Senator MUTH. Mr. President, my amendment does three things. It creates a statutory 2-year civil window for survivors of childhood sexual assault with expired claims, it gives the Pennsylvania Supreme Court exclusive jurisdiction over any challenge to the revived claims statute, and it waives sovereign immunity for revived civil claims for childhood sexual abuse survivors. Pennsylvania needs to follow the example of our neighboring States like Delaware, New Jersey, and New York and actually protect survivors under the law. Survivors should not have to wait a moment longer for their rightful opportunity to seek justice, peace, healing, and their day in court. I encourage a "yes" vote.

Thank you, Mr. President.

CONSTITUTIONAL POINT OF ORDER

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

Senator GORDNER. Mr. President, I rise to make a constitutional point of order. This amendment is unconstitutional. House Bill No. 14 is a joint resolution under Article XI of our Constitution and it follows a certain path as a joint resolution. The maker of this amendment is trying to convert this joint resolution to legislation under Article III of our Constitution. Article III has a different path in which legislation must pass the House and the Senate and then be signed into law by the Governor. Furthermore, this is consistent with Senate precedent in which previously an attempt to convert a joint resolution into a bill was ruled out of order and that ruling was upheld upon appeal.

So, Mr. President, I rise to say that this amendment is unconstitutional and, under Senate Rule 3, I ask that you submit this constitutional question to the Members of the Senate for a decision.

Thank you, Mr. President.

On the question,

Will the Senate sustain the constitutional point of order?

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

Senator MUTH. Mr. President, I would argue that considering that the Majority party makes all the rules in the Senate, including rulings on whether it is constitutional or not, makes this an interesting argument. Further, this is not me trying to violate the Constitution. This is me trying to advocate for justice for survivors. I and the Minority party do not hold the power to pass any bill, bring up any bill for a hearing, have a vote on any bill. I do not, nor do my colleagues on this side of the aisle. You all hold that power. You have held it. You walked away from it in October of 2018. You could have changed it. You supported a statutory change to allow survivors to have their day in court. That was not that long ago. You walked away then. Now, this currently as it is, if it passes, is another 2-plus years until this would be on the ballot. How much longer do you want to make them wait? They do not deserve, this and you represent these people.

There are over 17 organizations in your counties--Allegheny, Butler, Montgomery, Warren, Forest, Indiana, Cameron--from PCAR, organizations that support this amendment. It is our constitutional duty to protect our constituents. That is what this is about. So if you cannot support this amendment, then I expect those with the power will pass the statutory change so that it can be signed by the Governor. We have the power to do that. You know you do. Do the right thing. This is not political. People are suffering and struggling. You want to let them hang out to dry and turn your backs again? That is unconstitutional. So do not stand there and snicker at me, because that is disrespectful to every survivor, every single one of them.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise to stand with my colleague and ask for support for this amendment. Now is the time where as a Chamber, as a body, as a caucus, we have the opportunity to fix what was wrongly done to the victims of Pennsylvania, as was previously mentioned. This is our opportunity to be able to change this statute, this measure, and convert it, because it is the same subject matter as what we were discussing with respect to the resolution. It does not change its purpose in any

way, shape, or form. That is why we deem it to be appropriate to be able to do this conversion from the resolution into a statute. But now is the moment in time where we can speak and stand up for the victims who, through no fault of their own, lost the opportunity to have this measure on the ballot this May 18, 2021. Now being required to wait a little more than 2 years until May of 2023 is unconscionable. We know why it happened. We understand that. We can talk all about that if you want, but the fact of the matter is, that occurred, we know why it occurred, and now we are faced with a decision here in this body, in this Chamber, as to whether or not we want to stand with victims to get them the relief they want in a manner that provides a statutory language combined with the State Supreme Court's ability to review this matter with the original exclusive jurisdiction in a timely fashion.

Mr. President, this could be resolved. By the time we leave here on June 30 when we conclude our budget conversations, the expedited nature of this situation could occur that quickly if we just have the courage and the will to stand with the victims to allow them the opportunity to open this window to allow them to file the suits that have been time barred, as we have tried to do on many occasions in this building. At the end of the day, a vote against this amendment is a vote against victims, preventing them from the opportunity to get their civil cases heard in a more timely fashion. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, I rise to specifically address the issue of constitutionality that the gentleman has raised. This is a gut-and-replace amendment to the vehicle, House Bill No. 14. As the Leader just noted, it is the same subject matter. But the fact that it is a gut-and-replace and converts this into a statutory enactment as opposed to part of an amendment process to actually amend the Constitution does not render the amendment itself unconstitutional, or the offering of the amendment somehow constitutionally infirm.

This Senate can vote on the substance of this amendment, and every Member should record their vote as to whether or not they are supportive of granting these victims an immediate right to file suit and have a 2-year look-back. There is no constitutional prohibition to that. The provision of the Constitution that the gentleman cited deals with amending the Constitution. Well, that is the point of the amendment. We would no longer be doing that. We would simply be passing a bill that would give these victims the right to legal redress now. The right that they have so long sought, and the right that they so much deserve.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, we have a Constitution, we have rules. I actually keep my Constitution in my desk. You know, I mentioned in the Committee on Rules and Executive Nominations, and maybe you do not care, I was in Virginia with my wife a couple of weeks ago. We were in a place of the Revolutionary War where George Mason wrote that first Bill of Rights for Virginia, and he was very paramount in writing the Bill of Rights for our United States government. We have that Bill of Rights. There are a number of States that were not going to adopt the Constitution unless we had a Bill of Rights. And we

have a Constitution. You know, we have the painting up there in front of us--our first form of government did not work. The Articles of Confederation did not work. So, in 1787, we sent folks to Philadelphia to come up with a different document. They came up with this Constitution, and then we adopted our Constitution as well, here in Pennsylvania.

Let me just mention a rule. A previous speaker said that if people voted against this, then they are voting against victims. We have a rule that we all adopt at the beginning of each Session that says you cannot question the motives of Members. The previous speaker knows that, he knows better than to say that. Because we have a rule where we do not question each other's motives. If people on this side want to abide by the Constitution because they believe in this document and in this book, we should be able to do it without having Rule 10(b) as a problem because of motives.

Again, look at the Constitution. Article XI talks about joint resolutions, Article III talks about legislation. This is what the question is before us. We have to decide, not on the underlying issue, but on what our forefathers put together in this Constitution, whether this amendment is constitutional or not, and take the underlying issue away so that we can deal with this.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, very briefly, thank you very much. We have another option. My colleagues introduced Senate Bill No. 407, which would provide for a 2-year window statute of limitations. That measure, combined with language that would allow it to go for immediate review by the Pennsylvania Supreme Court, would solve the concerns that were raised. I disagree with the gentleman's comments, but, nevertheless, that is what we have. We have an opportunity to take care of our victims and give them the relief they want.

Now, we are asking that that be the case. We are going to end up supporting the measure, House Bill No. 14, in passing it and getting it to the House so they can concur on it tomorrow. But the fact of the matter is, we strongly believe that there should be an opportunity to allow for a conversation, a debate, and passage of a bill that is going to give us the opportunity to put it into statute with immediate review of the Supreme Court. We did that, Mr. President, for gaming. Most of the people in this room were not here in 2004, but let me tell you what we did. When we passed the Gaming Act in Pennsylvania back in 2004, we specifically added language that said, we will take that case, if anybody files an appeal, it goes right to the Supreme Court for consideration. That is all we are asking here. If there is a concern about the 2-year statute period, and the concern is the constitutionality, it is our Supreme Court's responsibility to review that and undertake that, as they did when we passed the gaming legislation. That is all we are asking for, the opportunity to be able to do that. This is the only way we get that opportunity, because the bill has been sitting in committee for a couple of years now. We are not voting on Senate Bill No. 8.

This is the only path we have to get to a point where we can get some relief for victims that we are seeking, that they have that relief as quickly as possible, and not waiting until the outcome of an election in May 2023. That is what we are trying to do here. That is why we are asking for an affirmative vote for this amendment.

Thank you, Mr. President.

And the question recurring,
Will the Senate sustain the constitutional point of order?

The PRESIDENT. Senator Gordner raises a constitutional point of order that the amendment is unconstitutional because it makes a constitutional amendment under Article XI, a bill under Article III. Pursuant to Senate Rule 3, the Chair submits this point of order to the full Senate for a decision. The question is debatable. Those voting "aye" will be voting to sustain the point of order, those voting "no" will be voting that the point of order is not well-taken.

On the point of order, the Clerk will now call the roll.

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

YEA-27

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

NAY-20

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

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

The PRESIDENT. The constitutional point of order carries and the amendment is declared unconstitutional as violating the Pennsylvania Constitution.

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 PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Kane.

Senator KANE. Mr. President, we need to get this bill passed, so I am going to vote "yes," and I would hope that all my colleagues will do so as well. I want to thank the Senate staff members who worked on this amendment and who took up this process again. But I also want to make sure everyone knows how we got here. Survivors of childhood sexual abuse have been up here working several years in this Capitol, and some of them have been waiting decades for justice. We had an opportunity, right here in front of us, to pass an emergency constitutional amendment to end that wait, to put this on the ballot in May, and we

failed. We failed to bring justice to survivors. See, I was targeted numerous times by two perverted priests in high school. These priests, they singled me out. They used fear and guilt against me. I never forgot what they did, and it has been close to 50 years. This weighs on me. This weighs on my conscience. It should weigh on all of yours. We had the chance to deliver justice, and we did not do it. We had the opportunity to alleviate some of the pain that survivors have been living with for years, and we failed.

Every single Democrat stood up in support of an emergency constitutional amendment to create this window for survivors, but my colleagues on the other side of the aisle could not find the votes and the courage to get it done. I simply cannot, cannot understand this. We are starting this process over. We are making survivors wait even longer for that justice. We could have taken and passed Senator Muth's amendment to create this window to justice via statute. We could have sent this to the Governor's desk, but we could not get it done. Instead, we are telling survivors to wait even longer while they deal with pain and suffering. I am making this vote with a heavy heart, with a lot of shame about what happened here this week. Thank you very much.

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

Senator COLLETT. Mr. President, I rise today to offer remarks on House Bill No. 14. As I stated when Senate Bill No. 8 first came before the Committee on Judiciary back in January, and as I have been stating since my time as a candidate for the Senate, justice for victims of child sex abuse is something the people of my district care deeply about, and it is something they want now. My constituents have shared with me deeply personal stories about their own traumas or the traumas of their loved ones, and I have done the same with them. In 2019, this legislature passed House Bill No. 962 eliminating the criminal statute of limitations for such crimes. But despite the support of the Governor, the Attorney General, the office of the Victim Advocate, and legal precedence, the House and Senate Majority have repeatedly refused to pass similar legislation to open the civil window. Instead, relying on a variety of arguments that have changed to suit the situation at hand, the Majority has opted to push the process of a much slower, as we have seen, and much riskier, as we have seen, process of a constitutional amendment. Through no fault of their own, survivors who wished to seek justice through civil proceedings have dealt with political and administrative setback after setback.

In February, we learned that an error at the Department of State threatened our efforts to get a constitutional amendment for childhood sexual assault survivors on May's ballot. Over the past weeks, while several of my colleagues and I have once again pushed to move back to a simpler, quicker legislative track, an attempt was made to at least keep the question on May's ballot. Despite support from a majority of the Members on the Committee on Judiciary, the Senate Majority has chosen to eliminate this effort based on a brand-new argument that was never offered as the original basis for seeking a constitutional amendment. This is unacceptable. This is not and must not be a partisan issue. Abusers exist in many circles, and adult survivors continue to suffer across our Commonwealth. The longer we continue to delay a survivor's window for justice, the longer they live in pain, and the harder their cases are to ultimately prove. That is

why my colleagues and I introduced Senate Bill No. 406 and Senate Bill No. 407, which legislatively would open a 2-year window for civil suits by adult survivors of childhood sexual abuse and create an immediate pathway to justice. That is why Senator Muth offered her amendment. The arguments that such action can only be done through a constitutional amendment have been refuted for years; nor are they ours, as a legislature, to make. That is the purview of an entirely separate branch of our government, the court system. My colleagues in the Majority party have seen fit to rely on arguments about our separate branches of government when it suits them. But now that relying on those separate branches of government might benefit survivors instead of special interests, they have determined that it is the job of the legislature alone to decide how long survivors must continue to suffer.

A constitutional amendment was never the preferred process of survivors and advocates for opening the civil window, but now, failing even to utilize the emergency amendment process to keep the measure on May's ballot and delaying justice for another 2 or more years is nothing short of cruelty for cruelty's sake. Furthermore, failing to pass Senate Bill No. 406 and Senate Bill No. 407 only continues to enable perpetrators of abuse to evade accountability, justice, and the truth. My constituents and people across our Commonwealth made it clear: they want this window opened now so these brave survivors can finally have their day in court. With other options off the table, we must pass Senate Bill No. 406 and Senate Bill No. 407 and let adult survivors know that their experiences, trauma, and voices matter. We must also send a message to the institutions that failed survivors so completely that Pennsylvania will not protect abusers, no matter how much time has passed.

Thank you, Mr. President.

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

Senator L. WILLIAMS. Mr. President, this morning I received a powerful email. This Pennsylvanian shared his personal story and asked me to continue to try to talk to my colleagues. So that is why I rise today. I rise to ask my colleagues to please think about these victims, and I rise to share just one of their stories. Here is what it says:

Senator Williams, thank you for your efforts with Senate Bill No. 407 and your acknowledgment that this is an emergency. I am a 60-year-old man. Myself and many of my classmates met a teacher in Catholic school and, as grade schoolers, started to go to his house. We started drinking and using drugs at 12 to 14 years old. Many of them struggle to this day. My mother went to the parish priest and was told he would take care of it, and unfortunately, she believed him. Of course, he did nothing, or at the best, the bare minimum. His home, the teacher, was nearly on the playground of the school. In fact, the fence of the playground was up against his house. The nuns and priests walked mere feet from his front porch several hundred times per year. They dismissed him from teaching at the school, and for years young boys went in and out of that house. I come from a Catholic Irish family with 10 children, so my mom and dad worked and were not as attentive as they could be. On one trip to the house, there were several men present and I was the only juvenile. We were drinking and smoking marijuana and they were passing out quaaludes, a very powerful sedative popular in the 1970s and 1980s among the drug culture. I was 13 and weighed maybe 120

pounds, at the most. The men at that party took turns raping me and laughing about it. I was so drunk and high that I could not move or defend myself. I died that day. I overdosed a few years later and was placed in a psychiatric ward at Harrisburg Hospital. I kept my secret. I spent countless years in and out of counseling, never revealing my secret out of shame. I was convinced, for many years, that I was human garbage hated by God.

I went into the military and got my life on track. I married a girl I met at church and had a beautiful little girl and a wonderful wife. My life was wonderful. But those voices in my head kept telling me I was garbage, undeserving of love. Out of the blue, without knowledge of my close friends, I started using cocaine and alcohol every day. My wife left and moved away from Texas, where we were living, to Washington State. Not wanting to be away from my daughter, I moved to Washington State with no family or relatives. I managed to get my life back on track again. Going to AA meetings and counseling, I met a girl and found out she had been sexually abused as well. We had this peculiar connection of pain. We had a son, Patrick. She succumbed to the voices in her head and ended up drunk all the time and strung out. She left, and Patrick and I moved back to Pennsylvania.

The sexual abuse of a child is not something they, quote, "get over." It is something they try to cope with. It affects families for generations. My son was angry all the time growing up, and he witnessed my struggles with alcohol and an inner anger that burned like a furnace. Patrick's mother was driving high and drunk and flipped her car and is paralyzed from the waist down. She moved to PA with no family to be close to her son. Patrick was always angry at her for leaving and was upset that she could not walk. Patrick started drinking, using drugs, and getting in trouble with the police. I sent him to numerous counselors and tried to help. On April 22, 2019, I walked into his bedroom and found him dead from a fentanyl overdose.

Why does any of this matter? It is all tied to broken people who could not recover from the sexual abuse that they experienced. It is all related. My 91-year-old mother lives in shame and sorrow seeing what it did to my life. Patrick's mother has no family left. At 51, she sits in a little rent-controlled apartment, her hair has turned totally gray, and she mourns the loss of her only child. I realize that you cannot make excuses and that you are responsible for your own decisions. However, the incidents experienced by Patrick's mother and I destroyed us. When I read the story of the young boy in the shower with Jerry Sandusky and how, when the man entered the shower room and heard what he called slapping sounds, I almost lost my breath. In my mind, I knew that little boy would never get the sound out of his head.

I currently serve as a member of the bankruptcy committee representing survivors in the Diocese of Harrisburg. In my opinion, the open window would have helped the victims get justice. Please continue to try to talk to your colleagues. Do it for my son, Patrick, or his mom, Christine. Do it for the myriad of people suffering a lifetime of guilt and shame. Do it for parents who live every day feeling that they let their kids down. Do it for the parents who lost their children to suicide because they could not cope. I have spent a lifetime since a young teen praying for death. The last thing I ever wanted to do is tell this story. However, after the death of my son, my reputation does not matter to me as much. Feel free to share my story if it can influence anyone. Do not let anyone tell you it is not a, quote, "emergency."

Victims want to face those who abused them and covered up the abuse. I hope you get to read this, because it was difficult to write.

I want him to know that I did read his story. I want him to know that I believe him, and I want to sincerely thank him for not only being vulnerable and honest with me, but for giving me the permission to share his story with you all today. I am asking my colleagues to think about his story and the countless victims who have also shared their painful stories. We are going to pass this constitutional amendment today and go through the entire 2-year process again. Once again, delaying justice for victims. There is no reason that we cannot pass today's constitutional amendment and simultaneously move legislation that creates a 2-year statutory window. So I will be a "yes" vote on House Bill No. 14, but I hope that my colleagues listen, actually listen, to these victims and that I soon get to vote on Senate Bill No. 407 or another similar bill that creates a 2-year statutory window.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, I rise in support of House Bill No. 14, but in a much broader sense, I rise in support of justice and, specifically, of giving the victims of these most heinous crimes in our society access to it. A number of years ago, I stood at a rally here in the Capitol in support of doing exactly that, back at a time when legislation like this, whether a bill or an amendment to the Constitution, was far off from being considered in either Chamber. I remember several victims approaching me after the rally and telling me how courageous I was for standing up as a legislator and publicly supporting their cause. I shook my head and I told them that I was not the courageous one. That they who bear this pain, who bear this pain for the rest of their lives, as we have heard here today, and yet have been able to step forward publicly and speak about that and ask that they and their brothers and sisters, who likewise have suffered, have a right to redress, they are the ones who have courage. The gentleman's letter the Senator from Allegheny County just read, our colleague from Delaware and Chester Counties, and thousands more like them across this Commonwealth, who had to bear horrible, horrible events caused by these abusers, are asking us to do something that is so simple: to give them the right to go to court. This is not something that is going to make their lives better at the end of the day. It is not something that is ever going to heal those wounds, but it will give them some measure of justice.

Yes, I am sure all of us on the Democratic side will vote for House Bill No. 14 if it is the best thing that we can get. If it is the only thing we can do to actually move this forward. But it should not have to be. There is no reason that we cannot pass a bill like the one we have proposed, that would give these victims access to the courts right here and right now. The Governor said he will sign it. If you are worried about the constitutionality of that, let the courts decide. Why should anyone be afraid to allow the courts to make that decision? There is absolutely no logic to the argument. But what is happening here is that we are letting more time pass, and we are telling these victims that once again they have to wait. If you do not think it is an emergency for them who have waited all this time to get some sense of vindication, some sense of justice, then you have closed your ears to their stories.

They deserve that day in court, not 2 years from now, but now. There is no reason that we cannot give them that right now.

This is about justice. It is about doing the right thing. It is about letting these victims, at long last, after all the impediments that have been thrown in front of them, after all the powerful interests that have stood up, time and time again, to say no. After all the powerful interests that have stood up time and time again to cover up what had happened, all so that they would not take any blame or face any liability. This is about finally saying to these victims, enough. We are sorry. We are sorry that, as a society, it took us this long to stand with you. We are sorry that you had to suffer because there was no one there to protect you. We know we can never make that right, but we can at least give you what you have long sought and what you deserve, which is access to justice to bring those responsible to court so that they must pay for what they did, or failed to do. Shame on us if we are unwilling to take that step today. Shame on us if we are unwilling to pass a simple bill that, if it were brought to the floor, I have no doubt would pass overwhelmingly and we know the Governor would sign in an instant. Shame on us. We can do better. These victims deserve better. I implore each and every one of us to look deep inside and decide that the time is now to do exactly that.

Thank you, Mr. President.

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

Senator MUTH. Mr. President, having déjà vu, I remember in November of 2019--I believe a Tuesday evening a little bit later than this, heading into about the 8 o'clock, 9 o'clock hour--debating sexual abuse, rape, standing at this podium every 3 to 7 minutes with another amendment, another rebuttal, talking about being a survivor myself, having survivors in the balcony. They are not here today, and I do not blame them for not showing up. Why would they come here again to be let down, come here again to hear that they are not worthy of urgent action by an elected body that has the power to make their lives better do nothing.

Pennsylvania has thousands and thousands of victims living across our Commonwealth in every county. There is not a Senator in this Chamber right now who does not represent these victims. That is just not my anecdotal opinion from the many who have introduced themselves, written to my office, texted my phone during this now, when they read headlines hopeful that some measure will pass, finally, for them. Here we are making them wait a little bit longer because this is not an emergency, this is not constitutional, this is not the right time, we can do this later, the many arguments that I have heard. I guess maybe I am struggling here because maybe you do not understand that it is an emergency. Maybe you do not understand why this is so hurtful and harmful to delay this a moment longer. It is because it did not happen to you. When this body, which has the power to make change and insure justice does nothing, I never want to hear the word "accountability" come out of this Chamber. When we talk about accountability, and you cannot pass something that holds these predators and these harmful institutions accountable? You think this is going to stop? The abuse continues today. Why? There is a get-out-of-jail-free card, a statute of limitations. If no one finds out in a certain amount of time, you are fine. Smooth sailing, keep abusing, keep harming. I hope every single one of you thank God every day that it did not happen to you. The bur-

den of trauma and emotional exhaustion is heavy. Heavy enough that it suffocates and kills. To not take action is simply unacceptable. We are here to serve the public, not the Insurance Federation, not the Catholic Church.

I am determined that this body has some level of empathy. Why that is not here right now, I do not know. I cannot beg at a podium, cannot plead. We have already tried that. But I guess it is not an emergency because it did not happen to you. You do not care, because if you cared and understood it, you would have fixed it already. So what you are saying to every victim, no matter where they were abused or harmed, that they do not matter enough to you. They are not a priority. It is not an emergency. These surrounding States that passed statutory changes have not had one challenge in court. So if you cross over to another State, you suddenly, if you were abused there, you could have had a window to justice. What does that say? Does that say that the Pennsylvania General Assembly is full of cowards? I hope not. So I will plead, again, that when we return here in April that we will pass a statutory change, the same type of bill that was supported prior to my arrival here in the Senate in 2018, where everybody walked away and went home again. It is unacceptable. You are not upholding your duty to serve the public if you cannot fight for this.

So to every survivor who is watching today, please know that we are utterly heartbroken, this is unacceptable, and there are no words. I have no idea what it is like to have that kind of power to make that kind of change and do nothing. I cannot say. No idea. But I do know what it is like to not talk about being raped for years of my life, I do know what it is like to feel the shame, and I do know what it is like to carry that emotional burden. Thank God it is not so heavy that it did not prevent me from standing here today. So if you are not here to serve the public, if you are not here to serve the people, to insure justice, then go home. Someone else can do it better. Someone else will fight for people. You have the opportunity to do it. You have the power. You have had it; use it. Lives are at stake here. How many more will die by the time we get to 2023 from overdose, from addiction, from suicide? How many more? That is a heavy burden to carry to know that you could have prevented it.

Let us do something. Introduce your own statutory change. We will all vote for it. This is not partisan. There is an opportunity here to have people's faith in government restored by just doing the right thing. That is the ask. Sleep on it, if you still need to think about it after all these years, because I know there are thousands of people in this Commonwealth who lose sleep over it, who do not understand why you do not care, why you do not think it is an emergency, why you do not think it is a priority. Because it should be.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, I am 64 years old, a longstanding Member of this body which we call the Senate, and I am proud to be part of it, regardless of the set of circumstances. But I will also tell you that, as I have frequently reflected upon, this is a special kind of grouping--a family, if you will--because we have experienced joy, pain, loss, and misery together. I, like most of us in families, have serious disagreements with family members on frequent occasions. Apparently, this is going to be one of those.

So let us get to the details of how we got here today, because, to be very clear, someone is watching. They are not just folks in the Chamber, special interest groups, lobbyists from the Catholic Church and insurance, but they are Pennsylvanians who are looking to their government to give an indication that we are truly connected to their lives. Apparently, the best we can do is come up with reasons of why not to do that. The latest is a constitutional conversation. A rabbit hole that as we were talking about the last several hours, I almost forgot what we were doing and why we are here. We are playing checkers about what the Constitution means, how to interpret it, the gravity of it, the fact that it works well, et cetera, et cetera. Let me remind you, under the original Constitution, I would not be on this Senate floor. I would not be a part of the conversation. Many of the women who I see on Zoom, would not be a part of the conversation. The Constitution is a framework written by the people, believed in by the people. When they do not believe it, they change it, because without laws and rules, we live in anarchy. The only thing that separates us from that is the fact that people believe in what we do.

This is such an extraordinarily painful moment to see that we truly are turning our backs on people. The letter that my colleague read from Allegheny County that--by the way, all of us have received a similar letter--was an indictment enough in questioning and painful enough. But to witness a full-grown, developed man break into the pain of his childhood in front of us, and the best we can do is react in a partisan manner, what does that say about our institution? Understand, I fully intended to come with my comments today pointing fingers at who is at fault. I am not going to do that. I really do not care about that. What I care about is the fact that we cannot find the urgency, the will, the desire to repair a crushed soul, an amputated spirit. That we cannot be honest enough to look at each other as who we are: Americans with hope and promise, not perfect, but desirous, in Pennsylvania, of a Quaker spirit. There is nothing about this moment that represents that. Nothing. My friend from Chester County did not have to say anything. All you had to do was see his eyes behind that mask, and you see the weight that one person carries who has a distinguished career, a wonderful family, and, despite those burdens, has found a way to make it work.

I am not looking for a Republican, I am not looking for a Democrat, I am looking for all of us to acknowledge our brother is asking us to do something that may be uncomfortable because it does not fall into the little pocket of politics. But what it does do is uplift the credibility, emotions, desires, and dreams of people who really do not know about a constitutional debate. They do not care when you go to a community meeting about why this bill is now 2 years down the road. They really will not understand when we talk about, it was not germane. Because what is relevant is what that person, that man in Allegheny County, wrote. Three generations of crushed spirits because of the violation of people who were in authority. That is who we are. We are in the authority. All day I have been struggling with, if not this, why not that? The question is not about the Constitution, the question is about the will. If you do not like this and you do not like her, or that, you can find a way to figure out how we get a bill--which, by the way, House Bill No. 14 was before we stripped it of the ability to move forward.

There are no excuses that rein in the reality of what we are doing here today. We are further throwing dirt on the funeral of

America's promise. Your position and my position with title does not really mean much unless we have the respect of those who sent us here. One of my colleagues said every single district has some beings, not some person, some beings who have been affected by this. She is right. Understand something, each time we do something like this, we tear a little bit of a part of our soul away. We lose the dignity of what we were sent here to do.

You want to talk about a forefather, they are forgotten. They, at least, made leeway for those who they forgot to include in those original articles: a person like me. They found the grace and ability to allow for a person like me to be a part of this conversation. My colleagues are simply saying the same for others outside this building. The Constitution should not be a constraint, it should liberate. It should not be an excuse, it should be an ability that we use. It should not be a rule book, it should be something that uplifts us. I can only pray between now and the time we take the vote, that not a mind, but a heart will be changed. That a heart that sees into the eyes of my friend from Chester County, that he had the ability to pick himself up, construct a life, move forward, serve his country, but still sees the reality of the small child, and in him we see so many others. I can only hope that my comments do not offend. That is not my intent. My comments are to make us look beyond the limitations of politics and party and look into the souls of people, the pain of people, and just give them a second, a glimpse of hope that we hear them, we feel them, and we understand them. All of us have said we are going to vote for this bill, and we all are, but just like everyone else has stated on my side of the aisle, we hope that as soon as we come back we can rectify the shortcoming. The time away will give us the ability to understand that this pain can only be replaced with the privilege of uplifting all those folks who have lived for generations, decades, with an insult to humanity, their God, their position.

Thank you, Mr. President.

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

Senator GORDNER. Mr. President, like some of the other speakers, I am not going to have notes here. I was not going to speak. I have been listening intently to the stories that have been told and the comments that have been made as to why we are here. I am going to speak longer this time and I am going to bore you with some details, being the constitutional guy, but let us not forget why we are here. We are here today because the Department of State did not do their job. The Constitution indicates how we pass a constitutional amendment. I could pull out the book again. I have been here 28 years. I think we have looked back 50 years. I cannot remember, I am not sure that we could find another time when a Department of State did not do their job, under any administration. They had a simple job and they did not--I mean, we have done I do not know how many number of constitutional amendments in my 28 years here. Someone, some people, a group of people, I do not know, the administration has not said, did not do their job. Did not publish it last year, last Session, when they were required to do it. That is the reason why we are here today. It is not because of the failure of me or anyone here. It is no one's failure here. It is the failure of the Department of State to do their job, to publish what they are supposed to publish under the Constitution, which they have done time and time in the past, but they did not do it here. That is the frustration right now. That should be the madness right

now. Why the hell did they not do their job? We would have this vote in May for everyone and to give the victims exactly what you are asking for. They are the ones who did not do their job.

But do you know what? I am the boring Constitution guy. I am the one who says we have a remedies clause. We have a remedies clause in the Constitution, and for that reason we cannot do it by statute. Now, I am going to bore you with details and maybe tell you some things that you do not know. I was in the House Democratic Caucus with Senator Anthony Williams and Senator Hughes back in the 1990s and I sat next to a guy named Bill Lloyd. Bill Lloyd was the boring constitutional guy. If there ever was a boring constitutional guy, it was Bill Lloyd, from Somerset County. He got up every morning at 5 a.m.--not married, had no kids--and he read every bill. There was not a bill or amendment that he did not know. I got to sit next to him for 6 years over there on the House Democratic side and it was very educational to me. If I am the boring constitutional guy, it is because of Bill Lloyd. But he would get up and speak, and people would listen to him because he read the bills, he read the amendment, he knew the rules, and he knew the Constitution. Bill would irritate people by saying, do you know what? I hear what you want to do, but we have a Constitution and we have to follow it. He knew all about the 1968 convention. Former Governor Casey made his name at that 1968 convention. So we do not have an old Constitution in Pennsylvania, it has been amended and has been changed, I think, four different times. We are under the 1968 Constitution, but our provisions are there.

I am going to digress for a second, and just allow me to do it. Again, my recent trip to Virginia, we go to State Capitols, listen to the history, and after the Civil War in Virginia there were black State legislators elected right afterwards. They represented the areas. Do you know what? The white voters and the white legislators, not all of them, obviously, but some did not like it and they changed their statutes in order to make sure that those black legislators no longer represented that area. That is crazy. That is unbelievable. It took decades and decades until it changed and those black legislators came back.

I just participated--I am diverging, just give me a moment--Senator Kim Ward could not participate today in a county commissioners' meeting, so I got to participate with the House Minority Leader, who is incredible. I thought of K. Leroy Irvis. If you did not know K. Leroy Irvis, K. Leroy Irvis was the first African American Speaker of any legislative body in the country. The Commonwealth of Pennsylvania had that. It is great that we have women here.

So, getting back to the Constitution, my argument and our Caucus are not disagreeing with the comments made for the victims. Powerful stories here today, and, yes, someone had mentioned about getting letters - every one of us has gotten letters from victims. I am a father of two kids, I have said this many, many times, I saw as my primary responsibility as a parent was to protect my two kids. Protect them. I could not be with them 24/7, but I saw that responsibility, that deep responsibility, to protect them as best as I could. Unfortunately, and that is not even the right word, there are victims out there, child victims, older victims, who have gone through something that I cannot imagine. I cannot put myself, and to the couple of people who spoke, I cannot put myself in your place. I cannot do it. Luckily, that never happened to me, and I say luck because that is, I guess, what it was. So cannot imagine that. The victims who I

have spoken to need justice. I have no relation to the Catholic Church, I have no relation to the Insurance Federation, so I hate those aspersions. Please do not do that. We need to provide justice to those victims, wherever that horrible occurrence occurred. I can tell you of a school crossing guard on Orange Street who molested three kids. He gained the confidence of those kids who went back and forth. He lived a block away and he would invite them over. Thank God it was 15 years ago, and for the last 12 years and for the rest of his life he is going to be in jail, the bastard. But this victimization has occurred in schools; I am involved in Scouts, and unfortunately it has involved the Scouts; the Catholic Church; the Protestant church, and other places, and we need to make sure, through this bill, that we are treating all victims equally. That we are giving them all the opportunity to get their justice, whether it occurred in a church setting, in a school setting, in a gym setting, in a youth organization setting. That is one of the good things about this bill. It provides parity for all victims to be heard and to have their justice heard.

So, Mr. President, look, we would not be here if the Department of State would have done their job, but they did not. So that is why we are back. Again, I may be the boring Constitution guy, but I think we, who take an oath when we get sworn in as legislators, need to not just do what we think can be done, but we have a Constitution to follow. We have to amend the Constitution. We have to follow the Constitution. The Constitution says something about resolutions and about bills, says something about the remedies clause. Those are in there. In order to change it and to change it right, and not give victims a false hope, to say, do you know what, let us throw it to the court and see what the court may or may not do 2 or 3 years from now is not the right thing to do either.

So, Mr. President, I listened to the speeches here today, the comments, and the personal stories. Unbelievable. You are right, there are thousands of stories across this Commonwealth and across this nation. We are taking that step again today, and we will fully do it when we need to do it again and to allow the victims to get their right. But, again, we need to do it the right way and the constitutional way, and that is what we are doing today.

Thank you, Mr. President.

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

Senator STREET. Mr. President, we have heard so many powerful remarks from so many people. I was not planning on speaking, but as a black man, as an attorney, and as a child of a person who was literally beaten for the right of black folks to vote, as the nephew of a man who pitched a tent on the grounds of this Capitol as a legislator fighting for black folks to be enfranchised, I need to point out something. What is constitutional and what is right have never been the same thing. Slavery was constitutional, but it was never right. Slavery was legal, but it was never right. It required people to take extraordinary steps to be able to amend a constitution to give black folks the right to vote. In Virginia, folks fought a war to stop that from happening. To this day, in this body, the people who have worked--and not everybody--but the people who have worked to limit the rights of African Americans to vote, or make it harder, are, in a greater sense, people who are voting against Senator Muth's proposal and not for it. What I would suggest today is to suggest somehow to analogize the protections that African Americans received under the Constitution to the denial of rights for the victims of

sexual assault is an aberration, it is wrong, and is something that I cannot let go without saying something about it.

You see, even if you are right on the constitutionality, and I do not agree that you are, we need to--the true analogy would be, you would be on the side of the people who were right that it was constitutional for people to own slaves, but it was never right. Even if what we are doing today is, in fact, constitutional, and I do not believe it is, it is certainly not right. It is not right for us to delay people getting justice who have been victimized. It is not right for us to use technicalities to delay people getting a chance to be heard. It is exactly analogous to the arguments that the people in Congress and in State legislative bodies across this country used to deny the rights of African Americans to vote. You see, what is constitutional is not necessarily right. So today we all know what is right. What is right is for us to take whatever extraordinary steps we need to take to make sure the people who have been victimized in manners that make us uncomfortable, even thinking about, what is right is for us to take those measures, and to make sure that we, in the quickest manner, get those folks the justice they deserve.

Constitutional scholars have often said justice delayed is justice denied. We should no longer deny justice, and please do not ever analogize using constitutional technicalities to deny rights with the struggle of African Americans, because our struggle has been one of a continual fight against a Constitution that denied our humanity, said we were three-fifths of a man, denied our enfranchisement, denied our very rights. Today, if we do not pass legislation that allows people to have their humanity respected, we walk not in the shoes of those who were abolitionists or those who fought for civil rights, we walk in the shoes of those who denied it.

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

Senator COSTA. Mr. President, I said earlier that I intend to vote for House Bill No. 14 and advance it, as my colleagues have talked about. I first want to say thank you and applaud my colleagues who have given eloquent, heartfelt, compassionate, and courageous remarks. As we think about this issue and when we wake up every morning and we want to understand and appreciate the pain that victims today are going to find out that they have to wait until May of 2023 to have their opportunity to be able to pursue their predators, we should think about our colleague from Chester County, Senator Kane, and the manner in which he came up to this floor and courageously gave his remarks about what he experienced. That, which was mentioned, the pain in his eyes, the difficulty to be able to go through those remarks. That is what we should think about when we think about who we are leaving behind, who we are not helping.

I also want to address why we are here, was the question that was raised. Mr. President, I cannot argue that point. We know why we are here, and we are disappointed that we are here at this point in time, and we recognize that. However, while we are here, in this moment in time, earlier today we had the opportunity to rectify that mistake and we chose not to do it when we stripped out the emergency language. It was the first opportunity we had. The second one was when we tried to amend the measure to allow for a 2-year window, statutorily, with the ability for review by the State Supreme Court of Pennsylvania in an expeditious manner. We did that here again today on the Senate floor. So three occasions where we had the opportunity, in some way,

either to fix what had occurred or to make it quicker and easier for those folks to get their day in court.

Folks on the other side of the aisle chose not to do that. Let us be clear, you chose not to go down that path. All our Members are asking for is to give those victims the same opportunity that some of us in this room, in 2014, had when we were faced with nearly an identical situation. When we were passing gaming legislation, there were questions about the constitutionality of the gaming legislation that we were contemplating, and we chose to go ahead, despite the fact that there were very few States that had gaming in place, and that was the concern, that we recognized, for either substantive or procedural reasons, there would be challenges to that legislation, as we do have now with respect to the 2-year window. Even though, at that time, there were no surrounding States that allowed gaming, except for New Jersey and Vegas. In this instance, we have multiple States around us that allow for a 2-year window. They allow for it. Their States have spoken on this matter. We choose not to. Some of us choose not to, I should say. But the fact of the matter is, it was good--in the gaming legislation we added language that said expedited review by the Supreme Court. What we said as a General Assembly and what we choose not to do today in going forward--that is why we are begging for Senate Bill No. 407, adding that provision to be considered by this General Assembly--we are saying that it was okay for the gaming industry to prop itself up and have an expedited review to address constitutional issues. But we are also saying that it is not good enough for victims, through no fault of their own, who are denied the opportunity to be able to pursue their claims or have the amendment on the ballot for May 18.

That is what we are saying in this Chamber by refusing to run Senate Bill No. 407 and Senate Bill No. 406, but also by rejecting the amendments that went forward beforehand. If it is good enough for the gaming industry, that process to address the constitutionality of those underlying bills that would pass, it should be good enough for the victims of Pennsylvania. It is disappointing that folks cannot grasp that, cannot understand that is what we are fighting and advocating for: the opportunity to give these folks, individuals, victims, legislation that says you have this 2-year window and we are going to let the Supreme Court make a decision. Not make new law, Mr. President, as some people have talked about. Interpret what other States are doing and what we are doing as to whether or not it is appropriate for Pennsylvania. All they are going to do is to be called upon to review the legislation and render a decision on the constitutionality. If it is approved and it is okay, then we proceed forward. If it is not, we have House Bill No. 14 continuing to work down the path to this constitutional amendment through the two-step process that we have going forward.

There is no downside to running parallel paths, and that is why we are frustrated. The word "frustration" was used, and certainly we are frustrated about what happened here. But we are more than frustrated. We cannot get other folks in this Chamber to comprehend why it is essential and necessary to be able to relieve the pain of so many people in this Commonwealth who, unfortunately, experienced childhood abuse and were not able to bring it forward; not even able to talk about it. We saw that today with our friend, Senator Kane, who came forward for the first time. That is who I ask you to think about when you reject the ability for us to pass legislation that gives us a 2-year statutory legislative window with ability of review by the Supreme Court,

making it available to them. That is what we are asking for as we go forward. My hope is that the remarks, the compassionate and heartfelt remarks from our colleagues today and the letters that were read, and so many other people we are going to hear about over the next course of several weeks, that we come back here in April and we seriously sit down and work out an understanding about statutory legislation.

Do not reject it because it does not squarely fit into the constitutional box. For as many people who say that underlying version does not fit in that box, there are just as many who will find that it is necessary, permitted, and possible. Let our court decide. Let us do what needs to be done, let us do the right thing. Let us pass House Bill No. 14 for now as one path, and a parallel path, let us proceed down the legislative solution to be able to provide the relief to the victims who so desperately want it.

Thank you, Mr. President.

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

Senator K. WARD. Mr. President, on November 20, 2019, the Senate passed the constitutional amendment 42-6. Nothing has happened since that time. We were ready to pass it again. Nothing has happened except the Department of State mishandled their responsibility. Nothing has changed as to the reasons why so many Republicans and Democrats voted for that. One of my colleagues from across the aisle questioned whether or not we care, if we care about these victims. Of course we care. Our hearts hurt for those victims. But I think a better question is, what happened at the Department of State? How does one constitutional amendment make it for publication but a second one does not? They dropped the ball big time, and I think we all, victims and all of us, deserve answers on why that happened.

As another previous speaker said, the issue is not for the legislature to decide. Do you know what? I agree. It is not, but it is not for the courts. It is for the people of Pennsylvania to decide, and that is what we are doing here today. We are giving the people of Pennsylvania a voice on this issue, as per our Constitution. To the victims, what you went through is horrendous. It is something that I cannot even imagine, and I am so sorry for that. But the only way to insure that you are compensated and that you have peace is to do it through the proper channel, and that is a constitutional amendment that will not be challenged in court. The people of Pennsylvania will make that decision.

So that is what we are doing here today. We are upholding our duty to the Constitution. When we took office, we swore on a Bible that we would uphold the Constitution of Pennsylvania. So whether it is comfortable or not, or whether it seems fair or not, or whether it is something pretty that we feel good about, none of that matters. What matters is that we swore an oath, and that is what we are required to uphold.

So, I thank everyone today for their comments. Again, to the victims, I feel terrible and I am so sorry that this happened, and I do believe that we need to get to the bottom of how and why it happened.

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

Senator A.H. WILLIAMS. Mr. President, I want to remind us, as I listen to these comments, we are not here because of a constitutional crisis. We are not here because someone made a mistake. We are here because people were raped. Children were assaulted. Bad things happened, and they want some form of

respect and justice. That is why we are here. I cannot even believe that we are pointing fingers at each other about why we are here, because if you are going to point fingers at the Constitution, the Governor, an administrator, a bureaucrat who did something wrong, then you are tone deaf. You have not been listening to what people have been saying. And I am not talking about today. They have come to the General Assembly for decades and asked for justice. By the way, do not suggest that it was quick then, it was not and they were turned away. I can easily point at who did it, what party they were affiliated with, and why they did it. I am not doing that. But I am not going to sit here quietly and think that we are going to end this conversation today and talk about why we are here is because the Constitution and the guy who forgot to file the paperwork. That is absolutely heartless. We are here because we are supposed to validate the pain of Senator Kane and the thousands of human beings, children, who were assaulted in places of worship. That is why we are here.

For those who want to talk about the Constitution until the cows come home, please stop. We have talked about four different versions of how you do not have to deal with the Constitution. There are all legitimate ways--by the way, before today--that would have gotten here a lot quicker. It could have been on the ballot a lot quicker. That took forever to get here. So let us not pat ourselves on the back and brag about we are at this moment and these guys screwed it up at the 10-yard line. That is not what happened. I tried to be calm, appropriate, but you are not going to rewrite history. You do not get the privilege of walking away suggesting it was the other guy's fault. No, it is your fault. If you do not understand why you are here, then it is because we, as a General Assembly, we did not move quicker like other States have to provide a window. Other States have, but we have a unique distinction of, on this day, arguing about the Constitution and the fact that the Governor screwed up while other surrounding States have a window. You think that you get the privilege of walking out of the State Capitol, going home to your district, responding to a constituent who wrote you one of those heartfelt letters and saying, well, you know, it was the other guy's fault. You do not get that privilege. You do not get that desertion of a human being. What you get is a responsibility that you took full control of this discussion, you are in the Majority, and have been presented several options and opportunities beyond the one item which you want to focus upon.

So you think that a child that is hungry at home, watches two parents argue about who did not get the groceries, and that absolves them of the responsibility of feeding the child? That is what is ridiculous. More importantly, you do it in full panorama as if the people do not understand. What are they talking about? All we asked them to do was recognize that we are in significant pain here, and can you fix it as quickly as possible, because you have taken 10 years to even get to this point. Ten years. What about their record book? What does that have to do with the Constitution?

These are rabbit-hole debates. These are the ones that I have with my wife and my wife has with me. We start talking about the wall is white, and we end up with the car is wet. In the meantime, we cannot remember what the hell started the conversation. We are here because people were assaulted who were children, and they have lived their entire lives, into their 60s, with the memory and the pain, and their government did not do anything

about it. That is why we are here. The fact that you do not want to do anything about it, forget it. But do not shift the argument. Do not shade it, do not adjust it, do not manipulate it, do not maneuver it, do not out-talk it, do not deny it. I am not going to question your motives, whether you care. I am sure you do. The question is, what are you going to do about it? That is why we are sent here. We are not here to lament, pity party. We are here to take an action on behalf of those people who have been victimized. That is all this is. It is very simple.

Senator Costa stood at a podium all day long for several years, talking about this in countless conversations, in private and in public, and it has not moved. Before the mistake was made that you want to focus upon. The bottom line is, at the end of this--we can point fingers all we want to, we can spin it, and you will send it out on your blog, your Internet, your tweet, your whatever--someone is going to sit in their living room crying and deciding whether they want to live one more day because their government did not think enough of them to move quickly. The only thing they got and heard was some guy talking about a constitutional problem or that the Governor messed up. That does not cut it, by any moral measure, any constitutional measure, anyone who takes responsibility in government measure, whatever measure you want to give it, it does not cut it. It just exacerbates the pain and the insult.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

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 Aument and Senator Mastriano.

The PRESIDENT. Senator Kim Ward requests legislative leaves for Senator Aument and Senator Mastriano. 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-44

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

NAY-3

Dush	Hutchinson	Ward, Judy
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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 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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 78 and **SB 106** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

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

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

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

SB 113 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 113, Printer's No. 84, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

SB 137 and **SB 191** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

SECOND CONSIDERATION CALENDAR RESUMED

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 114 (Pr. No. 114) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, repealing provisions relating to snow and ice dislodged or falling from moving vehicle and providing for snow and ice.

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 168, HB 186, SB 241 and SB 274 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION

SB 282 (Pr. No. 266) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 8661, carrying State Route 3039 over Hinckston Run in Jackson Township, Cambria County, as the Sgt. Harry Lewis Amigh Memorial Bridge.

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

BILLS OVER IN ORDER

HB 284, SB 382 and SB 403 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 410 (Pr. No. 399) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for display of registration plate.

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.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

Senator J. WARD, from the Committee on Aging and Youth, reported the following bills:

SB 190 (Pr. No. 485) (Amended)

An Act providing for essential family caregivers in facilities during disaster emergencies.

SB 323 (Pr. No. 301)

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 82 (Pr. No. 60)

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

SB 115 (Pr. No. 473)

An Act making the Commonwealth of Pennsylvania a party to the Nurse Licensure Compact; and providing for the form of the compact.

SB 236 (Pr. No. 205)

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

SB 435 (Pr. No. 474)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, providing for transportation fueling infrastructure development.

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

SB 420 (Pr. No. 487) (Amended)

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 district attorney, qualifications, eligibility and compensation.

SB 457 (Pr. No. 488) (Amended)

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

Senator STEFANO, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

SB 248 (Pr. No. 216)

An Act amending Title 38 (Holidays and Observances) of the Pennsylvania Consolidated Statutes, providing for holidays and observances.

SB 433 (Pr. No. 486) (Amended)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in National Guard Youth Challenge Program, further providing for definitions and for administration, establishing the Keystone State Challenge Academy Fund and further providing for report and for audit required.

SB 455 (Pr. No. 461)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, providing for miscellaneous provisions; imposing a penalty; and making an editorial change.

BILLS ON FIRST CONSIDERATION

Senator SCHWANK. 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 82, SB 83, SB 108, SB 115, SB 156, SB 190, SB 224, SB 236, SB 247, SB 248, SB 251, SB 317, SB 323, SB 381, SB 420, SB 423, SB 433, SB 434, SB 435, SB 441, SB 455, SB 457, HB 101, HB 110 and HB 203.

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, MARCH 24, 2021

9:00 A.M.	FINANCE (to consider Senate Bills No. 74, 286, 325 and 343; and House Bill No. 230)	Senate Chamber (LIVE STREAMED)
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10:30 A.M.	HEALTH AND HUMAN SERVICES (to consider Senate Bills No. 108, 156 and 317; and House Bill No. 203)	Hrg. Rm. 1 North Off.
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C A N C E L L E D

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator CORMAN.

Senator CORMAN. Mr. President, unfortunately this year, a lot of our Session time we have been doing a lot of condolence resolutions, and one we did not get a chance to talk about and I wanted to spend a couple minutes on was a hero of mine who passed in the last month.

In the fall of 1982, I enrolled at Temple University. In that same year of 1982, Temple University hired a new president, Pete Liacouras, and a new basketball coach, a guy by the name of John Chaney, who came from Cheyney University and became a coach at Temple. Now, to give you a picture of Temple University when I arrived in the fall of 1982, it was a commuter school. I think we had two and one-half dorms, there was very little apartment living on campus. A couple fraternity houses. It was a commuter school where students drove in, drove out, it was not a big part of the community. There was no attachment, no sort of love of your school, love of your campus. When John Chaney became the head coach, he began to bring pride to the Temple campus and the students there. He and Pete Liacouras were a tremendous team and created the Temple T, which is so well known now, but at the time, there was not anything like that. They created the Temple T and brought this pride. When I got there, I was a basketball fan and if you were going to go to a home game, you had to take two subways, as a student, to the Palestra. Big 5 basketball was huge, historic, and a lot of fun,

but, again, it did not bring any sort of pride to the campus because we were going off campus to games.

John Chaney brought those games back to McGonigle Hall, a small gym of about 4,000 seats, where you, as a student, could go. As the Temple program built up and got better, we all got to go to the games and you could see the pride building up in the campus as the program built up. But more important than that was just the style of John Chaney. What he did for kids. He took chances on kids who no one else would take chances on. He probably saved more lives than you can count, giving kids opportunities, and he was such a beacon for the university, a beacon for all that was good. He was a rough and tumble coach. He mixed it up, and I remember him and John Calipari, the coach of UMass at the time, almost getting in fist fights. When it was time to compete, he competed. What he did for kids and the discipline, the famous 6 a.m. practices, he wanted to make sure kids were in bed at night, so he made them practice at 6 a.m., and then they were in school at 8:30 a.m. He was the genius behind that. Not only were they in bed early, but they were in school at 8:30 a.m. after practice. Everything he did had genius to it. He brought a discipline to his style of coaching. It was not the most flamboyant style of coaching, he brought discipline to that, but the transformation of Temple University from the days when he and Pete Liacouras got there to the days they left, you cannot put a financial number on that. You cannot put an emotional number on that. It just was astonishing.

He had a great career, and I have said this many times myself about Joe Paterno and Penn State, the least important thing John Chaney did was win basketball games. He won a lot of them, he was a hall of famer, he won a lot of games, but that was the least important thing that he did. He built men, he built character, he helped build a campus, and now Temple is a thriving campus. The growth on that campus is dramatic. The pride as a Temple--I love that fight song, T for Temple U--the pride of that campus now is so much compared to what it was in the fall of 1982. So we lost John, Coach Chaney, recently. I know my colleague from Philadelphia knows him far better than me; as a matter of fact, he got the opportunity to speak at his funeral, which must have been a great honor. But I just wanted to take a moment, as someone who was a freshman that year at Temple when he arrived, knowing what it was like then, and what it is now. It would not have been if it was not for--it was a great partnership, Pete Liacouras and John Chaney. They brought the Temple T to Temple University and it is a far better place because of it, and he was just a great man for the Commonwealth of Pennsylvania. I wanted to take a moment and recognize that here today. We did a condolence resolution and my colleague from Philadelphia presented that at his funeral. But I just wanted to take a moment on the floor, which we have not had a chance to do, and as one of the legends, and I do not use the word "legend" easily. Sometimes we throw terms around easily. Legend is not a term I have thrown around easily, but John Chaney was a legend. I will miss him deeply.

I will tell you one final cute story as I wrap up here. He had a history of being very superstitious, and when he lost a game he would never wear the same tie again. He always bought very expensive ties, Italian ties normally, and he would never wear it if they lost. I was at a game in Hershey, it was Penn State versus Temple, and it went into triple overtime and my father asked me, who are you rooting for? I said, well, I was kind of torn, but I

would not mind seeing Penn State win, only because I was sitting close to the Temple bench, and I was going to ask Coach Chaney for his tie if they lost. Temple ended up winning the game. Through different channels, Coach Chaney found out about my interest and he sent me a tie, which I have to this day. That is the kind of guy he was. He was just an amazing person. He did, again, the least important thing he did was win basketball games. But he brought pride to a school in a very trafficky city, with a lot of great schools, that had a lot of pride. Not a lot of people talk about Temple, and they certainly did not then, but they do now, and a lot of that can be attributed to John Chaney. I just wanted to take a moment and recognize his greatness. Sad to see him pass, but he led a full life and many people who were touched by him are in a far better place today because of the influence of John Chaney.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, we need a John Chaney in the Senate.

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

Senator BARTOLOTTA. Mr. President, I rise today to pay tribute to some of our Commonwealth's unsung heroes, who we honor later this month as part of Female Veterans Day on March 31. Women have a long and storied history of service in the United States military that dates back all the way to the Revolutionary War, when many women served in critical supporting roles, including providing medical care to wounded soldiers. Some were even thrust into the heat of battle, such as Margaret Corbin, a nurse who took up her fallen husband's post at the artillery line before she was seriously wounded. She later became the first woman to receive a military pension for her service in the war for our independence. Women continued to serve in various support roles for more than 150 years before being officially integrated into the military in 1948.

Since then, the ranks of female service members has increased dramatically, as well as their contributions to our safety and freedom. It is estimated that 11 percent of veterans who served in the military conflicts of Iraq and Afghanistan are female. We have seen women like Army Captain Kristen Griest become the first female infantry officer after transferring from the military police. Army Sergeant Shelby Atkins became the nation's first female enlisted infantry soldier. Many of these heroines not only earned accolades for their military service, but also have gone on to accomplish great things after their separation from service. One of those decorated Iraq War veterans even went on to be elected to statewide office right here in Pennsylvania, our own State Treasurer Stacy Garrity.

Today, Pennsylvania is a proud home to more than 60,000 female veterans, and we are all extraordinarily grateful for their service in the face of tremendous adversity. Their efforts deserve to be honored, their sacrifices recognized, and their challenges better understood. Female veterans face circumstances that are unique to their male counterparts. They are more likely to experience financial difficulties and homelessness as they transition back in to civilian life. In certain cases, the VA is not fully equipped to meet the complex healthcare needs of women. There is also a much smaller community of female veterans, which

means fewer opportunities for peer networks and emotional and social support and a higher prevalence of mental health concerns. The best thing we can do is offer our love, support, and understanding for these heroines and understand that their life experience may differ significantly from our own. These differences should be celebrated, not avoided. As we prepare to commemorate Female Veterans Day next week, I urge all Pennsylvanians to acknowledge the struggles of women who have served honorably in the military and to voice our encouragement, support, and undying gratitude for their willingness to protect our freedom, liberty, and way of life.

Thank you, Mr. President.

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

Senator STEFANO. Mr. President, today I join Senator Baker in support of March as American Red Cross Month in Pennsylvania. Senator Baker had to step away, so I will submit her remarks for the record.

The American Red Cross has been at the forefront of helping our citizens prevent, prepare for, and respond to large-scale and small disasters since 1881. While a lot has changed in 140 years, the Red Cross is still there for us when we are experiencing the worst circumstances. All told during 2020, in the midst of a global pandemic, the Red Cross still responded to 60,000 incidents with 2,167 in Pennsylvania. What does the Red Cross do? It provides hope and comfort for people in need. It trains and provides information to more than 4.5 million people in first aid, water safety, and other skills that help save lives. It collects more than 6.4 million units of blood from nearly 2.6 million volunteer donors to meet the needs of patients at hospitals and transfusion centers across the country. It provides more than 513,000 support services to military members, veterans, and their families. It helps nearly 250 million people outside the U.S. through disaster management and disease prevention efforts. During the pandemic, the Red Cross increased their workload this year by continuing to meet the needs of the communities they serve. They have stepped up and taken on more than 51 additional missions, some of which have been relating to providing food for those in need and providing support for vaccination sites both big and small, and that number continues to grow every day.

As we mark and commemorate American Red Cross Month in Pennsylvania, it is important that we recognize all the people who give their time and resources to aid their friends and neighbors. In 2018, there were over 300,000 Red Cross volunteers nationwide, with nearly 6,000 here in Pennsylvania. Their efforts truly are appreciated, and it is with them in mind that I speak on the floor today. Traditionally, the Pennsylvania Red Cross chapters join us in the Capitol to promote their good work, but that is obviously not the case during this pandemic. As such, we simply ask our colleagues and those watching these proceedings to take a moment to reflect on the great work of the American Red Cross and its thousands of volunteers.

Thank you, Mr. President.

The PRESIDENT. 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 Fayette, Senator STEFANO, on behalf of the gentlewoman from Luzerne, Senator BAKER:)

Mr. President, I am honored to work with my colleague, Senator Pat Stefano, as we come together to recognize March as American Red Cross Month in Pennsylvania. The Red Cross does an outstanding job of helping to provide support and respect for people in their times of need. The success of the Red Cross would not be possible without the extensive number of volunteers who work with the organization. These compassionate and caring volunteers, who lend a helping hand to others, are the heart of the Red Cross and deserve our thanks and gratitude.

Many individuals have a personal story and experience with the Red Cross. More than 100 years ago, members of my family benefitted from the help that the Red Cross provided to my grandfather and his fellow soldiers. My grandfather was a Spanish-American War soldier encamped at Chickamauga. His unit from Philadelphia developed malaria and a Red Cross transport train brought all of the ill soldiers home. In my office here at the Capitol, I display the actual Red Cross flag from 1898, along with my grandfather's picture and service medal. It is a constant reminder that for generations, the Red Cross has touched the lives of countless men, women, and their families across Pennsylvania, and that they continue to demonstrate their willingness to serve our communities now and in the future.

For those reasons, I am pleased to stand here today as we come together to recognize March as American Red Cross Month in Pennsylvania.

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, I rise today in support of Senate Resolution No. 56 recognizing March as Colon Cancer Awareness Month, and Senate Resolution No. 55 recognizing the Blue Lights Campaign and its efforts to promote colorectal cancer awareness. Colon cancer is the second leading cause of cancer-related death among men and women combined. One in 20 people will be diagnosed with colorectal cancer in their lifetime. This disease takes the lives of more than 50,000 people every year. To reduce these numbers, the American Cancer Society is now recommending that individuals begin screening for colorectal cancer at 45 years of age, or even earlier if there is a family history of the disease. With proper screening, colon cancer is preventable.

In an effort to continue raising awareness, I have introduced these resolutions. The Blue Lights Campaign is led by gastroenterologist and advocate Dr. Marianne Ritchie from Thomas Jefferson University in Philadelphia. For the last 8 years, the campaign has focused on lighting well-known buildings throughout the Commonwealth in blue lights for Colon Cancer Awareness Month. To honor her efforts and continue to broaden the campaign, our very own Pennsylvania State Capitol building is brightened by blue lights in the month of March. As we all know, awareness is only the first step in making true change. We need to remain vigilant in our efforts to decrease the number of Pennsylvanians dying from colorectal cancer, and the easiest way to do this is to encourage them to take action in getting screened. Understanding the critical importance of early detection in fighting colon cancer, I will also be introducing legislation that provides for insurance coverage beginning at age 45 based on the updated 2018 American Cancer Society recommendations. I ask my colleagues to join me in supporting these efforts moving forward and continuing to raise awareness throughout this month of March.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I would like to take you back to April 20, 1999. I was 11 years old when, if I have

done my math right, I was in fifth grade. I have this out-of-body memory, standing in front of the TV in my home, watching people who were not much older than me come out of their school, in a straight line, their hands above their heads, to demonstrate to the SWAT team that they were not a threat. I was 11 years old when the Columbine School shootings happened. Fifteen people died that day, 24 physically injured, and countless more traumatized. Such a tragedy occurring during such an incredibly formative time in my life has truly shaped so much of who I am and what I fight for.

While this may be my first memory of a mass shooting, unfortunately, it is not the last. Allow me to remind you of some of the more well-known incidents since then. April 16, 2007, a gunman terrorized Virginia Tech, leaving 33 dead, 23 injured, and college students everywhere in fear. I was one of those college students when this occurred and felt this trauma deeply. July 20, 2012, a gunman opened fire at a Century 16 movie theater in Aurora, Colorado, killing 12 people, injuring 58, and stripping us of the fun and safety we feel when we go to the movies. That same year, we would have one of the most tragic mass shootings at Sandy Hook Elementary School on December 14, 2012. We lost 28 lives, most of whom were kids, children, babies. Two people were injured and we were all traumatized by that event. The Route 91 Harvest music festival in Las Vegas; Marjory Stoneman Douglas High School; Orlando, Pulse nightclub; Atlanta, Georgia, just last week; and today we add Boulder, Colorado, to this list. Might I add that I am a bit astonished at the fact that this is the first time this is being mentioned today. We should have taken a moment at some point throughout our day to recognize what happened in Colorado. A gunman opened fire at a King Soopers grocery store, killing 10 people. First, I want to, absolutely, offer my sincerest condolences to the victims, their families, and the entire Colorado community as they grapple with yet another act of violence of this magnitude in their communities.

This kind of violence does not happen anywhere else. Not the mass shootings, nor the incredible number of preventable gun violence deaths that happen every day. We, as a society, have turned a blind eye to this epidemic. Or, maybe we are morally bankrupt, and the lives of these people do not matter. Well, they mean something to me. They matter to me. I asked you on February 22, after gun violence occurred in my community, at my local bowling alley that is 5 minutes up the road from my home, to join me in taking action. I asked you again last week, on March 17, after what happened in Atlanta, Georgia, to take action. I stand here again today to ask you to take action. But today I do not want to stand here as just your colleague. I am asking as a responsible gun-owning family, because this family owns a gun. I am asking as an aunt to a 16-year-old. After Sandy Hook, the only person I could think of was my then-7-year-old niece. I cannot begin to comprehend the utter fear my brother must have felt sending her back to school every day after that shooting. I do not know how he had conversations with a 7-year-old about what had just happened and why she was now having to participate in active-shooter drills. It was not much longer after that that Marjory Stoneman Douglas High School had their shooting. I was again sick to my stomach for my niece and my brother.

Today I am asking, as the daughter of a grocery store worker. I listened to the names and ages of the victims being read this

morning. My heart stopped when they announced a female victim, her name was Susanne Fountain, 59 years old, and I stopped. Because my mom manages a grocery store. That name easily could have been hers, 59 years old. This has been a hard enough year fearing for her health and safety, because my mother has put her life on the line every day to run a grocery store through this pandemic. She has been traumatized enough not knowing with every cough, every sneeze, whether or not she contracted the virus and if she will get to see me again. Now we are adding a layer of trauma and concern about gun violence and active shooters on top of that. I have heard many of you refer to our frontline workers, our grocery store workers, as heroes throughout this pandemic. They have kept us going. They make sure we have food. But do not dare call her a hero, do not patronize her or her colleagues unless you are willing to do something to make sure our society is safer for them. That my Mom does not have to fear a gunman coming into her store.

I am asking you today, again, to please work with me to pass commonsense, evidenced-based gun violence prevention legislation. Do it for the parents who have lost children, for the parents who are worrying sick about their children. Do it for the grocery store employees who have lived a year of trauma, and for all of those who work in public spaces who are beginning to realize that this could easily happen to them, if they have not already. Do it because it is the morally right thing to do.

Thank you, Mr. President.

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

Senator ROBINSON. Mr. President, 18 years ago today, March 23, 2003, was the day the Marines of Task Force Tarawa secured two bridges on the outskirts of a small town on the Euphrates River, in southern Iraq. They had never heard of the town of Nasiriyah before that day, and they would never forget it since. These bridges were deemed essential to the effort to liberate the citizens from the Ba'athist control who had fortified the city. These soldiers, sailors, airmen, and Marines fought through the streets against the fortified enemy consisting of Ba'athist Army, Republican Guard, Fedayeen and Quds guerrillas. They fought through a hail of bullets, mortars, artillery, tanks, and even aircraft fire. When the dust settled that day, 18 Marines and 11 soldiers were killed, hundreds were wounded, and 6 United States soldiers were taken prisoner. The next day, the mission changed. The Marines fought house to house and street to street until all American prisoners were freed, as five more Marines made the ultimate sacrifice. The fighting was not over, as those Marines continued fighting all the way to Baghdad to liberate all the citizens of that nation.

These Marines then continued on with their lives, many serving multiple tours. Sixteen veterans of that battle made the ultimate sacrifice in cities throughout that country. Others came home to continue serving their communities as first responders, business owners, and teachers. One of the brave prisoners, named Jessica Lynch, returned to her hometown and even became an educator. Today is the day branded in all our memories. We come together at reunions, a day we call to check in on each other, we meet for dinner to reminisce, we reminisce to a time when we were a little lighter, a little less gray, and a whole lot simpler. A time when we came together, a time when we were ready for anything together. A time when we laughed, cried, and fought together. A time we will never forget.

Thank you, Mr. President.

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

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

Mr. President, today marks 5,372 days since the Pennsylvania legislature last raised the minimum wage. That is more than 14 years, and it is far too long.

Mr. President, recent efforts by Congress and President Biden to raise the Federal minimum wage have garnered extensive public attention in recent months as public support for a raise continues to grow. Those efforts suffered a setback when a proposed minimum wage hike was excluded from the American Rescue Plan as it faced procedural and key political hurdles. Yet, despite these challenges, Congress is not giving up on the idea of raising the minimum wage. Congressional leaders are now pressing forward by engaging in meaningful conversations that could lead to a broader consensus on the issue.

Mr. President, we in the General Assembly should be doing the same. It has been reported that leading advocates within the U.S. Senate for the \$15 minimum wage are meeting today with those Senators who have opposed legislation to set the nation on a path to \$15. Last week, pro-\$15 lawmakers from both the U.S. Senate and U.S. House met with labor leaders and other worker advocates to strategize how they might advance minimum wage legislation through Congress while avoiding a filibuster that staunch opponents might use to stop progress in its tracks.

Frankly, Mr. President, the idea that any Federal lawmaker would employ such cynical tactics to block legislation that the vast majority of Americans support is astonishing to me. On the contrary, with such strong public support for raising the minimum wage now, the time is ideal for legislators to work across the aisle for the benefit of our constituents. That opportunity exists on the Federal level and it exists here in Pennsylvania. I strongly encourage my General Assembly colleagues to make the most of our opportunity and to set an example for our counterparts in Washington that we understand the needs and wants of our constituents, and we are committed to serving them.

Thank you, Mr. President.

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

Senator KEARNEY. Mr. President, last week many of us took a moment to speak about the mass shooting in Atlanta and to recognize that six of the eight victims were Asian women. Over the weekend, a 32-year-old transgender woman in Philadelphia was stabbed multiple times. According to police, the victim was attacked after the suspect discovered that she was transgender. These recent events are sobering reminders that, for all of humankind's advancements, we are still plagued by the fear and hatred of our fellow human beings. The saying goes: nothing is more powerful than an idea whose time has come. Well, the time has come to insure that all people in Pennsylvania are protected from these vicious hate crimes. The time is here. The time is now. When 11 Jewish people were gunned down as they worshiped at the Tree of Life synagogue in Pittsburgh, we could guarantee a small amount of justice because our hate crimes statutes cover religion, as well as race, color, and national origin. But our statutes fail to capture the other forms and the growing rates of identity-based violence.

It is impossible to forget the horrific story that came out of Wyoming in 1998, when one October night, a 21-year-old gay man named Matthew Shepard was enjoying a drink at a bar. Two young men gained Matthew's confidence by pretending to be

gay, drove him to a remote rural area, and there the two men tied Matthew to a barbed wire fence and struck him 20 times with a pistol. After fracturing his skull and crushing his brain stem, they left him to die. Matthew remained on that fence for 18 hours, in the frigid cold, before being discovered by a bicyclist. He would succumb to his wounds 6 days later. But what happened to Matthew Shepard would not be considered a hate crime under Pennsylvania law, nor would the murder of Dominique Fells, a transgender woman who was brutally killed and dismembered in Philadelphia last year. This needs to change. A hate crime is not like every other crime. A hate crime not only inflicts harm, but instills fear. A hate crime is not just an attack against an individual victim, but entire communities. A hate crime is a violation of everything our country and our Commonwealth stands for.

Let us take a moment to remember what our Commonwealth does stand for. Pennsylvania was founded as an oasis of freedom and tolerance. William Penn was determined to establish a colony where people of all backgrounds could live together free of intolerance. Nearly a century after Penn's arrival, Pennsylvania was a place where life, liberty, and the pursuit of happiness would be proclaimed for the entire country. In no other State than Pennsylvania should freedom ring the loudest. For these reasons, I am a prime sponsor of Senate Bill No. 63, which has been referred to the Committee on Judiciary. This bill would add protections against crimes based on ancestry, sexual orientation, gender, gender identity, and mental or physical disability. This would have real-life implications for many people, and it would send a clear message that Pennsylvania will not tolerate violence against anyone.

This bill is not chartering new waters. In 2002, the General Assembly expanded Pennsylvania's hate crime statutes to include the same categories: ancestry, sexual orientation, gender, gender identity, mental and physical disability. That legislation passed this very Senate by a vote of 32-15 and was signed into law by Governor Mark Schweiker. But in 2008, the Supreme Court struck down these provisions because they had been inserted into an unrelated bill about agriculture. In the 13 years following the court's decisions, thousands of Pennsylvanians have been left without basic protections from violence. Freedom from violence should be the least partisan issue we can imagine. It was 158 years ago when the first Republican President stood at Gettysburg and spoke of a new nation conceived in liberty and dedicated to the proposition that all men are created equal. Fifty-seven years ago, it was Everett Dirksen, the Republican Minority Leader in the United States Senate, who helped secure the passage of the landmark Civil Rights Act. It was only 19 years ago that in Pennsylvania, under the leadership of a Republican Governor and a Republican legislature, originally enacted those hate crime protections.

This should not be a partisan issue, because we are not talking about forcing people to agree with each other on every issue. We are talking about whether people have a right to pursue their lives in dignity, without fear of being assaulted or even killed because of who they are. Our government is a covenant with the people. If our laws fail to protect people from being attacked for who they are, that covenant is attacked too. The rights afforded to every citizen under our Constitution mean nothing if we do not protect those rights. Life, liberty, and the pursuit of happiness are nothing more than faded ink on yellow paper if we do not uphold these ideals. The time has come to see our common humanity in

each other. Let us take another step forward to a more perfect Union and pass Senate Bill No. 63.

Thank you, Mr. President.

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

Senator A.H. WILLIAMS. Mr. President, I initially was going to talk about John Chaney and the comments that were made by my colleague in appreciation for acknowledging truly a legend, not just as a basketball coach but as a human being. But I was persuaded to shift when I listened to my other, younger colleague, Senator Cappelletti's commentary on gun violence. The reason that I decided to shift was because I realized for many of my newer colleagues, younger colleagues, this has to be a very confusing place in the Chamber. Why would Tony Williams stand up and say to the opposing party, thank you for saying a kind word or two about a basketball coach? That is borne out of the human relationship that I happen to have with the President pro tempore beyond the frustration and anger that you sometimes see from me on display on this floor. I also recognize that, for those of us who have been here for a while, we have to do better. This generation is arriving at vaulted levels of responsibility, and they are pouring their lifeblood, passion, emotion, desires, dreams, and hopes for those they think are the most vulnerable.

Now, I do not suggest that we are going to agree on everything, but I am going to suggest that our guidepost has to be a lot more carved out than what it is. Without them, we do not have a nation. Understand, some of my friends who hung around tonight - Senator Kearney and Senator Comitta - we have had our golden years before we had silver hair. But beyond politics, we have a responsibility that when we leave a legacy, that is to understand that, yes, you can disagree with extraordinary desire and demand and find common ground. But increasingly when we have our debates, there is very little left about common ground and more left about our differences. For those who are so desirous of helping, understand that many of these young people could do other things that pay a lot more money with a lot less attention and aggravation to their personal lives and with a lot less acrimony that occurs. So as I listen to Senator Muth, Senator Lindsey Williams--last week it was Senator Saval, today it is Senator Cappelletti--I am watching this generation come of age, take on the responsibilities of governing, acknowledging that everything is not going to be rosy, whimsical, and winning, but taken seriously and earnestly how we govern.

So I want to say, after a long day on a particular subject matter that I can go further on, that we can differ on our approach, but we should not end these conversations and these debates with a feeling that we are separate as Pennsylvanians, as Americans. The distance between our differences should be filled with a desire to find common ground. That is not what we are doing. We are not teaching, mentoring, developing, supporting this next generation in a way that is better for our State and our country. So I have to say in my few moments, one, thank you to those who take on this responsibility. To those of us who have been here a little bit longer than others--and I do not mean just in the Senate, I mean in life--we have a responsibility to allow this generation to enjoy the benefits that we had, and that was whether you were black or white, suburban, urban or rural, Democrat or Republican, there was a common standard around being a Pennsylvanian. Quaker values actually meant something and do mean something. We have to do better. I pray that we find a

way to do that, but I wanted to leave my testimony that I acknowledge that there is a new wave here and we have a responsibility to help you move forward.

Thank you, Mr. President.

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

Senator SANTARSIERO. Mr. President, I rise to speak on the topic that my friend and colleague from Montgomery County so eloquently addressed a short while ago. Another week, another mass shooting in the United States of America. Eight lives last week, 10 lives this week, which, in all likelihood, would have been more but for the bravery of Officer Tully. Another week passes in this country in which we fail to take action on the most reasonable, the most basic of measures, that would make our communities safer. Another week passes when, here in Pennsylvania in this General Assembly, there is not even the slightest glimmer of hope that such legislation like universal background checks, with the lost and stolen bill, or safe storage legislation, let alone a reasonable measure like stopping the sale of these assault weapons that kill so many in so short a period of time, and which are designed to do exactly that and nothing more. Another week and the people who we represent - the men, the women, and, yes, the children of our communities - continue to be at heightened risk of senseless, brutal attacks on a large scale because we failed to do anything to protect them.

No, we cannot stop every act of violence. Yes, the gun epidemic has been going on for years and years in this country, in many communities that have felt its brunt and have only recently felt support to try to do something about it. But there is no other aspect of public policy that we hold to this standard of perfection the way we are told we need to hold this issue to perfection. That a background check bill, for example, would not have stopped the murder in Colorado yesterday, or the murders of all those innocent children in Sandy Hook, Connecticut, over 8 years ago now, that we somehow should not even be in favor of that because it would not solve all of our problems. And how can we have a safe storage bill because how can you enforce that, despite the fact that the States that have it have actually shown that suicides, homicides, and accidents have gone down dramatically because of that legislation?

We continue to allow these excuses from the National Rifle Association and other groups who want no changes to our policies and will argue at every turn that it is a slippery slope. They come back to our State Constitution and our Federal Constitution to argue that these rights are inviolate and no limitation on them can ever be abided, but we know that is not true. We know that every right that we enjoy as citizens of this Commonwealth and as citizens of the United States have limitations. But when the exercise of one of our rights infringes on another, and, most importantly, when it potentially endangers them, the law steps in and recognizes that there is a limitation. It is no less true when it comes to the right to keep and bear arms. These are reasonable measures that we know--and we have said time and time again--that gun owners themselves support, but lobbyists with power do not.

Another week has passed, another mass shooting has occurred in the United States, and still we do nothing. It is time for us to act. It is time for us to decide that enough is enough and that we are going to do something, not sit back and pretend that there is nothing we can really do or that somehow none of it would ever

pass constitutional muster. It is time for us to stand up and say, enough. It is time for us to stand up for our communities. It is time for us to say no more, that we are no longer going to be a country where these events happen with such frequency that they become commonplace, that we become numb to what happens and simply accept that that is part of life in the Commonwealth of Pennsylvania or part of life throughout the United States. Time for us to act. Time for us to stand up. Time for us to make our communities safer and enact these reasonable bills into law.

Thank you, Mr. President.

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:

March 23, 2021

HB 183 -- Committee on Agriculture and Rural Affairs.

HB 192 and **245** -- Committee on Consumer Protection and Professional Licensure.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Senator Pat Stefano as a member of the National Guard Youth Challenge Advisory Board.

RECESS

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

Senator ROBINSON. Mr. President, I move that the Senate do now recess until Wednesday, March 24, 2021, at 10 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 7:07 p.m., Eastern Daylight Saving Time.