

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JANUARY 19, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 3

SENATE

WEDNESDAY, January 19, 2022

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

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

PRAYER

The Chaplain, Reverend MAX FURMAN, of the Antes Fort Oriole United Methodist Church, Antes Fort, offered the following prayer:

Let us pray.

Almighty and most merciful God, eternal in the heavens, the same yesterday, today, and forever. Humbly we reach out to You in prayer knowing that You are always more willing to listen than we are to pray. We give thanks for Your holy presence as we lift this body before You. Bless them with Your presence and guidance as they, again, gather to do the critical work entrusted to them. As they labor, may what they say and do honor You as they serve their constituents. Enable them to be instruments in Your hands. May they seek You for guidance and wisdom, for it is in You that we live and move and have our being. As they strive to meet the challenging task of representing a diverse group of residents, entrust them, O God, with the wisdom of Solomon, the warrior spirit of David, the patience of Job, and the compassion of Joseph. Remove any selfish spirit they might display and replace it with a selfless spirit of servanthood and cooperation without compromising the values You have placed in their hearts. Help them to work together for the betterment of our Commonwealth. Aid them as they craft laws that are needed to improve the lives of their residents. Guide them as stewards of our resources. May they walk faithfully with You each day, whether in the Senate or in the street. For this we do pray in Your most holy Name. Amen.

The PRESIDENT. The Chair thanks Pastor Furman, who is the guest today of Senator Yaw.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the

Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

January 19, 2022

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mayte Redcay, 1535 Santa Barbara Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Renee Cardone, Collegeville, whose term expired.

TOM WOLF
Governor

BILLS REPORTED FROM COMMITTEES

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

SB 527 (Pr. No. 1329) (Amended)

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

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

HB 763 (Pr. No. 749)

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in construction, improvement, maintenance and repair of State highways, providing for native vegetation along highways.

HB 987 (Pr. No. 1000)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege.

HB 1224 (Pr. No. 1289)

An Act designating a portion of Pennsylvania Route 104, from the southern border of the Borough of Middleburg to the northern border of

the Borough of Middleburg, Snyder County, as the Chief of Police Tony M. Jordan Memorial Highway.

HB 1248 (Pr. No. 1317)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in lighting equipment, further providing for general lighting requirements; and, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

HB 1410 (Pr. No. 2613) (Amended)

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

HB 1479 (Pr. No. 1598)

An Act designating a portion of Pennsylvania Route 31 from Strikertown Road to Renaissance Lane in South Huntingdon Township, Westmoreland County, as the John Michael Beyrand Memorial Highway.

HB 1560 (Pr. No. 1717)

An Act designating a portion of State Route 2038, also known as County Line Road, from Meetinghouse Road to Blair Mill Road in Bucks County as the U.S. Air Force Major James Doherty Memorial Highway.

LEGISLATIVE LEAVES

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

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

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

Senator FONTANA. Mr. President, I request legislative leaves for Senator Brewster, Senator Comitta, Senator Costa, Senator Tartaglione, and Senator Anthony Williams.

The PRESIDENT. Senator Kim Ward requests a legislative leave for Senator Vogel.

Senator Fontana requests legislative leaves for Senator Brewster, Senator Comitta, Senator Costa, Senator Tartaglione, and Senator Anthony Williams.

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of June 15, 2021, is now in print.

The Clerk proceeded to read the Journal of the Session of June 15, 2021.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUESTS OF SENATOR SCOTT F. MARTIN
PRESENTED TO THE SENATE**

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

Senator MARTIN. Mr. President, I rise today to recognize Kim Lemon, an individual who has had a presence in many of the homes of the individuals of this body, as well as the homes of those who live and work in the Susquehanna Valley, for the majority of our lives. After 42 years with WGAL News, anchor Kim Lemon has chosen to retire.

Born and raised in Lancaster County and a graduate of Manheim Township High School, Kim has called central PA her home her whole life. It is where she and her husband, John, raised their two daughters, Meg and Morgan, and where in 1979 she began her career at WGAL-8 as the weekend weather girl. She continued to work as a reporter and was later named a cohost of the nationally syndicated show *PM Magazine* before being named the station's senior anchor. Kim Lemon is now recognized as the longest-serving anchor in WGAL's history.

Over the course of her career, Kim traveled the world to report from several countries, which ultimately allowed her to earn a dozen Mid-Atlantic Emmy Awards, including best host. She was named to the Silver Circle Society of Emmy Award-winning journalists; she was presented the President's Award for Community Service from my alma mater, Millersville University; and she has also been named best local news anchor by *Lancaster County Magazine* and *Susquehanna Style*. I could stand here for quite some time if I were to continue to list her many accomplishments that seem to be as numerous as the homes that had the opportunity to listen to her deliver the news.

Kim joins us today with Eric Nazarene, the director at WGAL News, and I would like to offer my heartfelt thanks for being such a wonderful member of our community. Many of our grandparents, parents, children, and grandchildren know who you are, Kim, and I have no doubt you will continue to make your mark off the television screen for many more years to come. Therefore, Mr. President, I ask that my colleagues join me in both welcoming Kim Lemon to the Pennsylvania Senate and to congratulate her on a distinguished career here in central Pennsylvania.

The PRESIDENT. You go, Kim. Would the guests of Senator Martin please rise to be welcomed by the Senate. (Applause.)

GUEST OF SENATOR GENE YAW PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, it is my pleasure to rise today to welcome today's guest Chaplain, retired Lieutenant Colonel Max Furman. He began his pastoral ministry in 1979 and currently serves two churches in Oriole and Antes Fort. Reverend Furman served in the United States Army for over 29 years. He has deployed to Bosnia, mobilized after Hurricane Katrina, and later was deployed to Iraq. Following his last deployment, he became the full-time support Chaplain for the Pennsylvania Army National Guard until his retirement in 2016.

Reverend Furman resides in Elimsport with his wife, Kathy. They have 3 children and 6 grandchildren. Mr. President, again, it is a pleasure to thank the Chaplain for today's opening prayer. I would ask my colleagues to please give Reverend Max Furman our usual warm Senate welcome.

The PRESIDENT. Would the guest of Senator Yaw please rise to be welcomed by the Senate. (Applause.)

LEGISLATIVE LEAVE

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

Senator FONTANA. Mr. President, I request a legislative leave for Senator Hughes.

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

RECESS

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

Senator K. WARD. Mr. President, I request a recess for the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. Senator Kim Ward requests a recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Rules and Executive Nominations. Without objection, the Senate stands in recess.

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 1, SB 113, SB 137 and HB 220 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 272 (Pr. No. 254) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for disabled veterans and former prisoners of war.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator MASTRIANO. Mr. President, thank you for the consideration of Senate Bill No. 272 which will provide free fishing licenses for first responders disabled in the line of duty. This legislation was inspired by a police officer from my 33rd Senatorial District, Rick Phillips. In 2010, Officer Phillips was severely injured in the line of duty while in a vehicle pursuit. Since his injuries, Officer Phillips has become an active advocate on behalf of all disabled police officers. This legislation is dedicated to him, his family, and all first responders injured in the line of duty. First responders, such as Officer Phillips, face grave dangers each time they respond to a call. We are indebted to those who risk their lives every day to protect us. Such sacrifice deserves our sincerest gratitude. Even though there is nothing we can do that would adequately reward them or repay them for their valor that they display on a daily basis, this is a simple measure to extend our thanks in a material way to our local heroes. I urge my colleagues for a positive vote on Senate Bill No. 272. Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

SB 327 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

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

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

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

SB 457 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 457, Printer's No. 488, be taken from the table and placed on the Calendar.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 482 (Pr. No. 1185) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in boards and offices, providing for information technology; establishing the Office of Information Technology and the Information Technology Fund; providing for administrative and procurement procedures and for the Joint Cybersecurity Oversight Committee; imposing duties on the Office of Information Technology; providing for administration of Pennsylvania Statewide Radio Network and imposing penalties.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator PHILLIPS-HILL. Mr. President, I rise in support of Senate Bill No. 482. Senate Bill No. 482 would consolidate the administration and management of the Commonwealth's information technology under the new Office of Information Technology. This would require each agency's chief IT employee and other associated staff to work under the office in their respective agency, and they would each answer to the director, who would serve as the Commonwealth's Chief Information Technology

Officer. In addition, this bill would also strengthen the Commonwealth's cybersecurity capabilities by requiring all State agencies to adopt new cybersecurity standards, which must match industry best practices. Now, more than ever before, with many State agencies doing work from home, we must ensure that our IT capabilities can keep up and that they are safe and protected.

We have seen significant failures in how the Commonwealth has handled IT projects from the State Police radio project, and most recently the Department of Labor and Industry's Unemployment Compensation potential breach. Additionally, the Departments of Human Services, Corrections, and Education all have had data breaches which exposed the names and personal information of thousands of individuals here in Pennsylvania. We also cannot forget the Department of Health contact tracing data breach just last year, where over 72,000 Pennsylvanians, including our children, had their personal and healthcare data compromised. The State's information technology spend equates to the fourth-largest State agency, with more than \$1.2 billion expended every year.

Our reliance on technology will only continue to grow, and this effort assures that we continue to prioritize our State's IT, as well as put in place protocols to best protect the sensitive data that State agencies store. It is clear, the status quo is not working. This measure would ensure a more efficient and effective IT system for the Commonwealth and would ultimately save taxpayers money, all while protecting the sensitive information of millions of Pennsylvanians.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Hughes has returned, and his legislative leave is cancelled.

And the question recurring,
Shall the bill pass finally?

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

Senator KANE. Mr. President, I rise today to urge a "no" vote on Senate Bill No. 482. First, I want to start by clearing up one of the main misconceptions surrounding this legislation. The language in Senate Bill No. 482 implies that Pennsylvania's IT spending is out of control, which is false. In fact, IT department spending has been trending in line with the vast majority of Pennsylvania's departments. Senate Bill No. 482 would actually increase costs. This bill will require an additional \$20 to \$25 million to be expended in the first year, and that cost is likely to repeat annually. There are also a number of unfunded mandates in this bill that will pass the cost onto the taxpayers, hurting all of our constituents. Senate Bill No. 482 limits the ability of our Commonwealth's IT professionals to do their job, and they are doing these jobs well. OA has won 28 national awards for IT security, management, and innovation since 2015.

The key issue is IT flexibility. Currently, OA has the authority to manage Commonwealth IT services and the flexibility to adapt to new, unpredictable developments. That is what allowed OA to win these awards: innovation and acting quickly to respond to changes in the IT environment. Pennsylvania's current model matches that of other States where IT systems operate under

executive order rather than under statutory requirements. This is not a partisan issue, this is about putting our constituents and our Commonwealth in the best position to succeed. I urge a "no" vote on Senate Bill No. 482. Thank you.

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-29

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

NAY-20

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

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

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

BILLS OVER IN ORDER

SB 573, HB 598 and SB 676 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER TEMPORARILY

SB 696 -- Without objection, the bill was passed over in its order temporarily at the request of Senator K. WARD.

BILLS OVER IN ORDER

SB 703, SB 704 and HB 723 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 726 (Pr. No. 1326) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in computer offenses, providing for the offense of ransomware; and imposing duties on the Office of Administration.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

Senator PHILLIPS-HILL. Mr. President, I rise in support of Senate Bill No. 726, legislation that is a critical step forward in making improvements to how our Commonwealth manages ransomware attacks and protects its citizens. Over the last several years, we have seen a major increase in the number of ransomware attacks across every sector in our nation. We have seen ransomware attacks target both private and public center entities. Last year, we witnessed a ransomware attack that crippled a major oil pipeline along the Atlantic seaboard. The criminals gained access through a single compromised password. Without a strategic plan in place at the State level, we remain sitting ducks for those entities trying to exploit our systems for significant financial gain. Senate Bill No. 726 is that strategic plan that the Commonwealth and our municipalities, school districts, counties, State-owned universities, and State-related universities need to protect its citizens and the assets paid for with hard-earned taxpayer dollars.

This bill would prohibit knowingly possessing, using, selling, transferring, developing, threatening to use, or inducing another to use ransomware. The bill imposes grading penalties based on the monetary requests made by those seeking ransomware payments. Furthermore, the bill requires the timely notification of a ransomware attack on State-owned assets within 1 to 2 hours. Probably the most important aspect of this legislation is that it would prohibit the State or any local entity from using any taxpayer dollars to pay for a ransomware attack. The only exception is if the State is under a disaster declaration by the Governor. Finally, the bill would require the Office of Administration to study the preparedness and ability of State agencies to respond to ransomware attacks and review best practices. The Office of Administration would be required to submit an annual report to the General Assembly with specific information on ransomware attacks.

Ransomware attacks are the new 21st century battlefield. Foreign governments and adversaries, including terrorist organizations and organized crime, are constantly looking for new ways to exploit systems in this nation. Senate Bill No. 726 proactively puts in place a process that would establish clear parameters to mitigate this very real threat.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-29

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

Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

NAY-20

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

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

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

BILLS OVER IN ORDER

SB 745, SB 775 and SB 807 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 818 (Pr. No. 1327) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, providing for ambulatory surgical facility permitted surgical procedures.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentlewoman from Blair, Senator Judy Ward.

Senator J. WARD. Mr. President, Senate Bill No. 818 amends the Health Care Facilities Act to give Pennsylvania's ambulatory surgical centers the ability to perform procedures listed on the Centers for Medicare and Medicaid Services, or CMS, ambulatory surgical center procedures list, as well as those that are permitted by Federal or State law or regulation. Pennsylvania's regulations covering ambulatory surgical centers have not been updated since the 1990s despite considerable advances in technology and healthcare delivery since then. Now, centers wishing to provide those procedures must undergo a lengthy review process that does not always result in the necessary authorization. If a surgical procedure is not on the CMS list, the facility may still seek a waiver or exception from the State Department of Health to perform the procedure. To help facilities and patients know which procedures facilities can perform, the bill directs the Department of Health to publish the CMS ambulatory surgical center procedures list on its website. Senate Bill No. 818 will also bring Pennsylvania in line with neighboring States that have given increased flexibility to their facilities, including Delaware,

Maryland, New Jersey, and New York. Senate Bill No. 818 has been amended to ensure that it complies with a recent State Supreme Court decision regarding the legislature's delegation of legislative authority. The current waiver process for adding new procedures to the approved list will remain in place. Senate Bill No. 818 is supported by the State's ambulatory surgical centers as well as the Pennsylvania Orthopaedic Society and the Pennsylvania Osteopathic Medical Association. Giving our ambulatory surgical centers the ability to perform these procedures will expand healthcare availability to Pennsylvanians while lowering costs. I thank you for considering the bill.

And the question recurring,
Shall the bill pass finally?

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

YEA-36

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

NAY-13

Cappelletti	Kane	Santarsiero	Tartaglione
Collett	Kearney	Saval	Williams, Anthony H.
Comitta	Muth	Street	Williams, Lindsey
Flynn			

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

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

SB 696 CALLED UP

SB 696 (Pr. No. 793) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator K. WARD.

BILL AMENDED

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

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

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

Senator PHILLIPS-HILL offered the following amendment No. A3451:

Amend Bill, page 1, line 7, by striking out "and"
 Amend Bill, page 1, line 10, by inserting after "1996":
 ; and further providing for notice exemption
 Amend Bill, page 1, line 19, by inserting a bracket before "security"
 Amend Bill, page 1, line 19, by inserting a bracket after "system"
 Amend Bill, page 1, line 19, by inserting after "breach":
of the security system
 Amend Bill, page 2, lines 9 through 11, by striking out "or" in line 9 and all of lines 10 and 11 and inserting:
in combination with access code or other medical information that permits misuse of an individual's health insurance benefits.
 Amend Bill, page 2, line 14, by striking out "or derived from"
 Amend Bill, page 3, line 12, by striking out all of said line and inserting:
subcontractor that provides goods or services for the fulfillment of the contract.
 Amend Bill, page 3, line 20, by striking out "OR STATE AGENCY CONTRACTOR" and inserting:
determines that it
 Amend Bill, page 3, line 21, by striking out "of security of the system," and inserting:
affecting personal information of the Commonwealth maintained by the State or State agency contractor.
 Amend Bill, page 3, line 22, by striking out "OR STATE AGENCY CONTRACTOR"
 Amend Bill, page 3, line 23, by striking out "of security of the system"
 Amend Bill, page 3, line 24, by striking out "discovery" and inserting:
determination
 Amend Bill, page 3, line 24, by inserting after "breach":
or notification by a State agency contractor as provided under paragraph (2)
 Amend Bill, page 3, line 25, by inserting after "provided":
concurrently
 Amend Bill, page 3, lines 26 through 28, by striking out all of lines 26 and 27 and "BREACH.(2)" in line 28 and inserting:
General.
(2) A State agency contractor shall notify the chief information security officer, or a designee, of the State agency for whom the work is performed of a breach of the security of the system within seven business days following determination of the breach.
 Amend Bill, page 3, line 29, by striking out "(2)" and inserting:
 (3)
 Amend Bill, page 3, line 30, by inserting after "of" where it occurs the second time:
the
 Amend Bill, page 4, line 2, by striking out "discovery" and inserting:
determination
 Amend Bill, page 4, line 5, by striking out "(3)" and inserting:
 (4)
 Amend Bill, page 4, line 9, by inserting after "ACT":
unless the existing contract already contains breach of the security of the system notification requirements
 Amend Bill, page 4, line 10, by striking out "(4)" and inserting:
 (5)
 Amend Bill, page 4, lines 15 through 30; page 5, lines 1 through 10; by striking out all of said lines on said pages and inserting:
 (a.2) Notification by county, school district or municipality.--If a county, school district or municipality is the subject of a breach of the security of the system, the county, school district or municipality shall provide notice of the breach of the security of the system required under subsection (a) within seven days following determination of the breach. Notification shall be provided to the district attorney in the county where the breach occurred within three business days following determination of the breach. Notification shall occur notwithstanding the existence of procedures and policies under section 7.

(a.3) Electronic notification.--In the case of a breach of the security of the system involving personal information for a user name or e-mail address in combination with a password or security question and answer that would permit access to an online account, the State agency, county, school district or municipality, to the extent that it has sufficient contact information for the person, may comply with this section by providing the breach of the security of the system notification in electronic or other form that directs the person whose personal information has been breached to promptly change the person's password and security question or answer, as applicable or to take other steps appropriate to protect the online account with the State agency, county, school district or municipality and other online accounts for which the person whose personal information has been breached uses the same user name or e-mail address and password or security question or answer.

(a.4) Affected individuals.--In the case of a breach of the security of the system involving personal information for a user name or e-mail address in combination with a password or security question and answer that would permit access to an online account, the State agency contractor may comply with this section by providing a list of affected residents of this Commonwealth, if known, to the State agency subject of the breach of the security of the system.

Amend Bill, page 5, line 20, by striking out "a" and inserting:
an unauthorized
 Amend Bill, page 6, line 2, by striking out "personally identifiable" and inserting:
personal
 Amend Bill, page 6, line 3, by striking out "personally identifiable" and inserting:
personal
 Amend Bill, page 6, line 4, by striking out "personally identifiable" and inserting:
personal
 Amend Bill, page 6, line 6, by inserting after "of" where it occurs the second time:
the
 Amend Bill, page 6, line 9, by inserting after "existing":
Federal and other
 Amend Bill, page 6, line 18, by inserting after "electronic":
personal
 Amend Bill, page 6, by inserting between lines 23 and 24:
 Section 5. Section 7(b)(2) of the act is amended to read:
 Section 7. Notice exemption.

(b) Compliance with Federal requirements.--

(2) An entity, a State agency or State agency contractor that complies with the notification requirements or procedures pursuant to the rules, regulations, procedures or guidelines established by the entity's State agency or State agency contractor's primary or functional Federal regulator shall be in compliance with this act.

Amend Bill, page 6, line 24, by striking out "5" and inserting:

6

Amend Bill, page 6, line 24, by striking out "60" and inserting:
 120

On the question,

Will the Senate agree to the amendment?

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

Senator PHILLIPS-HILL. Mr. President, after working with the Senator from Erie and a diverse coalition of stakeholders to ensure this legislation has no unintended consequences, this technical amendment ties up loose ends with the underlying legislation. I respectfully request an affirmative vote.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Senator PHILLIPS-HILL and were as follows, viz:

YEAS-43

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

NAY-6

Cappelletti	Muth	Street	Williams, Lindsey
Collett	Saval		

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

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

BILLS OVER IN ORDER

SB 846, SB 862, SB 927, SB 938 and SB 992 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

HB 1082 (Pr. No. 1830) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 1082 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that House Bill No. 1082, Printer's No. 1830, be taken from the table and placed on the Calendar.

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

BILL OVER IN ORDER

HB 1304 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1588 (Pr. No. 2323) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for prelicensing and continuing education, for license fees, for licensee requirements, for suspension, revocation or refusal and for mortgage servicers.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEAS-49

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

NAY-0

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

Ordered, That the Secretary of the Senate 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.

BILLS OVER IN ORDER

HB 1660 and HB 1823 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 118 and SB 200 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

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

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality healthcare accountability and protection, further providing for definitions and for

responsibilities of managed care plans, providing for preauthorization review standards and for preauthorization costs, further providing for continuity of care, providing for step therapy, further providing for required disclosure and for operational standards and providing for initial review of preauthorization requests and adverse determinations, for preauthorization denial grievances and for access requirements in service areas; and making an editorial change.

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

SB 225 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that Senate Bill No. 225, Printer's No. 948, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL OVER IN ORDER

SB 284 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 358 (Pr. No. 404) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 9, 2018 (P.L.118, No.24), known as the Maternal Mortality Review Act, further providing for confidentiality and protection of collected data, proceedings and activities.

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 471, SB 474, HB 491, SB 522 and SB 597 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

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

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

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

HB 636, SB 812, SB 815 and HB 951 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 970 (Pr. No. 1265) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for definitions and for sexual assault evidence collection program; and providing for noncompliance.

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 977 and HB 995 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1019 (Pr. No. 1321) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in temporary regulatory flexibility authority, further providing for COVID-19 regulatory flexibility authority.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

HB 1312, HB 1421, HB 1500, HB 1650 and HB 1819 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION

HB 2051 (Pr. No. 2366) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of West Pittston certain

lands, buildings and improvements situate in the Borough of West Pittston, Luzerne County; and making a related repeal.

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

HB 2146 (Pr. No. 2541) -- The Senate proceeded to consideration of the bill, entitled:

An Act apportioning this Commonwealth into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; and requiring publication of notice of the establishment of congressional districts following the Federal decennial census.

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

**COMMUNICATIONS FROM THE GOVERNOR
REPORTED FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator AUMENT, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

January 12, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 15, 2021, of Moriah Hathaway, 1009 Roman Knoll Court, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2023, and until the successor is appointed and qualified, vice William Davies, Wyomissing, resigned.

TOM WOLF
Governor

MEMBER OF THE THE [sic] PENNSYLVANIA
COUNCIL ON AGING

January 12, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2023, and until the successor is appointed and qualified, vice Dennis Flynn, Chester Springs, resigned.

TOM WOLF
Governor

CLERK OF COURTS, LANCASTER COUNTY

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 28, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, in and for the County of Lancaster, to serve until the first Monday of January 2022, vice Jacquelyn Pfursich, resigned.

TOM WOLF
Governor

CLERK OF COURTS, WESTMORELAND COUNTY

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Clerk of Courts, in and for the County of Westmoreland, to serve until the first Monday of January 2022, vice Bryan Kline, resigned.

TOM WOLF
Governor

CONTROLLER, LAWRENCE COUNTY

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 28, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Controller, in and for the County of Lawrence, to serve until the first Monday of January 2022, vice David Gettings, resigned.

TOM WOLF
Governor

CORONER, BRADFORD COUNTY

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 28, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Coroner, in and for the County of Bradford, to serve until the first Monday of January 2022, vice Thomas Carman, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

January 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 18, 2021, of Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Tammy O'Neill, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

January 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 18, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-First Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Carolyn Folk, Wallingford, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

January 18, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 18, 2021, of Elise Claire Schell (Public Member), 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve until March 18, 2024, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Scott Custead, Hollidaysburg, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 20, 2021, of Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia

County, to serve until the first Monday of January 2022, vice the Honorable Arnold New, resigned.

TOM WOLF
Governor

JUDGE, SUPERIOR COURT OF PENNSYLVANIA

January 18, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 28, 2021, of Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Superior Court of Pennsylvania, to serve until the first Monday of January 2024, vice the Honorable Jacqueline Shogan, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

January 12, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated October 18, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick West, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF MEDICINE

January 12, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 2022, of Thomas J. Yablonski, Jr., 3115 Wayland Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 79 of 2021.

TOM WOLF
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

January 18, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated

September 28, 2021, of Brittany Erney-Muniz, Esquire, 701 Sherwood Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2024, vice the Honorable Nazario Jimenez, Jr., resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

January 12, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 4, 2022, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice new position created by Act 78 of 2021.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

January 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 10, 2022, of Betsy Phillips, 3607 North Fourth Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Sharon Knoll, Fairview, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

January 11, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 10, 2022, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice George Khoury, Lemont, whose term expired.

TOM WOLF
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 18, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 28, 2021, of Elise Claire Schell, 1500 North Sixth Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until October 17, 2024, and until the successor is appointed and qualified, vice Christopher Lewis, Philadelphia, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

January 4, 2022

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 15, 2021, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-03, to serve until the first Monday of January 2022, vice the Honorable Patricia Broscius, deceased.

TOM WOLF
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator AUMENT. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator AUMENT, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Brock (District 3), 741 Maurus Street, Saint Marys 15857, Elk County, Twenty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Fish and

Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Lewis (At-Large), 148 Crooked Creek Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Small (District 6), 4577 Manor Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

NOMINATIONS LAID ON THE TABLE

Senator AUMENT. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator AUMENT,
That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

Senator AUMENT. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Brock (District 3), 741 Maurus Street, Saint Marys 15857, Elk County, Twenty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard Lewis (At-Large), 148 Crooked Creek Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

December 28, 2021

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Small (District 6), 4577 Manor Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and until the successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

On the question,
Will the Senate advise and consent to the nominations?

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

YEA-49

Argall	DiSanto	Laughlin	Schwank
Aument	Dush	Martin	Stefano
Baker	Flynn	Mastriano	Street
Bartolotta	Fontana	Mensch	Tartaglione
Boscola	Gebhard	Muth	Tomlinson
Brewster	Gordner	Phillips-Hill	Vogel
Brooks	Haywood	Pittman	Ward, Judy

Browne	Hughes	Regan	Ward, Kim
Cappelletti	Hutchinson	Robinson	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Saval	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa			

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator AUMENT. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

MOTION NOTWITHSTANDING SENATE RULE 12

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

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move the Senate proceed to consider Senate Bill No. 696, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 696 (Pr. No. 1330) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question, Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, I rise today to ask my colleagues for support of Senate Bill No. 696. This bill updates the Breach of Personal Information Notification Act that would

require State agencies victimized by a breach involving personally identifiable information to report the incident to those affected within 7 days.

As we are well aware, information security is an endless battle, and accomplished hackers are smart and sophisticated when it comes to technology. They enjoy the challenge of matching wits with the technicians charged with providing IT security for government, corporations, and financial institutions. That certainly makes Pennsylvania's State government a big target for them, and something that was all too clear last year when Insight Global, an independent State contractor, acknowledged it had mishandled sensitive information that exposed COVID-19 contact tracing data and the personal information of some 72,000 Pennsylvanians. Now we know of another breach, though the timing and full impact of it remains unknown, that is affecting many unemployment compensation claimants who had their bank account information changed within their accounts, leading to unemployment compensation claims being paid out to unknown criminals.

It is understandable that any agency victimized by a data breach would be embarrassed and reluctant to publicly report the incident, but it is certainly much more important to immediately inform the citizens about the theft of their personal information so that they can take appropriate steps to protect their own assets. I am not suggesting that any of our State government IT systems are vulnerable to cyberattacks, but we all know that the hackers are relentless in their attempts to steal personal and financial information. Mr. President, that is what makes the provisions of Senate Bill No. 696 so vitally important, and we can only hope that the hard work of our State's IT professionals will be effective in protecting our systems, but we must be ready to immediately respond in the event of a breach. I ask you all for an affirmative vote. Thank you.

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

Senator KANE. Mr. President, I rise to urge a "no" vote on Senate Bill No. 696 as it currently stands. The amendment we adopted today is a good start towards making this bill better, but it is not enough. This bill still needs additional amendments to make it workable for the Office of Administration and the Department of General Services. I thank Senator Phillips-Hill and Senator Laughlin for agreeing to work with the House on these amendments. If amendments are made in the House, I look forward to supporting the bill on concurrence, but in its current form I urge a negative vote. Thank you.

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-32

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

NAY-17

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

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

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

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

HB 979 (Pr. No. 1706)

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for limitation on the regulation of firearms and ammunition; and, in preemptions, providing for regulation of firearms and ammunition.

HB 1096 (Pr. No. 1128)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for civil causes of action.

BILLS ON FIRST CONSIDERATION

Senator MARTIN. 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 527, HB 763, HB 979, HB 987, HB 1096, HB 1224, HB 1248, HB 1410, HB 1479 and HB 1560.

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

FRIDAY, JANUARY 21, 2022

3:00 P.M.	STATE GOVERNMENT (public hearing on Governor Wolf's Congressional Maps)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
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MONDAY, JANUARY 24, 2022

12:30 P.M.	AGING AND YOUTH (to consider Senate Bill No. 936; and House Bills No. 996 and 1737)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 806, 967, 992 and 1019; and House Bills No. 764, 979, 1122 and 2146)	Senate Chamber (LIVE STREAMED)
Off the Floor	STATE GOVERNMENT (to consider House Resolution No. 165)	Rules Cmte. Conf. Rm.

TUESDAY, JANUARY 25, 2022

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 945 and 1030; and House Bills No. 668 and 1842)	Room 8E-B East Wing (LIVE STREAMED)
9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 589; and House Bills No. 221, 1350 and 1877)	Room 8E-A East Wing (LIVE STREAMED)
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing on storm water fees and implementation)	Room 8E-B East Wing (LIVE STREAMED)
10:30 A.M.	HEALTH AND HUMAN SERVICES (to consider Senate Bills No. 152 and 956; and House Bill No. 1420)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
11:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider House Bills No. 889, 1801 and 1868)	Room 461 Main Capitol
12:00 P.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider Senate Bill No. 962)	Room 461 Main Capitol

WEDNESDAY, JANUARY 26, 2022

9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing on small business assistance and economic recovery)	Hrg. Rm. 1 North Off. (LIVE STREAMED)
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PETITIONS AND REMONSTRANCES

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

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

Mr. President, I rise because today marks 5,673 days since the Pennsylvania legislature last passed an increase in our Commonwealth's minimum wage. That means that for more than 15 1/2 years, our Commonwealth's legislature has failed to step up and support the lowest earners. Yet, where our Commonwealth has failed, many other States have succeeded. At least 26 States will be raising their minimum wage at some point during 2022, with 22 of them acting at the turn of the new year to raise their minimum wage. Additionally, Mr. President, 56 cities and counties are increasing the minimum wage at some point in 2022. By the end of the year, the minimum wage in 49 States and municipali-

ties will meet or exceed \$15. Those numbers both give me hope, but also fill me with an incredible sadness, Mr. President.

They give me hope because there are States and municipalities that are willing to stand up and say, all workers deserve a livable wage. But I am also disheartened because those States and municipalities are able to do what seemingly cannot be done in the current climate of Pennsylvania, especially with the statewide ban on raising the minimum wage locally. I will never forget, after the first time I fought for and won a raise in our Commonwealth's minimum wage, the reaction from low-wage earners who had their pay increased due to our legislature's action. I heard stories from constituents about how their paychecks grew to a size that they could begin to live off of their wage for once. Well, Mr. President, those days are no more. No one in this Chamber can truthfully say that \$7.25 is a livable wage. Mr. President, studies—including one published last year by Franklin and Marshall—show that an overwhelming number of Pennsylvanians agree and support raising the minimum wage. So why is it that we stand here in gridlock, stuck hoping there may be some movement on a policy that would truly change lives? Why can we not move Senate Bill No. 12 out of committee and onto the floor and finally act on something that never should have taken 15 1/2 years?

Let us come together for our Commonwealth. Let us pass Senate Bill No. 12.

Thank you, Mr. President.

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

Senator CAPELLETTI. Mr. President, on Saturday we watched a scary and dangerous situation unfold in Texas. Congregants at Beth Israel synagogue in Colleyville gathered in person and via live stream for Sabbath, and instead of partaking in regular Saturday morning services, four people were taken hostage by a 44-year-old gunman. The standoff continued for almost 11 hours. After one hostage was released earlier in the day, Rabbi Charlie Cytron-Walker threw a chair at the gunman, allowing him, Jeffrey Cohen, and another fellow congregant to escape. I thank Rabbi Cytron-Walker for his bravery and courage, but more than that, I vociferously condemn these horrible acts of hatred and targeted violence against the Jewish community.

While I am glad that all of the hostages were rescued and are physically safe, we must recognize the collective trauma that this event has caused the Jewish community. Unfortunately for many, these events were the manifestation of legitimate, lifelong, and unrelenting fears as anti-Semitism is ever present, and the threat is always there. A simple search of social media will show that Jewish people across the world feel every act of anti-Semitism. Reach out to the Jewish members of your community, and you will hear what I have heard from my district. This could easily have been my synagogue, or my family. The reality that anyone could be hurt by violence fueled by hatred is certainly not lost on our Jewish friends and family. To speak plainly, that is just not right. A place of worship should not be a target for violence. Yet, once again, we see targeted religious attacks in a country that espouses one's freedom to worship as they choose.

Anti-Semitism is not a new phenomenon, but it is one we must redouble our efforts on fighting back against. On Martin Luther King, Jr. Day of Service, I spent some time with Rabbi Ackerman, who is the rabbi at Beth Am Israel, a synagogue in my district. During our time together, Rabbi Ackerman was very realistic about the challenges facing the Jewish community in the face of rising anti-Semitism, and it struck me that part of a conversation with a faith leader was the need to hire security and conduct active shooter training for congregants. He spoke about

the need for additional security funding, State funding that was once available after the tragic Tree of Life shooting, that has since been eliminated. This is an actionable step that we can take here in the legislature—and one that I will be advocating for during budget season—to help our Jewish brothers and sisters. The other thing that stuck out during the conversation was Rabbi Ackerman's desire to continue to offer his synagogue as an inclusive space, one that welcomes individuals, no matter their faith, who are seeking a sense of community. That sentiment needs to be our message moving forward: that we can create communities by finding common ground and opening up. Closing off will only deepen our divide.

My conversation with Rabbi Ackerman led me to recommit to opening dialogues and connecting with others from all backgrounds and faiths, because that is what will solve the problems of hatred: by being open and understanding and sharing in small acts of kindness and love that remind us we are all humans just trying to do our best in the short amount of time we have here on Earth. Because no matter our faith, no matter how we worship, at the end of the day, we all deserve to live safely and without fear. In that we should join together and stand against acts of hatred and anti-Semitism every time they happen, and they happen every day.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, sadly, I am forced to rise at this moment to speak to an issue that is at best troubling, definitely menacing, and really represents, Mr. President, maybe one of the lowest moments that this body has reached. Yesterday, Mr. President, a letter was offered by one of the Members of this body to the House of Representatives essentially calling for the impeachment of a duly-elected official in the city of Philadelphia—that being the district attorney. First and foremost, Mr. President, for the record, it was a cheap, political stunt and a desperate act by a failing gubernatorial political campaign. I will say it again: it was a cheap, political stunt and a desperate act by a failing gubernatorial political campaign.

Mr. President, why was this city, individual, or community—the largest city in the Commonwealth of Pennsylvania, the city that is, in many respects, the economic driver of the Commonwealth of Pennsylvania, the city that is growing in population—why was this city attacked with an attempt to nullify the democratic decisions based on the vote of the people in this city? It could not be because of the crime statistics, as was alleged in the letter. It could not be because of that. Because you see, Mr. President, if it was about the growth in crime, then the letter should have called for the impeachment of darn near every district attorney in the Commonwealth of Pennsylvania, because the growth in crime in the Commonwealth of Pennsylvania is prolific in every corner of the State of Pennsylvania, in counties big and small. So it could not be because of the statistics. Some of us around here, Mr. President, still believe in statistics, truth, and facts. The truth of the matter is, Mr. President, if you look at the National Commission on COVID-19 and Criminal Justice it will show you, without any hesitation, that homicides rose sharply in 2020 and rates of aggravated assaults and gun assaults increased as well all across the nation.

Homicide rates were 30 percent higher than in 2019, a historic increase representing 1,268 more deaths in the sample of 34 cit-

ies than the year before. But this happened all across the nation, Mr. President. So, therefore, utilizing the idea of a growth in crime as a reason to go after the prosecutor, then that means that darn near every prosecutor in the Commonwealth of Pennsylvania should be impeached, if that is the philosophy, if that is the idea. What we looked at, I just referred to you, Mr. President, the National Commission on COVID-19 and Criminal Justice and their national analysis of the situation about the rise in crime.

But let us get more parochial, more local. Again, the facts should dictate--according to the letter that was sent over to the House of Representatives--the facts should dictate that the prosecutor, the district attorney in Centre County, should be impeached as well if the issue is growth in crime. Mr. President, in Centre County from 2016 to 2019, violent crimes in State College were up by 38 percent, aggravated assault up by 52 percent. Mr. President, those are the facts in Centre County, in State College. So, therefore, if it is an issue of a growth in crime, then it should go to every county and every prosecutor where there has been a growth. It has happened there, but for some reason there is a need to target the district attorney in Philadelphia.

But let us go along, let us travel around the State, Mr. President, let us go all across Pennsylvania. In Pittsburgh, 80 percent increase in homicides and 90 percent increase in shootings, but I see no call for the impeachment of the district attorney in Allegheny County. In Harrisburg, there is a 68 percent increase in homicides. In York, the York College study--and not an outside organization, it is York College studying its own community, Mr. President--York had the worst gun violence problem among 19 similar cities. Cumberland County--no major urban conclave there--Cumberland County homicides doubled in 2020, but no call for the impeachment of the district attorney in Cumberland County. In Erie, gun homicides were up 60 percent. In fact, Mr. President, these numbers are troubling, these numbers are disturbing, and we should all be concerned about these numbers. But if the idea is that if crime is going up then the district attorney of that community should be impeached, well then, let us look at what is happening in other communities all across Pennsylvania.

I mentioned a few, but the truth of the matter is, according to the most recent FBI data, violent crimes are on the rise in Beaver, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Clarion, Columbia, Crawford, Fayette, Greene, Huntingdon, Juniata, Lackawanna, Lawrence, McKean, Mercer, Mifflin, Northumberland, Pike, Potter, Schuylkill, Sullivan, Susquehanna, Tioga, Union, Warren, and Washington Counties. Every one of those communities, Mr. President, has had dramatic increases in crime. Just as the National Commission on COVID-19 and Criminal Justice has indicated, this is a growth all across the country. It is happening in small, large, urban, suburban, and rural communities, but if the idea is that if there is a growth in crime, the district attorney for that community should be prosecuted, then dammit, all of them should be prosecuted--all of them, every one of them, if that is the idea. But for some reason, the city of Philadelphia was chosen.

There was an ignoring, Mr. President, of the issue going on in Somerset County where the district attorney's law license was suspended by the State Supreme Court. How do you have a district attorney, a prosecutor in a county, the chief law enforcement officer, have your law license suspended, but nobody wants to go after that person and impeach that individual? Law license sus-

pending, and I will read from the news article here, "The temporary order comes a month after [the gentleman] was charged with sexually assaulting a woman in Windber." Ignore that guy but go after the prosecutor in Philadelphia where crime has increased, but part of a national trend, the national reality of crime increasing all across the nation, and in damn near every county and every community in Pennsylvania.

The big issue here that none of us should lose sight of is this call for nullification of voters and the decision that the voters have made in their own community, to impeach the individual that the people in the city of Philadelphia chose to be their district attorney, they chose Mr. Krasner to be the district attorney. They had something that we call in America, "an election." People came to vote, and the people decided that they want this person to be their district attorney. Now, Republicans put up a candidate but that candidate failed, they lost. So now the attempt is to nullify the decision by the voters in the city of Philadelphia and say to them, your vote does not matter, you are irrelevant in this process, we will choose who your district attorney will be. Now, mind you, unlike the gentleman in Somerset, there are no criminal charges pending against Mr. Krasner, none at all. The ultimate effort in the movement of voter suppression is to go into a community and nullify the voters' decisions that they have made. That is consistent with where we are with the party of Trump, and the Republican party in general, but it is clearly the party of Trump.

We are having a national conversation right now, Mr. President, on trying to move the John Lewis Voting Rights Act. Trying to move the Freedom to Vote Act. Every Republican Senator has said no, they will not do it. This in the context of fact, Mr. President, that over 48 States in America have introduced over 300 pieces of legislation to make it harder to vote and not easier. So, in the context of this national effort around voter suppression, the failed effort to move the John Lewis Voting Rights Act and the Freedom to Vote Act driven by a solid Republican base, we have now the penultimate move: people vote, we do not like it, we impeach the person that you voted for, come back again.

Mr. President, I have been around here long enough to see some very troubling things, but we reached a new low, Mr. President. We reached a new low when there is an effort to impeach a sitting, duly-elected official in a community who has no charges brought against them. No charges of corruption, of malfeasance in office, none at all. They want to nullify the decisions of this duly-elected official by the people of the city of Philadelphia. Is it the idea of the fact that we will just ignore the reality in Pennsylvania where crime is increasing dramatically all across the State of Pennsylvania and not go to those prosecutors? Is it the idea that that is one of those good ol' boys in Somerset; we will just let him go, the local folks will have their decision about that, we will skip over him? Is it the idea, Mr. President, that the city of Philadelphia is populated by Black and brown voters at a very high level, and maybe that is the constituency that needs to have their votes nullified? This issue of voter nullification has been part of the DNA of this nation ever since its birth. Now you step to the table because of a failed political campaign for Governor and we are going to try to figure out what next step that we can do to try to get some currency in this political conversation for my race for Governor.

POINT OF ORDER

Senator HUTCHINSON. Mr. President--

Senator HUGHES. My comments are not far afield, Mr. President.

Senator HUTCHINSON. Mr. President--

Senator HUGHES. My comments are on point, Mr. President.

Senator HUTCHINSON.--it is not about on point, Mr. President.

Senator HUGHES. My comments speak to what has occurred, Mr. President.

Senator HUTCHINSON. Point of order, Mr. President.

The PRESIDENT. Please, Senator Hughes, you may continue.

Senator HUGHES. Mr. President--

Senator HUTCHINSON. Mr. President, the speaker is impugning the motives of one of the Members.

The PRESIDENT. Senator Hutchinson, I will recognize your point of order. What is your point of order, sir?

Senator HUTCHINSON. Mr. President, my point of order is the speaker is impugning the motives of one of our Members.

The PRESIDENT. The Chair recognizes Senator Hughes.

Senator HUGHES. Mr. President, national growth in crime. No effort to go after any of those prosecutors. Growth in crime in counties all across Pennsylvania. Urban, rural, suburban, most of those counties' growth in crime have been higher than the city of Philadelphia. The ignoring of an individual whose law license has been suspended, who is now under criminal investigation--going to trial, in fact, my apologies--ignoring that individual, but a search all throughout Pennsylvania seems to wind up in the city of Philadelphia where Black, brown, White, Asian, all kinds of folks, gay, straight, and all kinds of individuals, males and females, all kinds of individuals came together, had an election--duly-elected, duly-certified, I might add--then there is an effort to unseat that individual. That is nullification. I hate to say it is consistent with the history of this nation, but the reality, the truth speaks, it is consistent with this nation. We would hope that we would have gone in a different path. We would hope we would have gone in a different direction but, sadly, that is not the case. Voter suppression, in its ultimate form, to throw out, to impeach a duly-elected individual who has no crimes or no criminal charges filed against him. It is a sad day, Mr. President. We must do better.

Thank you, Mr. President.

RECESS

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

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Monday, January 24, 2022, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:56 p.m., Eastern Standard Time.