

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 7, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 15

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

HON. MIKE TURZAI, Speaker of the House of Representatives, offered the following prayer:

A prayer of St. Richard:

Thanks be to You, O Lord, for all the benefits which You have given us, for all the pains and insults which You have borne for us. Most merciful redeemer, friend and brother, may we know You more clearly, love You more dearly, and follow You more nearly, day by day. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 6, 2020, will be postponed until printed.

BILLS REREPORTED FROM COMMITTEE

HB 437, PN 3194 By Rep. SAYLOR

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for award of custody.

APPROPRIATIONS.

HB 1895, PN 2634 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 1984, PN 2789

By Rep. SAYLOR

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, further providing for petition for involuntary termination and providing for special provisions when child conceived as a result of rape or incest.

APPROPRIATIONS.

SB 327, PN 1627 (Amended)

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements, for COVID-19 debt cost reduction review and for COVID-19 Cost and Recovery Task Force; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased; and making an appropriation.

APPROPRIATIONS.

REFERRAL PURSUANT TO RULE 45(A) TO GOVERNMENT OVERSIGHT COMMITTEE

The SPEAKER. Pursuant to rule 45(a), the majority and minority leaders have made a referral to the House Government Oversight Committee.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2388 By Representatives MIHALEK, HEFFLEY, DUNBAR, TURZAI, KNOWLES, O'NEAL, SIMMONS, WARNER, SCHMITT, ORTITAY, MACKENZIE, GREGORY, RYAN, JAMES, MALAGARI, KEEFER, ROWE, BURGOS, BERNSTINE, BARRAR, ECKER, STAATS, SCHLEGEL CULVER, HAHN, KAUFFMAN, KAIL, MARSHALL, MIZGORSKI, OWLETT, MENTZER, JONES, STRUZZI, ZIMMERMAN, NELSON, GLEIM, SAYLOR, MUSTELLO, TOBASH, MASSER, FEE, METCALFE, BOROWICZ, COOK, HERSHEY and CAUSER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for emergency COVID-19 provisions.

Referred to Committee on STATE GOVERNMENT, April 7, 2020.

No. 2389 By Representatives DIAMOND, HELM, MILLARD, ROWE, COX, KEEFER and RADER

An Act providing for a return to business operations under safety conditions; imposing sanctions; and providing for functions of the Department of Health and the Legislative Reference Bureau.

Referred to Committee on STATE GOVERNMENT, April 7, 2020.

The SPEAKER. Thank you. At this time we are going to take committee and caucus announcements.

REPUBLICAN CAUCUS

The SPEAKER. Our majority caucus chair, Representative Marcy Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus virtually at 11:30. We would be prepared to return to the floor at 12:30. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Jordan Harris, for the Democratic caucus.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, Democrats will caucus virtually at 11:30.

The SPEAKER. Thank you. Are there any other announcements?

RECESS

The SPEAKER. The House will stand in recess until 12:30. We will stand in recess until 12:30.

RECESS EXTENDED

The time of recess was extended until 12:45 p.m.

AFTER RECESS

The time of recess having expired, the House was called to order.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 840 By Representative CUTLER

A Resolution amending Rule 14 of the General Operating Rules of the House of Representatives, further providing for members' and employees' expenses.

Referred to Committee on RULES, April 7, 2020.

HOUSE BILL INTRODUCED AND REFERRED

No. 2390 By Representatives WARREN, RABB, SCHLOSSBERG, DELLOSO, KINSEY, SANCHEZ, HOWARD, BOYLE, SCHWEYER, DeLUCA and ROZZI

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in retail food facility safety, prohibiting return of groceries and other foodstuffs during COVID-19 disaster emergency.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 7, 2020.

SENATE MESSAGE

AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 841, PN 1623**.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. We are going to turn to the House calendar for today. Oh. We are going to move to master roll. My apologies.

LEAVES OF ABSENCE

The SPEAKER. There are no leave requests.

MASTER ROLL CALL

The SPEAKER. Everybody please vote on the master roll.

There are members who will be voting remotely, and they are voting remotely from their district offices or homes through their respective whips, the majority whip and the minority whip.

In addition, I do believe some members are in their Capitol offices, and they can vote through any member on the House floor.

The following roll call was recorded:

PRESENT—201

Barrar	Fee	Lawrence	Rigby
Benninghoff	Fiedler	Lee	Roae
Bernstine	Fitzgerald	Lewis	Roebuck
Bizzarro	Flynn	Longietti	Rothman
Boback	Frankel	Mackenzie	Rowe
Bonner	Freeman	Madden	Rozzi
Borowicz	Fritz	Malagari	Ryan
Boyle	Gabler	Maloney	Sainato
Bradford	Gainey	Markosek	Samuelson
Briggs	Galloway	Marshall	Sanchez
Brooks	Gaydos	Masser	Sankey
Brown	Gillen	Matzie	Sappey

Bullock	Gillespie	McCarter	Saylor
Burgos	Gleim	McClinton	Schemel
Burns	Goodman	McNeill	Schlossberg
Caltagirone	Green	Mehaffie	Schmitt
Carroll	Gregory	Mentzer	Schroeder
Causar	Greiner	Merski	Schweyer
Cephas	Grove	Metcalfe	Shusterman
Ciresi	Hahn	Metzgar	Simmons
Comitta	Hanbidge	Mihalek	Sims
Conklin	Harkins	Millard	Snyder
Cook	Harris	Miller, B.	Solomon
Cox	Heffley	Miller, D.	Sonney
Cruz	Helm	Mizgorski	Staats
Culver	Hennessey	Moul	Stephens
Cutler	Hershey	Mullery	Struzzi
Daley	Hickernell	Mullins	Sturla
Davanzo	Hohenstein	Murt	Thomas
Davidson	Howard	Mustello	Tobash
Davis, A.	Innamorato	Neilson	Toepel
Davis, T.	Irvin	Nelson	Tomlinson
Dawkins	Isaacson	O'Mara	Toohil
Day	James	O'Neal	Topper
Deasy	Jones	Oberlander	Ullman
DeLissio	Jozwiak	Ortitay	Vitali
Delloso	Kail	Otten	Warner
Delozier	Kaufer	Owlett	Warren
DeLuca	Kauffman	Pashinski	Webster
Dermody	Keefer	Peifer	Wentling
Diamond	Keller	Petrarca	Wheatley
Donatucci	Kenyatta	Pickett	Wheeland
Dowling	Kim	Polinchock	White
Driscoll	Kinsey	Puskaric	Williams
Dunbar	Kirkland	Quinn	Youngblood
Dush	Klunk	Rabb	Zabel
Ecker	Knowles	Rader	Zimmerman
Emrick	Kortz	Rapp	
Evans	Kosierowski	Ravenstahl	Turzai,
Everett	Krueger	Readshaw	Speaker
Farry	Kulik	Reese	

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Mako Pyle

The SPEAKER. There are 201 members voting on the master roll. We have a quorum.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2233, PN 3276**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, providing for political subdivision and volunteer service use of tax-free motor fuels and further providing for examination of records and equipment.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 2045, PN 2872**, entitled:

An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Ohiopyle Borough, Fayette County, certain lands situate in Ohiopyle Borough, Fayette County, in exchange for Ohiopyle Borough granting and conveying certain lands to the Commonwealth of Pennsylvania to be added to those existing lands at Ohiopyle State Park.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

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The House proceeded to second consideration of **HB 2195, PN 3103**, entitled:

An Act designating the bridge, identified as Bridge Key 57053, located over Dixon Run at the intersection of State Route 1012 to Pennsylvania Route 403 in Green Township, Indiana County, as the PVT William L. Hadden Memorial Bridge.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 2217, PN 3141**, entitled:

An Act designating a bridge, identified as Bridge Key 40269, on that portion of US 219 over State Route 2047, Summit Township, Somerset County, as the SP4 Michael William Twigg Memorial Bridge.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1895, PN 2634**, entitled:

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

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

BILL PASSED OVER

The SPEAKER. Representative Matt Bradford or Representative Jordan Harris or the leader.

Mr. CUTLER. Mr. Speaker, I respectfully ask that we go over that bill.

The SPEAKER. Yes, no problem. We will go over that bill, HB 1895, PN 2634.

* * *

The House proceeded to third consideration of **HB 437, PN 3194**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for award of custody.

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

BILLS PASSED OVER

The SPEAKER. Please go over HB 437. Please go over HB 1984.

* * *

The House proceeded to third consideration of **SB 327, PN 1627**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements, for COVID-19 debt cost reduction review and for COVID-19 Cost and Recovery Task Force; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased; and making an appropriation.

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

The SPEAKER. Now, there are amendments to this bill as it came over— Or excuse me; I am sorry. There are amendments that were added in the Appropriations Committee here.

On the question recurring,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Does anybody wish to speak on the bill?
Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise in opposition to SB 327 for both the substance of the bill and the process by which we come to it today. For 2 weeks this body, to its credit, has worked together in a collaborative fashion, in a way that has protected Pennsylvania, and it has proven that partisanship can be overcome in a time of tremendous challenge.

However, this bill – what I would argue a partisan bill that usurps the role of our Governor, who is doing a fine job trying to navigate this Commonwealth in a time of tremendous challenge – this bill— And I do not understand what that kind of reaction has anything to do or is appropriate at a time like this—

The SPEAKER. Sir, will you please suspend.

The term "partisan" is a pejorative term and should not be used on the House floor.

Mr. BRADFORD. They booed the Governor during a pandemic and that is what you are arguing?

POINT OF ORDER

Mr. CUTLER. Point of order, Mr. Speaker.

The SPEAKER. Yes. The majority leader.

Mr. CUTLER. I believe the gentleman has strayed afar from the bill and should stay on the content of the bill, and I would encourage him to do so.

The SPEAKER. Yes. If you could please stick to the substance of the bill and your perspective on the substance of the bill. And "partisan" is a pejorative term and it is not to be used on the floor.

Mr. BRADFORD. And booing the Governor during a pandemic?

The SPEAKER. The reaction was to your remarks. Please stick to the substance of the bill, period.

Mr. BRADFORD. So let us be real honest about what process in which we arrived at this. A bill that had already received second consideration in Appropriations, meaning that this body, the members of this body had no chance to deliberate or to amend this bill; that is what passes for a process.

Members of this body have given extraordinary powers to their leaders, understanding that these are extraordinary times, and they are right to, but with that responsibility comes the obligation to do right. This is not a bill that is not bipartisan. This bill will probably not receive a single minority party vote.

For 2 weeks we have shown that through collaboration and working together, we are able to do the people's business, but if we amend on bills that have already had second consideration and we rob members of the ability to amend—

POINT OF ORDER

Mr. CUTLER. Point of order, Mr. Speaker.

The SPEAKER. You may proceed, Leader.

Mr. CUTLER. I do believe if we would review our legislative history, it was the gentleman who is speaking who first offered a substantive amendment in the Appropriations Committee, albeit it was voted down; however, he is arguing against his own process he attempted to use, and I would like some parliamentary guidance on the gentleman's comments.

The SPEAKER. We are going to allow other people to refute. The one thing I would note from the rostrum is that speaking on a bill substantively is part of the deliberative process. You can vote "yes" or "no" on the bill once we bring it up to a vote.

You may proceed.

Mr. BRADFORD. Thank you. And I think the leader deserves a response and I think he should get one. With extraordinary times, we have worked together in extraordinary ways, and that often looks like making sure that we can do the people's business as quickly as possible, but that is not what this bill does.

This is not a bill that is going to receive unanimous support. This is not a bill that is going to provide care to our teachers and our frontline medical workers. This is not for the nurses and the doctors and the medical techs. This is about this body trying to

interfere with the work of our Executive. You may not like the Executives. You may not like decisions they make. Here is the reality: There are days and times during this crisis where there are things that this Governor or any Governor does that I have not fully liked, but I respect that in this very difficult time, these people are working 24 hours a day in our Commonwealth and in counties like mine that are so afflicted by this horrible pandemic. They are doing the best they can. So when we try to insert ourselves in a way that is both partisan and inappropriate—

The SPEAKER. Strike.

Mr. BRADFORD. —that is inappropriate, that does not call for the best in Pennsylvania. I believe it is our obligation to stand up and oppose that. Our Executive has a difficult job. We should be about making it easier – giving the resources they need, supporting our frontline health-care workers, our grocery store folks. We should be talking about hazard pay. But we do not talk about any of that today. What we talk about is how we can decide in a partisan – I am sorry, strike that – how we can do that, how we can go about doing the people's business. This bill does not do that, Mr. Speaker. This bill does not call for the best in Pennsylvania.

I know that the leader and the head of the party opposite have worked so well with our leadership for the last 2 weeks. I call upon us to get back to doing that in a way that does not have us in a scrum, that does not disrespect those who are working so hard to provide for counties like mine that are afflicted so much during this difficult time.

Thank you, Mr. Speaker. And again I would repeat, I would ask for a "no" vote on this bill that unfairly and inappropriately, but not partisanly, goes after the Executive.

The SPEAKER. It is very important to continue to be clever on the House floor. We are in the middle of a coronavirus crisis for the citizens of Pennsylvania.

Majority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

While I certainly appreciate the good gentleman's comments, I believe that they actually did not cover what is in the bill. For the benefit of those at home who might be voting remotely, I would like to run through very quickly what is in fact included in the bill, because I think the people of Pennsylvania deserve to hear about it.

Mr. Speaker, this has three components. One is an interbranch, bipartisan COVID-19 Cost and Recovery Task Force. This challenge is too large for individual chambers and branches of government to waste precious time and resources. This assigned group will track, manage, and strategize recovery plans necessary to help the Commonwealth rebuild and rise from this event as efficiently as possible. The people of our State can find hope and resilience in knowing that all branches of government are working together to find solutions to the impacts from this pandemic. And, Mr. Speaker, if it were truly partisan, I extend to the good gentleman that the Democrats currently control two of the three branches of government. They control the executive as well as the Supreme Court.

Mr. Speaker, additionally, I do not believe that this idea is that far astray of what they are actually proposing in Washington, DC; not that we should follow their example, but Speaker Pelosi has indicated she will be using a select committee on the coronavirus pandemic. It seems to me, Mr. Speaker, that this is in fact a bipartisan idea that should have broad support.

The debt and cost reduction. If there is one thing that has come about because of this crisis, it is as follows: The interest rates are historic lows, and we owe it to every Pennsylvanian to review our costs, the debt that we have, and save money where we can, Mr. Speaker, because the one thing that we can be certain of at the end of this crisis is we will not have as much tax revenue as we would have had without it. So we need to save this money through refinancing and we need to ensure that that money can be used to support many of the programs that the prior speaker just highlighted. That is why we were here last week, Mr. Speaker.

Additionally, the last part of the bill that is included is the COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements. I fail to see how this infringes on the Executive, as they are already sending out press releases on each one of these individual items. All we are asking for is proper notice any time that the Governor takes action. We should not have to rely on a variety of press releases being released on a daily basis; in fact, I would offer we already follow this process in many of our other ways. The Speaker previously read and the Chief Clerk read what the Senate had done. When the Governor vetoes a bill, we are given proper notice. This is no different. We are asking for a compilation of the laws and regulations that have the force of law so that we can appropriately review them as a coequal branch of government and ensure if they were not needed in the time of a health crisis, maybe we do not need them at all. So let us take an evaluation of our government, something that we started very early on. We passed four dozen repealers outside of the COVID-19 area.

Mr. Speaker, this is what these three components of the bill do. I have often found in Harrisburg when you cannot argue against the policies, you argue against the process. I think that is what we are seeing here, because I believe that every Pennsylvanian would want these three things. Finding solutions with a task force, a task force so that it can continue in operation while we are not present, provide notice of laws and regs which have the force of law, and as the Governor is making decisions, inform us about them.

I also think that we should take advantage of the ability to refinance, because, Mr. Speaker, we know the budgetary constraints that we are going to face when this is over. If we cannot do these three commonsense things – and if individuals disagree, they certainly have the ability and the right to vote "no," Mr. Speaker, but it is their "no" vote that fails to make it bipartisan, not the simple offering of ideas. If we cannot do these simple commonsense fixes achievable today on behalf of members of the Commonwealth, then this virus has taken far more than what we will lose because of the pandemic. We will have lost the public's trust.

Mr. Speaker, there was discussion about grandstanding and some statements that were made in committee that I believe should be addressed, because I believe that the timeline is important. I personally had a call with the other side and asked for ideas and input on March 27. We also offered the first draft of the amendments when we had them ready on April 3. The call on March 27 simply said, if you have any ideas – any ideas – anything that you think could help us overcome this current crisis, I would like to see the list.

Mr. Speaker, I finally saw a cosponsorship memo, and no legislative language, on April 6. Why is that important? Because we have been standing here and informed that this process was

somehow corrupt, that it is inappropriate, a process that the good gentleman brought up on his own—

Mr. Speaker, may I have some order, please?

The SPEAKER. Stop, please, for a second. Please – I agree with you – there cannot be comments from one member to another. Whoever is talking – I do not know, given masks, who is talking over here or over here. I apologize. I just do not know. But I am asking everybody to please refrain while the individuals in the House are speaking.

The majority leader has the floor.

Mr. CUTLER. Thank you, Mr. Speaker.

Regarding the previous speaker's comments about proxy voting and the ability to move forward, I think it is important that we highlight the full context of a quote that I found: "When the Pennsylvania"—and this is a quote from the Democrat's press release—"When the Pennsylvania House of Representatives met three weeks ago to pass a rule allowing for proxy voting by our members, we came together to guarantee the continuation of government and to lead by example in flattening the curve." I agree wholeheartedly. But it goes on to say, "However, it didn't take long for the Republicans in Harrisburg to begin to play politics in a crisis."

Mr. Speaker, I find that comment wholly offensive, and let me explain why. We were here last week to help people. We are here this week to help people. Why is it that when we offer ideas, when we offer alternatives, and when I invited the other side to do the same, there was silence?

Mr. Speaker, furthermore down in that press release it said, "Instead of proposing legislation to help working families and support our frontline workers,' the Democrats said before Monday's legislative session, 'Republicans are poised to offer an array of bad ideas...that instead respond to special interests.' "

I would like to run through some of those other benefits and ideas that we offered. Are special interests good Samaritans, individuals who come out to help us during this time of crisis? Are special interests those individual homeowners who we look for a property tax freeze? Are special interests the backbone of Pennsylvania's economy, those individuals who own small businesses? If so, I suppose that is whom I support, and I proudly do it.

Mr. Speaker? Mr. Speaker, may I have some order, please?

The SPEAKER. You may proceed, Leader.

Mr. CUTLER. The good gentleman that spoke prior to me outlined curbing in the Executive's power, and while we can have that discussion at a later time, I think it is instructive to look at a current example. We have seen the Governor's own comments that encourage us to be outside and to recreate, but to do so through appropriate social distancing. I agree. But I have an individual in the district who is a single-man shop. He is a surveyor, Mr. Speaker. He works alone, and he was not granted a waiver.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker, are we talking about the Senate bill that is on the board or not? Because we are not and we are far afield, and we are going to respond to this because this is out of line. It has nothing to do with the bill that is on the board, absolutely nothing.

The SPEAKER. This bill, my understanding, the leader is going to be able to continue and you will be able to respond and the leader can respond after you. But this bill does in fact deal with process and notice with respect to waivers and how they are being granted. That is a component part of it.

Mr. CUTLER. Thank you, Mr. Speaker.

The SPEAKER. Leader, you may proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

The reason I bring up that story is because this individual was not granted a waiver. He could recreate outside, but he cannot be employed outside even though they would both be singular activities. That, Mr. Speaker, speaks to the need for the recovery task force, which was the point I was getting to.

We need to do a retroactive look at the current process. Nobody asked for the current situation that is before us. Nobody could have accurately predicted what this pandemic would do to us on an economic and on a health level. Mr. Speaker, I think what we can do, though, is work on behalf of the citizens of Pennsylvania to offer good solutions and a sound process to ensure that some of this stuff does not happen again. Mr. Speaker, there is no reason this bill could not be bipartisan except for the failure of the prior speaker to offer any amendments in the Appropriations Committee that he had done so previously. That, Mr. Speaker, is why we should advance this bill today, because we have a proposal that will help get us back on track. That is important, Mr. Speaker, because this false choice of we can only be healthy or the economy will be destroyed is not true. The Governor's own waiver process itself points to the fact that there are appropriate measures that can be taken for some businesses to continue to operate, and we should do more of that, Mr. Speaker. I know that some would paint that as supporting business, but it would not be accurate, because I will give you another example that is happening back home and I think that this is important.

Right now what we ask for and what some individuals have requested are waivers for small gardening centers, because this is gardening season. I would like to share why that is important for those who may not garden on their own or had the experience of raising their own food. It is a very short window in terms of germination and the ability to plant these plants. They are a time-sensitive product that will spoil, and the current process has shut down the small operators, the small greenhouses, the small garden centers, while allowing the big-box stores to continue to operate.

Mr. Speaker, I believe everybody should have the opportunity to be employed, but we should not ever allow a process that disproportionately impacts the residents that live in our districts and the small businesses they choose to run.

Mr. Speaker, I appreciate the latitude on the comments, but I hope that the people of Pennsylvania understand that while this is a pressing crisis, it is one that needs managed. It is one that the task force would allow us to do so in a cooperative way instead of the process as it is currently playing out. There is going to be retroactive review of all of this, and, Mr. Speaker, I want it to be known that I stood with the taxpayers, I stood with the people who run their own businesses, and I stood with the people who want to safely go back to work, because that is who lives in the district that I represent, and I would encourage a "yes" vote.

The SPEAKER. Minority leader, Representative Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the only problem is, this bill has nothing to do with the waiver process – nothing. What it has to do with is it creates a task force that is unbalanced, that unnecessarily burdens the Executive and burdens the Commonwealth with regulations and rules and ties the Executive's hands and the executive branch and our hands, ties their hands at a time when they need flexibility at the most, the most crucial time probably in the history of this Commonwealth. It ties their hands. That is what this bill does. It is not about a waiver process.

And you talk about trying to work together – we worked together last week. We sat down and we approved a process to vote so that we can maintain the health and welfare of our members and their families and the people of the Commonwealth. And you tell us that you are going to work with us, only we never talked about an immunity bill. We never got language and discussed that with you. There were no negotiations on that bill, not with the Democrats. There were no negotiations on this, on the legislation that is proceeding here today on a task force, and the information that you are getting from the rules and the regs and from the, the information from the refinancing, is available right now. And every agency does it; you can pick up the phone. This is a ruse. That is what this is.

If you want to work together, you get us information that we can evaluate and sit down with you and see if we can reach a compromise. If you want to work together, get us the legislation in time and not Friday and Saturday afternoon, the weekend before, and we have to show up here Monday and you tell us you are going to vote it Monday, and you are going to amend it in Appropriations, put it in there on second consideration, bring it up on third, and vote it Monday afternoon. That is what we were told. That is ramming it down our throats.

Now, at a time when we are in a crisis and we are dealing with a pandemic, we want to work with you. We should all want to work with the administration to make sure that they have the flexibility they need to address this problem and address these problems right now, right away, and that is not what has gone on here, what is not going on with this bill. And I am telling you, look, the people of Pennsylvania are watching, and for a few moments they thought we could get this done. They thought we could it get together, work together, and lead this Commonwealth. We still – that is the House Democrats – still intend and want to work with you to get this done, to lead us the way, to reopen the Commonwealth to businesses. But I will tell you what, that means you have to work with us.

Now, we just listened to a statement that was supposed to be about SB 327, if that is what it is up there. It did not turn out that way, but all of it was not accurate. If we are going to work together, we need to be brought into the process. If we are going to work together, we cannot be reading about it on Saturday and Sunday and voting it Monday afternoon. That does not work. We have to work with the administration, because we all know right now that Secretary Levine and Governor Wolf are doing a very good job managing what is one of the most difficult situations we will ever face in the Commonwealth. The people of the Commonwealth understand that; they know that. You can laugh, but that is the fact.

So look, we are going to vote this bill today, and we are "no" for obvious and good reasons, because this bill does not do what you say it does. It creates that task force that makes no sense, that ties the Governor's hands, and that is imbalanced. If you look at

the membership of this task force, they could never make a decision in 100 years. We need to get together with the administration, all four caucuses, and work on a plan to solve this problem and then bring us out of it. This is not the way to do it, and that is why we are voting "no." And if you want to work together with us, bring us in. We will talk. We are happy to.

Thank you, Mr. Speaker.

The SPEAKER. Representative Greg Rothman. Waives off.
Representative Cris Dush. Waives off.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

The SPEAKER. I will ask each of the whips after the votes are recorded on the board if they would just state for the record that those who are voting remotely have worked through them and that they are accurate.

At this time the Chair calls upon Representative Jordan Harris, the Democratic whip.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. Thank you, sir.

And at this time the Chair calls upon Representative Kerry Benninghoff, the majority whip; sir.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect all 108 majority votes. Thank you.

The SPEAKER. Thank you.

The following roll call was recorded:

YEAS—108

Barrar	Gillen	Masser	Rothman
Benninghoff	Gillespie	Mehaffie	Rowe
Bernstine	Gleim	Mentzer	Ryan
Boback	Gregory	Metcalfe	Sankey
Bonner	Greiner	Metzgar	Saylor
Borowicz	Grove	Mihalek	Schemel
Brooks	Hahn	Millard	Schmitt
Brown	Heffley	Miller, B.	Schroeder
Causer	Helm	Mizgorski	Simmons
Cook	Hennessey	Moul	Sonney
Cox	Hershey	Murt	Staats
Culver	Hickernell	Mustello	Stephens
Cutler	Irvin	Nelson	Struzzi
Davanzo	James	O'Neal	Thomas
Day	Jones	Oberlander	Tobash
Delozier	Jozwiak	Ortitay	Toepel
Diamond	Kail	Owlett	Tomlinson
Dowling	Kaufner	Peifer	Toohil
Dunbar	Kauffman	Pickett	Topper
Dush	Keefer	Polinchock	Warner
Ecker	Keller	Puskaric	Wentling
Emrick	Klunk	Quinn	Wheeland
Everett	Knowles	Rader	White
Farry	Lawrence	Rapp	Zimmerman
Fee	Lewis	Reese	
Fritz	Mackenzie	Rigby	Turzai,
Gabler	Maloney	Roae	Speaker
Gaydos	Marshall		

NAYS—93

Bizzarro	Donatucci	Kortz	Ravenstahl
Boyle	Driscoll	Kosierowski	Readshaw
Bradford	Evans	Krueger	Roebuck
Briggs	Fiedler	Kulik	Rozzi
Bullock	Fitzgerald	Lee	Sainato
Burgos	Flynn	Longietti	Samuelson
Burns	Frankel	Madden	Sanchez
Caltagirone	Freeman	Malagari	Sappey
Carroll	Gainey	Markosek	Schlossberg
Cephas	Galloway	Matzie	Schweyer
Ciresi	Goodman	McCarter	Shusterman
Comitta	Green	McClinton	Sims
Conklin	Hanbidge	McNeill	Snyder
Cruz	Harkins	Merski	Solomon
Daley	Harris	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Ullman
Davis, A.	Howard	Mullins	Vitali
Davis, T.	Innamorato	Neilson	Warren
Dawkins	Isaacson	O'Mara	Webster
Deasy	Kenyatta	Otten	Wheatley
DeLissio	Kim	Pashinski	Williams
Deloso	Kinsey	Petrarca	Youngblood
DeLuca	Kirkland	Rabb	Zabel
Dermody			

NOT VOTING—0

EXCUSED—2

Mako Pyle

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

REPUBLICAN CAUCUS

The SPEAKER. At this time we are going to, I think, go to caucus. I think each side is going to be going to caucus.

The Chair calls upon the majority caucus chair, Representative Marcy Toepel.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus virtually immediately at the break. We would be prepared to return to the floor at 2 o'clock. Thank you.

The SPEAKER. Thank you.

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. Representative Frank Dermody, the minority leader, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we will get back to the Democrats on caucus. Right now there is not one scheduled. You will hear from us.

The SPEAKER Thank you.

RECESS

The SPEAKER. Members, the House is scheduled to return to the floor at 2 p.m. At this time we will stand in recess.

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.; further extended until 2:30 p.m.; further extended until 3:15 p.m.; further extended until 3:45 p.m.

AFTER RECESS

The time of recess having expired, the House was called to order.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. It is my understanding that the majority Appropriations chair, Stan Saylor, calls an immediate meeting of the Appropriations Committee in the majority caucus room. It is my understanding that the majority Appropriations chair, Representative Stan Saylor, calls for an immediate meeting of the Appropriations Committee in the majority caucus room.

Members of the Appropriations Committee, you can vote remotely as provided under the temporary rule, which was enacted under HR 843 – or, excuse me, 834, HR 834. We are scheduled to report back to the floor at 3:45 p.m. We are just going to adhere to that time. Members can – for those that wish to be on the floor, remember you can vote from your Capitol office or you can vote from your district office and home. Those who are voting remotely from the district office and/or home have to do so respectively under the temporary rule, 834, House resolution, either through the majority whip or the minority whip.

While the House is in session, we are going to stand at ease until the Appropriations Committee meeting is completed. So while we are in session, we are going to stand at ease until the completion of the Appropriations Committee meeting. Thank you.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE

HB 881, PN 1434

By Rep. SAYLOR

An Act amending the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," further providing for agricultural land conservation assistance grant program.

APPROPRIATIONS.

SB 613, PN 1629 (Amended)

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, repealing provisions relating to employees with access to Federal tax information and reenacting provisions relating to criminal history background checks of employees and contractors with access to Federal tax information; and providing for COVID-19 emergency mitigation plan for businesses.

APPROPRIATIONS.

BILLS RECOMMITTED

The SPEAKER. The majority leader moves that the following bills be recommitted to the Committee on Appropriations:

HB 2045;
HB 2195;
HB 2217; and
HB 2233.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 995;
HB 1403;
HB 1874;
HB 2044;
HB 2258;
HB 2376;
HB 2400;
SB 412;
SB 413; and
SB 703.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 1279;
HB 1971; and
HB 1972.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS TABLED

The SPEAKER. The majority leader moves that the following bills be removed from the active calendar and placed on the tabled calendar:

HB 1279;
HB 1971; and
HB 1972.

On the question,
Will the House agree to the motion?
Motion was agreed to.

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1074, PN 1614**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, providing for governing bodies of airport authorities located in counties of the second class.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1074 be removed from the active calendar and placed on the tabled calendar.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1074 be removed from the tabled calendar and placed on the active calendar.

On the question,
Will the House agree to the motion?
Motion was agreed to.

RECESS

The SPEAKER. This House will now stand in recess until the call of the Speaker with 12 hours' notice. This House stands in recess until the call of the Speaker with 12 hours' notice.

We are still listed for Tuesday, April 14; Wednesday, April 15; and Thursday, April 16. But in the interim this House stands in recess until the call of the Speaker with 12 hours' notice.

With that, thank you, members. God bless. I hope your families are well.

ANNOUNCEMENT BY MR. COOK

The SPEAKER. Representative Bud Cook, on unanimous consent. On unanimous consent, Representative Bud Cook.

Mr. COOK. Thank you, Mr. Speaker.

On April 7, 1930, my mom came into this world. Mom, happy 90th birthday. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

RECESS CONTINUED

The SPEAKER. With that, we are recessed until the call of the Chair. We are recessed until the call of the Chair.