

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 21, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 20

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:

April, of course, for those of faith, has many important religious holidays. This past Sunday was the Orthodox Easter, April 19. On April 23 the holy month of Ramadan begins for those of the Islamic faith. As you know, in the evening of April 8 was, I believe, the beginning for the time for Passover dinner, the Seder dinner – so important to our friends from the Jewish faith. And then for many in the Christian faith, April 12 was the celebration of Easter.

Today myself; the Democratic leader, Frank Dermody; the Governor; and Attorney General Shapiro also participated in the Holocaust memorial remembrance. We are nearing the 75th anniversary; actually, we have passed the 75th anniversary of the liberation of Auschwitz-Birkenau, which was a significant milestone.

I am going to read just a few short prayers with respect to these faiths. Given that Ramadan is approaching us, I am just going to read this prayer, the Muslim Prayer for Peace, and then I will read one with respect to the Jewish faith and the Holocaust, and I will end with remarks about Easter.

The Muslim Prayer for Peace: "O God! O our master! You are eternal life and everlasting peace by Your essence and attributes. The everlasting peace is from You and it returns to You. O our Sustainer! Grant us the life of true peace and usher us into the abode of peace. O Glorious and Bounteous One! You are blessed and sublime. O Allah, O our master. Amen."

And then with respect to the Holocaust, this was prepared by three important personages: the Archbishop of Canterbury, Justin Welby; the Chief Rabbi, Ephraim Mirvis; and Senior Imam Qari Asim, and this was their united prayer for the Holocaust Memorial Day.

"Loving God, we come to you with heavy hearts, remembering the six million Jewish souls murdered during the Holocaust.

"In the horrors of that history, when so many groups were targeted because of their identity, and in genocides which followed, we recognize destructive prejudices that drive people apart.

"Forgive us when we give space to fear, negativity and hatred of others, simply because they are different from us.

"In the light of God, we see everyone as equally precious manifestations of the Divine, and can know the courage to face the darkness.

"Through our prayers and actions, help us to stand together with those who are suffering," as we are especially now. Those are my words; back to the prayer, "so that light may banish all darkness, love will prevail over hate and good will triumph over evil.

"Amen."

And then finally, with respect to the epilogue of "The Way of the Cross" being "The Resurrection," for Christians of many faith traditions:

"On the first Easter morning the friends and relatives of Jesus learn the incredible Good News" that he has risen from the dead and has overcome death. "The Way of the Cross spotlights the dark side of mankind and the dark side of ourselves. But there can be no despair – the resurrection sees to that!" It reminds all of us that suffering and pain for our own and others is in the end worthwhile and somehow makes sense...." It reminds us that our lives are supremely worthwhile and that the 'worthwhileness' is measured by the way we love one another."

Thank you for your indulgence with respect to that, but I thought these dates were important to so many of us and to our fellow citizens.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. When we return next Monday, we will be reading a prayer from the Hindu faith.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 20, 2020, will be postponed until printed.

HOUSE BILL INTRODUCED AND REFERRED

No. 2424 By Representatives ISAACSON, T. DAVIS, DONATUCCI, DRISCOLL, FRANKEL, FREEMAN, GALLOWAY, GREEN, HILL-EVANS, HOHENSTEIN, JONES, KAUFER, KENYATTA, KOSIEROWSKI, McCARTER, O'MARA, RAVENSTAHL, READSHAW, ROZZI, SANCHEZ, SAPPEY, SCHWEYER, WILLIAMS, YOUNGBLOOD, ZABEL, DEASY and LEE

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, providing for receipt of personal identification number.

Referred to Committee on LABOR AND INDUSTRY, April 21, 2020.

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

SB 462, PN 858

Referred to Committee on EDUCATION, April 21, 2020.

SB 1027, PN 1621

Referred to Committee on STATE GOVERNMENT, April 21, 2020.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 752, PN 802**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 752, PN 802

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in property and buildings, further providing for price paid for acquisitions and improvements.

Whereupon, the Speaker, in the presence of the House, signed the same.

KAREN DALTON PRESENTED

The SPEAKER. Members, the Chair is going to call upon the majority leader, Bryan Cutler, and our chair of the Judiciary Committee, Representative Rob Kauffman. We are going to be honoring a longtime employee of the House Republican Caucus, but who has served members on both sides of the aisle and the citizens of Pennsylvania so faithfully.

The Chair will begin by calling upon the chair of the Judiciary Committee, Representative Robert Kauffman.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

Members, today we gather here in the House, and I want to take a moment to honor Karen Dalton. Karen, for those of you who do not know, is senior legal counsel to the House Judiciary Committee, and it is unfortunate that Karen cannot be with us today, but of course, in the midst of the COVID-19 pandemic, most workers in the Capitol are actually telecommuting and working from home. And so hopefully Karen has Pennsylvania Cable Network or our viewer on at home so she can be watching.

But for those of you who do not know Karen well, Karen is really one of the most humble public servants that you would find in this building. When Karen walks into a room, even though she is an accomplished attorney of many, many years, she does not walk into the room to all of a sudden show she is here and to give her infinite wisdom on a particular issue. She will often try to walk into a room and be unnoticed. If she were here today, she would be sitting over there and trying to be as covert as possible so that no one would actually look at her and notice that she is here and that we are actually honoring Karen and her service to the Commonwealth and this House, and really, to the people of Pennsylvania.

Karen began her service back in 1993. And, Karen, you know, I was in my freshman year of college back then, if you are watching at home. But I became chairman of the House Judiciary Committee after Representative Ron Marsico, who was chairman for 10 years. And when I became chairman, I suspect and she has told me, Karen was not sure what to expect. But as she does in the way she carries herself, she showed me an extraordinary amount of deference and respect and indulged me when I asked what many may consider ridiculous questions, as not being an attorney.

And she would never share her expertise out of turn. And not to step on any toes in the Capitol here, but many forget that we are the ones elected to represent the people of Pennsylvania. Karen never forgot that. Karen would only share her knowledge and expertise with me when asked, or occasionally she would say, "Mr. Chairman, with permission, may I be candid?" And of course, you know, I wanted her advice and her expertise.

But she is a truly kind and gentle soul. She loved to mentor those who are coming behind her. She has mentored those who also serve on the Judiciary Committee staff.

Many do not know she has a love for music, and so I am excited for her, because that is one thing that she shared with me. When we sat down in my office and she shared that she was going to be retiring, she shared her excitement for the future that she is going to be able to pursue her love of music even further. And as one who has a house full of music and musicians, I am excited for her.

But she has done extraordinary work here in the House of Representatives over her tenure. She served as staffer to a couple of committees; Professional Licensure was one, and now, of course, to Judiciary, but I think she would probably admit that her greatest contribution to the people of Pennsylvania has been as senior legal counsel to the House Judiciary Committee.

And I just want to rattle off some of the important stamps that she has put on Pennsylvania law. And I think as you hear this, you, if you did not know her well, you will say, wow, she really did make an impact for the benefit of the people of Pennsylvania.

She has played a major role in shaping the Sex Offender Registration and Notification Act – many of us would know them as Megan's Law and the Adam Walsh Act – Protection from Sexual Violence and Intimidation Act, the modernization of Pennsylvania's organ donation law, the Medical Marijuana Act, laws reforming Pennsylvania's divorce and parental rights laws to protect victims of domestic violence or rape, establishing permanent funding for child advocacy centers, expanding Pennsylvania's Safe Haven Law, and revisions to Pennsylvania's child protection laws following the Jerry Sandusky abuse tragedy, and there are many more.

She was one who would dig deep and dive deep when she was digging into laws and drafting here in the House, and she has a wealth of knowledge that we will sorely miss here in the House, and we will miss her gentle spirit and the way she handled herself.

And, Karen, at home, I, from the bottom of my heart, thank you for your service to me, to the members of the Pennsylvania House of Representatives, but most definitely, to the people of Pennsylvania. I wish you great success and fun in your retirement, and I hope you get to make a lot of amazing music as you pursue that endeavor as you retire.

God bless you, Karen.

The SPEAKER. Thank you, Chairman Kauffman.

The majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, like many things in our everyday lives, the current conditions have impacted this retirement ceremony, as the good chairman pointed out. And it is with a sad heart that we cannot have Karen physically in the chamber today to congratulate her for her many years of service. So with that, I would like to extend an invitation to bring her back once things return to normal and we once again begin having guests here in this chamber.

But I would like to relay a personal story, one that the chairman implied through his long list of legislative accomplishments, but one that I would like to drill into with some greater detail. Myself, Republican Whip Benninghoff, and Chairman Petrarca had a multisession effort to update our organ donation laws, and Karen's humble spirit and attention to detail guided each and every part of that. And it was with great pride that we were able to get to a point where that bill was ultimately signed into law.

And as we often know here in Harrisburg, sometimes – oftentimes, actually – we agree on what the problems are, but sometimes we disagree on the best solution to fix it. That issue was no different. At one point we had been a national leader in terms of organ donation laws, and our law needed updated, like many of our laws. And she diligently went to the task, identifying the best practices in each and every State that had updated their

law since we had originally passed ours. It was not an easy task, but it was one that was worthwhile and it was one that needed done. I personally also appreciated her counsel as we worked through it because she would quietly point to the issues that we needed to pay attention to and highlight any potential problems or inconsistencies with other areas of our law.

And she really is an unsung hero of the chamber, like so many of our staff. While we are all the public faces of our individual offices – and oftentimes, we get praised for their good work and they get blamed for our bad work – the truth is, it is good employees like Karen who come to work, who diligently pour themselves into their work product, looking out as partners with us as we monitor and change the laws as needed.

She was, without a doubt, the consummate professional and one of the most humble people that I have ever had the privilege of working with. I appreciate all the life lessons that she taught me. And it is sad that I will not be able to work with her again, but I will enjoy her returning to the chamber as a guest so that we can properly thank her for all of her years of service.

Thank you, Mr. Speaker.

The SPEAKER. Our majority whip, Kerry Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

It is not easy to follow those two gentlemen, but I would feel very remiss if I did not also publicly thank Karen Dalton, one of our excellent staff people here. And outside of that, she is not just a staff person; she is a lawyer with a great heart, and I saw that time and time again. If we ever wanted someone to have others emulate in their profession, regardless if it is in reading, learning of the law, or teaching the law or being lawmakers or whatever profession, it would be someone like Karen Dalton.

If you are listening, Karen, we thank you. We love you. We appreciate the type of work that you did, and more importantly, the heart that you brought into it. There were many times where I would see her eyes tear up because she would be so involved in what it was that she was doing. And more importantly, it was not just a job; she tried to pass legislation as though it was affecting her own life personally and those that she loved and cared for, and I think Pennsylvania is a better place for the service that she gave.

Mr. Speaker, I thank you. Publicly, I think we all want to thank Karen Dalton. So if you get a chance, send her a card. Again, Karen, if you are listening, we are very grateful for your service.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Majority Whip.

Karen – I think you are watching – God bless you. Many years of success ahead in your next endeavors.

Chairman Kauffman, it seems like yesterday, but when I was the minority Policy chair in 2007-2008, we undertook some welfare reform measures, which we ultimately passed some of those measures. You, sir, led that effort, and Karen Dalton was our point person, and it seems like yesterday. But what an outstanding lawyer, researcher, and drafter, and somebody who could work with people on both sides of the aisle to get important legislation over the goal line.

Karen, we wish you all the best. Thank you.

HOUSE STAFF RECOGNIZED

The SPEAKER. I would like to recognize Dave Reddecliff, our Chief Clerk, who was just here. And I want each of these members of our staff to stand up that are with us here during these days. Jackie Frye. Jackie is our court reporter. Rick Breski, our reading clerk. This man knows more about the mechanics of legislation, along with our good Parliamentarian here to my left, but the two of them – man, I listen to them and I am like, I have been doing this for a long time, why do I not know that? Jordan Davis. Jordan. Our two roll-call clerks that did so much of the innovation with Dave Reddecliff for us to do remote voting, Lori Hoffman and Al Hunt, please wave and stand. And to my right – we are missing one of them right now; I know he is around – but Michelle Martin, Jason Nace, and Pat McVitty, please stand. Thank you so much. Oh, there he is. Patrick, how are you, buddy? And Kelly Fedeli is our substitute macebearer. She is doing an amazing job.

And to an outstanding Parliamentarian who has served Democratic and Republican Speakers of the House for how many years, Clancy? Forty years – although he is only 39 – 40 years. How about a round of applause for our Parliamentarian.

To all of our staffers on both the Republican and Democratic research and in the leaders' offices, thank you as well.

Okay. Let us proceed. I think we are going to do committee announcements and caucus announcements at this time. I know we have some votes, but I guess we have no committee meetings at this time, but the caucus announcements.

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Representative Marcy Toepel, please.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will hold a virtual caucus at 11:45. We would be prepared to return to the floor at 12:45. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. And the minority leader, Representative Frank Dermody, for a Democratic caucus announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

The Democrats will also caucus at 11:45.

The SPEAKER. Thank you, sir.

RECESS

The SPEAKER. So we are going to return to the floor at 12:45; 12:45. Thank you. We will stand in recess until that time.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.; further extended until 2 p.m.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2206, PN 3600 (Amended)

By Rep. KELLER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for executive officers, administrative departments and independent administrative boards and commissions, for departmental administrative boards, commissions and offices, for department heads and for gubernatorial appointments; in organization of departmental administrative boards and commissions and of advisory boards and commissions, further providing for board to license private bankers; in Commonwealth agency fees, further providing for Department of Banking and for Pennsylvania Securities Commission; and, in powers and duties of the Department of Banking and its departmental administrative board and commission, further providing for powers and duties in general, for banking supervisory powers and for banking laws; repealing provisions relating to powers and duties of the Pennsylvania Securities Commission; and making editorial changes.

COMMERCE

HB 2369, PN 3601 (Amended)

By Rep. KELLER

An Act amending the act of June 29, 1996 (P.L.434, No.67), known as the Job Enhancement Act, in Community Development Bank Grant and Loan Program, further providing for definitions and providing for COVID-19 grant and loan programs.

COMMERCE

HB 2370, PN 3603 (Amended)

By Rep. KELLER

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, in Uniform Unsworn Foreign Declarations Act, further providing for heading of chapter, for short title of chapter, for definitions, for applicability and for form of unsworn declaration; in Revised Uniform Law on Notarial Acts, further providing for authority to perform notarial act, providing for notarial act performed by remotely located individual and further providing for notification regarding performance of notarial act on electronic record and selection of technology.

COMMERCE

HB 2386, PN 3602 (Amended)

By Rep. KELLER

An Act providing for COVID-19 disaster emergency business interruption grants.

COMMERCE

RESOLUTIONS REPORTED FROM COMMITTEE

HR 646, PN 3059

By Rep. KELLER

A Resolution urging Major League Baseball to revise its plan to eliminate affiliation with three Minor League Baseball teams in Pennsylvania.

COMMERCE

HR 647, PN 3060

By Rep. KELLER

A Resolution designating the month of February 2020 as "Esports Month" in Pennsylvania.

COMMERCE.

HR 673, PN 3157

By Rep. KELLER

A Resolution recognizing the week of February 2 through 8, 2020, as "National Future Business Leaders of America-Phi Beta Lambda Week" in Pennsylvania.

COMMERCE.

HR 747, PN 3318

By Rep. KELLER

A Resolution recognizing May 5, 2020, as "Architects Action Day" in Pennsylvania.

COMMERCE.

HR 790, PN 3399

By Rep. KELLER

A Resolution honoring the 50th anniversary of Penske Truck Leasing.

COMMERCE.

HR 805, PN 3430

By Rep. KELLER

A Resolution designating April 26, 2020, as "Pretzel Day" in Pennsylvania.

COMMERCE.

HR 837, PN 3522

By Rep. KELLER

A Resolution designating October 4, 2020, as "Truck Driver Appreciation Day" in Pennsylvania.

COMMERCE.

HR 845, PN 3560

By Rep. KELLER

A Resolution recognizing the month of May 2020 as "National Moving Month" in Pennsylvania.

COMMERCE.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2425 By Representatives TOOHL, BARRAR, POLINCHOCK, BURGOS, SOLOMON, ROZZI, PICKETT, LEE, HILL-EVANS, WARREN, RYAN, READSHAW and FRANKEL

An Act providing for forbearance on principal repayment on economic development loans during the COVID-19 crisis.

Referred to Committee on COMMERCE, April 21, 2020.

No. 2426 By Representatives PUSKARIC, BERNSTINE, KEEFER, ZABEL, READSHAW, DONATUCCI, ROZZI, POLINCHOCK, CIRESI and THOMAS

An Act providing for pharmaceutical transparency; establishing the Pharmaceutical Transparency Review Board and providing for its powers and duties; and establishing the Pharmaceutical Transparency Review Fund.

Referred to Committee on INSURANCE, April 21, 2020.

No. 2427 By Representative GAYDOS

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in recovery of possession, further providing for escrow funds limited and for recovery of improperly held escrow funds.

Referred to Committee on CONSUMER AFFAIRS, April 21, 2020.

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

SB 417, PN 1652

Referred to Committee on STATE GOVERNMENT, April 21, 2020.

SB 647, PN 807

Referred to Committee on JUDICIARY, April 21, 2020.

SB 997, PN 1465

Referred to Committee on STATE GOVERNMENT, April 21, 2020.

SB 1108, PN 1654

Referred to Committee on APPROPRIATIONS, April 21, 2020.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1869, PN 3582**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. We have our chairman, majority Appropriations chair, Stan Saylor, is going to hold a committee meeting for the Appropriations Committee. And then the majority leader is going to have us, is asking that we, you know, go at ease while the Rules Committee meets. So we are going to have an announcement for the Rules Committee as well.

RULES COMMITTEE MEETING

The SPEAKER. Leader, I will call on you for the Rules Committee. Thank you, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the Rules Committee in the majority caucus room, downstairs, and that will be streamed online; immediate meeting of the Rules Committee, majority caucus room, downstairs, streamed online. Thank you.

The SPEAKER. Thank you, Leader.

The Rules Committee will meet immediately in the majority caucus room.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. And then the majority Appropriations chair, Stan Saylor, for an Appropriations Committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

Immediately after the Rules Committee meeting, there will be an Appropriations Committee meeting in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

The Appropriations Committee will meet immediately after the Rules Committee meeting in the majority caucus room.

So we are going to be at ease for a Rules Committee meeting and for an Appropriations Committee meeting. The Speaker will remain here at the rostrum. We will see members when they return or if they are voting from their Capitol offices or if they are voting from their district offices or homes.

The House will come to order.

For those who are voting remotely – either from your homes, your district offices, Capitol offices – we are back. We are back in and we are in order.

We are still awaiting the Appropriations Committee meeting to be completed, but we are going to do some housekeeping work, which is why we are back in order. We are going to do some housekeeping work.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1869, PN 3582

By Rep. CUTLER

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for COVID-19 enforcement officer disability benefits and for COVID-19 benefits for members of Pennsylvania National Guard; and, in emergency medical services system, further providing for basic life support ambulances.

RULES.

LEAVES OF ABSENCE

The SPEAKER. And we are going to do the leaves. There are no requests for leaves. We will have 202 members.

As you know, Representative MAKO, from Lehigh County, is on military leave serving our country with the Army National Guard.

BILLS REREPORTE FROM COMMITTEE

HB 974, PN 3593

By Rep. SAYLOR

An Act authorizing municipalities to implement senior citizen tax reduction incentive volunteer exchange programs.

APPROPRIATIONS.

HB 1403, PN 1723

By Rep. SAYLOR

An Act repealing the act of July 2, 1901 (P.L.610, No.306), entitled "An act to encourage the planting of trees along the roadsides of this Commonwealth, and providing a penalty for killing, removing or injuring the same; what disposition is to be made of moneys collected as penalties, and for keeping a record, by the supervisor of roads or boards of supervisors of roads, of the trees so planted and upon which a tax abatement has been granted."

APPROPRIATIONS.

HB 2376, PN 3566

By Rep. SAYLOR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for retail store closure during declaration of disaster emergency and for contactless and curbside business operations during declaration of disaster emergency.

APPROPRIATIONS.

HB 2388, PN 3592

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 emergency COVID-19 provisions.

APPROPRIATIONS.

SB 413, PN 1653

By Rep. SAYLOR

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for tenure of justices, judges and justices of the peace; and further providing for absentee voting.

APPROPRIATIONS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1108, PN 1654

By Rep. SAYLOR

A Supplement to the act of June 28, 2019 (P.L.839, No. 1A), known at the General Appropriation Act of 2019, adding Federal appropriations to the Executive Department of the Commonwealth for the fiscal year July 1, 2019, to June 30, 2020.

APPROPRIATIONS.

The SPEAKER. We are going to call up HB 127— Oh, I have not done the master roll. Thank you, Lori. Lori, thank you. Al, thank you.

MASTER ROLL CALL

The SPEAKER. We are going to vote on the master roll. Members, please proceed to vote on the floor, in your Capitol office, in your district office, or in your home.

(Members proceeded to vote.)

The SPEAKER. The Chair is going to call upon the majority whip. Majority whip, on the master roll, please.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The roll-call vote is correct for the majority party.

The SPEAKER. And the minority whip, Jordan Harris, on the roll-call vote, sir.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

PRESENT—202

Barrar	Fee	Lawrence	Reese
Benninghoff	Fiedler	Lee	Rigby
Bernstine	Fitzgerald	Lewis	Roae
Bizzarro	Flynn	Longietti	Roebuck
Boback	Frankel	Mackenzie	Rothman
Bonner	Freeman	Madden	Rowe
Borowicz	Fritz	Malagari	Rozzi
Boyle	Gabler	Maloney	Ryan
Bradford	Gainey	Markosek	Sainato
Briggs	Galloway	Marshall	Samuelson
Brooks	Gaydos	Masser	Sanchez
Brown	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Sappey
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causer	Greiner	Merski	Schroeder
Cephas	Grove	Metcalfe	Schweyer
Ciresi	Hahn	Metzgar	Shusterman
Comitta	Hanbidge	Mihalek	Simmons
Conklin	Harkins	Millard	Sims
Cook	Harris	Miller, B.	Snyder
Cox	Heffley	Miller, D.	Solomon
Cruz	Helm	Mizgorski	Sonney
Culver	Hennessey	Moul	Staats
Cutler	Hershey	Mullery	Stephens
Daley	Hicknell	Mullins	Struzzi
Davanzo	Hohenstein	Murt	Sturla
Davidson	Howard	Mustello	Thomas
Davis, A.	Innamorato	Neilson	Tobash
Davis, T.	Irvin	Nelson	Toepel
Dawkins	Isaacson	O'Mara	Tomlinson
Day	James	O'Neal	Toohil
Deasy	Jones	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Ullman
Delloso	Kail	Otten	Vitali
Delozier	Kaufer	Owlett	Warner
DeLuca	Kauffman	Pashinski	Warren
Dermody	Keefer	Peifer	Webster
Diamond	Keller	Petrarca	Wentling
Donatucci	Kenyatta	Pickett	Wheatley
Dowling	Kim	Polinchock	Wheeland
Driscoll	Kinsey	Puskaric	White
Dunbar	Kirkland	Pyle	Williams
Dush	Klunk	Quinn	Youngblood
Ecker	Knowles	Rabb	Zabel
Emrick	Kortz	Rader	Zimmerman
Evans	Kosierowski	Rapp	
Everett	Krueger	Ravenstahl	
Farry	Kulik	Readshaw	
		Turzai,	
		Speaker	

ADDITIONS—0**NOT VOTING—0****EXCUSED—1**

Mako

The SPEAKER. We have 202 members voting on the master roll. We have a quorum.

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1279, PN 3058**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for wine expanded permits.

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

The SPEAKER. Representative Ortitay, I understand, is withdrawing his amendment, 05118. Is that correct? That is a withdrawn.

In consultation with the Parliamentarian, Representative Deasy's amendment, 05120, is ruled out of order. The bill is quite simple and narrowly tailored. Amendment 05120 is ruled out of order.

There are no further amendments.

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

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to the following **SB 327, PN 1655**, as further amended by the House Rules Committee:

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; providing for emergency regulatory tolling; and making an appropriation.

On the question,
Will the House concur in Senate amendments to House amendments as amended by the Rules Committee?

The SPEAKER. This one covers a lot of ground. It is a Senate bill that was amended by the House, was amended by the Senate, and then was amended again by the House. So a Senate bill, amended by the House, amended by the Senate, again amended by the House.

The Chair is going to call upon the leader with respect to the substance of SB 327, PN 1655.

Leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Very briefly, we made an amendment in the Rules Committee to do three things, which I will briefly outline for the benefit of the membership. The first was, we did alter the makeup of the proposed task force contained in the underlying bill, which we amended on the first time it was here. It would now be made up of nine members. It would be the Governor, who would be the chair; the Speaker of the House; majority and minority leaders; the President pro tem; the Senate majority and minority leaders; Chief Justice of the Supreme Court; and then a judge selected by the Chief of the Superior, Commonwealth, or lower court of common pleas.

Mr. Speaker, the reason for this change was there were some concerns expressed privately that perhaps a task force of 23 members would be unwieldy, and given the fact that 7 of these 9 individuals currently hold a weekly call already, I thought that would in fact be a more workable group.

Second, there was a component put in by the Senate, which I think was a good component, involving the county emergency mitigation plan for businesses. However, there were some unresolved questions in terms of the support, so we did pull that out at this time. We can continue that conversation going forward.

And lastly, it added provisions for an emergency regulatory tolling and extension. Mr. Speaker, we are in the throes of a crisis that we are all doing our best to manage. What this extension simply would do is say that any regulations that are currently pending would be extended to 90 days after the emergency, and we will have the discussion about all the pending regulations at that time.

One of the concerns, for those who may be unfamiliar with the regulatory process, is the days that you are in session count either for or against you in terms of your position on the underlying regulations that are proposed, and we do not want to have anything interfering with our ability to respond to this crisis in terms of being here, working diligently on behalf of the people, so we proposed pushing that conversation to 90 days after the emergency.

I would urge a "yes" vote on concurrence to send this bill back to the Senate.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Majority Leader.

Representative Greg Vitali. Sir, you are recognized. You can come up front if you would like. Okay, that is fine.

Representative Greg Vitali, on this concurrence vote.

Mr. VITALI. Thank you, Mr. Speaker.

I urge a vote of nonconcurrence on SB 327. I will note at the outset that this vote is also opposed by the administration. This would stall many important regulations without reason.

I will note at the outset, this is also opposed by numerous environmental groups, including Clean Water Action, Conservation Voters of Pennsylvania, PennEnvironment, and Sierra Club. In their letter of April 21, they note that this would stall proposed regulations relating to including setting air

emission standards for oil and gas operations, and setting cleanup standards for PFAS contamination, redesignating the water quality protection for over 40 streams, setting water quality standards for manganese. They say in their letter that we must ensure that the current public health crisis is not exchanged or replaced by another environmental public health crisis. They also note that this will reduce the environmental scorecard in the next election.

The Pennsylvania Environmental Council has also weighed in on this. They pointed out some concerns they have. They note that "This...section establishes a blanket prohibition that indiscriminately blocks rulemaking proposals – including those necessary for the protection of public health...." That is the Pennsylvania Environmental Council.

Mr. Speaker, this bill is a bad idea. It is unnecessary. And in fact, the legislature already has a mechanism in place right now in the regulatory process to stop regulations right now. I am familiar with the regulatory process. I am on the Environmental Quality Board. And I would urge a "no" vote. Thank you.

The SPEAKER. Okay, so here is what we will be doing in terms of the vote. The question is this: Will the House concur in the House amendments which are presently in front of us – keep in mind, this was a Senate bill, amended by the House, amended by the Senate, and now amended again by the House. So we are concurring in the House amendments to this bill. Technically, it is House amendments to Senate amendments to House amendments to the Senate bill.

On the question recurring,

Will the House concur in Senate amendments to House amendments as amended by the Rules Committee?

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

(Members proceeded to vote.)

The SPEAKER. The Chair is going to call upon the majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The roll-call vote does reflect the vote on SB 327 as 108 "yes" votes and 1 "no" for the majority party.

The SPEAKER. The Chair calls upon the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS–108

Barrar	Gillen	Masser	Roae
Benninghoff	Gillespie	Mehaffie	Rothman
Bernstine	Gleim	Mentzer	Rowe
Boback	Gregory	Metcalfe	Ryan
Bonner	Greiner	Metzgar	Sankey
Borowicz	Grove	Mihalek	Saylor
Brooks	Hahn	Millard	Schemel
Brown	Heffley	Miller, B.	Schmitt
Causer	Helm	Mizgorski	Schroeder
Cook	Hennessey	Moul	Simmons
Cox	Hershey	Murt	Sonney
Culver	Hickernell	Mustello	Staats
Cutler	Irvin	Nelson	Struzzi
Davanzo	James	O'Neal	Thomas
Day	Jones	Oberlander	Tobash

Delozier	Jozwiak	Ortitay	Toepel
Diamond	Kail	Owlett	Tomlinson
Dowling	Kaufer	Peifer	Toohil
Dunbar	Kauffman	Pickett	Topper
Dush	Keefer	Polinchock	Warner
Ecker	Keller	Puskaric	Wentling
Emrick	Klunk	Pyle	Wheeland
Everett	Knowles	Quinn	White
Farry	Lawrence	Rader	Zimmerman
Fee	Lewis	Rapp	
Fritz	Mackenzie	Reese	Turzai,
Gabler	Maloney	Rigby	Speaker
Gaydos	Marshall		

NAYS—94

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

NOT VOTING—0

EXCUSED—1

Mako

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments as amended by the Rules Committee were concurred in.

Ordered, That the clerk return the same to the Senate for concurrence.

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1869, PN 3582**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for COVID-19 enforcement officer disability benefits and for COVID-19 benefits for members of Pennsylvania National Guard; and, in emergency medical services system, further providing for basic life support ambulances.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. So the Senate did amend Representative Owlett's underlying bill. He is now going to speak on both the underlying bill and the changes made in the Senate.

Representative Owlett, you are to proceed.

Mr. OWLETT. Thank you, Mr. Speaker.

And I would like to take you back, back to a meeting in Potter County when the good member from McKean County and I both met with first responders to talk about some of the challenges that they see in rural departments in Potter County, and really, across the Commonwealth. We left that meeting thankful and frustrated, and determined to do what we could to help—

The SPEAKER. Sir, please suspend just for a moment; just suspend for a moment.

Members, you do not have to take your seats — we are at safe social distancing — but I would ask everybody to please, those who are on the floor, to please just refrain from talking while members are speaking. In addition, if the members in their Capitol offices and remote offices, if you could listen intently as well, we would appreciate it.

Representative Owlett, can you begin from the beginning? Start from the beginning. Thank you.

Mr. OWLETT. Thank you, Mr. Speaker.

I would like to take you back to a meeting that the good gentleman from McKean County and I had with our first responders in Potter County. We talked about the challenges that our rural departments are seeing all across the Commonwealth. We left that meeting thankful and frustrated at the same time, but determined to try and do what we could to help.

Mr. Speaker, HB 1869 is a product of that meeting. It is us collectively, as a body, the House and the Senate, working to help those who are helping us; those who are answering the call when someone is in great need in our community; those who have missed birthday parties and come home to cold meals that were left for them in their refrigerator. Why? Because they are serving. They are putting their lives on the line every day for you and for me.

That meeting showed us that one size does not fit all, Mr. Speaker, in the Commonwealth of Pennsylvania. It never has and it never will. It is time that we realize that. So we drafted something that would give our EMS (emergency medical services) and basic life-support providers the option to apply for a waiver to look at other options when it comes to putting a crew together, while still providing quality care to the patients.

Because of this legislation, we will save lives. And even now, in the midst of the COVID-19 epidemic and pandemic, we really can limit some exposure for our first responders. Response times are going to improve all across the Commonwealth, especially in rural areas. Mr. Speaker, we are one vote away from helping those heroes. We always want to do more, and today we can. Mr. Speaker, we can deliver.

The Senate made a few changes that I think made this bill even better, and I am thankful for that. The bill also has positioned itself to help police officers and National Guardsmen and women during the COVID-19 pandemic, something that we previously voted on in this chamber and something that I hope that we can all agree on today.

Mr. Speaker, I would like to thank the members of the House and the Senate for their support of this important legislation. And I would ask that we also thank the staff who, let us be honest, are incredibly important in this process and making this happen — a number of them that cannot be here today.

Today we can send a loud, clear "we care and we are working for you" message to our first responders and our National Guard. Let us put this on the Governor's desk today and hope that he signs it. Let us deliver on the promises to represent our districts well and support those who answer the call.

I would appreciate an affirmative vote. Thank you, Mr. Speaker.

On the question recurring,
Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

The SPEAKER. And the majority whip, Kerry Benninghoff, on the vote.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the vote of the majority party.

The SPEAKER. And the minority whip, Jordan Harris, on the vote.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—202

Barrar	Fee	Lawrence	Reese
Benninghoff	Fiedler	Lee	Rigby
Bernstine	Fitzgerald	Lewis	Roaee
Bizzarro	Flynn	Longietti	Roebuck
Boback	Frankel	Mackenzie	Rothman
Bonner	Freeman	Madden	Rowe
Borowicz	Fritz	Malagari	Rozzi
Boyle	Gabler	Maloney	Ryan
Bradford	Gainey	Markosek	Sainato
Briggs	Galloway	Marshall	Samuelson
Brooks	Gaydos	Masser	Sanchez
Brown	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Sappey
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causer	Greiner	Merski	Schroeder
Cephas	Grove	Metcalfe	Schweyer
Ciresi	Hahn	Metzgar	Shusterman
Comitta	Hanbridge	Mihalek	Simmons
Conklin	Harkins	Millard	Sims
Cook	Harris	Miller, B.	Snyder
Cox	Heffley	Miller, D.	Solomon
Cruz	Helm	Mizgorski	Sonney
Culver	Hennessey	Moul	Staats
Cutler	Hershey	Mullery	Stephens
Daley	Hickernell	Mullins	Struzzi
Davanzo	Hohenstein	Murt	Sturla
Davidson	Howard	Mustello	Thomas
Davis, A.	Innamorato	Neilson	Tobash
Davis, T.	Irvin	Nelson	Toepel
Dawkins	Isaacson	O'Mara	Tomlinson
Day	James	O'Neal	Toohil
Deasy	Jones	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Ullman
Delloso	Kail	Otten	Vitali
Delozier	Kaufer	Owlett	Warner
DeLuca	Kauffman	Pashinski	Warren

Dermody	Keefer	Peifer	Webster
Diamond	Keller	Petrarca	Wentling
Donatucci	Kenyatta	Pickett	Wheatley
Dowling	Kim	Polinchock	Wheeland
Driscoll	Kinsey	Puskaric	White
Dunbar	Kirkland	Pyle	Williams
Dush	Klunk	Quinn	Youngblood
Ecker	Knowles	Rabb	Zabel
Emrick	Kortz	Rader	Zimmerman
Evans	Kosierowski	Rapp	
Everett	Krueger	Ravenstahl	Turzai,
Farry	Kulik	Readshaw	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Mako

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 1869, PN 3582

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for COVID-19 enforcement officer disability benefits and for COVID-19 benefits for members of Pennsylvania National Guard; and, in emergency medical services system, further providing for basic life support ambulances.

Whereupon, the Speaker, in the presence of the House, signed the same.

CALENDAR CONTINUED

HOUSE CONCURRENT REGULATORY REVIEW RESOLUTION NO. 1

Mr. COX called up **House Concurrent Regulatory Review Resolution No. 1**, entitled:

Disapproving the Department of Labor and Industry regulation (#12-106) on the minimum wage. (D09523)

On the question,
Will the House adopt the resolution?

The SPEAKER. And on this, the Chair recognizes the chair of the Labor and Industry Committee, the majority chair of the Labor and Industry Committee, Representative Jim Cox.

Mr. COX. Thank you, Mr. Speaker.

This is a final-form regulation that was withdrawn and then resubmitted with very minor technical changes. This is, simply put, an overtime regulation, regulatory rule, that is unnecessary.

The Federal Department of Labor has promulgated its own standards for overtime, and what this is doing is adding Pennsylvania standards for overtime.

I am not going to prolong my comments on this. What we are dealing with now with COVID-19 makes this the absolute worst time to allow this type of regulation to go through. What this resolution would do is to say that the House disapproves of this regulation, and it would put a temporary stop to the enactment of these regulations.

What does that mean? Our businesses right now – everyone hears it – if they are even open at all, they are struggling, but many of them are closed, and we have taken some steps to try to open them up. But the bottom line here is that we know they have regulations to deal with already. We know that they are dealing with the changes that were made on the Federal level. Federal overtime rules changed on January 1 of 2020. Many of our businesses were just getting to understand how those were implemented, how it impacted their workforce, when we were struck with the coronavirus crisis that we now face.

This puts a stop, a temporary stop to those regulations that the Pennsylvania Department of Labor is putting out there which would require our Pennsylvania businesses to then try to figure out how those Pennsylvania regulations on overtime differ with the Federal regulations. That is an unnecessary burden for any business at any time, but especially now when they are holding on by a very thin thread.

We have over 1 1/2 million individuals as of now who have filed for unemployment; that is about 20 percent of our workforce. Recent estimates for businesses that will not even make it back after this crisis has come to an end and businesses are able to open back up, recent estimates put us at around 20 percent of businesses not even being able to open their doors at all. Do we want to further burden them with unnecessary regulations or do we want to stay out of the way and let them do what they need to do? Once those doors are able to open, do we want to let them do what they are able to do without having to figure out what this regulation means in context with their business?

Our focus should be maintaining the jobs that are available, maintaining the businesses that are able to work now and the businesses that will be able to open their doors when things change. We should not be implementing new rules that will make it harder to employ people and harder to keep their doors open once we get past this.

I ask for an affirmative vote on this resolution.

POINT OF ORDER

The SPEAKER. Minority Leader Dermody, please.

Mr. DERMODY. Point of order, Mr. Speaker.

The SPEAKER. Yes. Yes, you may.

Mr. DERMODY. This resolution is out of order and should not be voted today because it is late.

The SPEAKER. The Chair is turning to the Parliamentarian.

Mr. DERMODY. It has exceeded the 10 legislative days or 30 calendar days, timing-wise, to properly vote it.

The SPEAKER. We are only on the 9th legislative voting session day.

Mr. DERMODY. I think you are on the 12th.

The SPEAKER. Only utilize voting session days. Nonvoting session days, from a ruling in 1983, do not count towards this. It is a ruling from 1983, a precedent-setting ruling.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Yes, sir.

Mr. DERMODY. As I understand it, since this has been done two or three times since the 1983 ruling, nonsession days were counted, and this would then, I believe, exceed the 10-day rule.

The SPEAKER. Good sir, I am following the guidance of the Parliamentarian of 40 years to Republican and Democratic Speakers. And the ruling of the Chair – which concededly, I am in reliance on our good gentleman, Clancy Myer – the rule does say 10 days, 10 legislative days, and precedent has made it clear that it is voting session days. So we are on the 9th legislative session day.

Mr. DERMODY. On the resolution?

The SPEAKER. Yes, absolutely, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, today I stand with the hardworking men and women of Pennsylvania in voting "no" on this resolution. This is an attempt to strip away overtime pay from tens of thousands of workers in this State. Many of these workers are the very same frontline workers who have put themselves at risk while they do their jobs during this pandemic crisis. Telling any worker that she will not be paid more for working overtime is unacceptable on any day, but it is especially offensive, clearly, during this pandemic. Essential workers, many of whom would benefit from the regulation that this resolution seeks to throw out, are working around the clock to make sure we have our basic needs met. This is time away from their families, risking their health for all of us.

Even worse, many of these workers are being cheated out of overtime pay solely due to the employer misclassifying them as "overtime-exempt." We have heard from workers and law firms across the State that employers think paying a salary or giving a professional title means that they do not have to pay overtime. That is simply not the case, and it is not what the law and the courts have said. There are rules and employers need to follow them, not evade them because it is more costly to pay workers the money they have legally earned.

If you vote for this resolution, you are voting to take money away from tens of thousands of Pennsylvanians, over half of whom are women. It is also a vote against the stronger middle class. It is a vote against more consumer spending, it is a vote against job creation, and it is a vote against a better quality of life for workers.

This vote, and the Republican refusal over the last 10 years to raise the State's minimum wage, tells all the working people – who are watching – that the Republican side of this House does not believe in paying a fair living wage. They would rather our workers put in hours of extra work without being paid for it. That is unacceptable, and that is why we should all vote "no."

The SPEAKER. And the majority leader, on House Concurrent Regulatory Review Resolution No. 1.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think some of the debate here has centered on political talking points rather than the truth. The truth is, Mr. Speaker, when you look at the proposed regulation, there is not a change for this year; in fact, the Federal number will be

used. That will not change with the passage of this resolution. Where the departure will happen will be going forward until 2021, where this regulation accelerates much faster than the Federal level, and had already raised questions during the regulatory process, received a whole bunch of different comments when we had unemployment that was at a record low. We now have the exact opposite because of the current pandemic.

Mr. Speaker, there was some talk about overtime. The truth is, we have passed and will keep passing bills that protect workers. This is a balanced approach. And we have often heard, where is the plan? What is the process? If you look over the last 4 weeks of work product, we have protected frontline workers with PPE (personal protective equipment). We amended a bill yesterday that included hazard pay. We passed a bill this morning – earlier today, rather – that also had other worker protections in it, and there is yet another one coming up, HB 1822. Mr. Speaker, I believe that we can protect the workers. I believe that we can protect the businesses so that the workers have jobs to go back to. This is a balanced approach, Mr. Speaker.

And what we are simply saying, like we have heard our own Governor say so many times – and I have publicly praised him on the quarantine efforts at the outset, despite us disagreeing sometimes on the application of other parts. But the truth is, he has unilaterally waived a lot of laws, statutes, and regulations. We would simply like to set this one aside for now as well.

Mr. Speaker, we are all here to act on the best interest of Pennsylvanians. We are all here to protect workers, but we need to make sure that the employers will have jobs for them once this is over. I urge a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Leader Dermody, just for the record, 1988, not 1983. My apologies – 1988, and it is page 766 of the record; 1988 and it is page 766 of the House Journal.

Okay, so those who are voting—

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Yes, sir. You may proceed. Go ahead, sir.

Mr. DERMODY. Before we move on, I would like to cite a House rule that defines "Legislative Day." And it says, "'Legislative Day' shall mean any day that the House shall be in session." And that includes nonvoting session days. The Speaker signs bills on nonvoting session days. This is January 1, 2019.

The SPEAKER. For purposes of the rule, voting session days are the days upon which you could vote on the House concurrent regulatory review resolution. You cannot vote on the House concurrent regulatory review resolution on a nonvoting session day; therefore, it does not make sense, in counting the 10 days, to include a nonvoting session day, because you cannot vote on it.

The whole point of the rule is that you have 10 days upon which to vote on the House concurrent regulatory review resolution, and that is set forth in the House Journal, page 766, 1988. To include nonvoting session days is nonsensical because we cannot vote on the resolution, and the whole point is that you have 10 voting days.

So we are now about to take a vote on this. Those who wish to vote to support the resolution, if you support the resolution – and the resolution disapproves of the Department of Labor and Industry's regulation – then if you are voting to approve this resolution, then you will be voting "aye"; if you disagree and you do not support this resolution, you will vote "nay."

On the question recurring,
Will the House adopt the resolution?

(Members proceeded to vote.)

The SPEAKER. The majority whip, on the vote.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The board does reflect the majority vote by the majority party. Thanks.

The SPEAKER. And the minority whip, on the vote.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—109

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	Kaufer	Peifer	Toohil
Dunbar	Kauffman	Pickett	Topper
Dush	Keefer	Polinchock	Warner
Ecker	Keller	Puskaric	Wentling
Emrick	Klunk	Pyle	Wheeland
Everett	Knowles	Quinn	White
Farry	Lawrence	Rader	Zimmerman
Fee	Lewis	Rapp	
Fritz	Mackenzie	Reese	Turzai,
Gabler	Maloney	Rigby	Speaker
Gaydos	Marshall	Roaee	

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	Hanbridge	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-1

Mako

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2259, PN 3240**, entitled:

An Act repealing the act of July 12, 1935 (P.L.970, No.314), known as the Individual Net Income Tax Act.

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 2258, PN 3277**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, correcting a scrivener's error relating to credits against tax.

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

The SPEAKER. There is an amendment, 05146. In consultation with the Parliamentarian, it is ruled out of order.

Representative Bradford, do you want to appeal?
There are no other amendments.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1822, PN 3595**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for COVID-19 effect on employment; in Local Government Capital Project Loan Fund, further providing for definitions, for assistance to municipalities and for powers and duties of department; and, in 2019-2020 restrictions on appropriations for funds and accounts, providing for temporary restrictions on special funds.

On the question,

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?

Representative Greg Vitali, on the bill.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 1822 and wanted to focus in on one aspect of it, which would be the freezing of about 16 special funds, including environmental funds. In my view, this is just another attempt to restrict the power of the Governor and his administration to make the choices he feels are necessary for the public interest. The funds that would be frozen include the Conservation District Fund; the Environmental Stewardship Fund; the Keystone Recreation, Park and Conservation Fund; the Recycling Fund – for a total of 16 funds.

This bill is opposed by the Conservation Districts, saying it would shut them down. I am reading a letter from them dated the 21st of April. Quote, "By suspending funding from the Conservation District Fund, the PA General Assembly will be shutting down conservation districts, meaning all project planning and design would stop. Additionally, any emergency site visits would cease to exist. This is particularly crucial since the construction industry will begin operations in the near future and they won't be able to obtain their necessary Chapter 102 NPDES permits without approval from conservation districts."

This is also opposed by the Pennsylvania Environmental Council. Quoting a letter from them on today's date: "Revenues from these funds are used by state agencies to address important needs like imminent threats to public health, necessary infrastructure repairs, as well as to match federal funding that could be lost without corresponding state commitment. Further, these funds are used to support an array of 'shovel ready' projects that leverage private investment, support existing and new businesses, create jobs, and provide and protect the public resources..." of the "citizens of..." the Commonwealth.

This bill is also opposed by the Conservation Voters of Pennsylvania, the Sierra Club PA Chapter, Clean Water Action, and PennEnvironment. And they note that, "A vote in favor of..." this "will REDUCE your score in the next...Environmental Scorecard." Some of you Republicans look for that.

Further, if I can cite the opposition from the Pennsylvania Parks and Forests Foundation, they indicate that "...these funds are also used to address issues that communities across the state are struggling with every day, such as flooding, drinking water protection, and more."

This is also opposed by the Pennsylvania Land Trust. They say, "It is insanity to prohibit new state expenditures on conservation. COVID-19 has demonstrated that these investments are needed" now "more than ever." They characterize this as "...transparently hostile to environmental concerns."

A former Republican, Republican DEP (Department of Environmental Protection) Secretary, David Hess, calls this language "...a continuation of efforts started by Republicans in 2017 when they passed a budget bill that cut \$317 million out of environmental and energy funds...."

This is also opposed by the Pennsylvania Park and Rec Society.

Mr. Speaker, this is the wrong time to advance this sort of agenda. Mr. Speaker, the Governor has and should continue to have discretion over these funds, choosing whether to use them or not use them. We should not be restricting the Governor's agenda. These funds are important for the economy. They are important for jobs. They are important to keep us going. When we are giving money to many sources for job building, this is another tool in our toolbox.

Mr. Speaker, it is ill-advised to restrict the Governor's ability to use these funds wisely, and I urge a negative vote. Thank you.

The SPEAKER. Thank you.

So I have the minority Appropriations chair who wants to speak, the majority Appropriations chair wants to speak, and then the majority leader wants to speak. I will begin with the minority Appropriations chair, followed by the majority Appropriations chair.

Sir, you may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise in opposition to HB 1822. I want to read a quick e-mail from a constituent of mine that I think gives some context for the worker protection language, and I think actually may bolster the argument for those who would want to vote for this but I think also raises concerns that need to be addressed.

The e-mail says – and I am going to paraphrase just to leave out the person's name and the name of the employer; hopefully, hopefully, this is not the whole truth, but – that my husband works for a car dealership. They are demanding their employees return to work enforced today, April 21, 2020. They made it clear that they will provide no safety equipment. They also canceled unemployment compensation for the employees and stated if they do not come in today, they will be terminated. Parenthetically, that is a good argument for HB 1822.

They are only giving a small weekly salary, and because of this, they have decided only to give half commissions on all sales. In short, they are taking money from our family. My husband has worked there for 2 1/2 months. He has no client base, and therefore, cannot survive on his contacts. They have no answers for him, refuse to tell him how much he will be given each week, and are bullying him into returning to work immediately. They are forcing their employees to work in groups of 12 for 6 hours a day, 6 days a week. Customers will be allowed to test-drive cars, and there is no team in place to sanitize the cars before they

expect my husband to return the vehicle when the drive is over. Something needs to be done. We have been isolating for 39 days. Please help us.

This bill, to its credit – and I want to recognize Representative Delloso – who, unfortunately, is not here, but is here in spirit and by designation – who has made a career of fighting for workers. He recognizes that the idea of firing any worker for not being able to go to work or believing it unwise in the current situation is simply immoral. Frankly, no worker should be made essential and then put into this predicament.

I also, based on the words of the majority leader, want to recognize some of the worthy protections that have been put in for workers – there are some – the PPE and hazard pay if you work in a car dealer, and that bill passed here yesterday. We just did heart and lung for those who are in the National Guard and for our police officers, and rightfully so.

But that does not, frankly, address the large majority of workers – the food processors, the grocery store workers, the transit workers, the people that are truly in the front lines of this. They do not have any protections. This bill provides one protection, the simple protection: we will not fire you. I would argue that is not nearly enough.

Why are we not able to talk about PPE that my constituent writes about? Why can we not talk about hazard pay? We just voted down a minimum wage, let alone a hazard pay. Why cannot we protect workers? This bill—

POINT OF ORDER

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

The SPEAKER. Yes, please. Leader.

Mr. CUTLER. The good gentleman referenced minimum wage; I think he meant to refer to overtime wage.

The SPEAKER. Correct.

Mr. CUTLER. I think the facts are important.

The SPEAKER. That is correct, because the House Resolution 1, the House Concurrent Regulatory Review Resolution—

Mr. BRADFORD. Do we correct facts on the floor now, Mr. Speaker?

The SPEAKER. He is raising a fair point. It is correct.

Mr. BRADFORD. Really? And you are the arbiter of that.

The SPEAKER. The resolution is the resolution.

Mr. BRADFORD. Mr. Speaker, with all due, if everyone could object to anything – and by the way, I am humble enough to admit that the gentleman is right; it was overtime rules, I misspoke. And I would thank him for that correction—

The SPEAKER. Thank you. You may proceed, sir.

Mr. BRADFORD. —but I worry about a body where we strike—

The SPEAKER. Sir, you may proceed. You admitted on the record that you were wrong. You may proceed. Thank you.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Leader.

Mr. DERMODY. Thank you, Mr. Speaker.

The gentleman was corrected on the floor for a misstatement, and that the speaker interrupts him in the middle of his argument on his debate is out of line. It is not proper argument. It does not conform to the rules of this House—

The SPEAKER. The majority leader raised— The majority leader—

Mr. DERMODY. —it does not conform to the rules of this House, and the Speaker does not have the right, should not be correcting a member on the floor when no objection has been made.

The SPEAKER. The majority leader raised a point of order and I responded. There was an objection made and the record was reflected correctly. Thank you. Period.

No; sir, please proceed.

PARLIAMENTARY INQUIRY

The SPEAKER. Parliamentary inquiry. Go ahead.

Mr. NEILSON. So, Mr. Speaker, is it— This is precedent now being set. So if another member makes an incorrect statement, am I able to stand up here and raise a point of order and correct that member on the floor? Because that is what you just ruled on the last speaker.

The SPEAKER. This is past precedent. I am not the first one. The majority leader raised a point of order, and the majority leader and the minority leader are given leeway with respect to raising points of order.

Mr. NEILSON. Okay. So I—

The SPEAKER. The specific issue in front of us was not an underlying fact, it was what in fact was voted upon prior to this particular bill. We had a House concurrent regulatory review resolution that spoke to something very specific. The majority leader raised a point of order, and it was conceded that it was not the right resolution. It dealt with overtime regulation, not minimum wage. And those are the facts.

And that is where we are. This is past precedent. This is nothing new. I responded to a point of order.

Majority Leader, you may respond as well.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, to the gentleman's inquiry, I, too, will admit that I probably should have explained that a little better, and I apologize. The point of order was on the underlying subject of the bill, how that related to the bill, and that fact, that factual distinction was actually very important given the content of the bill, which we will get into shortly. I apologize that it was an incomplete explanation, but obviously, I believe the Speaker understood where I was going, as did the good gentleman. Thank you.

The SPEAKER. You may proceed.

Mr. BRADFORD. Thank you.

And I would ask for a little latitude, because I actually want to thank the majority leader because, honest to God, I think the idea of striking each other is a bad idea, so I think there is a commonality and a willingness to work in a good way. I apologize; it was truly a slip.

What I want to talk about, though, is truly what we are going to do to protect workers. And this bill does not go nearly far enough. In fact, the idea, the leaf, the fig leaf of an idea that "we will not fire you" is a worker protection in the middle of a pandemic is colossally laughable and it is embarrassing – more embarrassing than confusing unemployment and workers' compensation.

Can I tell you something? We have to do real things to protect workers. My constituent lays out those concerns – 39 days in quarantine, PPE, hazard pay, workers' comp, paid sick leave. That is what we need. Those amendments were offered in committee. They lost on a party-line vote.

I appreciate that there is an attempt to do some symbolic gestures, but in a time of real tragedy and major challenge, we need real protections for everyday frontline workers – the food processor, the grocery store worker, the transit worker, people that are largely from communities of color, women, hourly employees, salaried employees, not those who have bigger wages, more protections, and the ability to telecommute. I do not understand why we are so afraid of that discussion.

We have protected our first responders, and we should, but our first responders are no longer just police and fire. They are the lady at the checkout line. They are the bus driver. And our obligation is more to that.

But because there is a unique bill in front of us, and I am just discussing the worker protection side of it, amazingly, there is also a transfer of funds. Single subject, and I am not even going to make the objection, I am just going to say there is also a raiding of funds – or a freezing of funds; I apologize – to make sure that this Governor or no Governor can raid those funds at this time.

The idea that we are going to take more out of the toolbox of this Governor during a pandemic – and I get the idea of freezing hiring. The Governor has done that. He has already done the tough choices of making furloughs. But I believe this body at this time should be giving this Governor, regardless of party, Mr. Speaker, we need to be giving him the tools to manage a crisis. And we can have an honest disagreement about that. I understand people have different opinions. But the idea, when the choices are so big, that we are going to sit there and second-guess and handicap and tie the hands of our Governor right now I think is bad policy.

So for two reasons that probably speak to why we have a single-subject rule, this bill does not do nearly enough for workers and it ties the hands of our Governor during a pandemic. And if you think that is a single subject, I do not know how you reconcile it. I would ask that you oppose HB 1822.

Thank you, Mr. Speaker.

The SPEAKER. The majority Appropriations chair, Representative Stan Saylor.

Mr. SAYLOR. First, let me start off by, there is nothing, nothing in this bill that hampers the Governor of Pennsylvania being able to deal with this pandemic; in fact, this bill helps the Governor.

A few weeks ago I asked the Governor to freeze funds, and he has done so. We need the ability of this Governor to be able to move dollars, as well as our Treasurer, to pay our bills and move money around. So bottom line is, we need to give this Governor the resources he needs and cooperation with this General Assembly – the House and the Senate, Democrats and Republicans alike – to try and make sure we have everything we need to deal with it. Freezing funds is not pleasant. The Governor has already frozen well over \$700 million in General Fund dollars that go to a lot of great causes in this Commonwealth, but in a pandemic, there are sacrifices to be made.

I love the fact that some people want to do everything they can to solve this problem with this pandemic. I commend, as the leader has, the Governor for a lot of the work he has done – and we have had some disagreements on how he has done it – but the bottom line is, we need dollars. We do not have dollars coming into this Commonwealth right now. Talk to the State Treasurer, see how much money is there. We just got a check from the Federal government, but the hospitals of this Commonwealth are losing \$2.3 billion a month. We do not have that in the Treasury, okay? You want to hamper this Governor? Do not freeze these funds. Do not move forward, and make sure that our Treasury has the amount of money it needs to deal with this.

We will have to at some point unfreeze these funds, and hopefully, they will not be needed. But at this point, we need to give the government of Pennsylvania the ability to deal with this, to make sure that we can buy ventilators if they are needed, to make sure that we have money for PPE. And I think the Governor and the Secretary have been working very hard to do that. But if you are not going to be willing to make small sacrifices – because this does not freeze any contracts that are out there already awarded. Those contracts will go forward. All of those environmental contracts will continue. All it says is that no more contracts will be awarded until this emergency is over so that the Commonwealth of Pennsylvania has those dollars to provide those dollars to hospitals, nursing homes, to anybody the Governor deems necessary to have those funds.

Now, if you want to hamper him, you want to spend that money before he has an opportunity to use that, maybe you will come up with an idea where to get those dollars to help him. But right now we are trying to help this Governor make sure he has the funds to get the PPE and the ventilators for Pennsylvania that he wants and Secretary Levine wants.

We can play games with this all day about who is doing what for this Governor or for the people of Pennsylvania, but the truth is, we need dollars that are not coming in right now. This freezes those funds and allows the Governor to use those funds in this pandemic.

Thank you, Mr. Speaker.

The SPEAKER. And the majority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, when you find yourself in a hole, the first thing you do is stop digging and you put down the shovel. I think that is a pretty simple analogy that nearly everyone can understand.

Mr. Speaker, I will address the funds in regards to this approach, as the good chairman has outlined. What has been outlined is the exact same thing that was already requested and verbally discussed in a letter. We are simply putting it in statute. It is not surprising that the groups that directly benefit from that money are concerned. I understand that. But as the good gentleman pointed out, there is a huge financial shortfall in the horizon. It is coming and we need to be prepared.

So when you are at the bottom of a hole, you put the shovel down and you figure out a way to get out of it. It starts with freezing current expenditures. Why? We freeze those expenditures so that it will hopefully free up some additional resources so that we can better address this pandemic. One of the groups on here mentioned biotech research and their ability to help. I agree. In fact, by freezing these funds, we free up more resources that, through the budgetary process, can be directed to them.

And if the money does not come from here, Mr. Speaker, where would it come from? I do not believe there is enough, as the gentleman pointed out, in the Treasury. And all we are asking for is to simply freeze the current extra spending in these areas and do not enter into any additional contracts.

Mr. Speaker, one of the prior speakers talked about toolboxes. I agree. We need every tool in the toolbox that we can. The first is having enough cash to pay the bills.

Additionally, and regarding the worker protections, because the good gentleman raised the single-subject argument – and as he and I had a sidebar, and I know he knows this – I am typically the one tasked with making those arguments. And the good gentleman brings up a very valid concern that can be listed sometimes about too many things in one bill. This is not the case with this bill, which is a Fiscal Code. But, Mr. Speaker, because of that, there are additional worker protections in other bills that deal with other things.

The good lady from Allegheny County, yesterday we adopted the good gentleman's amendment. And let me read from it – additional hazard pay, appropriate new personal protective equipment or PPE, gloves, masks, social distancing, barriers, breaks to frequently engage in handwashing, leave for sickness, cleaning areas with adequate soap and water, and if a coworker has been tested for COVID-19 and the results of the test are available.

Mr. Speaker, what the chairman panned as a fig leaf, I would simply point out is HB 2362, one of his own member's bills that has 28 cosponsors on the other side. And we made a small change, I will admit it, regarding the medical documentation, but it is there. Mr. Speaker, if that is not bipartisan, I do not know what is. We included it in the bill because we thought it was a good idea. We included it in the bill because we thought it protected workers.

This bill in its entirety should pass immediately so that we can in fact give every tool to the Governor so that we can work collaboratively going forward. That is how the legislative process works. Mr. Speaker, we may not always agree on the solutions, but we agree on the end goal, which is protecting workers, ensuring they have a safe environment, and ensuring the businesses where they work can stay open and open and do so safely who want to do so.

Mr. Speaker, I urge a "yes" vote.

The SPEAKER. We have in front of us HB 1822.

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. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is correct: 105 "yeses" from the majority party and 4 "noes." Thank you.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The following roll call was recorded:

YEAS—105

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

NAYS—97

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

NOT VOTING—0

EXCUSED—1

Mako

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 present the same to the Senate for concurrence.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 974, PN 3593**, entitled:

An Act authorizing municipalities to implement senior citizen tax reduction incentive volunteer exchange programs.

On the question,

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?

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

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect a unanimous vote by the majority party. Thank you.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The following roll call was recorded:

YEAS—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
Bullock	Gaydos	Masser	Sankey
Burgos	Gillen	Matzie	Sappey
Burns	Gillespie	McClinton	Saylor
Caltagirone	Gleim	McNeill	Schemel
Carroll	Grove	Goodman	Mehaffie
Ciresi	Hahn	Hihalek	Simmons
Comitta	Hanbridge	Millard	Sims
Conklin	Harkins	Miller, B.	Snyder
Cook	Harris	Miller, D.	Solomon
Cox	Heffley	Mizgorski	Sonney
Cruz	Helm	Moul	Staats
Culver	Hennessey	Mullery	Stephens
Cutler	Hershey	Mullins	Struzzi
Daley	Hickernell	Murt	Sturla
Davanzo	Hohenstein	Mustello	Thomas
Davidson	Howard	Neilson	Tobash

Davis, A.	Innamorato	Nelson	Toepel
Davis, T.	Irvin	O'Mara	Tomlinson
Dawkins	Isaacson	O'Neal	Toohil
Day	James	Oberlander	Topper
Deasy	Jones	Ortitay	Ullman
DeLissio	Jozwiak	Otten	Vitali
Delloso	Kail	Owlett	Warner
Delozier	Kaufer	Pashinski	Warren
DeLuca	Kauffman	Peifer	Webster
Dermody	Keefer	Petrarca	Wentling
Diamond	Keller	Pickett	Wheatley
Donatucci	Kenyatta	Polinchock	Wheeland
Dowling	Kim	Puskaric	White
Driscoll	Kinsey	Pyle	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	

NAYS—1

McCarter

NOT VOTING—0

EXCUSED—1

Mako

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 present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 2376, PN 3566**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for retail store closure during declaration of disaster emergency and for contactless and curbside business operations during declaration of disaster emergency.

On the question,
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?

We have, I think, Representative Kenyatta wishes to — I am just going to get who all wants to speak — Representative Kenyatta. Representative Boyle, do you wish to speak too? Okay.

The Chair is going to call on the prime sponsor first, Representative Roae, and then we will proceed with Representative Kenyatta, and then Representative Boyle.

You may proceed.

Mr. ROAE. Thank you, Mr. Speaker.

HB 2376 is a good piece of legislation that would actually enhance social distancing. The legislation would allow consumers to shop at a store if they are the only consumer in the store and there is only one person working in the store. So rather than going to a large box store where there might be 200 or 300 customers and a couple dozen employees, they could buy the same type of item at a small store, and they and the 1 employee would be the only ones in the store. It would be a lot easier to maintain social distancing.

Last week the legislation was amended — and we had a lot of help from the Democratic side of the aisle, so I appreciate the bipartisan support on the amendment — but the amendment also allows curbside service. That may sound familiar, because starting yesterday, the Governor put a policy in place where the wine and spirits stores can now do a curbside service where customers order online, they pay with a debit card or a credit card, and the stuff is set outside for them. So my legislation would allow other stores to do the same type of thing. Some people might wonder, well, what is the point of the legislation? Well, again, the point of the legislation is to allow shoppers to shop in a safer manner.

Where my office is, we have a State-owned wine and spirits store. As I stated, that store is allowed to set things outside for customers. There is also another store in the mall where my office is that sells work boots. If there is somebody that might work for the ambulance service or the electric company or something like that, and they need boots for work, they cannot go to the store to buy those boots. It is closed right now. And there is usually only one person working at the store. That person could go to a large box store with 200 to 300 other customers, a couple dozen employees, and buy boots there, but they cannot go to that little one-employee boot store. And that store is not even allowed to place the boots outside the door and have the customer pay online with a debit card or credit card. So at the same shopping center, you can buy a bottle of wine to enjoy after work — they set it outside for you — but they are not allowed to set a pair of boots out that you need to go to work.

So that is what the legislation does, Mr. Speaker. And I would encourage all members to please vote "yes." Thank you.

The SPEAKER. Representative Boyle will go first, and then Representative Kenyatta.

MOTION TO RECOMMIT

The SPEAKER. Representative Boyle.
Mr. BOYLE. Thank you, Mr. Speaker.

This bill is a rather expansive reopening of the economy. I do not think we are ready at this point to go there, and that is why I actually want a motion to refer this to the Health Committee.

There has been unanimity in the Western World among Western governments, Federal governments, State governments, that if we are going to reopen this economy, we need to have a prime-time testing program together. So that is why I believe this bill needs to be referred to the Health Committee, so members of the Health Committee, along with the Wolf administration, can work on a testing program before we can consider this bill.

The SPEAKER. We have in front of us a motion to refer the bill to the House Health Committee.

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

The SPEAKER. Representative, you may speak on the bill – I mean, on the motion; excuse me. Representative Boyle, you may speak on the motion.

Mr. BOYLE. Well, I just, I think ultimately, we need more time to get this right before we can consider the bill from the member from Crawford County. Testing is the only way we are going to get past this pandemic, and I do not think we are there right now. We saw President Trump just on Sunday night, he enacted the War Powers Act because we need more tests. So I am very concerned that if we consider this bill and we vote on it and we approve it that we will go backwards, and I think that is what we need to stop. So I urge adoption of my motion.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on the motion?

Representative Roae, on the motion, sir.

Mr. ROAE. Thank you, Mr. Speaker.

I would urge the members to vote "no" on the motion. The sooner we pass this legislation, the sooner we can allow consumers to buy a product with 1 other person in the store rather than 200 people in the store. Or the sooner we pass this, the sooner that we can allow somebody to get something set outside the door, just like the wine and liquor stores are doing.

So I urge members to please vote "no" on the motion, and let us continue on with a vote on the bill today. Thank you.

The SPEAKER. Leader, on the motion.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully ask for opposition on the good gentleman's motion. I do understand his concerns, but for me it is quite simple. I think if curbside pickup is good enough for the government, it should be good enough for all the other businesses that wish to employ it safely. Thank you.

The SPEAKER. Representative Boyle, do you wish to— Okay.

On the question recurring,
Will the House agree to the motion?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is correct on the reflection of the majority vote.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The following roll call was recorded:

YEAS—90

Bizzarro	Donatucci	Kortz	Readshaw
Boyle	Driscoll	Kosierowski	Roebuck
Bradford	Evans	Krueger	Rozzi
Briggs	Fiedler	Kulik	Sainato
Bullock	Fitzgerald	Lee	Samuelson
Burgos	Flynn	Madden	Sanchez
Caltagirone	Frankel	Malagari	Sappey
Carroll	Freeman	Markosek	Schlossberg

Cephas	Gainey	Matzie	Schweyer
Ciresi	Galloway	McCarter	Shusterman
Comitta	Goodman	McClinton	Sims
Conklin	Green	McNeill	Snyder
Cruz	Hanbidge	Merski	Solomon
Daley	Harkins	Miller, D.	Sturla
Davidson	Harris	Mullery	Ullman
Davis, A.	Hohenstein	Mullins	Vitali
Davis, T.	Howard	Neilson	Warren
Dawkins	Innamorato	O'Mara	Webster
Deasy	Isaacson	Otten	Wheatley
DeLissio	Kenyatta	Pashinski	Williams
Deloso	Kim	Rabb	Youngblood
DeLuca	Kinsey	Ravenstahl	Zabel
Dermody	Kirkland		

NAYS—112

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

NOT VOTING—0

EXCUSED—1

Mako

Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. We will proceed with the underlying bill.

Representative Boyle, you may proceed. You may talk on the underlying bill.

Mr. BOYLE. Thank you, Mr. Speaker.

In addition to the lack of testing, there is another very big flaw about this bill. There is no mandatory cleaning that is part of this bill. That is very dangerous because we see the virus can last for a long time after one customer could actually be in a store. So for example, on copper, COVID-19 can last up to 4 hours; on

cardboard, it can last 24 hours; on plastic, it can last 2 to 3 days; and on stainless steel, it can last 2 to 3 days. So this is the reason— The virus staying on an actual structure, it has hurt people already and it has spread the infection. It is no coincidence that there are actually three janitors for SEPTA (Southeastern Pennsylvania Transportation Authority) who have actually died in the last month, and that is very personal to me because my father was a janitor, until 2 years ago, and those three were his colleagues.

So I urge a "no" vote on HB 2376. Thank you.

The SPEAKER. Representative Kenyatta, sir.

Mr. KENYATTA. Thank you, Mr. Speaker.

This bill feels like Groundhog Day. We saw a similar bill to this last week that was not science-based; that was wrong, and the Governor vetoed it. We saw this bill when it came up in the State Government Committee, and it was wrong. And now it is here today on the floor, and it is wrong.

This bill is not about creating unanimity between State stores and small business. This bill is about wholesale reopening of the Commonwealth at the peak of a national pandemic. We know right now that if we do this, we will be putting lives at risk, because the scientists have told us. We know that if we do this, it will ensure that all future Governors do not have the authority to close retail businesses if necessary during other crises. We know that.

But the real question that the workers are asking, and the answer that they do not have an answer to just yet, is that if they do go back to work, are they going to be paid the hazard pay that they deserve? If they do go back to work, are they going to have all the PPE that they need – the gloves, the masks, the sanitizer? If they do go back to work, are they going to have the breaks that are necessary to make sure that their workspaces are clean? These are questions that we need answers to.

We all want to get back to work. We all want to see our economy moving again. But more importantly, we want to see folks live. We have to make sure that folks are protected. This bill takes us in the wrong direction. It ties the hands of the Governor at a time when he needs all the flexibility to listen to the health experts and make the best decisions that will keep Pennsylvanians safe.

This bill was wrong in a different form last week. It is wrong right now on the floor. It will be wrong tomorrow. And I believe that the Governor will veto it yet again. Vote "no" on this bill. Let us take a measured, strategic approach. Let us save lives and ensure that when we reopen the economy, it is done safely, it is done securely, and we know that our workers are protected.

I will be voting "no" on this bill, as I did in committee, and urge my colleagues to also do so.

Thank you, Mr. Speaker.

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you, Mr. Speaker.

Since the beginning of this, since the Governor's official declaration, we have had large corporate box stores operating with masses of people showing up every single day without them cleaning those stores at all until this last week. The curve has flattened. Data is showing that day-over-day increases of new cases are on the decline. Even yesterday the Governor explicitly started moving towards reopening businesses. Mr. Speaker, this is about equity, ensuring that those big corporate box stores are not opening up or taking over market shares of our small local retail businesses.

Furthermore, Mr. Speaker, we all are very aware that the Governor opened government retail stores to curbside pickup. This bill allows privately owned businesses that same latitude, to be able to operate, employ their people, pay taxes, and do what our constituents want to do – they want to go back to work. They want to go back to work in a safe, safe way. This allows that. This allows us to ensure the integrity of the health and well-being of our citizens while allowing commerce to proceed in a safe manner. If it is good enough for government, Mr. Speaker, it should be good enough for our constituents. There is no reason, there is no reason we cannot stand in a bipartisan way to accept this bill today. There is no reason whatsoever.

We have indoctrination from the Department of Health, our Secretary of Health, dictating individuals wear masks every single day whether they are in a store. Those safety precautions are there, like them or hate them. They are there via fiat by government. It is what it is.

This bill is responsible. It is responsible for our workers. It is responsible for our business leaders. It is responsible for the health and well-being of our citizens. I urge unanimous support of this commonsense legislation that supports lives and livelihoods. That is what we are here to do, Mr. Speaker, and I look forward to voting for this bill. Thank you.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Like the previous speaker, I stand in strong support of this bill. It is amazing to hear the insulting language that is coming from the other side of the aisle on this about our employers and business owners. It is insulting to insinuate that a State employee at a State store can do curbside delivery, and yet the employee or the single owner of a business cannot provide that same service to his or her customers.

We have opened this— The Governor has allowed large businesses to operate to the detriment of our small businesses. Our biggest employers in the Commonwealth of Pennsylvania, the most people that are employed, are employed by small business owners. And this opposition to this bill is insulting to those employers and it is insulting to those workers who are in the private sector. This is about nothing but control. If the State stores can do it, the mom-and-pops should be able to do it as well. We should be doing this unanimously.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford, do you wish to speak?

And then, Representative Boyle, you will go again. But you have gone once, so I will call you before the end.

Leader, do you want to speak too? Yes.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise in opposition of HB 2376. I believe that the gentleman from Crawford is not wrong: there is much unfair right now in this world, not the least of which is the amount of death that is going on because of this pandemic.

But I realize in this building, we have decided to follow our own path and ignore data, science, and experts, and we have chosen a path that says the bottom line above all else. Now, I recognize that the pain of what is going on in our economy right now is too much for us to bear, that no amount of Federal assistance will ever make right what this pandemic has done to so many. However, in a time like this, if we are to choose between a strong economy and human life, we should stand with life, because we should know that this economy will not get strong again until we defeat this pandemic.

The gentleman, rightfully, references fairness, and I think there are real challenges. Costco has never been busier, and unfortunately, so many of our small businesses are shuttered. And it is unfair that the way this pandemic works is that when tracing failed, that mitigation was the only thing left, and social distancing became our best defense.

The distinction between big-box and mom-and-pop stores is something we would all, with a wave of a wand or the passing of a single piece of legislation, love to resolve. But I would argue that the gentleman's bill, HB 2376, and I would ask that you look at line 6, page 2, where it says, "(A) GENERAL RULE" – and this applies to "A CORPORATION FOR PROFIT AND A CORPORATION NOT-FOR-PROFIT...." and then on page 3, line 6 and line 8, we define "corporations."

Now, I know the gentleman from Crawford will seek his own counsel and his counsel will give a different legal view of what is a corporation and what is a sole proprietorship, but those who actually have read the bill know that there are serious concerns about whether this bill would ever impact small businesses, the sole proprietorship. A sole proprietorship is actually the most common form of small business in our Commonwealth; one just need read their bill or the citations to the code. But as Democrats, we have not based our concerns about many of these bills on the legalese. We have based them on medical science and on the data and on the human lives that are being lost.

Now, I understand that people are frustrated and they are tired and they are scared, and there are leaders that instead of lead have joined in and jumped out in front of the parade of those holding torches and proverbial sticks. But I want to realize, and I think the good gentleman from Philadelphia said about the concerns with HB 631 and the subsequent veto that the Governor used on that bill.

And I want to quote, actually, the Senate pro tem, Senator Scarnati, who said, "Last week the Senate took a positive step forward to amend Senate Bill 327 and send this important measure to the House of Representatives. As amended, Senate Bill 327 allowed for the safe re-opening of Pennsylvania's economy through local decision making. This vital piece of legislation was supported by all 29 members of the Senate Republican Caucus.

"I am extremely disappointed that today the House of Representatives stripped out this important language to allow for local officials to have input in the re-opening of our State. The vote taken by the House Rules Committee..." parenthetically, "was a vote against businesses and employees who want to safely go back to work now.

"We all must work together to help our state move forward and recover from this public health emergency. It is not enough to say that you support businesses and want people to be able to work." And I point to this part, he says, "Brookville is not Manhattan. Emporium is not Philadelphia. This pandemic has affected all areas of our Commonwealth differently, but all elected officials must be willing to vote to protect our Constitution and our freedoms."

From this statement from the Senate pro tem, there is much I disagree, but one I do agree on: there is much difference between Brookville and Manhattan, Emporium and Philadelphia. Unfortunately, HB 2376 did not learn that lesson that Senator

Scarnati put out there, because in this one-size-fits-all, open-all-retail-across-Pennsylvania solution that the House of Representatives puts together today, they say what is good for Montgomery County is good for Mercer and every town in between.

Our Governor, based on science and data, and the best experts in epidemiology argue differently. They say a phased approach based on region, based on what areas are hot, based on the learned views of science; not running out in front of those who would come to picket and scream and yell, but under the thoughtful, quiet leadership that we need right now. Demagoguery and answering to those that are scared is not leadership at all. This Commonwealth needs leaders that will provide cool, calm, thoughtful leadership.

This hurts. I get it. People's patience is nearing an end. Our Governor says there is a light at the end of the tunnel, and all of us want to get there as quickly as possible. But we should not sacrifice one – maybe, unfortunately, we will have to sacrifice one or some human life, but to knowingly, to callously do so is a disregard to the very responsibilities that have been vested in this body. If we want to second-guess this Governor, let us do so based on our own science.

The majority leader said last week when we debated this bill, when I said it was a political process, he said, and he rightfully said – and again, I will point out when he is right – he said, no, it is not a partisan process. It is not a political process. It is a legislative process. I would argue the comments from the Senate pro tem, the comments from a 60-day opening to an immediate opening – to car dealers, to garden stores, whatever the issue of the day – is a whack-a-mole approach, based more on political consideration than public health, that is not worthy of what is in front of us. If we are to lead, if we are to be worthy of that opportunity, then we should say to people that are scared, I understand you. I feel you. We will do right by you. But we cannot answer every concern.

And I know the challenge is different in Crawford than it is in Chester, and the Governor recognizes that. That is why he has a phased regional approach. And you may question it. And I am here to tell you, not everything this Governor does is right or this Secretary of Health. Perfection – no, you are not wrong. And by the way, neither are we and neither am I, and thanks to the leader, he points that out to me occasionally. None of us is perfect. But some of us are epidemiologists and some of us are not. I am not, and I am pretty sure you are not either.

This is a strange time in our Commonwealth. We sit here with masks on our faces. And there are some who will not recognize that they have any lack of certainty about the path they choose. I do not question the man's motives. I know they are pure. And I know his part of Pennsylvania is very different than mine. But we need to be thoughtful in what we are doing. Political considerations, the amount of e-mails we get or phone calls, no matter how heartbreaking, that is not, that is not a replacement for leadership.

Our Governor, our Secretary of Health, Dr. Fauci, they have all talked about what we need to do. Even President Trump has said 15 days to stop the spread, 30 days to stop the spread. We have to stick together and do what is right, not what is easy. And not go down the road that we know has real concerns for many Pennsylvanians in areas like southeastern Pennsylvania, where we see this pandemic worse than most.

So I am going to close by just reading the words of our Secretary of Health:

"Members of the House of Representatives:

"I write today to alert you about the devastating impact HB 2376...would have on the public health of Pennsylvanians. The health and safety of the public is our deepest and most serious responsibility as public servants. With respect, and with that responsibility in mind, I urge you and your colleagues to consider the impact HB 2376 will have on the pandemic response and associated loss of...life.

"Our statewide mitigation strategy, and Pennsylvanians' full participation in that strategy, has slowed the virus in areas of widespread community spread. There is reason for hope, but if we turn back from this strategy too soon, all of that progress could be lost, and we could find ourselves in a second wave of spiking daily...numbers.

"Allowing tens of thousands of retail establishments to reopen, even with the well-meaning limits established in the bill, will inevitably lead to more Pennsylvanians infected with COVID-19. The only way to shorten the length of time we need to weather these conditions is through aggressive social distancing. To continue to bend the curve and ensure we can adequately and equitably care for our friends and neighbors during this pandemic, people need to stay home – not patronizing non-life sustaining retail establishments.

"Curbside pickup is a necessity for life-sustaining businesses such as grocery stores, take-out restaurants, and pharmacies, since it provides a less-risky way to get people food and medicine. What curbside pickup is not is a risk-free alternative to going into a store.

"One of the most important tools that we have at our disposal during this crisis is flexibility. Flexibility to review incoming data, continually reevaluate the impact of our mitigation strategy, and make adjustments when necessary to control an outbreak or lift restrictions when no longer needed. These decisions are best made under consultation with public health experts.

"While the Governor and I are as eager as anyone to begin getting back to normal as soon as possible, doing so in an uncoordinated and premature way will only increase the spread of the virus, further lengthening associated economic challenges, while also placing more lives at risk.

"I ask, therefore, in the best interest of the public health, that you do not support this proposal or any other that would dilute our statewide mitigation strategy.

"I deeply appreciate your consideration and your dedication to your constituents through this crisis."

I would just add that I think turning away from a political process, a legislative process, and listening to health professionals is something we would be wise and prudent to follow that advice. And we should reject HB 2376.

Thank you, Mr. Speaker.

The SPEAKER. Members, I have these individuals, these individual members who have requested to speak. Representative Masser, Representative Boyle wishes to speak for the second time, Representative Neilson, and Representative Gillen.

Are you waiving off? Representative Neilson waives off.

And then the two leaders.

So at this time Representative Masser, and then Representative Roae wishes to go a second time as well, and Representative Toepel. So let me get those written down. Representative Toepel; I have the majority caucus chair. And

then Representative Roae wishes to go a second time, and Representative Boyle wishes to go a second time.

Representative Masser, sir, you may proceed.

Mr. MASSER. I was not going to speak, but I cannot take it anymore. I am not an epidemiologist, or however you say it, but what I am is a business owner for 40-plus years. The whack-a-mole approach that has been taken has been this waiver process and the picking of winners and losers by one person who will not be transparent about whom he picked – whom he picked as winners, whom he picked as losers, and why he did it. That is the whack-a-mole approach.

Please do not tell me so casually that you get it, because unless you have signed the front of a check, unless the lives of your employees and your customers are dependent on what you do, you truly do not get it.

I have been cleaning my restaurant. I have been socially distancing. I have been doing everything that I possibly can because I care about my employees, and more importantly, I care about my customers, because without both of them, I do not have a business. I am doing this, my bottom line – I hear it all the time, we are all about the bottom line – my bottom line is feeding my family and feeding the families of the 75 people who work for me, some people who are with me for over 30 years – single mothers with three kids whom I have to tell I do not know what to do because I am useless. I cannot get these things done. I cannot open back up for you. We cannot do it safely, but government employees can. Are you kidding me? My bottom line is taking care of my family and taking care of the families who work for me.

Please do not tell me—I heard another thing: Do not worry, the Federal government is doing it, they are stepping up. Well, let me tell you what. Again, unless you have signed the front of that paycheck and unless your decisions make sense for your employees and your family, please do not tell me that. The Paycheck Protection Program means nothing for my industry. You have to have people employed. How am I going to have people employed when I cannot be open? Well, we have disaster relief funds, we have those disaster relief loans out there for you. Well, guess what? The last thing I need is another loan. Unless you, again, are the one who is responsible for paying back these loans, you just do not get it.

This bill is about one thing and one thing very simply: either you are with the big-box stores or with your small businesses, the mom-and-pops, that are the backbone of this country.

Thank you, Mr. Speaker.

The SPEAKER. Representative Boyle, for the second time.

Mr. BOYLE. I just, Mr. Speaker, I just wanted to correct the record—

The SPEAKER. Please. Please. Members, the good gentleman is entitled to be heard. Please. Everybody is entitled to be heard.

Mr. BOYLE. There is a lot of criticism of the approach of Pennsylvania State government. I think it is very important to remember that the actions of Pennsylvania State government have saved tens of thousands of lives. And as I hear the rancor from the party to my left, I would hope that you would reflect upon these numbers. In the State of New York, 242,817 cases, 13,869 deaths. In New Jersey – another neighboring State – 85,301 cases, 4,202 deaths. In Pennsylvania – our State, where we come and we are sworn in on inauguration day and the first thing that we pledge to do is to protect life – 33,232 cases, with just 1,204 deaths.

The approach of the Wolf administration is right. It is not perfect – none of us is perfect – but they are doing right and we need to reject this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mark Gillen.

Mr. GILLEN. Thank you, Mr. Speaker.

I will be very brief. I would like to share a tale of family activity we engaged in the last couple of days. Friday, April 17, something that we enjoy as a family, especially my five daughters and I, is we support the Berks County Conservation District's sale of plants and seedlings and fruit trees. In this case, though, we had purchased fruit trees in the past, and we decided to go with evergreen trees, and we purchased 40 evergreen trees.

But what is noteworthy about this transaction is that when we were purchasing from the Berks County Conservation District, we went to the same location that we always do, and that was the county-owned government agricultural complex. Before I got to the table where the seed packets were and the bundles of trees were, I opened the back of our Expedition, got back into the vehicle; I was handed this sheet. I simply gave my name and the back of my vehicle was loaded.

I have heard a prior speaker say that we are opening all retail. I read the bill. I did not find that language in the bill. In fact, Mr. Speaker, when I read the Democratic bill analysis, it says, "Comply with the Centers for Disease Control and Prevention's Interim Guidance...."

Mr. Speaker, there is no government, there is no legislature, there is no Federal authority, there are no county authorities that can speak more loudly in terms of advocacy for families than moms and dads, and this dad made a decision that he was engaging in safe activity in a county complex to make a purchase. I think curbside makes perfect sense, and I advocate for HB 2376. The time is now. We ought to pass this quickly and it ought to be unanimous.

The SPEAKER. There are three speakers that remain. They are all leaders.

We are going to start with Representative Marcy Toepel, the majority caucus chair. She waives off.

So we are to the two leaders.

The whip, actually, Representative Jordan Harris, the Democratic whip. Sir, you may proceed.

Mr. HARRIS. Thank you, Mr. Speaker.

I will make this quick because I really was not going to say anything, but, Mr. Speaker, I get it. There are mom-and-pop stores who are struggling right now. I get it. I understand. I have never been a business owner so I cannot tell you I understand what it means to put my name on the front of a check to make sure that somebody eats. I do not understand that.

But, Mr. Speaker, let us bring it back as a chamber to what this is all supposed to be. It is not about one side winning and one side losing and cheering and all of that. I get it. But at the end of the day, the gentleman from Northumberland County said, you know, this is about standing with mom-and-pops over big boxes. No, it is not. It is not. You know why? Because as of 12 a.m. today, 360 Pennsylvanians lost their lives. That is it. We are going to disagree. I get that, and that is fine. But at the end of the day, let us not forget what we are in, and that is called a pandemic; 360 Pennsylvanians died. That is what we have to bring – and honestly, I do not care how you vote on this bill. I know where I am, and to be honest with you, most of us already knew where we were on the bill before we stepped foot on this floor today.

But let us not forget what we are talking about: 34,000 Pennsylvanians infected, and in the last 24 hours, 360 of them died. So if I am going to stand with somebody, Mr. Speaker, I am going to stand with the families of the 360 people who will not be going to a big-box store, a small-box store, or any store because they lost their life to this pandemic. Let us not forget that at the end of the day, that is what this is about. And sadly, tomorrow there will be another number of folks who lost their lives. That is what this is about, Mr. Speaker.

Vote however the heck you want on this bill, but do not forget about the people who are dying every darn day.

The SPEAKER. And the last two speakers – unless anybody else wishes to be recognized – will be the minority leader, Representative Frank Dermody, and the majority leader, Representative Bryan Cutler.

Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, it is true that all Pennsylvanians have made tremendous sacrifices for these last few weeks. Families have struggled. Businesses have struggled. And we are all trying to work together to make sure we can work our way through this pandemic. But we have public health experts in the Commonwealth and throughout the country who have talked about the cases here, talk about the data, talk about the science about how we get control of this pandemic. How do we flatten the curve?

Now, we have a bill before us today that opens up retail throughout this whole Commonwealth. It is shortsighted and it is reckless. The Governor announced this week that he is starting the process of opening up Pennsylvania for business again, and he talked about how he was going to do that. He is going to use the science. He is going to use the data. He is going to use the facts, not wishful thinking, to implement this plan, and we will hear more about that as we move on for these next several weeks. But what it does is, in a responsible manner, it brings this out in phases that make sense.

Now, our chairman of the Appropriations Committee read some lines about, you know, that Brookville is not Manhattan, and it is not. We have a large Commonwealth, and the Governor in his talk the other day mentioned how it should be done in phases. And we need to take the time over these next few weeks to make sure we have flattened the curve. We need to make sure over the next few weeks that we are protecting the public health and open it up in a responsible way that protects people's lives.

You just heard the number. It is not a joke. People are going to get sick. And people who will get sick, some of them are going to die, and it does not have to happen that way. It does not have to happen that way at all. And if we go back too soon, as you have seen not just nationally, but worldwide, there will be a resurgence of this virus. It will come back with a vengeance. And then what? We are going to have to lock it down again and it will be ten times worse.

This is not easy for us, it is not easy for you, not easy for any Pennsylvanian; however, we should not take steps that destroy the success and the progress that we have made. We can bring people back to work. We can start that process. We can do it in a responsible way. We can do it in a safe way. This is reckless. This will get people sick.

And, you know, we have said it a million times here, but I am no expert. I am no doctor; I am a lawyer, but I have enough sense to listen to the pros. I have enough sense to understand the science

and the data that makes sense, and it tells us that if we stay careful, if we maintain for a little while longer, we might be able to get control of this. We might be able to understand it a little better.

Do you really think we have enough protective equipment to cover all the retailers in the Commonwealth, to make sure that your constituents, my constituents, all of our constituents are protected when they go into these places of business? Do you really think that is going to be the case? You know it is not true. We cannot protect people in hospitals. We cannot protect doctors, nurses, health-care providers, those on the front line in grocery stores – you name it – those who are helping our families every day. We cannot protect them, yet we are going to open up every retail operation in the Commonwealth and say, feel free. You go out there, everything is going to be okay. No, it is not, and the experts say it is not.

So that is why we need to be against this bill. We need to be responsible. We need to let the Governor do his job, give him the tools to reopen this Commonwealth in a way that makes sense for all of us and makes sure that we do not ever, ever have to revisit the situation we are in right now. Do not let all these sacrifices that we have made be in vain. Do not make the suffering that they have gone through, that our constituents and the people of the Commonwealth have gone through, be in vain, because it will be if there is a resurgence of this virus.

This is serious business that we are dealing with today and it needs to be done with thought and it needs to follow the process, and I believe the Governor has laid out a plan that will work for the Commonwealth. It will work for all of us and reopen the Commonwealth in a responsible manner, and that is why we need to say "no" to HB 2376.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, as the good gentleman from Montgomery County pointed out earlier, this is the legislative process. This is where we compare ideas and have discussions, as I think we should.

We have heard the pains of businesses that cannot reopen from our own members. We have heard stories about interactions in other areas as well, whether it be to pick up evergreen trees or the worker who wants to go buy work boots.

Mr. Speaker, we have also heard a lot about data. And I appreciate the calls that we had with the Governor and the Secretary, and her diligence in providing us that data. But, Mr. Speaker, I think it is also worth noting that there have been some changes in the way that data is collected, that occurred over the weekend, where they now include presumed deaths, where previously they had tracked what I believe to be noted as actual deaths. I understand, Mr. Speaker, some of that may be limited to testing, but the point is, it does help skew any of the prior data and any of the prior items in terms of comparing it.

Mr. Speaker, we have heard "follow science." I agree, and I look forward to working with the good gentleman – actually, everybody who has mentioned it, gentlemen and ladies both. I like the regional approach. I expressed that to the Governor during our call earlier this week. I also think that the appropriate place to help guide and make those decisions is in the task force bill that we passed earlier.

Mr. Speaker, we have heard a lot about flattening the curve, and if you look at day-over-day new cases, we are heading down. That is good. But as my good friend, the whip, pointed out, the deaths are going up. That is because there is a divergence of those two facts. Of course, the deaths will go up. Sometimes individuals stay in the ICU (intensive care unit) for 14 to 21 days, so they were sick many weeks ago. Mr. Speaker, there is a lag in testing time, and I think we all wish it was faster. I certainly do myself. And I think that that is important. But what is reported on a day-to-day basis is lagging data. That is one of the reasons why I argued that the Governor should perhaps consider holding SB 613 a little longer to have a bigger window of data to make an informed decision.

So where are we at today? Trust science. Mr. Speaker, I am not sure what science says it is safer to go into a Walmart with dozens of people in it than going into a single store with one. Mr. Speaker, I think the smaller stores would be covered by the Madam Secretary's health-care order that says regarding the sanitation and the cleanliness. I do not know, and I certainly can confer with the Speaker. We sanitize the chamber and different parts of the House every day. The truth is, I do not think the government told us to do it; we thought it was good practice. Mr. Speaker, I have found that owners will take a personal ownership in their businesses and they will run it safely. Now, to curbside service. Never before have I heard that it is okay for government, but not okay for you. In what world does the science support that?

Mr. Speaker, one of my biggest concerns – and I have been talking about it for a week – are the garden centers and the food supply chain problems that are coming on the horizon. It is very real. This is planting season. We have all seen the long lines waiting for food banks, the bare shelves of my own food bank in Lancaster County. Through April 10, they have given out more food than all of April 2019. They process tractor and trailer loads every day.

Mr. Speaker, I understand – and I am probably in a county that will be one of the last to be opened because of the number of cases. And Emporium is not Philadelphia; I agree. And we should take that regional approach and we should take that measured approach and keep working. But when you look at this bill – and there was some discussion about corporate versus noncorporate – I would point you to the beginning of the bill, because I think it is very important. "Notwithstanding the provisions of this chapter..." it goes in to say, "restricts store operations to one employee in the retail store facility at a time." There was some discussion of legalese in corporate versus nonprofit down below, but that is a separate section of the bill, Mr. Speaker. I would point folks to the first part of the bill. Basic statutory construction says that interpretation of the plain English comes first, and then we look at how the bill is constructed thereafter. And if the bill is found to be deficient in any way, I would welcome an amendment on this regarding the county or regional approach in the Senate.

But I think when you also look at what our residents have been told for too long, to trust the science, trust government just a little longer, the same government frustrations that one of our individuals voiced earlier. He does not qualify for anything. Or the lone surveyor that I referenced 2 weeks ago. He works by himself. He was encouraged by the Governor to go out and recreate in the woods alone, but he cannot work. The retail operation is one on one.

Mr. Speaker, I trust science. It is called the CDC. They recommend 10 or less people. Last time I checked – the good chairman and I were joking about our math skills and counting skills earlier – 2 is still less than 10. That is the science I will trust, Mr. Speaker, because guess what? It is voodoo science if you think that the Walmarts are safer when they have more than 10 people in it wandering around.

For me, this is very clear, Mr. Speaker. This is all about parity and transparency and how this is approached. The mom-and-pop stores, the restaurant owner that spoke, those individuals, they need someone to have a voice. It is here today. If you want to vote and say keep sending people to big-box stores, we can certainly do that. That is the legislative process, as we have pointed out. For me, I am standing with the single stores that the prime sponsor pointed out, that want to sell one on one, that want to safely do it, and take the pride of ownership as they do it.

But, Mr. Speaker, to get a false sense of security by continually sending people to big-box corporate America is wrong. The irony is not lost on me, Mr. Speaker, because it is always the Republicans that are accused of supporting big business when in fact these policies here today and this vote clearly says, do you support the small stores, the local stores, which I always try to shop at because I think it is important.

Mr. Speaker, I support the small stores. I support the garden centers. I support having access to food. Because, Mr. Speaker, the answer cannot be that we need to trust government a little longer. I trust people to make good decisions. I trust people to be safe. And I urge a "yes" vote.

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. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the vote of the majority party. Thank you.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—112

Barrar	Gillespie	Marshall	Rigby
Benninghoff	Gleim	Masser	Roae
Bernstine	Gregory	Mehaffie	Rothman
Boback	Greiner	Mentzer	Rowe
Bonner	Grove	Metcalfe	Ryan
Borowicz	Hahn	Metzgar	Sainato
Brooks	Heffley	Mihalek	Sankey
Brown	Helm	Millard	Saylor
Burns	Hennessey	Miller, B.	Schemel
Carroll	Hershey	Mizgorski	Schmitt
Causer	Hickernell	Moul	Schroeder
Cook	Irvin	Mullery	Simmons
Cox	James	Murt	Snyder
Culver	Jones	Mustello	Sonney

Cutler	Jozwiak	Nelson	Staats
Davanzo	Kail	O'Neal	Struzzi
Delozier	Kaufer	Oberlander	Tobash
Diamond	Kauffman	Ortitay	Toepel
Dowling	Keefer	Owlett	Toohil
Dunbar	Keller	Peifer	Topper
Dush	Klunk	Petrarca	Warner
Ecker	Knowles	Pickett	Wentling
Emrick	Kortz	Polinchock	Wheeland
Everett	Kulik	Puskaric	White
Fee	Lawrence	Pyle	Zimmerman
Fritz	Lewis	Rader	
Gabler	Longietti	Rapp	Turzai,
Gaydos	Mackenzie	Reese	Speaker
Gillen	Maloney		

NAYS—90

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

NOT VOTING—0

EXCUSED—1

Mako

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 present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **SB 413, PN 1653**, entitled:

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for tenure of justices, judges and justices of the peace; and further providing for absentee voting.

On the question,

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?

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

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does accurately reflect the vote of the majority party. Thank you.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The following roll call was recorded:

YEAS—202

Barrar	Fee	Lawrence	Reese
Benninghoff	Fiedler	Lee	Rigby
Bernstine	Fitzgerald	Lewis	Roae
Bizzarro	Flynn	Longietti	Roebuck
Boback	Frankel	Mackenzie	Rothman
Bonner	Freeman	Madden	Rowe
Borowicz	Fritz	Malagari	Rozzi
Boyle	Gabler	Maloney	Ryan
Bradford	Gainey	Markosek	Sainato
Briggs	Galloway	Marshall	Samuelson
Brooks	Gaydos	Masser	Sanchez
Brown	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Sappey
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causer	Greiner	Merski	Schroeder
Cephas	Grove	Metcalfe	Schweyer
Ciresi	Hahn	Metzgar	Shusterman
Comitta	Hanbridge	Mihalek	Simmons
Conklin	Harkins	Millard	Sims
Cook	Harris	Miller, B.	Snyder
Cox	Heffley	Miller, D.	Solomon
Cruz	Helm	Mizgorski	Sonney
Culver	Hennessey	Moul	Staats
Cutler	Hershey	Mullery	Stephens
Daley	Hickernell	Mullins	Struzzi
Davanzo	Hohenstein	Murt	Sturla
Davison	Howard	Mustello	Thomas
Davis, A.	Innamorato	Neilson	Tobash
Davis, T.	Irvin	Nelson	Toepel
Dawkins	Isaacson	O'Mara	Tomlinson
Day	James	O'Neal	Toohil
Deasy	Jones	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Ullman
Delloso	Kail	Otten	Vitali
Delozier	Kaufer	Owlett	Warner
DeLuca	Kauffman	Pashinski	Warren
Dermody	Keefer	Peifer	Webster
Diamond	Keller	Petrarca	Wentling
Donatucci	Kenyatta	Pickett	Wheatley
Dowling	Kim	Polinchock	Wheeland
Driscoll	Kinsey	Puskaric	White
Dunbar	Kirkland	Pyle	Williams
Dush	Klunk	Quinn	Youngblood
Ecker	Knowles	Rabb	Zabel
Emrick	Kortz	Rader	Zimmerman
Evans	Kosierowski	Rapp	
Everett	Krueger	Ravenstahl	
Farry	Kulik	Readshaw	
		Turzai,	
		Speaker	

NAYS—0

NOT VOTING—0

EXCUSED—1

Mako

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2400, PN 3520**, entitled:

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.

On the question,

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?

Representative Jesse Topper; Representative Boyle, I see too; Representative Tom Murt; Representative Barb Gleim; Representative Conklin; Representative Dawn Keefer – oh no, I apologize. I thought she waved. And then obviously, the leaders will be able to speak. So I have Representative Topper, Representative Murt, and Representative Gleim, and then Representative Boyle and Representative Conklin.

Representative Jesse Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

As we talk about construction, I just wanted to make sure the members understood what the construction industry looks like in rural Pennsylvania, such as the counties that make up the 78th District. In many of these cases, these construction companies are one-, two-, maybe three-person operations with the family name on the pickup truck that goes around from place to place, from construction site to construction site. These sites, as of right now, are in empty buildings or in empty homes.

I have a constituent. She and her husband need to move into their new home by the end of May when the lease on their apartment runs out, and they are looking to move into their new home. But they need the windows in, but those windows are being put in by a contractor: an operation of two people who were denied a waiver.

Once again, Mr. Speaker, what we are looking for in bills such as HB 2400, we are looking for consistency, and we are looking for transparency. And we have to understand that these operators are able to work within scientific, CDC guidelines. They are able to do their work safely. They are able to do their work even more efficiently and safely now because many of the businesses or homes that they are working in do not have people in them. In some cases, this is the most ideal time.

I appreciate that the Governor has discussed May 8 as an opportunity to reopen some of the construction industry. I do appreciate that. But we have to understand, Mr. Speaker, that that is still 3 weeks away for some of these individuals who have been going without a paycheck and able to operate in these safe manners. Mr. Speaker, 3 more weeks is simply too long. It does not make logistical or scientific sense at this point.

But what I know, Mr. Speaker, is these same individuals, who have tried to access our unemployment compensation system – we all have district offices that have been flooded with the inability of these people to get any kind of income to feed their families, to pay their bills. And we are offering an opportunity to be able to move an industry, that in areas like mine and all around the State, can do so safely and in compliance with scientific, CDC guidelines to do so.

That is all that we are asking through this legislation, Mr. Speaker. And I would urge a "yes" vote on HB 2400. Thank you.

The SPEAKER. Representative Scott Conklin. Waives off.

Representative Boyle.

Mr. BOYLE. Mr. Speaker, testing is the name of the game, and like the previous legislation, that unfortunately, just passed, this legislation has absolutely no verbiage, no language in relation to testing. When we get this economy back, it is going to be because we have well-established, reliable testing. And maybe you do not believe me, but those have been the words of President Donald Trump throughout the course of this crisis.

MOTION TO RECOMMIT

Mr. BOYLE. So there has been real unanimity on the right and the left, and that is why I motion that this bill is also referred to the Health Committee so members of the Health Committee, on both the Democratic and Republican side, can work with the Wolf administration and devise a proper testing program for the construction industry.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

On the question,

Will the House agree to the motion?

The SPEAKER. Sir, you do wish to speak on the motion? You may. Okay.

On the motion, the Appropriations chair.

Mr. SAYLOR. Thank you, Mr. Speaker.

We will be opposing the motion by the gentleman.

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does accurately reflect the vote of the majority party.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS—91

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

NAYS—111

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

NOT VOTING—0

EXCUSED-1

Mako

Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Representative Tom Murt is recognized.
Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, as one member, I certainly appreciate the Governor's priority of stopping the spread of the COVID-19 virus in which, incidentally, my district is the epicenter, the geographical epicenter. Mr. Speaker, we must make certain that we are not jeopardizing our health and safety and the health and safety of our constituents by prohibiting nonessential industries from operating that are helping to preserve life. But, Mr. Speaker, that devotion to public health and safety is exactly why I support HB 2400.

Look around us. While Governors in New Jersey and New York have issued shelter-in-place orders, they have all exempted construction personnel and construction activities from the shutdown. They are not being foolish or shortsighted. They know that with appropriate and suitable measures, construction activities can safely restart and commence.

Mr. Speaker, we cannot have our highway workers sitting idle while the roads, bridges, and critically important infrastructure, that we are still using, are literally crumbling. We had that debate not too long ago. I ask those who are uneasy or oppose this bill to consider that these construction projects are performed in the open air, in which our science community and our Department of Health have told us, and I quote, "greatly reduces the chances for infecting or spreading the COVID-19 virus." In addition, construction executives working with PennDOT and our Pennsylvania Turnpike officials have already committed to making disease control on the construction sites and amongst our construction professionals a mission essential priority if this bill advances.

Mr. Speaker, let us be honest; in all candor, we cannot overlook the financial impact that the shutdown of these construction projects has cost us. Construction costs under PennDOT's capital program will be hit by expensive delay claims that we are contractually obligated to pay idled construction companies. That alone could cost the State hundreds of millions of dollars.

Right now there are building sites around the State that are sitting half-finished, and as a result, pose risks to public health and safety that must be immediately addressed. Leaving partially built homes, foundations, footings, and other construction sites exposed to the elements compromises the integrity of building materials and adds additional financial loss.

Mr. Speaker, it is time to allow our construction workers, as well as our construction industries and our construction professionals, to safely and appropriately get back to work and make our Commonwealth safer. Please support HB 2400. Thank you.

The SPEAKER. Representative Boyle, sir.

Mr. BOYLE. Thank you, Mr. Speaker.

I must say I am a little confused as to why we are doing this right now. Governor Wolf yesterday announced May 8 for a tentative reopening of construction, so I think we are probably moving a little too fast. We should exercise caution and make sure we flatten the curve a little more before we get construction going again.

And in relation to the specific bill, when I look as to whether to support a reopening of the construction industry, one of the first groups I would look to would be the group responsible for the majority of construction in the biggest city in our State, and that would be the Philadelphia Building Trades. Philadelphia Building Trades are not supportive of this bill. The AFL-CIO has taken no position. And furthermore, Darrin Kelly, who is the labor leader for the Labor Council of Allegheny/Fayette, has said, "Our members – those who have been laid off and those who continue to work – have made tremendous sacrifices to help flatten the curve, slow the spread of the virus, and prevent our health-care system from being overwhelmed. Those sacrifices will be meaningless if we allow politicians in Harrisburg to ignore public health experts and rush to reopen our economy too soon."

I think that we should listen to Mr. Kelly, and I think we should listen to the silence from some of the big labor unions that take care of construction workers in this State. And I also think we should be cognizant of going too quickly on this issue.

We have had outbreaks at essential workplaces. In Hazleton, Pennsylvania, we had 130 positive cases at a meat packing plant. In south Philadelphia, we had three to five sheet metal workers who were diagnosed with COVID-19. That is the danger we are facing, and I think we need to exercise caution, because as my good colleague from York County mentioned earlier, and I was heartened to hear it, there was an implicit recognition that we are winning. We are doing what is right. But the worse thing to do would be to end this shutdown too fast.

I understand the concerns of the other side of the aisle. I really do. And my heart goes out to all the business men and women and all the workers who are suffering, but as a policymaker myself, the worst thing I believe that I can do is to allow for the economy to be reopened too soon. If it is opened too soon and we have an outbreak and we have to do a shutdown again, that would absolutely be the worst-case scenario for Pennsylvania and the United States, and I believe it would spiral this country into a long-lasting economic depression.

So let us exercise caution, let us follow Governor Wolf's lead, and let us wait until May 8.

Thank you, Mr. Speaker.

The SPEAKER. Representative Barb Gleim.

Mrs. GLEIM. Mr. Speaker, thank you.

We can stay safe from both a health and economic aspect. Forty-four other States adhere to the CDC and CISA (Cybersecurity and Infrastructure Security Agency) guidelines that consider construction essential. My colleague cites science – these are the national science experts. And they are saying to us that there is no scientific correlation between the 44 other States operating in construction and the increase in COVID infections. As a matter of fact, most of the States currently operating have lower cases of COVID than PA.

For hundreds of years, and especially in the last 50, Mr. Speaker, OSHA (Occupational Safety and Health Administration) has regulations that demand these companies be safe or face stiff penalties. The construction field can safely operate, stay safe distancing, take temperatures every morning during their daily toolbox talks, and continue operating, just as our neighbors are doing. We need to begin today with a commonsense rollout from areas least affected to areas most affected with COVID. Three more weeks of shutdown will greatly impact every aspect of our combined health and economic prosperity.

I ask for a "yes" vote on HB 2400.

The SPEAKER. Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I believe Representative Boyle may have been the only gentleman who referenced the need for testing. I do not think anyone in this debate has yet mentioned contact tracing or the quarantines that will be necessary to tamp down hotspots. That is not my language or my world, that was what my county commissioner was telling me this morning. And I would be the first to tell you that the last person we should taking advice from right now is a politician on these issues, but she happens to be a medical doctor, and she and our county have recognized what we are up against. She said we are going to need about 14 days without any spiking. We are not even close to that.

The good leader of the majority said, well, maybe in our last debate there was some alternate data or some skewing. There was obviously a difference in how numbers are compiled, but again, I think it is important for leaders to give people confidence. There was no attempt, obviously, to skew those numbers, and I know the majority leader did not attempt to imply that, but any argument that we have gone 14 days without spiking is just erroneous.

I would also mention, in Montgomery County, and my good colleague and I – I did not want to interrupt him to correct him – but I would point out that on April 8, Governor Murphy in New Jersey actually stopped all nonessential building, and on March 31, Governor Cuomo in New York had done the same.

So I think with a clear record and understanding of what needs to be the priority going forward, and a recognition that we probably are going to need a regional approach similar to what the President and the Federal government have discussed and what our Governor and his Health Secretary have put forward.

I am deeply concerned, as I said on the last bill, whether it was car dealers or contractors or retail only or realtors or going to a CISA list, that this body seems intent that it is going to overwhelm, whether piecemeal or by sector, the will of science. Whether it questions the data or the individuals or the medicine behind it, they seem to know better. We need tracing and testing and quarantine, and we need a vaccine. I would point out that in this building, even vaccines have not always been accepted, and when we get to that day, there are those who question the science of vaccination. We might need to have that debate very soon. And what I worry about is when you have elected officials, public officials in leadership positions, questioning and undermining the credibility of science at a time when we so badly need a vaccine. When we come forward in a matter of months, and the best scientists in the world say this is the work of the next Dr. Salk, this is the man who will cure this, will we again undermine the science? Will we again say, for political reasons, that we will tear them down because it does not serve our political agenda?

I understand, again, people are upset and they are scared and they need leadership, and I would go back to what the gentleman recognized, that we need not a legislative process but a public health process. In between these bills and in between the different iterations of the car dealer bill and the contractor bill and the retailer bill and the realtor bill and the CISA bill, there has been no discussion with scientists. There have been no hearings. No. You say it is a legislative process. If it is even a legislative process, it is a very bad one, one that has been circumvented by any ability to have a thoughtful conversation, one that has been devoid of science and data, and inconvenient truths that we do not do enough contact tracing or testing or isolated quarantine to do what the masses may yell for, but what science and data and the medical field say we are not yet ready for.

Again I would say, be leaders. Talk hard truths. Stand up for the scientists. Yes, stand up for the small business owner too. Recognize that their sacrifice is too large and it is unfair and it is often inequitably distributed. But recognize that the sacrifice of \$9-an-hour service workers who are working at those grocery stores to provide for us – who make much more money and can telecommute or can work from home – are also not equally impacted by this virus, because this virus has exposed inequities throughout our society. And they are unfair and it is unfair to the barkeeper and it is unfair to the mom-and-pop business, but it would be foolish and foolhardy and premature to allow this virus to spike up again.

We do not have to do that. We need to lead. We need to follow the advice of medical professionals who do science for a living and not follow the pitchforks and torches of those who would tear down the very ability to implement the cure that one day will come.

Thank you, Mr. Speaker.

The SPEAKER. Representative Tim O'Neal.

Mr. O'NEAL. Thank you, Mr. Speaker.

Mr. Speaker, just prior to getting elected, I actually worked for a construction company. So we have heard about the small businesses, but the reality is, there are a lot of large construction companies as well.

Currently the construction company that I worked for is performing some work; as a matter of fact, they are performing a decent amount of work. The reality is, they have about 400, they typically have about 400 trade union workers and over three-quarters of them are currently laid off.

But the real problem with the current situation – and we have heard a lot about the last speaker referring to science – the reality is, construction is currently happening in the State of Pennsylvania. The Governor has already picked winners and losers. On my drive here, I passed three, four, maybe even five different highway PennDOT construction jobs that are currently active. As a matter of fact, school construction is continuing. The company I worked for is building a hospital – hospital construction continues today.

In New Jersey both transportation and school construction is continuing as well. The reality is, our Governor has already picked winners and losers and he has already acknowledged that we can operate safely under CDC guidelines. And this bill to open up the rest of the construction industry is absolutely necessary. I ask for your support of this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kurt Masser.

Mr. MASSER. Something just keeps drawing me back here. I have questions, and I guess I do not have – the main maker of the bill is not here, so I will ask them rhetorically, because I truly do not know the answers, and maybe I may be wrong.

Were the PLCB (Pennsylvania Liquor Control Board) workers that we just put back to work, were they tested before they went back to work? Were the workers on the casino in Philadelphia that was essential construction, were they tested before they went back to work? Were the workers—

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

Mr. MASSER.—in the Wolf cabinet company tested—

The SPEAKER. Sir, please suspend.

Go ahead, Leader.

Mr. DERMODY. Point of order. The bill is about returning construction workers to work. I do not believe this inquiry or this discussion has anything to do with that.

Mr. MASSER. Mr. Speaker, all the previous, all the previous other side were talking about the need for testing.

The SPEAKER. Yes, and hold on. Please suspend.

Leader. Majority Leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I do believe the gentleman is on point. He is discussing a multitude of other construction projects that can proceed, and he is simply inquiring if those workers were tested, which is the very issue that several of the prior speakers have addressed. So I do believe he is on point and appropriate to respond.

Mr. MASSER. And essential to construction is cabinetry. Were the workers at Wolf cabinet company tested, because it can live on these wood products for a long time? Were they tested?

Let these people go back to work and operate their companies safely. Let them feed their families. I am asking for a "yes" vote.

The SPEAKER. Representative Owlett.

Mr. OWLETT. Thank you, Mr. Speaker.

I rise in support of HB 2400. In a prior life, prior to having the honor to serve in this great chamber, I poured a lot of concrete – a lot of concrete. And listening to this debate, there is a part of me that wishes I was pouring concrete right now.

Mr. Speaker, this is so important for our contractors that are out there. They have no other means of income right now. They want to support their families. I stand here amazed that there are jobs that PennDOT is approving in my district right now pouring concrete, when I have to look my contractors in the face and say, I am sorry but you cannot pour concrete. It makes no sense to me, Mr. Speaker.

I think we can do better. The excuse has been that we have not always gotten it right, and no, we are not expecting perfection, but we can look at this and we can make adjustments today. We do not have to wait until May 8.

There are currently counties in the northern part of the State that have four cases, one has five, and one county has one case. We can make adjustments today, and we can get some of these contractors back to work today. It is so important to their livelihood. To the mason that called me that wants to lay block by himself out in the middle of a field, social distanced from everyone, what am I supposed to tell him when he calls me and says, why are landscapers moving up and down the street and

working like crazy and I cannot even go lay block? I cannot pour a footer. It does not make sense.

I think we can do better. I think the people of Pennsylvania expect us to do better, and that is what HB 2400 does.

Thank you, Mr. Speaker.

The SPEAKER. Representative Andrew Lewis.

Mr. LEWIS. Thank you, Mr. Speaker.

I rise today in support of HB 2400. I happened to grow up in a construction family. My dad is a drywall finisher – sole proprietor. And I can tell you definitively that the vast majority of construction families in my district are father/son teams, and they are working by themselves. And you cannot tell me that it is okay to go trout fishing, but the roofers and the bricklayers and the masons and the drywall guys cannot safely operate at home. Construction can and must operate safely, as it is doing in the vast majority of other States.

We have heard today that the Governor lifted restrictions starting May 8. That is 17 days away. And by the way, it is a Friday, which means most construction sites will not start again until Monday. That is 20 days away. I challenge anyone in here to go without a paycheck for 20 more days. That is what you are asking construction families to do.

It is ludicrous. Science is incredibly important, but let us talk about math, specifically the number zero. Zero is the amount of income that these construction families have brought in going on 6 weeks. Zero is the amount of money that they have left. Zero is the amount of unemployment that they have yet to receive from the unemployment office – which, by the way, is not picking up the phone. Zero is the amount of SBA (Small Business Administration) loans they have gotten. And they are told to sit tight and hang on and do not work, when they could be doing it if this were Virginia or Ohio or West Virginia or Maryland or New Jersey, but not here in Pennsylvania. Unacceptable.

We need to pass this bill now. The Senate needs to pass this bill. And the Governor needs to actually sign this so our construction workers can get back to work, put a roof over their head, and put groceries on the table for their families.

Thank you, Mr. Speaker.

The SPEAKER. Representative Frank Ryan.

Mr. RYAN. Mr. Speaker, thank you very much.

You know, I hear the comments. I have been hearing throughout this day that all of these issues are based upon science and all these issues are based upon statistics. And I question that because if you always believe 100 percent in everything you hear, you would be hearing comments such as, as an example, what I heard in 1492 when I was a child, that the world was flat and any of us that had a cat knew that that was not true because there would not be anything left on the world.

I hear comments about May 8. I have spent a lifetime keeping companies out of bankruptcy, and I can tell you, that makes a tremendous difference. I will tell you that as you hear comments about the front line, that military analogy means a great deal to me. I have been on the front line before and I have seen that.

It would be like saying that the date of June 6 for the invasion of D-day could be delayed by 3 weeks, and we know how catastrophic that difference would have been. I hear comments said that by the current actions being taken by the Governor and the Secretary of Health that lives have been saved, and you do not know that. There is still a great deal that we do not understand and we are not aware of. Whenever there is this type of unusual circumstance such as a pandemic that exists, we have to have the

presence of mind to make sound, solid, rational, mature decisions sometimes during periods of ambiguity while the science is still being studied.

You know, I would make this comment: no one in this chamber would ever buy an automobile without knowing the price. But I will tell you that with the orders that have been put out shutting down entire segments of the economy, that is exactly what we are doing, because in my lifetime, having spent so much time in civil affairs in the military, I will tell you, having seen governments collapse and economies deteriorate to deflationary spirals, you have not yet begun to see the price we will pay as an economy and the lives that will be lost in this Commonwealth because we are on the path that we are currently on. We need to get off of that path.

There are winners and losers that have been decided, and we need to make sure now that we give Pennsylvanians the understanding that they have the respect, the dignity, and the liberty, upon which this Commonwealth was founded, to allow them to be able to get back to work and to use their own self-guided judgment of the science based upon the CDC and the CISA standards.

Secretary Levine knows medicine. I know economics and logistics. I will tell you, there is a short-run impact on people, there is an intermediate-term impact on people, and there is a long-term impact on people. When people start to realize, in the next 4 to 5 weeks, the impact that this has at the Federal, State, and local levels, about the impact on the spending and the priorities of spending and the impact on schools, we will find that perhaps the price that we are paying is significantly different than we would have paid had we known the price going into it. Thank you.

The SPEAKER. Before the leaders, we have Representative Diamond and Representative Maloney, and then the minority leader and the majority leader.

Representative Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

You know, Mr. Speaker, after all the jibber-jabber I have heard, I am just going to waive off, because I am too angry to speak on the floor of the House today.

Thank you, Mr. Speaker.

The SPEAKER. Representative Maloney.

Mr. MALONEY. Thank you, Mr. Speaker.

And like one of my colleagues before, I really did not have any intention to speak. I really love to hear my colleagues talk about things that I have experienced and done for several decades. The construction industry is something that I spent a lot of time in. I am glad to know that there are some youngsters here – probably young enough to be my kids – that if I need another team, maybe someday I am going to be able to get that. So I am glad you have some experience, which also means to me that this bill makes a lot of sense.

And I thank you, Mr. Speaker, for the opportunity. I thank you for the facts that so much of what our constituency is going through just does not make any sense. And I am going to leave you just with one example, because many of you shared a lot. I had a young man call me – young to me – four young children at home. He said, "I can't work. I can't get a waiver. I have three jobs that were started, and I have compromised job sites that

I can't get to." He said, "And since I'm home, I made calls over and over all day and I got ahold of somebody, and they said, 'Okay. If your subcontractors have waivers, they can go to work, but you can't.'" I do not know how you fix that. There is a saying, I think it is in a movie: stupid does what stupid is. I cannot give that man any kind of comfort to not be able to provide for his family.

Please, please, this is actually a pretty easy vote. I think it actually helps the Governor.

Thank you, Mr. Speaker.

The SPEAKER. The minority leader, Representative Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, there were over 1200 new cases in the Commonwealth today. That is an increase of over 350 from yesterday. So the virus is not going away.

And this is not a calm, measured bill that takes into consideration what the Governor talked about about phasing our return to business back in. This is a statewide reopening of the construction business. Now, he has already stated that on May 8 we are going to begin the reopening of our construction business. Now is not the time to take our foot off the gas, to reduce our mitigation efforts. Now is not the time to put our workers in harm's way, because if you put our workers in harm's way, some will get sick. Their families will get sick. This virus will spread.

Now, you know, it is hard and we have already talked about how hard it is and the sacrifices people have made. This is a statewide opening that will put people in harm's way. We have 3 weeks until the Governor opens this up. And we talked about how it should be phased in and we should look at regionally and geography and how that works and how it works with this virus. That is not what we are doing with this bill. Not at all.

So look, we wait the 3 weeks and we look at the process, we follow the process, we take the Governor's lead, we work with him to make sure we bring this Commonwealth back in a safe manner and keep our workers healthy.

Thank you, Mr. Speaker.

The SPEAKER. And the majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we have had quite the debate on this bill, and I want to cover a couple of the points that I think are worth mentioning.

And I share the goal of keeping workers safe, just as the good gentleman outlined. But I am also concerned about the 1.5 million people currently waiting on unemployment to go back to work. I am also concerned about the science that was discussed. Mr. Speaker, if there was truly a scientific question about construction and whether or not it was safe, there would be no construction in the State if it were not safe. But instead what we have is a system, and we could always discuss if we would have done it differently or in some other manner, but what we have is a system where some people can go and work and others do not.

As was pointed out by the good gentleman from Montgomery and Philadelphia, the majority of these jobs are outside. They, by their very nature, socially distance when they are working.

Mr. Speaker, construction season is now. It is one of the problems of living in a northeastern State. And we are looking at a reopening on the 8th of May, and I am sure that it will be

consistent with the Secretary's guidance as well as the CDC guidance, just like the waivers were also approved to be consistent with safety.

Mr. Speaker, what we are doing here today is simply making it consistent, transparent, and equally applied. The good news is, it is also voluntarily. For those union members who choose not to go to work because perhaps there are counties that are overwhelmed – and again, I would welcome the addition or further discussion on the county or regional approach in this bill should it reach the Senate or when it reaches the Senate. But the truth is, many of the other States are already doing this, such conservative bastions as California and Illinois. That is how they are working. That is how they are putting this forward.

And, Mr. Speaker, as the good gentleman pointed out earlier regarding some of the other construction projects that have been approved, one of the biggest issues has been who can work and who cannot, and what that process was. Mr. Speaker, we have an example in Lancaster County – and I think it is worth noting that my own Senator brought this up on the Senate floor when they discussed SB 613, and some of the other members have brought it up here as well – some of the school construction is continuing, but private school construction is not. They could not get a waiver.

Mr. Speaker, I applaud the Governor for opening up the road projects. Science says now is the time to lay pavement and do concrete and do bridges. We are in the middle of the decade plan that there are some of us who are still here that voted for it because we recognize the need for long-term infrastructure. Well, Mr. Speaker, we cannot build year-round here. We are limited by weather. We are limited by conditions.

Mr. Speaker, the hard truth is this: We have proven that some projects can move forward. And perhaps this is inconvenient that some can continue, as was pointed out, but the truth of the matter is, I think if it is good enough – just like curbside takeaway – if it is good enough for some, it should be available to anyone who wishes to exercise it and safely do so. Mr. Speaker, this bill is voluntary. It will take the safety guidelines as expressed by the CDC in line. And the other component is this: construction is already happening. We want to make it equal in terms of access and opportunity. We can have a discussion about it being regional. But, Mr. Speaker, what I hope we would all agree on is it should be transparent and it should be today. Please vote "yes."

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. The Chair calls upon the majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the vote of the majority party. Thank you.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—111

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

NAYS—91

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

NOT VOTING—0

EXCUSED—1

Mako

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 present the same to the Senate for concurrence.

SUPPLEMENTAL CALENDAR A CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1403**, PN 1723, entitled:

An Act repealing the act of July 2, 1901 (P.L.610, No.306), entitled "An act to encourage the planting of trees along the roadsides of this Commonwealth, and providing a penalty for killing, removing or injuring the same; what disposition is to be made of moneys collected as penalties, and for keeping a record, by the supervisor of roads or boards of supervisors of roads, of the trees so planted and upon which a tax abatement has been granted."

On the question,
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?

Representative Gleim is recognized.

Mrs. GLEIM. Thank you, Mr. Speaker.

This is simply a repealer bill for an out-of-date law that is no longer valid. I just hope everybody votes "yes." Thank you.

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. The majority whip, please.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The majority party vote has voted in the majority and has voted unanimously "yes." The board is correct.

The SPEAKER. Thank you, sir.

And the minority whip, please.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The following roll call was recorded:

YEAS—200

Barrar	Fitzgerald	Lewis	Rigby
Benninghoff	Flynn	Longietti	Roae
Bernstine	Frankel	Mackenzie	Roebuck
Bizzarro	Freeman	Madden	Rothman
Boback	Fritz	Malagari	Rowe
Bonner	Gabler	Maloney	Rozzi
Borowicz	Gainey	Markosek	Ryan
Boyle	Galloway	Marshall	Sainato
Bradford	Gaydos	Masser	Samuelson
Brooks	Gillen	Matzie	Sanchez
Brown	Gillespie	McCarter	Sankey
Bullock	Gleim	McClinton	Sappey
Burgos	Goodman	McNeill	Saylor
Burns	Green	Mehaffie	Schemel
Caltagirone	Gregory	Mentzer	Schlossberg
Carroll	Greiner	Merski	Schmitt
Causer	Grove	Metcalfe	Schroeder

Cephas	Hahn	Metzgar	Schweyer
Ciresi	Hanbridge	Mihalek	Shusterman
Comitta	Harkins	Millard	Simmons
Conklin	Harris	Miller, B.	Sims
Cook	Heffley	Miller, D.	Snyder
Cox	Helm	Mizgorski	Solomon
Cruz	Hennessey	Moul	Sonney
Culver	Hershey	Mullery	Staats
Cutler	Hickernell	Mullins	Stephens
Daley	Hohenstein	Murt	Struzzi
Davanzo	Howard	Mustello	Sturla
Davidson	Innamorato	Neilson	Thomas
Davis, A.	Irvin	Nelson	Tobash
Davis, T.	Isaacson	O'Mara	Toepel
Dawkins	James	O'Neal	Tomlinson
Day	Jones	Oberlander	Toohil
Deasy	Jozwiak	Ortitay	Topper
Deloso	Kail	Otten	Ullman
Delozier	Kaufer	Owlett	Vitali
DeLuca	Kauffman	Pashinski	Warner
Dermody	Keefer	Peifer	Warren
Diamond	Keller	Petrarca	Webster
Donatucci	Kenyatta	Pickett	Wentling
Dowling	Kim	Polinchock	Wheatley
Driscoll	Kinsey	Puskaric	Wheeland
Dunbar	Kirkland	Pyle	White
Dush	Klunk	Quinn	Williams
Ecker	Knowles	Rabb	Youngblood
Emrick	Kortz	Rader	Zabel
Evans	Kosierowski	Rapp	Zimmerman
Everett	Krueger	Ravenstahl	
Farry	Kulik	Readshaw	Turzai,
Fee	Lawrence	Reese	Speaker
Fiedler	Lee		

NAYS—2

Briggs DeLissio

NOT VOTING—0**EXCUSED—1**

Mako

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 present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 2388**, PN 3592, entitled:

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.

On the question,
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?

On the bill, the Chair recognizes Representative Natalie Mihalek.

Ms. MIHALEK. Thank you.

Mr. Speaker, no one could have predicted what has transpired over the last several weeks. I have been a shoulder to cry on, and sometimes a punching bag, for my constituents who have lost their income; their businesses; their sense of security, normalcy, certainty; and for the foreseeable future, their way of life. The March 19 business closure order only exacerbated these concerns.

Of the numerous issues our residents were now faced with in their daily lives and continue to face, I began to notice one very common complaint that was affecting very different people for very different reasons, and that was the shutdown of auto sales in the State of Pennsylvania.

I had a call from a nurse in my district who had taken her car in for service after it stalled on her way to work her third consecutive 12-hour shift on the front lines of this pandemic. With a 13-mile crosstown commute and two children to provide for, safe and reliable transportation is a must. She learned that repairs on her vehicle would cost several thousand dollars and she would be better off to replace it with something newer and more reliable. The Pennsylvania dealerships presented her with two options: to go to Ohio or to go to West Virginia.

I have been in regular contact with another constituent of mine. She is in her sixties and works in downtown Pittsburgh. She has traditionally taken the light rail into town for several years, but in light of the COVID-19 pandemic, where several of our Port Authority workers have tested positive for the virus, and having a husband at home with serious health conditions, she thought it was best to purchase a modest vehicle to minimize any risk to herself or to her husband.

Dealerships, big and small, across my district and across this Commonwealth, have watched their 50,000 workers go without a paycheck and watched their customers cross State lines, all while asking for a commonsense solution. Mr. Speaker, HB 2388 is the commonsense solution. This bill is for the people who need safe and reliable transportation and it is for the people who want to provide it. These people live and work in each and every single one of our legislative districts. It removes the burden placed on this industry, its workers, and its consumers, and to borrow a few lines from Governor Wolf's press announcement this past Friday, it keeps people safe and helps get the Commonwealth back on its feet and "...respects the reality of the situation on the ground...."

The worker protections adopted into this bill will ensure that the employees of this industry have been heard, and we want them to have the ability to earn their paychecks while living in the safest possible way. Yesterday the Governor indicated a willingness to the auto industry, a willingness to make a concession by allowing online auto sales during this pandemic. This concession, however, is already fraught with confusion and leaves us with more questions than it does answers. The guidance issued to the auto industry by the administration states that there is no in-person viewing of the vehicle. There will be no test drives. Appraisals and all other negotiations would be done virtually. There would be a vehicle hand-off after the deal has been made and the paperwork is complete.

When you purchase a vehicle in Pennsylvania, there are two forms for which no electronic version exists. These are three-page carbon-copy forms that must be signed by the dealer and the buyer. The buyer will be waiting for forms in the mail, so if the buyer is technologically savvy enough to have the most

up-to-date version of a very limited number of software programs, the buyer can then sign on camera while the dealer watches. The program that was sent out to the dealers does not work with a cell phone. It must be a laptop or a desktop computer with a camera.

Speaking to one of my dealers late last night from my district, he told me the average age of his customer was 54 years old and he was less than optimistic about the chances of success for this to actually play out in reality. His reality is adapting to a world that is not going back to normal. Instead of offering a very short-term response to this industry, let us instead give them a chance to develop a long-term plan for business moving forward. They know that they will have to adapt. Precautions must be taken. Health and safety are the top priority. Their employees and their customers demand it, and if they do not meet this demand to the highest degree of care, they cannot and will not survive.

To the consumers, dealers, and workers in this industry who have suffered an undue burden with this shutdown, let us ease their burden and be the government who makes things simpler for our residents instead of standing in the way. HB 2388 creates a path, a path for those 50,000-plus employees who have gone for weeks without work. Twenty percent or less of them would be lucky enough to come back with online-only sales. This bill gives them a path to earn a living in a safe environment. HB 2388 creates a path for our dealers to keep business right here in our Commonwealth, as it should be. HB 2388 creates a path for our residents to be able to have access to safe and reliable transportation at a time when it has never been more important. HB 2388 creates a path, one that can be driven down smoothly with the opening of auto sales in Pennsylvania.

I urge all of my colleagues to stand with me today with an affirmative vote for HB 2388.

Thank you, Mr. Speaker.

The SPEAKER. Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I am going to again briefly read correspondence that I got today about one car dealership that is opening, and I think might illuminate the challenge with in-person auto sales.

My husband works for a car dealership. They are demanding their employees return to work, enforced today, April 21, 2020. They made it clear they will provide no safety equipment. Parenthetically, I recognize the good lady for making sure that an amendment went in to do that. They have also canceled unemployment compensation for employees and stated if they do not come to work, they will be terminated. That legislation, parenthetically, is not yet to the Governor or to the Senate or through the Senate. They are only giving a small weekly salary, and because of this, the dealer has decided only to give half commissions on all sales. In short, they are taking money from our family. My husband has worked there for 2 1/2 months. He has no client base, and therefore, cannot survive on clientele alone through his contacts. They have no answers for him, refuse to tell him how much he will be given each week, and are bullying him in to returning to work immediately. They are forcing their employees to work in a group of 12 for 6 hours a day and 6 days a week. And again I would recognize the good lady for putting some protections in on that issue. Customers will be allowed to test-drive cars and there is no team in place to sanitize those cars to return to work when the vehicle drive is over. Something needs to be done. We have been isolating for 39 days. Please help.

I think the good lady has addressed some of those concerns, and she should be lauded for that.

Now, let me tell you something about what a lot of seniors are having to do during this crisis. I understand that there are those who may immediately need an automobile, and I would probably venture a guess if that emergency is such, you could probably buy it online. And I understand that there are those who want to open car dealers, just like there are those that want to open construction and there are those who want to go down a laundry list of different businesses. And the response is again, simply, is the risk worth it?

And I get it. We can throw out every industry and every special interest. The realtors. I mean, we know it; just go look at your constituent e-mails. We know where they are coming from. It is not fun to say no, but there is a pandemic. And my question is, are in-person car sales – as opposed to online car sales, which the Governor, to his credit, with his administration with the help of the automobile dealers with the help of the Department of State has made possible through online notary – is the risk worth it so that you can see that brand-new GMC Acadia as opposed to virtually see it online?

We can question the science, and some have; I disagree with that. You can say, oh, the economic cost is too high. No one is trying to stop these sales. They are just saying, are we really, in the middle of a pandemic, going to risk human life for in-store car transactions? And again, I think it illuminates the concern that we have raised with all of these bills. It is not just one sector of the economy, it is not one region. The voluminous nature of these bills coming out I think paints a picture of what is really going on here. Representative Boyle and I had a discussion earlier about this. There are those who want to open the entire economy today, pick at the scab and say we can get away with this one and that one. Yeah, there are things that the Governor can do and should do, and we should work together and we should help the administration do that. But wholesale reopening of the economy is dangerous at this point. Everyone knows that. We can keep having this same conversation over and over again. The votes will be similar on that board. But I would ask you, when we look at the alternative between in-person and online, is it worth even – and I hate to say this to our car dealers – but is it even worth one human life? How many human lives is in-person sales of automobiles worth versus online sales of automobiles? At some point, we have to take a step back from this and stop letting the craziness overtake us, because that is what we are deciding.

Should we let those that say, this is not safe and we should step aside, even with, to the lady's point, adding some precautions? Should we say though, you know, that GMC Acadia, it looks a little more sparkly in person and maybe the third row is a little roomier than I thought, but darn it, there is a pandemic right now. And not one human life is worth that, because again, this is not about – and we can all talk about the value of Walmart. You are not going to get me arguing for the good of Walmart. But this is not about people who are going into Walmart for their groceries. This is about picking out the new GMC Acadia, whether they should get the SLT or the SLE.

Mr. Speaker, what are we doing? What is this body thinking right now? We have lost our way. These are not the issues in a pandemic we should be spending our time on. We should tell people that there are tough choices and they are painful. And the Governor, with the best advice out there, is trying to do the right thing. We do not like those choices. The options are painful on

both sides. But at the end of the day, is in-person that much more important than online auto sales? I would argue it is not worth the loss of, potentially, even one human life.

Thank you, Mr. Speaker.

The SPEAKER. Representative Boyle and Representative DeLissio.

We will begin with Representative Boyle.

Mr. BOYLE. Thank you, Mr. Speaker.

And I will be brief. I do not want to rehash any of the ideological arguments we have already had today. I think we know where we stand.

But this is obviously in relation to HB 2388. But what we have consistently seen today in debate, whether it was from the Republican leader or the Republican administrator, is an argument that because 2 to 3 percent of what is deemed the commerce is deemed essential, that we should just go and open up entire sectors of the economy. I fundamentally disagree with that approach. I think that we need to follow science, and I think that is why we should vote "no" on HB 2388. Thank you.

The SPEAKER. Representative Pam DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I just want to share some words that resonate with me. The chairwoman of the Montgomery County Commissioners is a gal by the name of Dr. Valerie Arkoosh, and that doctor is an M.D. (doctor of medicine) as opposed to a Ph.D. (doctor of philosophy). Val also has a master's degree in public health. And she was aware of some of the legislation that may have run on final passage this week in the Pennsylvania House and saw fit to pen a letter to the Montgomery County delegation:

"I understand the serious impact that ongoing closures have on the livelihood of so many residents in our region and across the Commonwealth. However, I am writing to remind you of the harsh reality that the end of a pandemic cannot be legislated. On the flip side, the duration of the pandemic can be unnecessarily prolonged and the number of lives lost increased, if a data-driven and evidence based process is not followed." Now, I do share that those words resonate with me, and for those reasons I will be a "no" vote.

The Governor's regional approach to this – I follow that data, as many of us have literally on a day-to-day basis – and if you see those numbers, they have gone down, but they have also spiked back up again. And a few days' worth of numbers does not create a trend or a pattern. You need, I believe that the May 8 date was selected because by May 8, sufficient time would have gone by so that we truly have a pattern that we can look at and analyze and be confident with that whatever region and whatever sector is opened at that time or after that time will be relatively safe.

When we do this legislatively, Mr. Speaker, we are doing it – first of all, legislation takes usually a long time to somehow get through the process, although I have also seen legislation go through literally in a matter of days. But this legislation does not parse any of the data that is currently out there. It does not really look at that maybe car dealerships in counties that had a really de minimis amount of positive cases to date should be opened first and see how those go. There clearly need to be measures in place so that we can follow these openings as well, because if these openings end up creating even mini hot spots, that needs to be addressed, and it needs to be addressed on a fairly quick basis or we can find ourselves, God forbid, back to square one.

So for anybody who may have been on the fence about this, I share my thoughts with my colleagues this afternoon and look forward to the vote. Thank you.

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you, Mr. Speaker.

Today we are discussing whether car dealerships should or should not open. I would be remiss if we did not mention two beautiful 2020 Ford Expedition Limited MAX SUVs. They are beautiful vehicles, beautiful vehicles. They run very well. Massive vehicles. Very large vehicles. Sticker price about \$75,000, \$80,000 maybe. MAX, fully loaded. Beautiful, beautiful vehicles. The Wolf administration put them out for bid while you cannot actually purchase them here in the Commonwealth. You would literally have to go to another State, any other State that surrounds us, to purchase vehicles for our State to use. Since then, they have been canceled. I guess the Wolf administration realized that purchasing vehicles out of State when they actually cannot purchase them in State – because the Wolf administration would not allow you to purchase them in the State – is a bad idea.

Mr. Speaker, this corrects that issue. But more importantly, Mr. Speaker, there are some real individuals with real issues. Essential workers that get into traffic accidents – that still happens. Cars break down – that still happens. Individuals need to buy vehicles to get to work – doctors, nurses, truck drivers, LCB clerks now. Individuals who are essential and keep this State going – restaurant employees, Walmart employees; hopefully, at some point, some of our small business employees will have that same issue to deal with.

But, Mr. Speaker, this is commonsense legislation. It allows commerce to happen safely. It allows those individuals – transportation is essential whether you are riding a bus, driving a car, whatever mode you need to get to work is essential for you and your family. It makes no sense that the administration would put forward contract bids to purchase goods and services that are essential but not allowed.

Mr. Speaker, I urge a "yes" vote on this commonsense piece of legislation to ensure those essential employees who are working every single day to make sure that we have food and the services we need, from fire departments to EMS to police officers, to make sure they have the transportation needed to do their job and protect us every single day. A simple "yes" vote validates that simple fact to recognize their plight and their sacrifices, and ensures that they have the ability to get to the jobs that we rely on.

Thank you, Mr. Speaker.

The SPEAKER. And the Chair will be calling on the minority leader and then the majority leader.

Representative Frank Dermody, the minority leader.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this is no thoughtful, strategic reopening. This is statewide reopening of our car dealers. Now, I have talked to several of my car dealers from my district, and they told me they do not want to be taking any test drives with customers. What they did want to do, what they said they needed that would be very helpful, was the ability to do remote notaries. They wanted SB 841, which we passed and the Governor signed. That make sense.

We have a bill now that allows online sales, and the dealers I have talked to said that is what they need. And by the way, you could probably get those Expeditions online right now too.

So look, we do not need this bill. We do not need to expose our car dealers and their salespeople and everybody who works there to the coronavirus right now, because they can do online sales, they can do it safely, and they can keep their businesses running. And when it is time and when the Governor reevaluates the situation and we look at what is going on on May 8, then we can make the decision. This bill is not necessary, and frankly, they do not want it.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I know the hour is long and I will do my best to be brief.

Good news: this bill as presented is voluntary. There is no requirement that you open. It would simply ensure that if you choose to do so and can safely do so, you will be on an even playing field with all of your competitors.

Mr. Speaker, this bill – and let us review what happened earlier. And I appreciate the chairman's acknowledgment of the acceptance of the amendment. And I will read it again, even though I previewed it in a prior debate: additional hazard pay, appropriate PPE, gloves, masks, social distancing, cleaning areas with adequate soap and water, breaks to frequently engage in handwashing, information by business if a coworker has tested positive for COVID-19 when the results are available. Mr. Speaker, those were some of the worker protections that were put into the bill.

Mr. Speaker, what we have heard from those who are opposed, let us do it online. Again steering Pennsylvania business to the big-box retailers who happen to have an Internet presence, not our small auto dealers who might sell a handful of cars over a period of time and may not even have a Web site. I agree with the good gentleman that we passed SB 841 with the e-notary in it. That was a good step. And it extends beyond just car dealers. It will go to the health-care workers who want to do legal documents. It will go to a whole host of other areas.

But what we have heard again and again on all of these debates, follow the science, follow the data. Here is the data and the science I would like to know. What evidence, what data was followed for the waivers that were given? What does that look like? How can one car dealer operate safely while another one may not be able to? Or maybe we should wait on government a little bit longer, or maybe the amendment that you accepted that we offered was not quite good enough.

Mr. Speaker, we heard the stories, and I have heard my own in my own district. Essential health-care workers that are in accidents, those diligent souls on the front lines working very hard, who have the unfortunate tragedy of being in an automobile accident and not being able to replace their vehicle. Maybe they could go online. Maybe they have a computer. We can have a discussion about broadband and Internet access at a different point.

But what else do we have? Mr. Speaker, there are some individuals, those individuals which might be of a lower socioeconomic status, those individuals whose vehicles might actually be worth less than the cost of a repair that they are facing. They do not have the option – until the announcement yesterday, they did not have the option to buy a new car if it was the most cost-beneficial way to move forward. I have been that person. I have had to make the decision on my own Ford pickup truck. I loved it, and I know it was very sad when I had to let it go, but

it was only worth a couple thousand dollars and it needed over \$5,000 worth of work. I was fortunate that I had another vehicle. I used that one to cut firewood and haul farm supplies for our animals. But, Mr. Speaker, not everybody has that, and I understand.

Again, this bill is very simple. If the data and the evidence show that one car dealer can be open and operate safely, they should all have that same equal opportunity to do so. It does not make anyone do it. It allows them to choose to do so if they can safely do so.

And finally, Mr. Speaker, I would urge a "yes" vote because this is about equity and transparency across the same business types. And as I have offered on all the other bills, I am happy to discuss, or possibly have an amendment, if the Senate would so choose to do a regional or other approach that fits the very needs of our Commonwealth. But the fact is, and the science says, there is a safe way to do this, or there would have never have been a waiver granted in the first place – not a single one. They have been granted. It is time that we open up that opportunity for everyone, not just those whom government chooses.

Thank you, Mr. Speaker. Please vote "yes."

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. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does correctly reflect the vote of the majority party. Thank you very much.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS—113

Barrar	Gillespie	Marshall	Reese
Benninghoff	Gleim	Masser	Rigby
Bernstine	Gregory	Mehaffie	Roae
Boback	Greiner	Mentzer	Rothman
Bonner	Grove	Metcalfe	Rowe
Borowicz	Hahn	Metzgar	Ryan
Brooks	Heffley	Mihalek	Sainato
Brown	Helm	Millard	Sankey
Burns	Hennessey	Miller, B.	Saylor
Causer	Hershey	Mizgorski	Schemel
Cook	Hickernell	Moul	Schmitt
Cox	Irvin	Mullery	Schroeder
Culver	James	Murt	Simmons
Cutler	Jones	Mustello	Sonney
Davanzo	Jozwiak	Nelson	Staats
Day	Kail	O'Neal	Struzzi
Delozier	Kaufer	Oberlander	Tobash
Diamond	Kauffman	Ortitay	Toepel
Dowling	Keeler	Owlett	Toohil
Dunbar	Keller	Peifer	Topper
Dush	Klunk	Petrarca	Warner
Ecker	Knowles	Pickett	Wentling
Emrick	Kortz	Polinchock	Wheeland
Everett	Kulik	Puskaric	White
Fee	Lawrence	Pyle	Zimmerman

Fritz	Lewis	Quinn	
Gabler	Longietti	Rader	
Gaydos	Mackenzie	Rapp	
Gillen	Maloney	Readshaw	Turzai, Speaker

NAYS—89

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

NOT VOTING—0

EXCUSED—1

Mako

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 present the same to the Senate for concurrence.

CALENDAR CONTINUED

RESOLUTION

Mr. FRANKEL called up **HR 849, PN 3577**, entitled:

A Resolution designating April 19 through 26, 2020, as "Days of Remembrance of the Victims of the Holocaust" and recognizing April 21, 2020, as "Holocaust Remembrance Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. Does anybody wish to speak on this resolution?

It is a "Days of Remembrance of the Victims of the Holocaust," and it recognizes today, April 21, 2020, as "Holocaust Remembrance Day" in Pennsylvania.

On the question recurring,
Will the House adopt the resolution?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Mr. Speaker, the board does reflect the vote of the majority party accurately. Thank you very much.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—202

Barrar	Fee	Lawrence	Reese
Benninghoff	Fiedler	Lee	Rigby
Bernstine	Fitzgerald	Lewis	Roae
Bizzarro	Flynn	Longietti	Roebuck
Boback	Frankel	Mackenzie	Rothman
Bonner	Freeman	Madden	Rowe
Borowicz	Fritz	Malagari	Rozzi
Boyle	Gabler	Maloney	Ryan
Bradford	Gainey	Markosek	Sainato
Briggs	Galloway	Marshall	Samuelson
Brooks	Gaydos	Masser	Sanchez
Brown	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Sappey
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causer	Greiner	Merski	Schroeder
Cephas	Grove	Metcalfe	Schweyer
Ciresi	Hahn	Metzgar	Shusterman
Comitta	Hanbidge	Mihalek	Simmons
Conklin	Harkins	Millard	Sims
Cook	Harris	Miller, B.	Snyder
Cox	Heffley	Miller, D.	Solomon
Cruz	Helm	Mizgorski	Sonney
Culver	Hennessey	Moul	Staats
Cutler	Hershey	Mullery	Stephens
Daley	Hickernell	Mullins	Struzzi
Davanzo	Hohenstein	Murt	Sturla
Davidson	Howard	Mustello	Thomas
Davis, A.	Innamorato	Neilson	Tobash
Davis, T.	Irvin	Nelson	Toepel
Dawkins	Isaacson	O'Mara	Tomlinson
Day	James	O'Neal	Toohil
Deasy	Jones	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Ullman
Delloso	Kail	Otten	Vitali
Delozier	Kaufer	Owlett	Warner
DeLuca	Kauffman	Pashinski	Warren
Dermody	Keefer	Peifer	Webster
Diamond	Keller	Petraca	Wentling
Donatucci	Kenyatta	Pickett	Wheatley
Dowling	Kim	Polinchock	Wheeland
Driscoll	Kinsey	Puskaric	White
Dunbar	Kirkland	Pyle	Williams
Dush	Klunk	Quinn	Youngblood
Ecker	Knowles	Rabb	Zabel
Emrick	Kortz	Rader	Zimmerman
Evans	Kosierowski	Rapp	
Everett	Krueger	Ravenstahl	
Farry	Kulik	Turzai,	
		Speaker	

NAYS—0

NOT VOTING—0

EXCUSED—1

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 857, PN 1388**.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SB 857, PN 1388

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for telemedicine, authorizing the regulation of telemedicine by professional licensing boards and providing for insurance coverage of telemedicine.

Whereupon, the Speaker, in the presence of the House, signed the same.

BILLS RECOMMITTED

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

- HB 1279;
- HB 2258; and
- HB 2259.

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 2251;
- HB 2392;
- HB 2408;
- HB 2412;
- HB 2413;
- HB 2415;
- HB 2416;
- HB 2418; and
- HB 2419.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1862**, **PN 2795**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality health care accountability and protection, providing for protections for consumers receiving surprise balance bills for health care services from out-of-network providers.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1862 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 1862 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.

* * *

The House proceeded to second consideration of **HB 2039**, **PN 2866**, entitled:

An Act amending the act of December 20, 2015 (P.L.497, No.90), known as the Taxpayer-Funded Advertising Transparency Act, further providing for definitions and for advertising notification; and making a related repeal.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2039 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 2039 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.

* * *

The House proceeded to second consideration of **HB 1754**, **PN 2345**, entitled:

An Act designating a bridge on that portion of State Route 4021 over the Honeoye Creek, Sharon Township, Potter County, as the Tec 5 C. Virgil Voorhees Memorial Bridge.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1754 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 1754 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.

* * *

The House proceeded to second consideration of **HB 1236**, **PN 3130**, entitled:

An Act regulating certain smoke alarms; providing for dwelling unit owner and tenant responsibilities; and prescribing penalties.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1236 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 1236 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.

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 827, PN 928**, entitled:

An Act designating certain activity by the Delaware River Basin Commission as the exercise of the power of eminent domain that entitles the owners of the property in question to appropriate and just compensation.

On the question recurring,
Shall the bill pass finally?

BILL TABLED

The SPEAKER. The majority leader moves that HB 827 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 827 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.

RESOLUTIONS

Mr. CUTLER called up **HR 344, PN 3193**, entitled:

A Resolution urging pharmaceutical companies, manufacturers and distributors of prescription opioid drugs to fully cooperate with the Pennsylvania Office of Attorney General in reaching financial settlements and legal resolutions that reflect the severe, irreversible harm suffered by tens of thousands of Pennsylvania families who have lost loved ones to the opioid crisis and to substance use disorder.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 344 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.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 344 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.

* * *

Mr. CUTLER called up **HR 586, PN 2754**, entitled:

A Resolution recognizing the month of October 2019 as "Cybersecurity Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 586 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.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 586 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.

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.

ADJOURNMENT

The SPEAKER. Representative Parke Wentling moves that this House be adjourned until Monday, April 27, 2020, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6:08 p.m., e.d.t., the House adjourned.