

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, APRIL 5, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 12

**SENATE**

TUESDAY, April 5, 2022

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

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the Chair.

**PRAYER**

The Chaplain, Rabbi DAVID ACKERMAN, of Beth Am Israel, Penn Valley, offered the following prayer:

Let us pray.  
(Translation from Hebrew:)  
God of all spirits. Sovereign of all worlds. Merciful One.

We gather at a challenging moment, seeking healing for those suffering from COVID-19 and for so many families in our Commonwealth caring for or mourning the loss of loved ones. Healer of shattered hearts, heal us. We gather at a time of hope, holiness, and healing. The holy month of Ramadan has just begun; Lent has passed its midpoint; Pesah, Passover, my tradition, celebration of freedom and renewal fast approaches; and opening day is a mere 48 hours away. Help us, God, to keep our focus on forgiveness and reconciliation at this sacred season. Much is broken, and there is abundant cause for hope. Your prophet and messenger, in words to be chanted in synagogues this week in the Commonwealth and the world over, offers this message. Behold, I send Elijah the prophet, who will return the hearts of children to their parents and the hearts of parents to their children. Merciful One, return our hearts to one another, please. And finally, Holy One of blessing, remind us all as we engage in the people's business of the things that Your prophet, Micah, has taught us that You desire most. To love kindness, to do justice, to walk humbly with your God, and teach us how, as our ancient sages taught, walk humbly with. Honor each other, respect each other, love each other. God of all spirits, sovereign of all worlds, Merciful One, bless this body and its work on behalf of all Your children. Together we say. Amen.

The PRESIDENT pro tempore. The Chair thanks Rabbi Ackerman, who is the guest today of Senator Cappelletti.

**PLEDGE OF ALLEGIANCE**

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

**BILL INTRODUCED AND REFERRED**

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

April 5, 2022

Senators BROOKS, LANGERHOLC, COSTA, REGAN, MASTRIANO, KANE, J. WARD and STREET presented to the Chair **SB 1188**, entitled:

An Act providing for patient access to diagnostics and treatments for Lyme disease and related tick-borne illnesses; and requiring health care policies to provide certain coverage.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, April 5, 2022.

**RESOLUTION INTRODUCED AND REFERRED**

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

April 5, 2022

Senators MUTH, FONTANA, HUGHES, CAPPELLETTI, BROWNE, BROOKS, BARTOLOTTA, COMITTA, MARTIN, YUDICHAK, HUTCHINSON, GEBHARD, COSTA, BREWSTER, ARGALL, STREET, J. WARD and STEFANO presented to the Chair **SR 259**, entitled:

A Resolution recognizing the week of April 3 through 9, 2022, as "National Library Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 5, 2022.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 907 (Pr. No. 1550)** (Amended)

An Act establishing the Animal Welfare Board; and providing for its powers and duties.

**SB 960 (Pr. No. 1249)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for frozen dessert safety; and making a related repeal.

**SB 1032 (Pr. No. 1340)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for licensing and regulation of agricultural commodity handlers; creating an Agricultural Commodity Indemnity Fund; and providing for penalties and enforcement.

**SB 1181 (Pr. No. 1537)**

An Act authorizing the provision or sale of Pennsylvania milk in Pennsylvania schools.

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

**SB 118 (Pr. No. 89)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offenses and tier system.

**SB 1040 (Pr. No. 1356)**

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for responsibilities of State and local law enforcement agencies.

**SB 1172 (Pr. No. 1549) (Amended)**

An Act providing for access to treatment for sexual assault survivors and for duties of the Department of Health.

**SB 1179 (Pr. No. 1530)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in domestic and sexual violence victim address confidentiality, further providing for definitions, for persons eligible to apply and for application and certification process.

Senator BARTOLOTTA, from the Committee on Labor and Industry, reported the following bills:

**SB 1083 (Pr. No. 1546) (Amended)**

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for ineligibility for compensation; and, in shared-work program, further providing for shared-work plan requirements, for effective period of shared-work plan and for participating employer responsibilities.

**SB 1162 (Pr. No. 1518)**

An Act establishing the PennSERVE Office within the Department of Labor and Industry; creating the PennSERVE Advisory Board; providing for coordination of Commonwealth community service programs; and making a related repeal.

Senator REGAN, from the Committee on Law and Justice, reported the following bills:

**SB 24 (Pr. No. 8)**

An Act providing for the Jayanna Powell Hit-and-Run Direct Notification System and for definitions; requiring registration of motor vehicle repair facilities; and providing for penalties.

**SB 750 (Pr. No. 873)**

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law, establishing the Pennsylvania Green Alert System; and further providing for immunity.

**SB 1037 (Pr. No. 1545) (Amended)**

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers and officials, providing for coroners; and making a related repeal.

**SB 1180 (Pr. No. 1538)**

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law, establishing the Pennsylvania Silver Alert System; and further providing for immunity.

**LEGISLATIVE LEAVES**

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

Senator K. WARD. Mr. President, I request temporary Capitol leaves for Senator Mastriano and Senator Browne.

The PRESIDENT pro tempore. Senator Kim Ward requests temporary Capitol leaves for Senator Mastriano and Senator Browne. Without objection, the leaves will be granted.

**JOURNALS APPROVED**

The PRESIDENT pro tempore. The Journals of the Sessions of October 18, 2021; October 19, 2021; October 25, 2021; October 26, 2021; and October 27, 2021, are now in print.

The Clerk proceeded to read the Journals of the Sessions of October 18, 2021; October 19, 2021; October 25, 2021; October 26, 2021; and October 27, 2021.

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

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

**LEAVE OF ABSENCE**

Senator COSTA asked and obtained a leave of absence for Senator HAYWOOD, for today's Session, for personal reasons.

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

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

YEA-48

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

NAY-0

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

The PRESIDENT pro tempore. The Journals are approved.

**LEAVE CHANGED**

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

Senator COSTA. Mr. President, I request that Senator Haywood's leave be changed from a personal leave to a legislative leave.

The PRESIDENT pro tempore. Senator Costa requests that Senator Haywood's leave be changed from a personal leave to a legislative leave. Without objection, the leave will be changed.

**GUESTS OF SENATOR  
STEVEN J. SANTARSIERO  
PRESENTED TO THE SENATE**

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

Senator SANTARSIERO. Mr. President, today I am honored to introduce a group of guests and another guest here on the floor. Let me begin with my friend who is here on the floor with us today.

I am honored to have him here. He is Dr. Timothy Block from Bucks County. Dr. Block, if you would please rise. Mr. President, Dr. Block is a nationally and internationally recognized leader in hepatitis B research and advocacy and will be retiring--or, actually, transitioning to another role--this year, following a truly impressive career. Dr. Block cofounded the Hepatitis B Foundation with his wife, Joan Block, and their friends, Janine and the late Paul Witte, in 1991. In 2004, Dr. Block then founded the Institute for Hepatitis and Virus Research, since renamed the Baruch S. Blumberg Institute, after his mentor, the late Nobel laureate Baruch S. Blumberg.

During his 31-year tenure, Dr. Block has led the staff and volunteers of the Hepatitis B Foundation and Blumberg Institute in their mission to find a cure and to improve the quality of life for those who are afflicted by hepatitis B worldwide. Their commitment includes funding focused research; promoting disease awareness; fighting against discrimination; supporting immunization and treatment initiatives; and serving as the primary source of information for patients and their families, the medical and scientific community, and the general public. As if that were not itself, alone, impressive, Dr. Block's work has not ended there. In 2006, Dr. Block founded the Pennsylvania Biotechnol-

ogy Center in Buckingham Township, Bucks County. The non-profit life sciences incubator is dedicated to the creation of a world-class biotechnology center; to the promotion of regional economic development and job creation; and to the education and training of tomorrow's researchers. Indeed, Dr. Block's vision for the biotech center in Bucks County includes making it a center of a new biotech corridor in our State that will compete with those in places like Massachusetts and North Carolina. Dr. Block holds more than 9 patents and has coauthored more than 240 scholarly papers. Dr. Block was named a "Visionary in Hepatitis" by the World Hepatitis Alliance in 2017. On April 5, 2018, Dr. Block was inducted into the U.S. National Academy of Inventors. Dr. Block was recognized for his contributions to therapeutic drug and biomarker of disease screening and discovery. Specifically, for methods of DNA transfer to mammalian cells, methods of discovery of antiviral drugs and biomarkers of liver disease and liver cancer. In 2020, Dr. Block, his wife, Joan, and the Hepatitis B Foundation were recipients of the American Association for the Study of Liver Diseases' Distinguished Advocacy Service Award. The Distinguished Service Award is given to an individual in honor of his or her sustained service to the association or the liver disease community in general. The award recognizes service provided to the community of hepatology researchers and clinicians over an extended period; service that is well above and beyond that provided by many members who serve on the governing board and committees of the AASLD.

Dr. Block will be retiring or--as I said earlier, more accurately stated--transitioning to a new role upon his retirement. He will be the president emeritus of the nonprofit organizations: the Hepatitis B Foundation; the Baruch S. Blumberg Institute; and the Pennsylvania Biotechnology Center. Let me just say, beyond all those things that I just read off and the accolades that he, very deservedly, has received over the course of his long career, Dr. Block's legacy is a legacy, first and foremost, of helping others. There is a term in Hebrew called tikkun olam, to heal the world. It is something that we all have an obligation to do, and I dare say, I believe it is the reason that we serve in the capacities that we do as Members of this Chamber. Dr. Block has lived tikkun olam through his work, discovery, and helping people with hepatitis B and other diseases. So, for that, we are grateful and truly honored to have him with us here today.

So, if you could please join me in thanking Dr. Block for all of these things and for his dedication to people, science, research, and advocacy. If you would join me, please, in giving him our customary warm Senate welcome. Dr. Block, congratulations.

The PRESIDENT pro tempore. Dr. Block, congratulations. (Applause.)

Again, let me recognize the gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, as I said at the outset, I am also recognizing some guests from my district, the Mackey family. They are in the gallery, if they would please stand, there they are. They are here in the Senate, they are from Falls Township in Bucks County. Dad, Aaron Mackey; Mom, Joanna Steere, who serves on the Pennsbury School Board; and their two children, Avery and Brayden Mackey. Avery is in the 11th grade at Pennsbury High School, and Brayden is in the 7th grade at Pennwood Middle School. The Mackeys join us in Harrisburg today thanks to their support for The Peace Center, an

organization that has been working for community peace and social justice in Bucks County since 1982. The Peace Center seeks to educate, empower, and support individuals and organizations in efforts to prevent violence, promote peaceful resolution of conflict, and foster inclusive, equitable, and safe communities locally, nationally, and indeed, worldwide. I thank the Mackeys for their support of The Peace Center and for joining us in the Capitol today. I would ask all of us to please join me in welcoming them here and by giving them our traditional warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Santarsiero please rise so the Senate may give them our usual warm welcome.

(Applause.)

**GUEST OF SENATOR  
AMANDA M. CAPPELLETTI  
PRESENTED TO THE SENATE**

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

Senator CAPPELLETTI. Mr. President, today it is an absolute honor to welcome Rabbi Ackerman to the Pennsylvania Senate Chamber and to have him serve as our Chaplain for the day. Rabbi Ackerman has served as Beth Am Israel's Rabbi since 2009. It is located in Lower Merion, Montgomery County.

I first met the Rabbi at a Martin Luther King Day event held at his synagogue in 2020, and that is an event I continue to go back to every year. I cannot begin to tell you what an honor it is to represent him and his congregants. They are active community members and partners and true agents for change, but the Rabbi probably does not want me to go on and on about him and the good work that he does. In fact, I know he would much rather sit down and have a conversation with each and every one of you to learn more about you. But the good Rabbi does not get a say in what I talk about today. I get the absolute opportunity and joy to share him with you and to let you know that the work that he and all of Beth Am Israel does is so impactful because they do truly take that to heart and get to know each and every one of their community members and ensure that there is a seat at their table for all people, all faiths, and all points of view, as he demonstrated with his heartfelt opening prayer today. As the spiritual leader of Beth Am Israel, Rabbi Ackerman often convenes events that are reflective of his personal commitments as well as the commitments of his congregation.

I would like to share perhaps one of the most impactful events that I have ever had the opportunity to attend; it was the opening of a Souls Shot exhibit at the synagogue. If some of you had the opportunity, I believe it was earlier this week, Senator Haywood had the Souls Shot here in the Capitol. What it is, is an art exhibit where artists join with members of our communities who have been impacted and lost loved ones to gun violence to create art that really exhibits and embodies the spirit of the loved one who was lost. For the synagogue to have the Souls Shot exhibit year after year, actually, hosted there, and for them to bring in the people whose loved ones are there to hear them talk about it, it is truly changing to talk to people who have lost loved ones to gun violence, to know what that art means to them, and to be able to share their loved ones through it. So I thank you, Rabbi,

for having that and allowing me to be a part of that opening exhibit. I also know it is a point of pride for you as well as a point of sorrow.

But outside of being the spiritual leader of Beth Am Israel, I would love to share with you that Rabbi Ackerman serves on the board of the Katz Center for Advanced Judaic Studies at the University of Pennsylvania and as the chair of the Ethics Committee of Jewish Family and Children's Services of Greater Philadelphia. He participates in communal activities through the Interfaith Center of Greater Philadelphia, the Jewish Community Relations Council, and POWER Metro, a regional movement for social justice. Those are just highlights of the things that he serves on and is a small demonstration of the type of programming that his synagogue has to offer. While I may not practice, personally, the Jewish faith, it is always an honor to go to that synagogue and attend your events because you are so welcoming and open to all people. As we are coming up on Passover, I am simply delighted to have you, Rabbi Ackerman, here with us. Thank you for making the time. Please join me in giving Rabbi Ackerman a warm Senate welcome.

The PRESIDENT pro tempore. Would the guest of Senator Cappelletti please rise so the Senate may give you its usual warm welcome.

(Applause.)

**GUESTS OF SENATOR CAROLYN T. COMITTA,  
SENATOR JOHN I. KANE, AND  
SENATOR ROBERT M. TOMLINSON  
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Chester, Senator Comitta.

Senator COMITTA. Mr. President, Senator Kane, Senator Tomlinson, and I rise today to welcome West Chester University's Dance Team who are celebrating their first-ever national championship win. They are sitting here on the Senate floor; will you all stand while we tell your story, recognize, and congratulate you. As a WCU alum, it gives me great pleasure to recognize these talented dancers for bringing home West Chester's first-place finish at the Universal Dance Association national competition in the open hip hop division. Competing against nearly 225 cheerleading and dance teams from 44 States, West Chester University stood out from day one, of course. The rigorous competition concluded, and your team earned top honors for the first time in the program's history. The WCU Dance Team is an entirely student-run sports club fueled by the talents and energies of these student athletes. Dancers go through a challenging audition process to earn a spot on the team, followed by hours of intense practice. Governor Wolf--when you met and had photographs with the Governor--mentioned 6 hours a day of practice--which is remarkable and clearly paid off--hours of intense practice and choreography to perfect your routines, and all of that practice indeed paid off.

Congratulations to each member of the team, and I especially want to recognize the student captains, Julia Adams and Payton Johnson; will you raise your hands, please? Thank you to all of those who supported the team along the way, including volunteer coaches, Olivia Adams and BJ Byrne; choreographers, Jawkeen Howard and Shelby Smith; faculty advisor, Patricia Davidson;

and WCU student recreation staff, Mike Reno and Demetrius Isaac.

I would like to ask Senator Tomlinson to share a few words.

The PRESIDENT pro tempore. The Chair recognizes the alumni of West Chester University Dance Team, Senator Tomlinson.

(Laughter.)

Senator TOMLINSON. Mr. President, thank you for mentioning that and thank you, Senator Comitta. I am indeed honored, not only as an alumnus but also as the chair of the Board of Trustees for West Chester University. I cannot express to you how happy I am and how proud I am of you and your accomplishments. Although I viewed the tape recently of your dance and you made it look so easy, you made it look so beautiful, the choreography was fantastic, but I know that you put many, many hours of dedicated time into that. I know you had great coaching, and I know you had great choreography. So, as an alumnus, chairman of the board of West Chester, and a Senator who represents several of you from Bucks County, I thank you so much, tell you how proud I am of you, and wish you all the best. I know because of what you have accomplished now, to this date, you are going to be very successful in life. Congratulations and thank you.

The PRESIDENT pro tempore. Welcome to the West Chester Dance Team. Congratulations.

(Applause.)

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

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

Senator SCHWANK. Mr. President, today I have the pleasure of introducing an intern in my Reading district office, Amanda Dwulet. Amanda is an honor student at Lehigh Carbon Community College's paralegal studies program and will be graduating this May. Then, she is on to another one of our PASSHE institutions, Kutztown University, to serve in the public administration bachelor program. She is going to succeed, I just know it. In our office, she has been doing an incredible job, it is just like she is another staff member there. She is organizing a veterans' forum for us that will be held later this spring. It is an event like we have not done before, and it is due to her efforts and work in coordinating this. I am very proud of her. I am very glad to have her on our team. In her free time, Amanda enjoys being outdoors with her dog, Lilly, and going to the Easton Farmers' Market.

Thank you, Amanda. May we welcome her, Mr. President.

The PRESIDENT pro tempore. Would the guest of Senator Schwank please rise so the Senate can give you our usual warm welcome.

(Applause.)

#### **GUESTS OF SENATOR MARTY FLYNN PRESENTED TO THE SENATE**

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

Senator FLYNN. Mr. President, I rise today to introduce 24 exceptional high school seniors from the 22nd Senatorial District. These students are participants in my inaugural student ambassador program, which includes representatives from every

high school in the 22nd Senatorial District. Selected through a rigorous application process, these students have joined me for daylong sessions once a month since September to learn about Pennsylvania State government, embrace the value of diversity by collaborating with students from various schools and backgrounds, and represent their personal interests and their communities' needs by proposing legislation to me and other State officials. Each month the student ambassadors have studied an integral aspect of State government. Thus far, they have learned about district office functions, legislative redistricting, Senate committees, the appropriations process, how bills are drafted, and the journey a bill takes to become a law.

Additionally, the students had the opportunity to hear from and interact with State Representatives, the Mayor of Scranton, and the Director of Economic Development for Lackawanna County. Throughout this experience, these young ambassadors have been working in small groups to create their own legislative proposals. In May, the groups will present their ideas, research, and final pieces of legislation to me and the Representatives. I will choose the winning proposal which I will then introduce formally as a bill. These students demonstrated genuine interest in public service and community activism. They have been enthusiastically engaged in each session, posing insightful questions to our speakers. They are an incredibly driven group of young adults, and they each possess the motivation and the curiosity required to truly make a difference in the world. I have no doubt that they will be the future leaders not only in northeast Pennsylvania but throughout the Commonwealth of Pennsylvania. Please join me in giving my student ambassadors a warm Senate welcome.

The PRESIDENT pro tempore. Would the guests of Senator Flynn please rise so the Senate can give you our usual warm welcome.

(Applause.)

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

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

Senator SCAVELLO. Mr. President, it is my honor to welcome Jacob Glavich, a very special guest who is visiting me here today as a guest Page in the Capitol. Jacob is 16 years old and is a sophomore at East Stroudsburg Area High School South. Jacob is an avid student; he obtained his Eagle Scout at 14 years old. He received a certificate of completion for Google Analytics Academy which included six independent study courses. He also received a FEMA Certificate of Achievement in the Homeland Security Geospatial Concept-of-Operations independent study course. If there is a computer wizard at his age, he is a computer wizard. Jacob is a talented young man who has just as many accomplishments outside of the classroom. Jacob is a private pilot, plays the piano and percussion; and he was downstairs at the piano playing a symphony, and he has been playing the piano for a year. I am very jealous, Jacob. He is a member of the East Stroudsburg High School Varsity Rifle Team. He graduated from the Pennsylvania State Police Camp Cadet program. He is a member of the Order of the Arrow in the Boy Scouts honor society. Jacob enjoys media, design, and programming. He earned the Jimmy Stewart Good Citizenship Award and the Forest Con-

ervation Award. If there is ever a well-rounded student, it is Jacob. Please join me in giving Jacob Glavich, who is on the floor, and his grandparents, Richard and Laura Spinner, who are seated in the gallery, a warm Senate welcome.

The PRESIDENT pro tempore. Would the guests of Senator Scavello please rise so the Senate can give you our usual warm welcome.

(Applause.)

### GUEST OF SENATOR DEVLIN ROBINSON PRESENTED TO THE SENATE

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

Senator ROBINSON. Mr. President, I am pleased to introduce a very special guest today, Ms. Hazel Bomar of Carlisle, Pennsylvania. She is spending the day shadowing me and my staff, and we are thrilled to show her a firsthand look of the inter-workings of State government. Hazel is in her junior year at Carlisle High School in my good friend, Senator Regan's, district. Today is very appropriate for her to be here with us, as Senator Stefano and I will be recognizing April 2022 as the Month of the Military Child. Hazel is a proud military child and has lived on 3 continents and 4 different States, traveling to 9 countries, including the demilitarized zone between North and South Korea. She is a member of the National Honor Society of High School Scholars and was just accepted to the Carlisle chapter of the National Honor Society. She is on class council, a member of the environmentalist green club, and her favorite subject is law and modern issues. She was also a delegate at the Model UN conference in New York City, representing Germany on the commission of status of women. Last year, she and her soccer team were regional champions. She aspires to attend college and study political science and U.S. history, and eventually pursue a career in politics. We might even see her on this Senate floor in a few years. Please join me in extending our Senate warm welcome to Hazel Bomar. Please stand and be recognized.

The PRESIDENT pro tempore. Would the guest of Senator Robinson please rise so we can give you our usual warm Senate welcome.

(Applause.)

### CALENDAR

#### SECOND CONSIDERATION CALENDAR

#### HB 1184 CALLED UP OUT OF ORDER

**HB 1184 (Pr. No. 2928)** -- Without objection, the bill was called up out of order, from page 10 of the Second Consideration Calendar, by Senator K. WARD, as a Special Order of Business.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 1184 (Pr. No. 2928)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in creation and alteration, further providing for definitions, for contiguous areas, for applications, for

borough advisory committee, for adjustment of indebtedness, for judicial adjustment, for judicial adjustment award proceedings, for compensation, expenses and costs, for territory located in multiple counties and for bond issues and taxation; in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

Considered the second time and agreed to,

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

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

### RECESS

The PRESIDENT 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 the purpose of 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, Senate Democrats will meet in the rear of the Chamber immediately as well.

The PRESIDENT pro tempore. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

### AFTER RECESS

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

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

### LEGISLATIVE LEAVE

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

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

The PRESIDING OFFICER. Senator Kim Ward requests a temporary Capitol leave for Senator Brooks. Without objection, the leave will be granted.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Browne has returned, and his temporary Capitol leave is cancelled.

### RECESS

The PRESIDING OFFICER. 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.

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on Appropriations, 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 LEAVE CANCELLED**

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**SB 1, SB 137 and HB 221** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 245 (Pr. No. 2929)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for license without restriction, for institutional license and for temporary license.

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

On the question,  
Shall the bill pass finally?

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

**YEA-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**

**SB 322, SB 457, SB 573 and SB 676** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

**BILL OVER IN ORDER AND LAID ON THE TABLE**

**SB 703 (Pr. No. 787)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of stalking.

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

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

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 704 (Pr. No. 804)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for the offense of institutional sexual assault.

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

On the question,  
Shall the bill pass finally?

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

Senator BAKER. Mr. President, yesterday I stood with advocates and survivors to recognize Sexual Assault Awareness Month and to reaffirm our message that all forms of abuse and harassment are intolerable. Today, the Senate is acknowledging this important work by advancing Senate Bill No. 704, legislation intended to improve protections for care-dependent adults. Every case of sexual assault is horrific; it is a tragedy because people in positions of power and responsibility take advantage of the weaknesses and vulnerabilities of others. It is doubly appalling when perpetrators in caregiving settings escape legal consequences by claiming their victims somehow gave consent.

Those residing in care facilities are receiving residential care, and the families and friends who love them put their faith and trust in our system to provide them with comfort, care, and protection. These individuals have a range of physical and cognitive disabilities that not only render them incapable of giving informed consent, but also deprive them of the ability to describe the circumstances and nature of the assaults. Pennsylvania provides protection against sexual assault in institutions such as schools and prisons, and I believe it is imperative that we do the same for individuals residing in caregiving facilities or those requiring at-home care. It is important to note that this law would not punish a caregiver if the caregiver were a spouse, a person living as a spouse, or if the caregiver was in a relationship that pre-existed before the caretaker relationship was advanced. The Arc of Pennsylvania, the Office of Victim Advocate, the Pennsylvania Coalition Against Rape, and the Pennsylvania District Attorneys Association are all in full support of this action to better protect vulnerable individuals from abuse in the very settings where they are depending on our care to survive. So I urge an affirmative vote on Senate Bill No. 704.

Thank you, Mr. President.

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

Senator SAVAL. Mr. President, I will be voting "no" on Senate Bill No. 704. I understand the intent behind the bill and believe that it is well-intentioned and designed or intended to protect care-dependent individuals from abuse. I do believe that it does not consider a spectrum of disability and makes it possible for consensual sex among consenting adults to be prosecuted as a crime. I believe that this goes too far, and it allows, potentially, family members who disapprove of the relationship to urge prosecution as a crime. So, I will be voting "no" on this legislation. Thank you so much.

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

Senator A.H. WILLIAMS. Mr. President, I want to follow my colleague. I do think that the maker of the bill is sincere in her efforts to remediate a horrible set of circumstances. But, whenever we are opening up our opportunity for a prosecutor to execute discretion, I draw my attention to those controls that should be in place. The concern I have relates to--it allows for those who have cognitive issues to be lumped in with those who have physical issues. Certainly those of us who acknowledge someone with a cognitive problem should certainly be protected 100 percent. Those who are in a different space of physical disabilities are not the same. While this bill is moving along--and frankly, with all candor, I did not turn a lot of attention to it until recently--I am concerned about the possibility of the fact that someone could give consent who is physically in a different position, not cognitively in a different position. Based upon how the bill is drafted, consent is not a defense. That means a third party can come in between that relationship, not agree with that relationship, go to a local DA, and use it as a way to pressure that prosecutor to prosecute.

That said, I acknowledge that my friend and colleague who is offering this is trying to do it in the spirit that it is intended, and it has to go from here to the House. I would encourage her and all of us to work to make sure that the language is with the intent, and that is to prosecute those who are most vulnerable and do not have protection. I am going to support this, but I am supporting

with the understanding that the provision that I am concerned about--that is that a third party could use this against someone who is in a consensual relationship--does not have that ability to do so simply because they can prosecute it. That means a parent who does not necessarily agree with the relationship. That means a third party, brother or sister, neighbor, or someone else who views this as a relationship that should not occur, does not have the ability to go to the local prosecutor and intimidate them. Then, of course, uproot someone's life or their consensual relationship. I look forward to the opportunity to do that. I do not want to suggest through my vote that I do not believe that the intent is appropriate, fair, balanced, or frankly warranted, because it is. But I do believe that we have more work to do to get it done properly and effectively to protect all parties involved.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-47

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

NAY-2

Saval Street

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

**HB 723, SB 745, SB 775, SB 862, HB 889, SB 934, SB 935, SB 967, SB 992, HB 995, HB 996, HB 1660 and HB 1849** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL LAID ON THE TABLE

**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.



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

### HB 2051 TAKEN FROM THE TABLE

Senator K. WARD. Mr. President, I move that House Bill No. 2051, Printer's No. 2366, 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.

### SECOND CONSIDERATION CALENDAR RESUMED

#### BILLS OVER IN ORDER

**HB 118, SB 152, SB 225, SB 230, SB 284, SB 297, SB 471 and SB 527** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 569 (Pr. No. 606)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for guidelines and procedures governing certain investigations and interrogations of correctional and forensic employees; authorizing certain civil suits by correctional officers; and providing for impact of collective bargaining agreements and for summary suspensions.

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 581 and SB 597** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 622 (Pr. No. 779)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to retirement for State employees and officers, further providing for definitions.

Considered the second time and agreed to,

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

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

**SB 811 (Pr. No. 996)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, further providing for municipal claims first lien, cities of first class, docketing, judgment and execution, for cities of the first class, recovery of judgment and sale free from claims, for redemption and for rule to show cause, decree, service and notice and providing disposition of property in cities of the second class.

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 815, SB 845, SB 892, HB 951, SB 956, SB 965, HB 987, SB 993, SB 1016, SB 1027, SB 1031, SB 1051, SB 1053 and SB 1057** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 1058 (Pr. No. 1393)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for auditor's compensation.

Considered the second time and agreed to,

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

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

#### BILL OVER IN ORDER

**HB 1096** -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

#### BILL AMENDED

**SB 1167 (Pr. No. 1525)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for legitimate cannabis-related business.

On the question,

Will the Senate agree to the bill on second consideration?

Senator DiSANTO offered the following amendment No. A3856:

Amend Bill, page 2, lines 2 and 3, by striking out all of line 2 and "5508." in line 3 and inserting: § 5507.

Amend Bill, page 12, lines 27 through 30; page 13, lines 1 through 7; by striking out all of lines 27 through 30 on page 12, all of lines 1 through 6 and "§ 5508." in line 7 on page 13 and inserting: § 5507.

Amend Bill, page 13, lines 19 through 26, by striking out all of said lines

Amend Bill, page 13, line 27, by striking out "4" and inserting: 3

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

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator DiSanto.

Senator DiSANTO. Mr. President, my amendment removes the allowance of ordinary and necessary business deductions by medical cannabis businesses in response to the Department of Revenue technical and administrative concerns with addressing this important issue in Title 12. Despite Pennsylvania and 36 other States legalizing medical cannabis, Federal IRS code disallows this industry to deduct the same business expenses available to all other industries. This is a punitive hurdle for operating a successful, legal business and needlessly increases costs for patients. The administration has agreed to work with me; my Committee on Banking and Insurance Democratic chair, the Senator from Philadelphia; and the Senator from Delaware County, who also has a standalone bill on this subject, to decouple State taxes from the Federal code and to address tax fairness for Pennsylvania's medical cannabis industry in the Tax Code. The Department of Revenue already allows for these deductions for personal income tax filers, and it is time for corporate returns to achieve parity.

I ask for an affirmative vote on today's amendment and want to reassure my colleagues and stakeholders that I will remain active in seeking to resolve this tax matter in tandem with finalizing this year's State budget. Thank you.

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

Senator KEARNEY. Mr. President, I rise in support of this legislation and the work that the authors have done to make it as comprehensible as possible to bring as much certainty and security into this new industry and its many stakeholders. The provisions this amendment would eliminate are similar to the legislation I introduced, Senate Bill No. 464.

While regular businesses can deduct their normal and ordinary expenses from their gross income when calculating their tax obligations, growers and dispensaries do not have the same ability. Section 28(e) of the Internal Revenue Code prevents businesses from deducting expenses from their income for Federal tax filings if their income is tied to Schedule I or Schedule II substances, which includes medical marijuana. This also affects how medical marijuana organizations calculate their PA Corporate Net Income Tax, which is based on the net income reported on Federal tax filings. Because medical marijuana businesses cannot deduct their expenses for Federal filings, they also cannot deduct them from their State net income taxes, despite the enactment of the Medical Marijuana Act in 2016. The provisions we are taking out were intended to fix this issue for businesses when it comes to State taxes. I understand the Department of Reve-

nue's concerns for putting this into Title 12 and not the Tax Code, so I will not be voting against the amendment. But I thank the author and the sponsors of this legislation for supporting the idea and including it in the original bill. I trust that we can include it in the appropriate Tax Code bill or standalone legislation in the next couple of months.

Thank you, Mr. President.

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

Senator STREET. Mr. President, I thank the maker of the bill and the amendment, as well as Senator Kearney, for raising an important issue about how we address the tax issues associated with our medical cannabis program, as well as the underlying issues in the bill around making sure that our cannabis providers can bank in a more traditional way.

The sum effect of both ideas is to make cannabis more affordable to patients who need it. We know that there are lots of ways that this can be achieved, and there are lots of things that have to be done in our cannabis space. I have heard from advocates who have advocated for home-grow, and that is something that we will address in other pieces of legislation. But today, by addressing these issues, and in the future addressing the tax issues that Senator Kearney has been leading on, we will be reducing the overall cost of cannabis, and there are so many patients who need cannabis but who are prohibited from getting it. This is also a first step in--when Federal legislation is adopted--allowing for people to be able to use insurance to get cannabis and obtain their important medications. We must unwind the financial services issues. People should not be riding around in armored vehicles to transport cannabis. Ultimately, this is about equity, access, public safety, parity, and sensibleness. So with that being said, I urge a "yes" vote on the amendment and the bill, as amended.

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

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholz, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Santarsiero, Saval, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

NAY-0

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

**HB 1248, HB 1500 and HB 1665** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON SECOND CONSIDERATION  
AND REREFERRED

**HB 1801 (Pr. No. 2651)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for definitions, for general powers of board, for procedure for licensing as professional engineer, for continuing professional competency requirements, for fees and for penalties.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.  
Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

**HB 2058 (Pr. No. 2365)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for declaration and payment of income taxes.

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 REPORTED FROM COMMITTEE

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

**SB 358 (Pr. No. 404)** (Rereported)

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.

**SB 797 (Pr. No. 1283)** (Rereported)

An Act amending the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, further providing for definitions, for creation of neighborhood improvement district and for powers of neighborhood improvement district management association.

**SB 881 (Pr. No. 1184)** (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for Safe Exchange Zone Program.

**SB 962 (Pr. No. 1350)** (Rereported)

An Act establishing the Rural Coworking and Innovation Center Grant Program; and providing for requirements and imposing duties on the Department of Community and Economic Development.

**SB 991 (Pr. No. 1301)** (Rereported)

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, further providing for preliminary provisions and providing for city classification.

**SB 1043 (Pr. No. 1366)** (Rereported)

An Act amending the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act, further providing for payments under contracts by requiring centralized portal for electronic submission of documentation.

**HB 1184 (Pr. No. 2928)** (Rereported)

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in creation and alteration, further providing for definitions, for contiguous areas, for applications, for borough advisory committee, for adjustment of indebtedness, for judicial adjustment, for judicial adjustment award proceedings, for compensation, expenses and costs, for territory located in multiple counties and for bond issues and taxation; in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1

## BILL AMENDED

**SB 797 (Pr. No. 1283)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, further providing for definitions, for creation of neighborhood improvement district and for powers of neighborhood improvement district management association.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator FONTANA offered the following amendment No. A3897:

Amend Bill, page 6, line 25, by striking out "IN LARGE PART" and inserting:  
primarily

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

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

Senator FONTANA. Mr. President, this is a technical amendment. It strikes out the words "in large part" and inserts the word "primarily" into the legislation, and I think it is agreed to.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 881 (Pr. No. 1184) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for Safe Exchange Zone Program.

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 Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise to seek support for Senate Bill No. 881. Last year, to the day, Denise Williams of Cambria County went to meet an individual at his home to purchase an item off of Facebook Marketplace. Tragically, she was brutally stabbed to death. Following this horrific murder, the Cambria County District Attorney's Office, in conjunction with police departments in the county, began to establish safe exchange zones for individuals to exchange goods purchased on the online marketplace, as well as serving as a safe place to effectuate a child custody exchange. The safe exchange zones established in Senate Bill No. 881 would be completely voluntary and require the agreement of the participating law enforcement agencies to assist with the safe exchange zone. The zones are equipped with video surveillance and are either within 100 feet of a law enforcement office or located near a public area with an active public presence.

Today, this legislation is before the Senate, and as we vote, Denise's family and friends will gather this evening at Conemaugh Memorial Medical Center to release balloons in her memory. As this day brings a somber memory, we pass this legislation to hopefully ensure that no one has to endure the pain of loss such that Denise Williams' family has had to bear. This issue is not just occurring in Cambria County or this Commonwealth. Earlier last year, in Flint, Michigan, two men were charged with robbing another individual at gunpoint over the purchase of a cell phone. After police announced the arrest, they began encouraging the public to exchange items at their police station. In Louisiana, safe exchange zones were set up in the Jefferson Parish Sheriff's Office parking lot in memory of a young man who was killed while trying to sell his dirt bike.

This legislation is supported by the Pennsylvania Sheriffs' Association, as well as many police departments throughout the Commonwealth. Legislation is also supported by the family of Denise Williams, who have issued a statement and I read in quote. (Reading:)

On behalf of the Williams' family, we would like to state how grateful and appreciative we are for the legislation that is being passed on behalf of our beloved Denise Williams. Hopefully this program will provide a haven for any interaction to prevent future tragedies. Passing this legislation on the anniversary of her passing is a special way to keep and honor her memory.

I ask my colleagues for an affirmative vote on Senate Bill No. 881. I also ask you to say a prayer tonight for Denise Williams' family as they continue to deal with this horrible loss.

Thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Browne, Cappelletti, Collett, Comitta, Corman, Costa, DiSanto, Dush, Flynn, Fontana, Gebhard, Gordner, Haywood, Hughes, Hutchinson, Kane, Kearney, Langerholc, Laughlin, Martin, Mastriano, Mensch, Muth, Phillips-Hill, Pittman, Regan, Robinson, Santarsiero, Saval, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony H., Williams, Lindsey, Yaw, Yudichak

NAY-0

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

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

UNFINISHED BUSINESS BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 24, SB 118, SB 750, SB 907, SB 960, SB 1032, SB 1037, SB 1040, SB 1083, SB 1162, SB 1172, SB 1179, SB 1180 and SB 1181.

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, APRIL 6, 2022

- 9:30 A.M. ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1038; and Senate Resolution No. 229) Room 461 Main Capitol
- 10:00 A.M. STATE GOVERNMENT (to consider Senate Bills No. 959, 1018, 1122 and 1166; and House Bill No. 1614) Room 8E-B East Wing (LIVE STREAMED)
- 10:00 A.M. TRANSPORTATION (to consider Senate Bills No. 145, 1094 and 1186) Room 461 Main Capitol

THURSDAY, APRIL 7, 2022

- 10:00 A.M. URBAN AFFAIRS AND HOUSING (public hearing on housing issues) Independence Visitor Ctr. 599 Market St. 1 N. Independ. Mall West Philadelphia

THURSDAY, APRIL 14, 2022

- 10:00 A.M. URBAN AFFAIRS AND HOUSING (public hearing on housing issues) Living Water Church 629 Woodward Avenue Kittanning

**PETITIONS AND REMONSTRANCES**

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

The PRESIDENT pro tempore. Mr. President, on my lapel here is a Ukrainian flag. I normally wear the United States flag, but today, with what is going on in Ukraine, I thought it appropriate. I also want to talk about some of the efforts here; obviously, watching a war on television is pretty scary stuff. Understand the atrocities of what is going on, I think all of us try to figure out every day what can be done to be helpful for these poor people who are having their country ravaged. So it was interesting that I got a call--I wanted to talk a little bit today on some heroes here locally who wanted to help. A lot of the brave men and women over there are risking their lives when they go to try to help the people of Ukraine through this process--either volunteering, they are going in there and risking their lives and many are being killed--and so we are trying to always find what we can do to help those brave men and women who are risking their lives.

Well, several weeks ago, one of my constituents, retired Lewistown Borough Chief of Police, Jeff Lusk--who will soon be the Senator from Blair County's constituent--reached out to my office and asked for assistance because he wanted to get used bulletproof vests to donate to aide workers in Ukraine. My office contacted the Pennsylvania State Police with this request, and they answered the call by donating 90 vests that were nearly

expired. So, instead of being destroyed, this equipment was repurposed to save lives in Ukraine. Pennsylvania Capitol Police also donated 24 similar vests and 15 helmets. Both these law enforcement agencies were honored by the Governor and received headlines and accolades throughout the State for their donation, which are well-deserved. The only downside, Mr. President, is the fact that these news articles only told half the story. The donation effort not only included State Police and Capitol Police, but also municipal departments throughout the State. Law enforcement agencies, both large and small, contributed to this effort, but many of them did not receive the respect and admiration they deserve.

For that reason, I plan to honor all the contributing departments individually in the weeks ahead, and I ask my Senate colleagues to do the same. Last week I reached out to the Fraternal Order of Police for assistance in identifying departments who contributed equipment so that we can honor them on social media. Once we have identified all the departments, I plan to recognize each of them individually and invite Members of this body to share those posts to extend our collective thanks. I am always grateful for our police and for performing the thankless work in keeping our communities safe. The fact that they are now helping to protect people halfway around the world speaks volumes about their commitment and character. So I ask my colleagues to join me in thanking our police and recognizing their contribution here in our communities and around the world.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, a little over a year ago, in August of last year, Attorney General Shapiro announced that Glenn Hawbaker, Inc., paid and pled guilty to violations of the Pennsylvania Prevailing Wage Act, including four felonies for stealing wages intended for retirement benefits and other charges and taking funds from health benefits. They ultimately received a fine that included a \$20 million settlement for the stolen wages they had taken from over 1,000 workers. Mr. President, Hawbaker is one of the largest contractors to compete on projects here in the Commonwealth, and during the period of 2013-18, received \$1.7 billion in contracts. Mr. President, the resolution of that case, the guilty plea and the \$20 million, is the largest prevailing wage criminal case in United States history. I would like to say thank you to Attorney General Shapiro for fighting for the hardworking men and women of Pennsylvania.

Mr. President, the Prevailing Wage Act in Pennsylvania and the Davis-Bacon Act were enacted to level the playing field and to protect workers by ensuring that all contractors working on projects to receive State or Federal funding pay their fair share, prevailing wages, which are determined by State, local, and Federal laws. Contractors are permitted, Mr. President, to satisfy a portion of the requirement by looking at so-called benefits, fringe benefits, such as healthcare and retirement compensation to the employees. Mr. President, by breaking this law, Hawbaker cheated in the bidding process, to the detriment of other folks who properly bid on those projects and did not receive them. They cheated the workers and the taxpayers of Pennsylvania by cheating in the statutorily required pay and benefits program.

Now, unfortunately, Mr. President, the Prevailing Wage Act does not prohibit individual entities like Hawbaker, Inc., cheaters, from bidding on future projects as we speak. In fact, Mr.

President, Hawbaker still has the privilege of competing for and bidding on PennDOT projects. I have introduced legislation to try to address that going forward, to ensure that those entities that commit this type of fraud--stealing from workers and from programs--not have the opportunity for a period of time, where they will be barred from participating in the bidding process for PennDOT jobs and other types of State-related positions. The legislation I have introduced would say that for a failure to pay prevailing wages up to \$1 million, the disbarment period is for 3 years. For failure to pay prevailing wages between \$1 million to \$10 million, disbarment is for 5 years. For failing to pay prevailing wages over \$10 million, the disbarment period is 10 years. These are the types of things that we need to address going forward to ensure that entities that commit fraud against this Commonwealth have a punishment in addition to simply paying a fine--which they have been able to do--and rather they not have the opportunity to continue to bid on PennDOT or other projects. Particularly in light of the fact that, as we go forward, knowing that a major infrastructure program from the Federal government is going to be in place here in Pennsylvania, would allow these entities to be able to continue bidding. I believe that it is wrong. It is a thing that we need to stop here in Pennsylvania and provide appropriate enforcement of these types of entities to disbar them from continuing to participate. When they do these types of things, they are not only cheating Pennsylvania taxpayers, but they are also cheating the other legitimate contractors who are bidding on these projects in the appropriate way and are counting for these types of expenses in their bid. As a result, what is happening is that they lost out on a significant number of projects in that regard. So, I am asking my colleagues--we have legislation that I have introduced--and I am hopeful that my colleagues will join me in the cosponsoring of that legislation and advancing it through the Senate as we go forward.

Thank you, Mr. President.

The PRESIDENT. The Senate will go at ease.

(The Senate was at ease.)

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Mr. President, I rise today to recognize April 8, 2022, as Drugs Kill Dreams Day here in Pennsylvania. The Drugs Kill Dreams program was established in 1994 by my friend, Magisterial District Judge Gary DeComo of Armstrong County, with the intent of increasing drug and alcohol prevention awareness in schools and counties throughout western Pennsylvania. Taking its name from a slogan created by a local student during an anti-drug poster contest, Judge DeComo's Drugs Kill Dreams program uses a proactive approach to combat drug and alcohol abuse. This approach, according to research published in the American Journal of Public Health, works to reduce substance abuse among young adults, especially if they are part of a community-based prevention effort while still in middle school. This study showed significant reduction rates for methamphetamine, prescription drug misuse, marijuana, alcohol, and cigarette and inhalant use. Today, the Drugs Kill Dreams program has expanded its reach and has partnered with the Armstrong County Memorial Hospital Foundation to share educational materials and prevention messages to young people. Their goal: stop drug and alcohol abuse before it begins, encouraging adolescents to live healthy, respectful, safe, and responsible lifestyles. I am honored to continue the tradition set by my predecessor, Senator

Don White, in recognizing the continued impact of the work the Drugs Kill Dreams program has on youth throughout the Commonwealth.

Mr. President, I hope my colleagues will join me in dedicating April 8, 2022, as Drugs Kill Dreams Day here in our Commonwealth.

Thank you, Mr. President.

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

Senator ROBINSON. Mr. President, I am honored to join my friend and colleague, Senator Stefano, in introducing Senate Resolution No. 252. Senate Resolution No. 252 designates the month of April as the Month of the Military Child, and April 15 as Purple Up! for Military Kids Day. It is appropriate that this is brought up now, as I hosted a student shadow today who, herself, is a military kid. Frequent moves, long separations from their loved ones and friends, gaps in learning, inconsistent schedules, injured parents, and grief are just some of the struggles these children face. Our military personnel deserve to know that we care very much about their children. Having a child feel supported within their schools and communities during their parents' military careers is so important. Military children deserve recognition and appreciation for their own selfless sacrifice. They, too, are sacrificing for the sake of our nation. That is why I am asking my Senate colleagues to show their support for the children of our military heroes by wearing purple on April 15.

Thank you, Mr. President.

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

Senator STEFANO. Mr. President, I am pleased to join my colleague, Senator Robinson, in support of Senate Resolution No. 252, designating April as Month of the Military Child, and April 15 as Purple Up! for Military Kids Day.

There are more than 32,000 children in this Commonwealth with a parent currently in the National Guard, Reserves, or active military. Eighty percent of children and military families are in kindergarten through grade 12 and attend public schools. These students face unique challenges during their parents' military enlistment, including being uprooted from their communities and schools mid-year. Last week, the Senate unanimously supported our Senate Bill No. 1028 which provides Purple Star designations to schools that go above and beyond for our military children. Today, with this resolution, we recognize the sacrifices that these children and their families make for our country. Purple, symbolizing all branches of the military, is worn as a tribute to our brave men and women who are serving our nation. For that reason, and in support of our military families, I ask my colleagues to join me in wearing purple on April 15 for Purple Up! for Military Kids Day.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I rise today with a few numbers on my mind. The first is 5,749. That is how many days--5,749--that have passed since our Commonwealth's legislature last passed an increase in our embarrassingly low minimum wage. The second number is 27 which, if you remember from yesterday, I spoke about if the minimum wage kept pace with worker productivity, the minimum wage in this country would be \$27 an hour. But that is not why I want to talk about

the number 27. Today, I want to talk about 27 because that is the average length of a Pennsylvanian's commute. The next number is 3,023,512, that is the number of Pennsylvanians who live within 27 minutes of a jurisdiction that has a higher minimum wage than Pennsylvania. That means, Mr. President, that over 3 million workers could be leaving our State, every day, to take the same job that they could find in PA, but pays more in one of the options other than Pennsylvania. I think it is a moral failure that we are willingly saying that in this legislature, that Pennsylvania's workers deserve to be paid less to do the exact same job as their counterparts in New York, New Jersey, West Virginia, or any of the other States that neighbor us here in Pennsylvania. We are the only State in our region, Mr. President, to not have raised the minimum wage at least one time since the Federal government last raised the Federal minimum wage.

It is simple, Mr. President, when we raise the minimum wage, all workers benefit. Wages go up for not only those making the higher minimum wage but for those workers in the next few wage brackets as well. This is why the Chamber of Commerce continues to oppose raising the minimum wage. They know that the corporations and big cat CEOs that they represent will have to raise wages for thousands and thousands of workers who make below or near the minimum wage. Mr. President, I was not elected to be a champion of the ultrawealthy and their corporations, I was elected to ensure my neighbors and the people all over the Commonwealth do not need to work two, three, or even four jobs just to make family ends meet, to put food on the table and a roof over their heads. That is why I introduced Senate Bill No. 12, because workers in Pennsylvania should not be subject to the poverty-level Federal minimum wage. We can and we must raise our minimum wage and put us on a path to \$15 an hour. Let us bring Senate Bill No. 12 out of committee, onto the floor, and pass it once and for all for the people of Pennsylvania.

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

Senator TARTAGLIONE. Mr. President, today I rise in support of my resolution, Senate Resolution No. 257, that would designate April 2022 as Sexual Assault Awareness Month. I introduced this resolution with Senator Bartolotta, Senator Boscola, Senator Cappelletti, Senator Collett, Senator Comitta, Senator Muth, Senator Schwank, and Senator Lindsey Williams. April 2022 marks the 21st anniversary of the designation of Sexual Assault Awareness Month.

The frequencies of rape in the United States occur with more prevalence than the public realizes, as 1 in 5 women and 1 in 67 men have been raped in the United States. On post-secondary campuses, 1 in 5 women and 1 in 16 men are sexually assaulted at some point in their educational careers. It is imperative that we listen to and believe survivors of sexual assault. As we listen to and support survivors, we help to break down the stigma attached to reporting sexual assault. Individuals speaking out against inappropriate jokes, offensive gestures, harmful attitudes, and unwanted actions make a positive impact toward ending sexual harassment, abuse, and assault. Together, we can make all spaces and environments safe and welcoming for all. Let us designate April 2022 as Sexual Assault Awareness Month in Pennsylvania.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, I rise before my colleagues today to acknowledge April as Sexual Assault Awareness Month. Sexual assault is a serious public health issue that continues to plague our society and affect millions of people in the United States every year. According to the National Sexual Violence Resource Center, 1 in 5 women and 1 in 67 men will be raped in their lifetime. Additionally, 1 in 4 girls and 1 in 6 boys will be sexually abused before they turn 18. In fact, before turning 21, I was the victim of two separate stalking incidents.

Moreover, members of the LGBTQIA+ community are more likely to experience some form of sexual assault during their lifetime than heterosexual cisgender individuals. Regardless of cultural and economic backgrounds, thousands of people will be affected by some form of sexual assault every day. This is a disease that is deeply embedded in our society. It is a vicious cycle that only we can break by working together in our communities, but it is not just on the everyday citizen to break the cycle. As legislators, we have the power to pass several pieces of comprehensive legislation to equip our communities with the proper tools and services to combat sexual assault.

One of these pieces is legislation called "Yes Means Yes," Senate Bill No. 730, which I have cosponsored with Senator Muth and Senator Collett. More than half of undergraduate women and LGBTQIA+ students have experienced at least one kind of harassing behavior during their college careers. College is already a stressful time for students. Adding on stress and recovery from a sexual assault is an unnecessary grievance and a moral failing. By passing Senate Bill No. 730, or "Yes Means Yes," we can provide clear guidelines on what consent is, and is not, and ensure that students know where and how they can access resources and services in the event that they do experience sexual assault. By passing "Yes Means Yes," we can ensure that all Pennsylvania students have access to comprehensive and confidential support services, because every 68 seconds an American is sexually assaulted, but we can make sure that does not have to be the case and that does not happen. If we do our duty as legislators, we can enact comprehensive legislation to protect those who have survived and help prevent others from experiencing it. "Yes Means Yes" still has a journey ahead of it, but acknowledging that sexual assault is a serious public health issue is a step in the right direction. Please join me, and all of my colleagues who Senator Tartaglione listed out, in recognizing April as Sexual Assault Awareness Month, and then let us get to work to protect survivors of sexual assault by passing "Yes Means Yes."

Thank you, Mr. President.

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

Senator COLLETT. Mr. President, when it comes to sexual assault, the facts speak for themselves, and the facts are alarming. Every 68 seconds an American is sexually assaulted. Nearly 17 percent of American women and 3 percent of men will have been victims of a completed or attempted rape in their lifetime, and about 1 in 3 female rape victims and 1 in 4 male rape victims experience rape for the first time between the ages of 11 and 17. Victims are more likely to experience PTSD, major depressive episodes, substance use disorder, and other mental health challenges. Sadly, though, Mr. President, this legislature is rarely moved by facts, and time and time again, Pennsylvanians watch

in disbelief as we do nothing to confront some of the Commonwealth's biggest problems.

I joined my colleagues in offering Senate Resolution No. 257 because raising awareness about sexual assault is the very least that we can do as leaders in the Commonwealth. I look forward to the day when we can have full-fledged debates and pass meaningful legislation to help reduce and rectify the scourge of sexual violence in our communities. We should be heeding survivors' calls to abolish the statute of limitations for sexual assault with Senate Bill No. 406, and establish a 2-year civil window for survivors of childhood sexual assault, whose statute of limitations have already expired with Senate Bill No. 407. We should be addressing sexual violence on college campuses by instituting affirmative consent standards and expanding access to comprehensive, confidential support services with Senate Bill No. 730. Several years after the emergence of the #MeToo movement, we should make sure our General Assembly is held to the highest workplace standards by improving our own reporting structures for harassment and assault.

The language of our resolution states plainly that Sexual Assault Awareness Month aims to empower more survivors and their loved ones on their journey to help, hope, and heal and that the Senate encourages communities to understand their role in ending sexual violence in Pennsylvania. I hope we look internally at that charge; that the Senate and the General Assembly reflect on the powerful role we play in ending sexual violence by making these bills a priority.

Thank you, Mr. President.

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

The PRESIDENT pro tempore. Mr. President, I was not planning on speaking on this issue, but since this issue was brought up, I feel compelled to respond. Previously during Ps and Rs, the Minority Leader talked about a constituent of mine, the Hawbaker family, and I guess it is easy to read the Attorney General's press releases and talk about individuals. I never can remember in my career here of someone talking about an individual and casting aspersions on these individuals on the Senate floor. I am not sure what the purpose of it was, but since he did, let me deal with the facts of the case.

I will be very honest. The Hawbaker family are dear friends of mine, they are the largest private employer in Centre County, they do a tremendous amount of nonprofit work in my community. They provide a lot of good pay for employees, a lot of good healthcare for employees in central Pennsylvania. A lot of people can feed their families and support their kids through college because of the Hawbaker family. So, to have someone come here on the floor and disparage them, I just felt compelled to respond. Again, the leaders in our community do a lot of nonprofit work, making sure that those who are underprivileged have the opportunities to be successful in whatever social setting they might be.

Let us look at the facts of the case. The Hawbaker family does do quite a bit of PennDot work which, obviously, involves a great deal of prevailing wage work. I will concur with the Minority Leader, that is a very important law that is followed, because obviously that is a working wage for individuals, so we should make sure that people are being paid the correct wage. But the facts are, in the last 5 to 6 years, the Federal Department of Labor, the State Department of Labor, PennDOT, all went in and looked at the books of the Hawbaker family, and none of them

came away with any actual item that they were doing anything wrong. Now, the Attorney General comes in and launches an investigation. At that point in time, the Hawbaker family--concerned about the investigation, clearly, as they should be--hired a new consultant on how they can figure out their prevailing wage requirements. After the Attorney General's investigation was completed, he indicted the company, not an individual, for wrongdoing. As happens in business, they made an agreement with the Attorney General, and they agreed to pay back--they did not plead guilty, they pleaded no contest--and they agreed to pay the amount of money the Attorney General thought was the difference of what they should have paid.

Now, the reason that they have not been disbarred, or debarred, I should say, from PennDOT future projects is because the law is very clear that you need to do it intentionally. Let me repeat that: you need to do it intentionally. If a company is convicted of doing something intentionally, they will not have the opportunity to work on PennDOT projects, which is legitimate, and should be the way. The Attorney General did not prove that they did it intentionally; PennDOT did not prove they did it intentionally; and therefore that is why they are still allowed to bid on projects. So we can sit here on the floor, not knowing what we are talking about, and call people cheaters and other names, but the fact of the matter is, they did not plead guilty and there was no proof they did it intentionally. If they did it wrong, they paid what they should pay. If they were proven to have done it intentionally, I will be the first one on the floor here to say they should be debarred. But I have known this family for a lot of years, Mr. President, and I am not going to stand by here and have someone talk about them when they do not know what they are talking about.

I witnessed it with the Attorney General grandstanding during the Committee on Appropriations, and that is fine, I wish I would have been here, I could have contrasted with him. But these are the facts. Other agencies went in and did not find anything wrong. The Attorney General made accusations, they pleaded no contest, and they paid their fine as they should, if they are going to plead no contest. They made their agreement with the Attorney General. Again, there is no finding of fact that they did it intentionally. So I think it is important, before we disparage people who are pillars of our community, who have done more for my community than most, giving back to my community, that we know what we are talking about.

Thank you, Mr. President.

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

Senator CAPPELLETTI. Mr. President, the United States has witnessed 113 mass shootings in 32 different States and Washington, D.C., in the first 89 days of 2022, including 4 here in Pennsylvania. There have been so many mass shootings that they are not even making headlines anymore. We have become desensitized to the constant reports of firearms violence, and, in fact, until I was preparing these remarks, I had not even heard of two of the mass shootings that took place in Pennsylvania during the first few months of this year. In Hazleton, on March 6, a 20-year-old shooter injured 4 men in the 12-17 age range and killed 1 of the 17-year-old males. In Reading, on March 14, shots were fired in Brookline Park, killing one male and injuring three other people. Just today there was a school shooting reported in the Erie School District where one person has been shot. While they are



reportedly in good condition, this should never have happened in the first place. Today's incident in Erie will leave lasting trauma on the community that students, parents, staff, and those impacted will have to grapple with as they move forward in life.

In the face of all of this, I rise today to remind everyone in this room that we have the power to act, to put an end to the constant fear of gun violence in both the public and private spheres of our lives. I say the private and public spheres because I think we all know what happened earlier today in this legislature. We have a host of bills that have been introduced this Session that are proven methods to preventing gun violence and will save lives. We can explore those bills as solutions for Pennsylvania if they move through committee. Every moment we wait, we are betraying the Pennsylvanians who had their lives horrifically altered after coming into contact with gun violence. Here are the bills that we can and should be passing that would make a difference.

Senate Bill No. 45, "8 Can't Wait," a police reform bill currently in the Committee on Law and Justice. Senate Bill No. 47, safe triggers, excluding the sales and use tax on all equipment and devices which prohibit a firearm from being fired without a key or combination, in the Committee on Finance. Senate Bill No. 88, universal background checks to eliminate loopholes, in the Committee on Judiciary. Senate Bill No. 134, the Extreme Risk Protection Orders, also in the Committee on Judiciary. Lost and stolen reporting, requiring gun owners to report if there is a lost or stolen gun within 24 hours of becoming aware, in the Committee on Judiciary. Criminal and civil liability for unlawful firearms sales and transfers, in the Committee on Judiciary. Senate Bill No. 220, adding additional disqualifying criminal convictions to UFA, adds criminal convictions including crimes of violence, sex crimes, and crimes against children as disqualifying convictions for gun ownership, in the Committee on Judiciary. Senate Bill No. 226, required training for concealed carry permits, in the Committee on Judiciary.

Senate Bill No. 238, PA Center for Gun Violence Research, so we could at least have some data, hardcore evidence on this stuff, in the Committee on State Government. Senate Bill No. 239, bans firearms from public property--bans firearm possession in courts, schools, public parks where our children play--in the Committee on Judiciary. Senate Bill No. 413, 3D-printed firearms and undetectable firearms, amends Title 18 to ensure that 3D-printed firearms are subject to the same standards as other weapons and amends Title 18 to consider 80 percent receivers as firearms, in the Committee on Judiciary. Senate Bill No. 414, 3D-printed firearms and undetectable firearms, again, amending the Uniform Firearm Act to make it crystal clear an undetectable firearm or a "ghost gun" is a firearm, in the Committee on Judiciary. Senate Bill No. 489, increased penalties for firearm straw purchases, creates a criminal offense and increased penalties for opposed statements on applications to purchase or carry a firearm, in the Committee on Judiciary. Senate Bill No. 490 [632], checking in firearms in municipal buildings, requires firearms to be checked in when you enter a municipal building, again, in the Committee on Judiciary. Senate Bill No. 497 [490], "No-Fly, No-Buy" watchlists, prohibits individuals on the Federal watch list from buying a firearm, in the Committee on Judiciary. Senate Bill No. 581, safe storage for firearms, requires gun owners to safely store when not under the direct control of the owner, in the Committee on Judiciary. Senate Bill No. 582, another safe fire-

arms storage, but this one requires safe storage of a firearm in a home if someone in that home is not allowed to own a gun, in the Committee on Judiciary. Seeing a theme here.

Senate Bill No. 598, local regulation of firearms, allows local governments to restrict the presence and use of firearms at properties and facilities they own and operate, in the Committee on Judiciary. Senate Bill No. 670, gun violence prevention grants, creates a competitive grant program of \$30 million over 3 years to support community-based violence reduction initiatives, a reintroduction of Senate Bill No. 1029 from 2019-20, in the Committee on Judiciary. Senate Bill No. 728, *Commonwealth v. Clegg* Crimes Code update, closes a loophole in the UFA case law and ensures someone convicted of attempting, conspiring, or soliciting another to commit a crime is barred from possessing a firearm, in the Committee on Judiciary. Senate Bill No. 761, establishing a 72-hour waiting period for all firearms transfers, pretty simple, in the Committee on Judiciary. Senate Bill No. 816, Do-Not-Sell Firearm Registry, creates a voluntary Do-Not-Sell Firearm Registry to reduce self-harm and suicide, modeled after similar legislation in Washington and Virginia, in the Committee on Judiciary. Senate Bill No. 855, firearms safety training, requiring that first-time firearms owners receive training in the areas of safe handling and storage, suicide prevention, child access, domestic violence, road rage prevention, and safe interactions with law enforcement while carrying a firearm, in the Committee on Judiciary.

Every moment we wait, we are betraying the Pennsylvanians who had their lives horrifically altered after coming into contact with gun violence. I, yet again, implore my colleagues to move on this very critical issue.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I rise today to ask the Senate to recognize April 2 through April 8, 2022, as the Week of the Young Child in Pennsylvania. This year, we recognize the 51st anniversary of the Week of the Young Child in the early childhood education profession. The Week of the Young Child is an annual celebration sponsored by the National Association for the Education of Young Children, the world's largest early childhood education association with nearly 60,000 members and a network of 51 local, State, and regional affiliates. The National Association for the Education of Young Children first established the Week of the Young Child in 1971, recognizing that the early childhood years, from birth through 8 years of age, lay the foundation for children's success in school and later life.

The Week of the Young Child is a time to recognize that children's opportunities are our responsibility, and to recommit ourselves to ensuring that every child experiences the type of early environment--at home, at childcare, at school, and in the community--that will promote early learning. The first years of the child's life are the period of the most rapid brain development and lay the foundation for all future learning. At no other time in the human's life will the brain develop at this remarkable speed. High-quality early childhood programs provide important benefits to children, families, and our national and State economies. Participation in high-quality childhood education saves taxpayers' dollars, makes working families more economically secure, and prepares children to succeed in school, earn higher wages, and live healthier lives. Evidence-based programs that strengthen

our families and ensure access to high-quality early care and education are needed to maximize children's potential in their first 5 years. High-quality early childhood education depends on high-quality early childhood educators who ensure that children, supported by families, have the early experiences they need for a strong foundation. I ask the Senate Members to join me in recognizing April 2 through April 8, 2022, as the Week of the Young Child in Pennsylvania.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise, very briefly, in response to my colleague's remarks with respect to the comments that I made regarding legislation that I am hoping to pursue here in this Chamber and ultimately get to the Governor's desk relating to the issues that I raised. Let me start by saying, I never once referred to his constituent by name. I always referred to the entity. If you would like to see my remarks, in fact, I will submit my remarks for the record for folks to know that I referred to the entity and not any other individual or family member of that entity. That needs to be stated very clearly.

To the contention that we do not normally speak about people on this floor, our constituents, I can start rattling off a couple of names that I know that I have been a part of conversations here where we talked about constituents of Pennsylvania. We have had conversations about Bill Cosby here. We have had conversations about Sandusky. All the way back to the days of Gosnell, when the horrific things that took place there. Those individuals and their names--they are constituents of Members in this body--were referenced many times. So, to suggest that it was inappropriate for me to do that, I think, is wrong. I will continue to fight for working people: working men and women who were deprived wages, health benefits, and pensions. That is what the legislation I have tried to introduce has done. Now, I sent around this cosponsor memo--probably back in September of last year--to try to get support from Members. I have been able to get some support and some Members on the other side of the aisle who support the legislation I am trying to move forward on. But, I will say to you that it has nothing to do with the Attorney General--whatever he has done in terms of his remarks or press releases, I have not read and did not follow--but I can tell you that I have talked to many of the contractors who were harmed by what occurred in this instance over the course of this period of years.

I can tell you the contractors and the labor organizations in the Pittsburgh and Allegheny County area who consistently call me today to say it is unfair that an entity that commits fraud and pleas--whether it is no contest or however they plea--that they continue to be able to bid for projects. Now, the issue with respect to their ability to be disbarred or not continues to make its way through the courts. We will see what the outcome of that might be, whether or not it is deemed to be intentional or unintentional. But, the fact of the matter is, the organizations that I talked to are very concerned about this. That is why they have asked me to introduce legislation in the future, so if this occurs again, there will be standards, we will be looking at levels of theft that occur, and we would be able to have folks disbarred from bidding on PennDOT projects going forward. That was our intention. That is what we stand by, and I stand by the facts of the statements that I made. Not once did I ever say that he pled

guilty. I said there was a plea agreement for \$20 million. To that end, I will submit my remarks for the record to demonstrate exactly what I said when I read from them.

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 Allegheny, Senator COSTA:)*

Mr. President, in August of last year, Attorney General Shapiro announced that Glenn Hawbaker, Inc., pled guilty to violations of the Pennsylvania Prevailing Wage Act, including four felonies for stealing wages intended for retirement benefits and other charges for stealing funds from health benefits. That plea included a \$20 million settlement for stolen wages from over 1,000 workers. Hawbaker is one of the largest contractors to complete projects on behalf of the Commonwealth, receiving an estimated \$1.7 billion in contracts between 2003 and 2018. The restitution is for the largest prevailing wage criminal case in U.S. history.

First, I want to commend AG Shapiro for fighting for the hard-working people of Pennsylvania. The Pennsylvania Prevailing Wage Act and the Davis-Bacon Act were enacted to level the playing field and protect workers by ensuring that all contractors working on projects who receive State or Federal funding pay the same wage rates, which are determined by State and Federal agencies. Contractors are permitted to satisfy a portion of the required wage by providing so-called fringe benefits, such as healthcare and retirement contributions to employees. By breaking this law, Hawbaker cheated in the bidding process, they cheated workers, and cheated the taxpayers of Pennsylvania by cheating on statutorily required pay and benefits. Unfortunately, today, the Prevailing Wage Act does not prohibit cheaters from bidding on future public works. In this instance, Hawbaker continues to have the privilege of bidding on PennDot. That needs to change.

My legislation has three tiers of penalties that will disbar contractors from bidding on contracts based on the size of the infraction: for a failure to pay prevailing wages up to \$1 million, the disbarment period is 3 years; for a failure to pay prevailing wages between \$1 million and \$10 million, the disbarment period is 5 years; for a failure to pay prevailing wages over \$10 million, the disbarment period is 10 years. I think these are reasonable penalties in light of the Hawbaker outcome. We should not permit bad actors to simply pay off their fines and walk right up for the next contract. These stronger steps will go a long way to ensure that contractors are competing fairly on State public works projects and making sure workers are properly compensated.

## 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 Wednesday, April 6, 2022, at 11 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 5:29 p.m., Eastern Daylight Saving Time.