

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, APRIL 27, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 21

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

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

Our prayer today is an English translation of a Hindu prayer:

O Adorable Lord of Mercy and Love!
Salutations and prostrations unto Thee.
Thou art Omnipresent, Omnipotent and Omniscient.
Thou art Satchidananda (Existence-Consciousness-Bliss Absolute).
Thou art the Indweller of all beings.

Grant us an understanding heart,
Equal vision, balanced mind,
Faith, devotion and wisdom.
Grant us inner spiritual strength
To resist temptations and to control the mind.
Free us from egoism, lust, greed, hatred, anger and jealousy.
Fill our hearts with divine virtues.

Let us behold Thee in all these names and forms.
Let us serve Thee in all these names and forms.
Let us ever remember Thee.
Let us ever sing Thy glories.
Let Thy name be ever on our lips.
Let us abide in Thee for ever and ever.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, April 21, 2020, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following 2019 Journals are in print, and without objection, they will be approved:

Wednesday, November 20, 2019;
Thursday, November 21, 2019;
Monday, December 9, 2019; and
Tuesday, December 10, 2019.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1439, PN 3629 (Amended) By Rep. PICKETT

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for mental health parity and access to addiction treatment.

INSURANCE.

HB 1696, PN 3630 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health insurance coverage parity and nondiscrimination, further providing for definitions and for adoption of Federal acts and providing for annual attestation by insurers and for insurer analysis and disclosure information.

INSURANCE.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON HEALTH

HB 469, PN 3614 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing coverage for essential health benefits and for coverage for General Assembly and other Commonwealth employees.

Reported from Committee on INSURANCE with request that it be rereferred to Committee on HEALTH.

HB 470, PN 3615 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for prohibition on lifetime and annual limits on essential health benefits and for coverage for General Assembly and other Commonwealth employees.

Reported from Committee on INSURANCE with request that it be rereferred to Committee on HEALTH.

HB 471, PN 3616 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, prohibiting exclusions for preexisting conditions and providing for coverage for General Assembly.

Reported from Committee on INSURANCE with request that it be rereferred to Committee on HEALTH.

HB 913, PN 3617 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, further providing for health insurance coverage for certain children of insured parents and providing for coverage for General Assembly.

Reported from Committee on INSURANCE with request that it be rereferred to Committee on HEALTH.

The SPEAKER. Without objection, those bills will be so rereferred.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 851 By Representatives HICKERNELL, BERNSTINE, BIZZARRO, BOBACK, BROOKS, BROWN, BURNS, SCHLEGEL CULVER, DONATUCCI, FREEMAN, GREINER, HENNESSEY, HILL-EVANS, JONES, KIM, KORTZ, LONGIETTI, MACKENZIE, MADDEN, MALAGARI, McNEILL, MENTZER, MILLARD, B. MILLER, MURT, NEILSON, O'MARA, PASHINSKI, PICKETT, PYLE, READSHAW, ROZZI, RYAN, SCHMITT, SONNEY and ZIMMERMAN

A Resolution designating May 12, 2020, as "Fibromyalgia Awareness Day" in Pennsylvania.

Referred to Committee on HEALTH, April 24, 2020.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1776 By Representatives COX and LEWIS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, providing for COVID-19 homeowner protection.

Referred to Committee on STATE GOVERNMENT, April 24, 2020.

No. 2359 By Representatives O'NEAL, ROTHMAN, EVERETT, WHEELAND, READSHAW, HOWARD, DONATUCCI, DeLUCA, MOUL, HEFFLEY, DEASY, FARRY, DELOZIER, BIZZARRO and MACKENZIE

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

Referred to Committee on HEALTH, April 27, 2020.

No. 2428 By Representatives DIAMOND, RYAN, MILLARD, WARNER, BOROWICZ, B. MILLER, LEWIS, STRUZZI, KEEFER, GLEIM and GROVE

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for general authority of Governor.

Referred to Committee on STATE GOVERNMENT, April 24, 2020.

No. 2429 By Representatives DIAMOND, KLUNK, ECKER, CAUSER, GLEIM, FEE, B. MILLER, GREINER, TURZAI, GILLEN, RIGBY, NELSON, THOMAS, SIMMONS, HICKERNELL, JONES, MARSHALL, ROWE, RYAN, STRUZZI, METCALFE and POLINCHOCK

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

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 23, 2020.

No. 2430 By Representatives GLEIM, RYAN, ROTHMAN, CIRESI, MOUL, KEEFER and ZIMMERMAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for refund or credit of overpayment and providing for interest on overpayments; and, in general provisions, providing for interest on taxes due the Commonwealth and for interest on refund or credit of overpayments; and making related repeals.

Referred to Committee on FINANCE, April 24, 2020.

No. 2431 By Representatives GLEIM, CUTLER, LEWIS, ROWE, FEE, JONES and RYAN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, providing for local taxation on real property, for reopening of 2019-2020 school district budgets and for charter school tuition rate for the 2020-2021 school year.

Referred to Committee on STATE GOVERNMENT, April 24, 2020.

No. 2432 By Representatives MILLARD, MASSER, PICKETT, McNEILL, TOOIL, STEPHENS and LONGIETTI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

Referred to Committee on JUDICIARY, April 24, 2020.

No. 2433 By Representatives MARSHALL, RIGBY and HENNESSEY

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

Referred to Committee on TRANSPORTATION, April 24, 2020.

No. 2435 By Representatives KOSIEROWSKI, ULLMAN, DRISCOLL, FLYNN, PASHINSKI, WILLIAMS, SCHWEYER, FREEMAN, KENYATTA, GALLOWAY, HOWARD, SANCHEZ, DERMODY, FRANKEL, CIRESI, MADDEN, MALAGARI, MERSKI, HOHENSTEIN, McNEILL, FIEDLER and SAMUELSON

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for Food Establishment Personal Protective Equipment Reimbursement Grant Program.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 24, 2020.

No. 2436 By Representatives MUSTELLO, KLUNK, DIAMOND, RIGBY, STRUZZI, JONES, GAYDOS, ROWE, O'NEAL, RYAN and SIMMONS

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

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 24, 2020.

No. 2437 By Representatives STEPHENS, JOZWIAK, MIZGORSKI, YOUNGBLOOD, MACKENZIE, MILLARD, READSHAW, MOUL, DeLUCA, GREEN, CIRESI, THOMAS and SIMS

An Act providing for health care facility reporting relating to COVID-19 and for duties of the Department of Health and the Department of Human Services.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 27, 2020.

No. 2438 By Representatives OWLETT, CAUSER, PICKETT, RYAN, KULIK, SCHLEGEL CULVER, DONATUCCI, CONKLIN, READSHAW, KAUFER, BOBACK, KEEFER, HERSHEY, PASHINSKI, NEILSON, MILLARD, BURGOS, STRUZZI, PYLE, BERNSTINE, IRVIN, LONGIETTI, KAUFFMAN, GLEIM, ZIMMERMAN and WHEELAND

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for broadband services.

Referred to Committee on CONSUMER AFFAIRS, April 27, 2020.

No. 2439 By Representatives KORTZ, BERNSTINE, KULIK, MILLARD, MURT, STEPHENS, O'MARA, MARSHALL, McNEILL, LONGIETTI, MENTZER, CIRESI, MARKOSEK, T. DAVIS, WARNER, MERSKI, STRUZZI, ECKER, MIHALEK, SCHEMEL, TURZAI, B. MILLER, FRITZ, POLINCHOCK, BROOKS, JONES, READSHAW, HEFFLEY, TOEPEL, MALAGARI, TOPPER, KNOWLES, MULLERY, RAVENSTAHL, ZIMMERMAN, KEEFER, HELM, CAUSER, BROWN, JAMES, COOK, GILLEN, SAINATO, SCHLEGEL CULVER, JOZWIAK, EVERETT and MOUL

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for golf course operation during COVID-19 disaster emergency.

Referred to Committee on STATE GOVERNMENT, April 27, 2020.

No. 2440 By Representatives KORTZ, BARRAR, STAATS, MADDEN, STRUZZI, DeLUCA, ECKER, TURZAI, GLEIM, READSHAW, KEEFER, HELM, MERSKI, JAMES, COOK, SCHLEGEL CULVER, MASSER, EVERETT, MOUL, BURNS, FEE, GILLEN and RYAN

An Act providing for extension of COVID-19 waiver provisions for outdoor sportsman clubs.

Referred to Committee on STATE GOVERNMENT, April 27, 2020.

No. 2441 By Representative SAYLOR

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Referred to Committee on APPROPRIATIONS, April 27, 2020.

No. 2442 By Representative SAYLOR

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, April 27, 2020.

No. 2443 By Representative SAYLOR

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, April 27, 2020.

No. 2444 By Representative SAYLOR

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds

exempt from taxation within the requiring Commonwealth; the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; providing for a method of accounting for the funds appropriated; and providing for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, April 27, 2020.

No. 2445 By Representative SAYLOR

An Act making appropriations to the Trustees of the University of Pennsylvania.

Referred to Committee on APPROPRIATIONS, April 27, 2020.

No. 2446 By Representatives RYAN and KEEFER

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in estates, further providing for effect of divorce or pending divorce on designation of beneficiaries.

Referred to Committee on JUDICIARY, April 27, 2020.

No. 2455 By Representatives LAWRENCE, TOOHIL and RYAN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Health and its departmental administrative and advisory boards, providing for local health department COVID-19 antibody testing; and providing for COVID-19 emergency testing procurement and disbursement.

Referred to Committee on STATE GOVERNMENT, April 27, 2020.

The SPEAKER. We are going to be taking committee meeting announcements and caucus announcements.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Chairman Garth Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

At 1:30 there will be a meeting of the House State Government Committee in 60 East Wing. That is at 1:30, 60 East Wing, to consider SB 1027, HB 1776, HB 2423, and HR 841. Again, 60 East Wing, 1:30 p.m.

Thank you, Mr. Speaker.

The SPEAKER. There will be a meeting of the House State Government Committee at 1:30 p.m. in 60 East Wing.

Any other committee announcements?

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair is recognized for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will hold a virtual caucus at 2:15. We would be prepared to return to the floor at 3 o'clock. Thank you.

The SPEAKER. Thank you.

Representative, when I break, I am going to stay for the unanimous consent, but I will stay.

DEMOCRATIC CAUCUS

The SPEAKER. Leader Dermody, the minority leader, Frank Dermody, for a caucus announcement, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus at 2:15; virtual caucus at 2:15.

The SPEAKER. Thank you.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The chairman of the Appropriations Committee, Representative Stan Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately in the majority caucus room, Mr. Speaker.

The SPEAKER. Thank you.

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

We will be back on the floor at 3 p.m., so we will stand in recess, but I am not going to do recess until – Representative Davis is going to be speaking on a deceased mayor in his district. For those of you that are going to stay on the House floor, I would ask you to be quiet and give him an opportunity to be heard.

But I am going to stay here at the rostrum for Representative Davis. We will, however, be back at 3 p.m. We will be back at 3 p.m. on the floor.

STATEMENT BY MR. DAVIS

The SPEAKER. Representative Davis, go ahead. Representative Readshaw is going to join him. Representative Davis, just give everybody a moment's time so that you can have quiet when you speak.

Mr. DAVIS. Thank you, Mr. Speaker.

Members, I rise today to recognize somebody who was a really good friend of mine and a pillar in my community, in particular the Munhall community that I represent, and that was former Mayor Ray Bodnar, who had proudly served his community for more than half a century as a councilman, as an auditor, and for over 30 years as the mayor of Munhall Borough. He served for 15 years on council and 8 years as auditor, spanning from 1972 to 2017. He had worked with many elected officials throughout the Mon Valley for over 44 years as the president of the Steel Valley Council of Governments, and he has really been a transformative figure in our community in terms of driving development.

And I can remember meeting with him as a young person who was seeking office and he was always very supportive, very down to earth, and he served for over 40 years for the United States Steel Corporation. And the one thing I can say about Ray is that he was western Pennsylvania through and through. He cared about his community, he cared about the residents, and he cared about making progress and rebuilding that community after the collapse of the steel industry.

So I just wanted to take a minute to ask members to pause and remember him and his contributions to our Commonwealth and to just wish his family well wishes and Godspeed as they plan to lay this great person to rest, and unfortunately, we are not going to be able to have the type of homegoing service that we would have liked to for Ray, given the current situation, but I thought it was important that we pause to remember the legacy of this great individual.

And I am happy to be joined by my colleague, Representative Harry Readshaw, who represented Munhall for a number of years, when it was in his legislative district, just to say a few words about Mayor Bodnar.

Representative Readshaw.

STATEMENT BY MR. READSHAW

The SPEAKER. Representative Readshaw.

Mr. READSHAW. Thank you.

Thank you, Mr. Speaker.

Mr. Speaker, I represented the Munhall Borough for a number of years until I had lost them in the 36th Legislative District due to the reapportionment process, and I must say that in the true sense of the word, Mayor Bodnar was a gem. He was a good man, a righteous man, a leader. He was dedicated to his people of Munhall all of the time.

And I would like to say in closing: May the Lord bless and keep him, may the Lord grant him peace, make His face shine upon him, and may Ray stand in His grace. We have quite a loss here.

Thank you, Mr. Speaker.

The SPEAKER. Yes. Thank you so much, Representative Davis, Representative Readshaw. Thank you so much.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. Representative Marty Causer is recognized.

Mr. CAUSER. Thank you, Mr. Speaker.

I am announcing a meeting of the House Agriculture and Rural Affairs Committee immediately in room G-50, Irvis Office Building. We will be considering or on the agenda are HB 1983, HB 1999, HB 2429, HB 2435, and HB 2436; room G-50, Irvis Office Building.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

There will be a meeting of the House Agriculture and Rural Affairs Committee immediately in room G-50, Irvis Office Building.

RECESS

The SPEAKER. So the House stands in recess until 3 p.m.

RECESS EXTENDED

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1279, PN 3058

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 2258, PN 3277

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 2259, PN 3240

By Rep. SAYLOR

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

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1776, PN 3605

By Rep. EVERETT

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, providing for COVID-19 homeowner protection.

STATE GOVERNMENT.

HB 1983, PN 2788

By Rep. CAUSER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in race horse industry reform, further providing for costs of enforcement of medication rules or regulations.

AGRICULTURE AND RURAL AFFAIRS.

HB 2423, PN 3588

By Rep. EVERETT

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.

STATE GOVERNMENT.

HB 2429, PN 3604

By Rep. CAUSER

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

AGRICULTURE AND RURAL AFFAIRS.

HB 2435, PN 3611

By Rep. CAUSER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for Food Establishment Personal Protective Equipment Reimbursement Grant Program.

AGRICULTURE AND RURAL AFFAIRS.

HB 2436, PN 3612

By Rep. CAUSER

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

SB 1027, PN 1621

By Rep. EVERETT

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, further providing for State Geospatial Coordinating Board.

STATE GOVERNMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 841, PN 3549

By Rep. EVERETT

A Resolution recognizing the observance of the Holy Month of Ramadan, a month of reflection and prayer for the Muslim community, which runs from April 23 through May 23, 2020, and the festival of Eid al-Fitr.

STATE GOVERNMENT.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair calls upon Chairman Garth Everett for a committee announcement.

Sir, you may proceed.

Mr. EVERETT. Thank you, Mr. Speaker.

There will be a meeting of the House State Government Committee at the break, which I understand will be around 4 o'clock, to consider HB 2455. The meeting will take place in 60 East Wing, and that will be at the next break, which I think will be around 4 o'clock, HB 2455.

Thank you, Mr. Speaker.

The SPEAKER. There will be a meeting of House State Government Committee at the break in 60 East Wing.

We are going to quickly take the master roll, and then Representative Everett and the State Government Committee will head to vote. So after we take the master roll, the State Government Committee will go and vote. You can vote remotely, obviously, or by proxy or in person, if you maintain safe distancing.

LEAVES OF ABSENCE

The SPEAKER. There are no requests for leaves of absence. Representative MAKO is on military leave.

MASTER ROLL CALL

The SPEAKER. Members, please proceed to vote on the master roll.

(Members proceeded to vote.)

The SPEAKER. The State Government Committee meeting – right after this vote – will be held in 60 East Wing, 60 East Wing, as soon as we are done with the roll-call vote here.

The Chair calls upon the majority whip, Representative Kerry Benninghoff, with respect to the master-roll-call vote.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is correct for the majority party.

The SPEAKER. Thank you.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

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	Sappery
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	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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Mako

The SPEAKER. Two hundred and two members having voted on the master roll, we have a quorum.

ANNOUNCEMENT BY MR. EVERETT

The SPEAKER. The Chair recognizes Chairman Garth Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

I just want to make sure everybody is aware that the meeting of the State Government Committee will be now, immediately, in 60 East Wing; now in 60 East Wing.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

Members, we are going to be at ease until the committee is back. We will be at ease until the State Government Committee is back to the floor. But we will be at ease.

The House will come to order.

I see the State Government Committee is coming to the House floor.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2415, PN 3578**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements.

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 2412, PN 3570**, 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 second consideration?

Ms. **ULLMAN** offered the following amendment
No. **A05128**:

Amend Bill, page 2, line 13, by inserting after "sale"

or rent

Amend Bill, page 2, line 15, by inserting after "estate"

or entering into a rental agreement

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

AMENDMENT WITHDRAWN

The SPEAKER. That amendment is waived, from what I understand. Is that correct, Representative Ullman? Thank you.

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

Mr. **CIRESI** offered the following amendment No. **A05138**:

Amend Bill, page 3, by inserting between lines 19 and 20

(a.1) Mitigation measures.—Waivers under subsection (a) shall only be issued to business activities that can adhere to applicable mitigation measures defined by the Centers for Disease Control, Occupational Health and Safety Administration and the Department of Health to protect workers from and mitigate the spread of COVID-19. A business receiving a waiver under subsection (a) shall implement the applicable mitigation measures.

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

(Members proceeded to vote.)

The SPEAKER. I know that we have remote voting, so we will be patient.

The majority whip.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

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

The SPEAKER. The minority whip.

Mr. **HARRIS**. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—186

Barrar	Fee	Lawrence	Rabb
Benninghoff	Fiedler	Lee	Rader
Bernstine	Fitzgerald	Lewis	Rapp
Bizzarro	Flynn	Longietti	Ravenstahl
Boback	Frankel	Mackenzie	Readshaw
Bonner	Freeman	Madden	Reese
Boyle	Fritz	Malagari	Rigby
Bradford	Gabler	Maloney	Roae
Briggs	Gainey	Markosek	Roebuck
Brooks	Galloway	Marshall	Rozzi
Brown	Gaydos	Masser	Sainato

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

NAYS—16

Borowicz	Grove	Ryan	Warner
Diamond	Jones	Staats	
Dush	Keefer	Tobash	Turzai,
Ecker	Rothman	Toepel	Speaker
Gleim	Rowe		

NOT VOTING—0

EXCUSED—1

Mako

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on second consideration as amended?

Mr. **HARKINS** offered the following amendment No. **A05199**:

- Amend Bill, page 1, line 21, by inserting after "provisions" and for public employees occupational safety and health
- Amend Bill, page 1, lines 25 and 26, by striking out "an article" and inserting articles
- Amend Bill, page 2, line 13, by inserting after "sale" or rent
- Amend Bill, page 2, line 15, by inserting after "estate" or entering into a rental agreement
- Amend Bill, page 3, by inserting between lines 19 and 20

(a.1) Mitigation measures.—Waivers under subsection (a) shall only be issued to business activities that can adhere to applicable mitigation measures defined by the Centers for Disease Control, Occupational Health and Safety Administration and the Department of Health to protect workers from and mitigate the spread of COVID-19. A business receiving a waiver under subsection (a) shall implement the applicable mitigation measures.

Amend Bill, page 4, line 8, by striking out all of said line and inserting

ARTICLE XXII-C

PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH
Section 2201-C. Scope of article.

This article relates to public employees occupational safety and health.

Section 2202-C. Legislative declaration.

The General Assembly hereby declares as follows:

(1) It is a basic right of all employees to work in an environment that is free from hazards and risks to their safety. It is the intent of the General Assembly to ensure that this right is also afforded to employees of the Commonwealth, its counties, cities, towns, boroughs and other public employers who serve the people of this Commonwealth.

(2) A significant percentage of all of those employed in this Commonwealth are employed by the Commonwealth or by one of its political subdivisions. Many of these public employees perform job functions comparable to those performed by workers in the private sector who are protected by the Occupational Safety and Health Act of 1970. The General Assembly, therefore, finds it inappropriate to continue two standards for employee safety, one applicable to those who work in the private sector and one for those who are employed by a public employer.

(3) The General Assembly has further determined that a safe place in which to work is economically advantageous to employers. Work-related accidents and injuries and the absences caused thereby decrease employee productivity and increase workers' compensation costs. In addition, unsafe premises increase the risk of financial liability for injuries to members of the public who frequent public buildings.

(4) The General Assembly, in an exercise of the Commonwealth's police power, charges the secretary with the responsibility to ensure that all public employees are afforded the same safeguards in their workplace as are granted to employees in the private sector.

Section 2203-C. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Authorized employee representative." An employee authorized by employees or the designated representative of an employee organization recognized or certified to represent the employees.

"Employee organization." An organization of any kind, or any agency or employee representation committee or plan in which membership includes public employees, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment or conditions of work. The term does not include an organization that practices discrimination in membership because of race, color, creed, national origin or political affiliation.

"Occupational Safety and Health Act of 1970" or "OSHA." The Occupational Safety and Health Act of 1970 (Public Law 91-596, 29 U.S.C. § 651 et seq.).

"Occupational safety and health standard." A standard that requires conditions, or the adoption or use of one or more practices, means, methods, operations or processes, reasonably necessary or appropriate to provide safe or healthful employment in places of employment.

"Person." An individual, partnership, association, corporation, business trust, legal representative or an organized group of any of

them.

"Public employee" or "employee." An individual employed by a public employer.

"Public employer" or "employer." The Commonwealth, any of its political subdivisions, including a school district and any office, board, commission, agency, authority, local transportation organization or other instrumentality thereof and any nonprofit organization or institution and any charitable, religious, scientific, literary, recreational, health, educational or welfare institution receiving grants or appropriations from Federal, State or local government. The term does not include an employer covered or presently subject to coverage under the Occupational Safety and Health Act of 1970.

"Review board." The Pennsylvania Occupational Safety and Health Review Board established under this article.

"Secretary." The Secretary of Labor and Industry of the Commonwealth or a designated agent.
Section 2204-C. Application.

(a) General rule.—Any occupational safety or health standards promulgated under the provisions of this article shall apply to all public employers and public employees, and the secretary shall have authority to enforce the standards in accordance with the provisions of this article.

(b) Statutory and common law rights preserved.—Nothing in this article may be construed to supersede or in any manner affect any workers' compensation law or to enlarge, diminish or affect in any manner common law or statutory rights, duties or liabilities of employers or employees under any law with respect to injuries, diseases or death of employees arising out of and in the course of employment.

(c) Employees not covered by Federal standard.—Notwithstanding any other provision in this article, an occupational safety or health standard promulgated under this article shall apply only to employees not covered by a Federal occupational safety or health standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 or amendments thereto.
Section 2205-C. Employer duties.

(a) General rule.—An employer shall furnish to each of its employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm and which will provide reasonable and adequate protection to the lives, safety or health of its employees.

(b) Compliance with article.—An employer shall comply with the occupational safety and health standards promulgated under this article.

(c) Written statement of substances.—An employer shall, upon the written request of an employee, furnish the employee with a written statement listing the substances that the employee uses or with which the employee comes into contact that have been identified as toxic or hazardous by occupational safety and health standards under 29 CFR Pt. 1910 Subpt. H (relating to hazardous materials) or pursuant to the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or both.

(d) Law compliance with regulations and orders.—An employee and employer shall comply with occupational safety and health standards and all rules, regulations and orders issued pursuant to this article that are applicable to their own actions and conduct.

(e) State plan for standards.—The Commonwealth shall promulgate a plan for the development and enforcement of occupational safety and health standards with respect only to public employers and employees, in accordance with section 18(b) of the Occupational Safety and Health Act of 1970.

Section 2206-C. Regulations.

The secretary may promulgate regulations to administer and enforce this article and shall:

(1) Provide for the preparation, adoption, amendment or repeal of regulations governing the conditions of employment of general and special application in all workplaces.

(2) Provide a method of encouraging employers and employees in their efforts to reduce the number of safety and

health hazards arising from undesirable or inappropriate working conditions at the workplace, and of stimulating employers and employees to institute new programs and to perfect existing programs for providing safe and healthful working conditions.

(3) Provide for appropriate reporting procedures by employers with respect to information relating to conditions of employment that will assist in achieving the objectives of this article.

(4) Provide for the frequency, method and manner of making inspections of workplaces without advance notice, provided that in the event of an emergency or unusual situation, the secretary may give advance notice.

(5) Provide for the publication and dissemination to employers, employees and labor organizations and the posting, where appropriate, by employers of informational, educational or training materials designed to aid and assist in achieving the objectives of this article.

(6) Provide for the establishment of new programs and the perfection and expansion of existing programs for occupational safety and health education for employers and employees and institute methods and procedures for the establishment of a program for voluntary compliance by employers and employees with the requirements of this article and all applicable occupational safety and health standards and regulations promulgated under this article.

Section 2207-C. Standards.

(a) General rule.—The secretary shall, by regulation, adopt all occupational safety and health standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970 in order to provide reasonable and adequate protection of the lives, safety and health of public employees. Subject to subsection (b), the secretary shall promulgate and repeal such regulations as may be necessary to conform to the standards established pursuant to the Occupational Safety and Health Act of 1970. Where no Federal standards are applicable, the secretary shall provide for the development of such State standards as may be necessary in special circumstances.

(b) Interstate commerce.—The secretary may not adopt standards for products distributed or used in interstate commerce that are different from Federal standards for the products unless the standards are required by compelling local conditions and do not unduly burden interstate commerce.

(c) Challenge to standard or regulation.—A person who may be adversely affected by a standard or regulation issued under this article may challenge the validity or application of the standard or regulation by bringing an action for declaratory judgment.

Section 2208-C. Variances.

(a) Variance procedure.—

(1) A public employer may apply to the secretary for a temporary order granting a variance from a standard or any provision of a standard promulgated under this article. A temporary order shall be granted only if the employer files an application that meets the requirements of subsection (b) and establishes all of the following:

(i) The employer is unable to comply with a standard by its effective date because of unavailability of professional or technical personnel or of materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date.

(ii) The employer is taking all available steps to safeguard employees against the hazards covered by the standard.

(iii) The employer has an effective program for coming into compliance with the standard as quickly as practicable.

(2) (i) A temporary order issued under this section shall prescribe the practices, means, methods, operations and

processes that the employer must adopt and use while the order is in effect and state in detail the employer's program for coming into compliance with the standard.

(ii) A temporary order may be granted only after notice to employees and an opportunity for a hearing, provided that the secretary may issue one interim order to be effective until a decision is made on the basis of a hearing.

(iii) A temporary order may not be in effect for longer than the period needed by the employer to achieve compliance with the standard or one year, whichever is shorter, except that an order may be renewed not more than twice so long as the requirements of this section are met and an application for renewal is filed at least 90 days prior to the expiration date of the order.

(iv) An interim renewal of an order shall not remain in effect longer than 180 days.

(b) Contents of application for variance.—An application for a temporary variance order shall contain all of the following:

(1) A specification of the standard or portion of the standard from which the employer or owner seeks a variance.

(2) A representation by the employer, supported by representations from qualified persons who have firsthand knowledge of the facts represented, that the employer is unable to comply with the standard or portion of the standard and a detailed statement of the reasons therefor.

(3) A statement of the steps the employer has taken and will take, with specific dates, to protect employees against the hazard covered by the standard.

(4) A statement of when the employer expects to be able to comply with the standard and what steps the employer has taken and will take, with dates specified, to come into compliance with the standard.

(5) A certification that the employer has informed its employees of the application by giving a copy of the application to the authorized employee representative, posting a statement giving a summary of the application and specifying where a copy may be examined at the place or places where notices to employees are normally posted, and by other appropriate means. A description of how employees have been informed shall be contained in the certification. The information to employees shall also inform them of their right to petition the secretary for a hearing.

(c) Variance for experimental program.—The secretary may grant a variance from any standard or portion of the standard whenever the secretary determines that a variance is necessary to permit an employer to participate in an experimental program approved by the secretary, which is designed to demonstrate or validate new and improved techniques to safeguard the health or safety of workers.

(d) Hearing and order.—

(1) An affected employer may apply to the secretary for a rule or order for a variance from a standard promulgated under this article. Affected employees shall be given notice of each such application and an opportunity to participate in a hearing.

(2) The secretary shall issue a rule or order if the secretary determines on the record, after opportunity for an inspection where appropriate and a hearing, that the proponent of the variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations or processes used or proposed to be used by an employer will provide employment and places of employment that are as safe and healthful as those that would prevail if the employer complied with the standard. The rule or order shall prescribe the conditions the employer must maintain and the practices, means, methods, operations and processes that the employer must adopt and utilize to the extent they differ from the standard in question.

(3) A rule or order may be modified or revoked upon

application by an employer, employee or authorized employee representative, or by the secretary on the secretary's own motion, in the manner prescribed for its issuance under this section at any time after six months from the date it was entered.

(e) Challenge to standard or regulation.—A person who may be adversely affected by a standard or regulation issued under this article may challenge the validity or applicability of the standard or regulation by bringing an action for declaratory judgment.

Section 2209-C. Pennsylvania Occupational Safety and Health Review Board.

(a) Establishment.—The Pennsylvania Occupational Safety and Health Review Board is established to have and exercise the powers and duties provided by the provisions of this article. The board shall consist of five persons appointed by the Governor from among persons who, by reason of training, education or experience, are qualified to carry out the functions of the review board under this article.

(b) Terms of members.—Members shall serve terms of four years and until their successors are appointed. The Governor shall designate one of the members to serve as chairperson.

(c) Power to hear appeals.—A member of the review board shall hear and rule on appeals from compliance orders, notifications and penalties issued under the provisions of this article. The secretary shall adopt and promulgate rules and regulations with respect to the procedures for review board hearings.

(d) Schedule for hearing appeals.—A board member hearing an appeal or appeals under the provisions of this article shall be paid a per diem amount to be determined by the secretary. The members shall alternate the hearing of appeals according to a schedule adopted by the secretary. If a member is unable to hear an appeal, the next available member, in accordance with the schedule, shall hear the appeal. A member shall be selected to hear the appeal within 30 days after the date it was filed.

(e) Necessary staff.—Any staff necessary for the purposes of conducting hearings under this article shall be provided by the Department of Labor and Industry.

(f) Subpoena power and oaths.—In the conduct of hearings, the review board member may subpoena and examine witnesses, require the production of evidence, administer oaths and take testimony and depositions.

(g) Ruling on appeal.—After hearing an appeal, the review board member may sustain, modify or dismiss a compliance order or penalty, provided that decision shall be issued within 120 days after the appeal was filed.

Section 2210-C. Appeal from review board.

A person, including the secretary, adversely affected or aggrieved by an order of the review board, after all administrative remedies provided by this article have been exhausted, is entitled to judicial review.

Section 2211-C. Inspection and investigation powers.

(a) Right to inspect.—

(1) In order to carry out the purposes of this article, the secretary, upon presenting appropriate credentials to the employer, may:

(i) enter without advance notice and at reasonable times any workplace or environment where work is performed by an employee of an employer;

(ii) inspect and investigate, during regular working hours and at other reasonable times and in a reasonable manner, any place of employment under subparagraph (i) and all pertinent conditions, structures, machines, apparatus, devices, equipment and the materials therein; and

(iii) question privately any employer or employee.

(2) Whenever the secretary, proceeding pursuant to this section, is denied admission to any place of employment, the secretary may obtain a warrant to make an inspection or investigation of the place of employment from any judge of

Commonwealth Court.

(b) Witnesses and evidences.—

(1) In making inspections and investigations under this section, the secretary may require the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of this Commonwealth.

(2) In case of a failure or refusal of any person to obey an order, the court of common pleas for the judicial district wherein the person resides, is found or transacts business shall issue to the person an order requiring the person to appear to produce evidence if asked, and when so ordered, and to give testimony relating to the matter under investigation or in question.

(3) A failure to obey an order of the court may be punishable by the court as a contempt.

(c) Persons to accompany secretary or representative.—

(1) Subject to regulations issued by the secretary, a representative of the employer and an authorized employee representative shall be given an opportunity to accompany the secretary during the physical inspection of any workplace for the purposes of aiding the inspection. Where there is no authorized employee representative, the secretary shall consult with a reasonable number of employees concerning matters of health and safety in the workplace.

(2) No employee who accompanies the secretary on an inspection may suffer any reduction in wages as a result thereof.

Section 2212-C. Inspection and investigation of violations.

(a) Request for inspection.—

(1) An employee or authorized employee representative who believes that a violation of an occupational safety or health standard exists or that an imminent danger exists may request an inspection by giving notice of a violation or danger to the secretary.

(2) The notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice and shall be signed by an employee or authorized employee representative.

(3) A copy of the notice shall be provided by the secretary to the employer or its agent no later than the time of inspection, except that on the request of the person giving notice, the names of individual employees or the authorized employee representative shall be kept confidential.

(b) Action by secretary.—

(1) Whenever the secretary receives a request for inspection and determines that there are reasonable grounds to believe that a violation or danger exists, the secretary shall make an inspection as soon as practicable to determine if a violation or danger exists. The inspection may be limited to the alleged violation or danger.

(2) If the secretary determines there are no reasonable grounds to believe that a violation or danger exists, the secretary shall notify the employer, employee or authorized employee representative in writing of the determination. Notification may not preclude future enforcement action if conditions change.

(c) Notice of violation during inspection.—

(1) Prior to or during any inspection of a workplace, an employee or authorized employee representative employed in the workplace may notify in writing the secretary or any representative of the secretary responsible for conducting the inspection of any violation of this article that the person has reason to believe exists in the workplace.

(2) The secretary shall by regulation establish procedures for informal review of any refusal by a representative of the secretary to issue a citation with respect to any alleged violation and shall furnish a written statement to the employer and the employees or authorized employee representative requesting a review of the reasons for the secretary's final

disposition of the case. Notification may not preclude future enforcement action if conditions change.

(d) Summary by secretary.—The secretary shall compile, analyze and publish in either summary or detailed form all reports or information obtained under this section.

(e) Rules and regulations.—The secretary shall prescribe such rules and regulations as the secretary may deem necessary to carry out the secretary's responsibilities under this article, including rules and regulations dealing with the inspection of an employer's or owner's establishment.

Section 2213-C. Recordkeeping.

(a) Employer's duties prescribed by regulation.—In accordance with the secretary's regulations, an employer shall make, keep and preserve and make available to the secretary such records regarding its activities relating to this article as the secretary deems necessary or appropriate for developing information regarding the causes and prevention of occupational accidents and illnesses. The regulations may include provisions requiring an employer to conduct periodic inspections. The secretary also shall issue regulations requiring that an employer, through posting of notices, training or other appropriate means, keep its employees informed of their protections and obligations under this article, including the provisions and regulations of this article.

(b) Records relating to death and injury.—The secretary shall prescribe regulations requiring an employer to maintain accurate records and to make public periodic reports of work-related deaths, injuries and illnesses, other than minor injuries requiring only first aid treatment and not involving lost time from work, medical treatment, loss of consciousness, restriction of work or motion or transfer to another job.

(c) Exposure to toxic or harmful agents.—

(1) The secretary shall issue regulations requiring an employer to maintain accurate records of employee exposures to potentially toxic materials or harmful physical agents that are required to be monitored or measured under any occupational safety and health standard adopted under this article. The regulations shall provide employees or the authorized employee representative with an opportunity to observe monitoring or measuring and have access to the records. The regulations shall make appropriate provisions for each employee or former employee to have access to records that will indicate the employee's own exposure to toxic materials or harmful physical agents.

(2) An employer shall promptly notify any employee who has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels that exceed those prescribed by an occupational safety and health standard promulgated under this article and shall inform any employee who is being thus exposed of the corrective action being taken.

Section 2214-C. Compliance orders.

(a) Issuance.—Whenever the secretary, upon inspection or investigation, determines that an employer has violated a provision of this article or an occupational safety or health standard or regulation promulgated under this article, the secretary shall with reasonable promptness issue a compliance order to the employer. Each compliance order shall be in writing and shall describe the nature of the violation, including a reference to the provisions of this article or the standard, regulation or order alleged to have been violated. The compliance order shall fix a reasonable time for the abatement of the violation.

(b) Posting of order.—Each compliance order issued under this section or a copy or copies of the order shall be prominently posted as prescribed in regulations issued by the secretary at or near each place a violation referred to in the compliance order occurred and at other locations within the workplace reasonably accessible to the employees.

Section 2215-C. Enforcement procedures.

(a) Notice of order and penalty.—

(1) If, after inspection or investigation, the secretary issues a compliance order under section 2214-C, the secretary

shall, within a reasonable time after the termination of the inspection or investigation, notify the employer by certified mail of the penalty, if any, proposed to be assessed under section 2217-C. The notification shall inform the employer that the employer has 15 working days from the receipt of notice within which to notify the secretary that the employer wishes to contest the compliance order or proposed assessment of penalty.

(2) If the employer fails to notify the secretary within 15 days and if no notice is filed by an employee or authorized employee representative under subsection (c) within 15 days, the compliance order and the assessment, as proposed, shall be deemed a final order of the secretary and not be subject to review by any court or agency.

(b) Notice of failure to correct violation.—

(1) If the secretary has reason to believe that an employer has failed to correct a violation for which a compliance order has been issued within the period permitted for correction, the secretary shall notify the employer by certified mail of the failure and of the penalty proposed to be assessed under section 2217-C by reason of the failure. In the case, however, of a review proceeding initiated by the employer under this section in good faith and not solely for delay or the avoidance of penalties, the period permitted for correction of the violation may not begin to run until the entry of a final order by the review board.

Notification by the secretary shall inform the employer that the employer has 15 working days from the receipt of the notice within which to notify the secretary that the employer wishes to contest the notification or the proposed assessment of penalty.

(2) If, within 15 days from receipt of notification under this section, the employer fails to notify the secretary that it intends to contest the notification or proposed assessment of penalty, the notification and assessment, as proposed, shall be deemed a final order of the review board and not be subject to review by any court or agency.

(c) Action by review board.—

(1) If an employer notifies the secretary that it intends to contest a compliance order issued under section 2214-C(a) or a notification issued under subsection (a) or (b) or if, within 15 days after the issuance of a compliance order issued under section 2214-C(a), an employee or authorized employee representative files a notice with the secretary alleging that the period of time fixed in the compliance order for abatement of the violation is unreasonable, the secretary shall immediately advise the review board of the notification, and the review board shall afford an opportunity for a hearing.

(2) The review board shall thereafter issue an order, based on findings of fact, affirming, modifying or vacating the secretary's compliance order or proposed penalty or directing other appropriate relief. The order shall become final 30 days after its issuance.

(3) Upon a showing by an employer of a good faith effort to comply with the abatement requirements of a compliance order and a showing that abatement has not been completed because of factors beyond the employer's reasonable control, the secretary, after an opportunity for a hearing as provided in this subsection, shall issue an order affirming or modifying the abatement requirements in the compliance order.

(4) The rules of procedure prescribed by the secretary shall provide affected employees or the authorized employee representative of affected employees an opportunity to participate as parties to hearings under this subsection.

Section 2216-C. Injunction proceedings.

(a) Temporary restraining order.—

(1) The Commonwealth Court shall have jurisdiction, upon petition of the secretary, pursuant to law and general rules, to restrain any conditions or practices in any place of public employment that pose a danger that could reasonably be expected to cause death or serious physical harm immediately or

before the imminence of the danger can be eliminated through the abatement procedures otherwise provided for by this article.

(2) An order issued under this section shall require steps to be taken as may be necessary to avoid, correct or remove the imminent danger and prohibit the employment or presence of an individual in locations or under conditions where the imminent danger exists, except individuals whose presence is necessary to avoid, correct or remove the imminent danger.

(3) A temporary restraining order issued without notice may not be effective for more than five days.

(b) Action by inspector.—Whenever and as soon as an inspector concludes that conditions or practices described in subsection (a) exist in any place of public employment, the inspector shall inform the affected employees and employers of the danger and shall further inform them that the inspector is recommending to the secretary that relief be sought.

(c) Failure of secretary to seek relief.—If the secretary arbitrarily or capriciously fails to seek relief under this section, an employee who may be injured by reason of the failure, or the authorized employee representative of the employee, may bring an action against the secretary in Commonwealth Court to compel the secretary to seek an order and for such further relief as may be appropriate.

Section 2217-C. Penalties.

(a) Willful or repeated violations.—An employer who willfully or repeatedly violates the requirements of section 2204-C or 2205-C, an occupational safety and health standard promulgated under section 2207-C or regulations prescribed under this article may be assessed a civil penalty of not more than \$10,000 for each violation.

(b) Compliance order for serious violation.—An employer who has received a compliance order for a serious violation of the requirements of section 2204-C or 2205-C, an occupational safety and health standard promulgated under section 2207-C or regulations prescribed under this article shall be assessed a civil penalty of not more than \$1,000 for each violation.

(c) Compliance order for lesser violation.—An employer who has received a compliance order for a violation of the requirements of section 2204-C or 2205-C, an occupational safety and health standard promulgated under section 2207-C or regulations prescribed under this article, which violation has been determined not to be of a serious nature, may be assessed a civil penalty of not more than \$1,000 for each violation.

(d) Failure to correct violation.—An employer who fails to correct a violation for which a compliance order has been issued under section 2214-C within the period permitted for its correction, which period shall not begin to run until the date of the final order of the board in the case of any review proceeding under section 2215-C initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a civil penalty of not more than \$1,000 for each day during which the failure or violation continues.

(e) Violation causing death.—

(1) An employer who willfully violates a standard or order promulgated pursuant to section 2207-C or a regulation adopted under this article, which violation caused death to any employee, commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than six months, or both.

(2) If a conviction is for a violation committed after a first conviction, the person shall be sentenced to pay a fine of not more than \$20,000 or to imprisonment for not more than one year, or both.

(f) Providing advance notice of inspection.—A person who gives advance notice of any inspection to be conducted under this article without authority from the secretary commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 or to imprisonment for not more than six months, or both.

(g) False statements.—A person who knowingly makes any false statement, representation or certification in any application, record,

report, plan or other document filed or required to be maintained under this article commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than six months, or both.

(h) Violation of posting requirements.—An employer who violates any of the posting requirements as prescribed under the provisions of this article shall be assessed a civil penalty of not more than \$1,000 for each violation.

(i) Refusing entry for investigation or inspection.—An employer who refuses entry to the secretary while the secretary is attempting to conduct an investigation or inspection under this article or in any way willfully obstructs an authorized representative from carrying out an investigation or inspection commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 or to imprisonment for not more than six months, or both.

(j) Causing bodily harm to secretary.—An employer or individual who willfully causes bodily harm to the secretary while the secretary is attempting to conduct an investigation or inspection under this article commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than one year, or both.

(k) Authority to assess civil penalties.—The review board shall have authority to assess all civil penalties provided for in this article, giving due consideration to the appropriateness of the penalty with respect to the size of the business of the employer being charged, the gravity of the violation, the good faith of the employer and the history of previous violations.

(l) Determination of serious violation.—For the purposes of this article, a serious violation shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition that exists, or from one or more practices, means, methods, operations or processes that have been adopted or are in use, in the place of employment unless the employer did not and could not with the exercise of reasonable diligence know of the presence of the violation.

(m) Disposition of civil penalties.—Civil penalties owed under this article shall be paid to the secretary for deposit in the State Treasury and may be recovered in a civil action in the name of the Commonwealth brought in Commonwealth Court.

(n) Unauthorized disclosure of confidential information.—A person who violates the provisions of section 2222-C commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 or to imprisonment for not more than one year, or both. In the event that the person is an officer or employee responsible for carrying out the provisions of this article, the officer or employee shall be removed from office or employment upon conviction under this section.

Section 2218-C. Discrimination against employees.

(a) General rule.—An employer or any other person may not discriminate against an employee because the employee has filed a complaint or instituted or caused to be instituted a proceeding under or related to this article or has testified or is about to testify in a proceeding or because of the exercise by an employee on the employee's own behalf or on behalf of others of a right afforded by this article.

(b) Remedy.—

(1) An employee who believes that the employee has been discharged, disciplined or otherwise discriminated against by a person in violation of this section may, within 30 days after a violation occurs, file a complaint with the secretary alleging discrimination.

(2) Upon receipt of the complaint, the secretary shall cause an investigation to be made as deemed appropriate and shall, if requested, withhold the name of the complainant from the employer.

(3) If, upon investigation, the secretary determines that the provisions of this section have been violated, the secretary shall request the Attorney General to bring an action in

Commonwealth Court against the person or persons alleged to have violated this article. In any such action, the Commonwealth Court shall have jurisdiction, for cause shown, to restrain violations of this article and to order all appropriate relief, including reinstatement of the employee to the employee's former position with back pay and benefits.

(c) Notice of determination of complaint.—Within 90 days of receipt of a complaint filed under this section, the secretary shall notify the complainant and the complainant's representative by registered mail of the secretary's determination of the complaint.

(d) Other rights preserved.—Nothing in this article may be construed to diminish the rights of an employee under any law, rule or regulation or under any collective bargaining agreement.
Section 2219-C. Research and demonstration projects.

(a) Secretary to conduct.—

(1) The secretary shall conduct research and undertake demonstration projects relating to occupational safety and health issues and problems either within the Department of Labor and Industry or by grants or contracts. The secretary may prescribe regulations requiring employers to measure, record and make reports on exposure of employees to toxic substances that the secretary believes may endanger the health or safety of employees.

(2) The secretary shall cooperate with the Director of the National Institute for Occupational Safety and Health of the United States Department of Health and Human Services in establishing the programs of medical examinations and tests as may be necessary to determine the incidence of occupational illnesses and employee susceptibility to the illnesses.

(3) The programs, on the request of the employer, may be paid for by the secretary, and the secretary shall provide other assistance as may be required.

(b) Confidentiality.—Information obtained under this article shall be made public without revealing the names of individual workers covered by physical examination or special studies and shall be made available to employers, employees and their respective organizations.
Section 2220-C. Education programs.

(a) Programs to train personnel.—The secretary shall conduct directly, or by grants or contracts, education programs to provide an adequate supply of qualified personnel to carry out the purposes of this article and informational programs on the importance and proper use of adequate safety and health equipment.

(b) Short-term training.—The secretary may conduct directly, or by grants or contracts, short-term training of personnel engaged in work related to the secretary's responsibilities under this article.

(c) Additional programs.—The secretary shall provide for the establishment and supervision of programs for the education and training of employers, owners and employees in the recognition, avoidance and prevention of unsafe or unhealthful working conditions in employment covered under this article. The secretary shall consult with and advise owners and employers, employees and organizations representing owners, employers and employees as to effective means of preventing occupational injuries and illnesses.

Section 2221-C. Reports to United States Secretary of Labor.

In regard to the administration and enforcement of this article, the secretary shall make reports to the United States Secretary of Labor in a form and containing information that the Secretary of Labor shall from time to time require.

Section 2222-C. Confidentiality of information maintained.

All information reported to or otherwise obtained by the secretary or any member of the review board in connection with an inspection or proceeding under this article that contains or might reveal a trade secret shall be considered confidential, provided that the information may be disclosed to other officers or employees concerned with carrying out this article or when relevant in any proceeding under this article. In proceedings under this article, the secretary, the review board or the court shall issue orders that may be appropriate to protect the confidentiality of trade secrets.

Section 2223-C. Funding.

Nothing in this article may prohibit the secretary from pursuing Federal or State funding for the purposes of this article.

Section 2. This act shall take effect as follows:

(1) The addition of Article XXII-C of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. Leader Dermody, did you want to speak on the amendment?

Yes, sir. You may proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, amendment 5199 provides for the safe opening of the Pennsylvania economy by making the bill apply to property rentals, in addition to real estate sales, and clarifying that waivers could only be issued to business activities that can adhere to applicable mitigation measures defined by the Centers for Disease Control and Occupational Health and Safety Administration and the Department of Health to protect workers from and mitigate the spread of COVID-19. It also establishes OSHA standards to protect public-sector employees.

Mr. Speaker, this makes sense for our public-sector employees who are out there every day working for us, protecting us, and they receive the same protections that our private employees who are out there get right now. It only makes sense that we protect all our workers during this pandemic, and I ask for support for amendment 5199.

The SPEAKER. Thank you, sir.

Anybody else? Leader?

GERMANENESS QUESTIONED

The SPEAKER. The majority leader, on amendment 5199. Thank you.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in consultation with the prime sponsor of the bill, I think there are a couple key components of the amendment that should be raised.

I would actually offer that this amendment is not germane to the underlying bill.

Mr. Speaker, when you look at the underlying bill, it is limited to real estate activity during a disaster. This amendment, as drafted, I believe is significantly longer than even the bill and would put into law several other sections that are not consistent with the underlying main topic of the bill. Therefore, it is not germane to the underlying language.

I would like to make a motion to that effect, Mr. Speaker. Since it is beyond the scope and original purpose of the bill, being limited real estate activity, I make a motion that it is not germane.

The SPEAKER. Please turn – well, actually, I am turning – to the germaneness of an amendment. The gentleman, the majority leader, Representative Bryan Cutler, has raised the question of whether the amendment, 5199, is germane. Under House rule 27 – and, Leader and anybody else who wishes to speak on this, I will call upon you – House rule 27, questions involving whether an amendment is germane shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. So we have recognized the majority leader. Does the minority leader wish to be recognized on this issue?

Minority Leader Dermody, do you wish to be recognized on this?

Mr. DERMODY. I do.

The SPEAKER. Yes, sir. You may proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the subject of HB 2412, at least its intent, no matter how misguided it is, is to provide for the opening of the Pennsylvania economy. This amendment, 5199, also provides for the safe opening of the Pennsylvania economy, as I have stated, makes the bill apply to property rentals, in addition to real estate sales, clarifies the waiver process, and establishes OSHA standards to protect public-sector employees. As you can see, Mr. Speaker, the subjects of the bill and the amendment are not only similar, they are identical. They are both intending to provide for the safe opening of the Pennsylvania economy.

Let us not play parliamentary games during this pandemic. Let us focus on safely opening up our economy and protecting Pennsylvania workers. Please vote that this amendment is germane and protect Pennsylvania workers.

The SPEAKER. The majority leader, Representative Bryan Cutler, on the issue of germaneness.

Mr. CUTLER. Thank you, Mr. Speaker.

I am glad that the leader agrees that we should safely open the Pennsylvania economy. However, I think within the explanation of the underlying amendment itself, he did not adequately cover how this is engaged with the real estate activity. Therefore, by his own argument, he has indicated that it goes well beyond the original scope of the bill and therefore is not germane and therefore out of order.

Thank you, Mr. Speaker.

The SPEAKER. So those who believe the amendment is germane will be voting "aye"; if you believe it is germane, you are going to be voting "aye." If you think the amendment is not germane, you will be voting "nay."

On the question recurring,

Will the House sustain the germaneness of the amendment?

(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 party.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—93

Bizzarro	Donatucci	Kortz	Ravenstahl
Boyle	Driscoll	Kosierowski	Readshaw
Bradford	Evans	Krueger	Roebuck
Briggs	Fiedler	Kulik	Rozzi

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

NAYS—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
Causar	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	Roae	

NOT VOTING—0

EXCUSED—1

Mako

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was declared not germane.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Mr. **BRADFORD** offered the following amendment No. **A05212**:

Amend Bill, page 2, line 13, by inserting after "sale"
or rent

Amend Bill, page 2, line 15, by inserting after "estate"
or entering into a rental agreement

Amend Bill, page 3, by inserting between lines 19 and 20
(a.1) Mitigation measures.—Waivers under subsection (a) shall only be issued to business activities that can adhere to applicable mitigation measures defined by the Centers for Disease Control and Prevention, Occupational Health and Safety Administration and the Department of Health to protect workers from and mitigate the spread of COVID-19. A business receiving a waiver under subsection (a) shall implement the applicable mitigation measures.

(a.2) Additional required protection for employees.—A business that receives a waiver and operates under subsection (a) shall also provide, at a minimum, the following to each essential employee:

(1) A minimum wage of \$15 per hour.

(2) Additional hazard pay, relative to the employee's risk of exposure.

(3) Appropriate new personal protective equipment at the start of every shift. Personal protective equipment shall include, but not be limited to, gloves and a mask.

(4) A work environment that maximizes the safety of an employee and the public, including, but not limited to, the use of social distancing and barriers.

(5) Cleaning areas with adequate soap and water and breaks to frequently engage in hand washing.

(6) Access to hand sanitizer between hand-washing breaks.

(7) Leave for sickness and shall be compensated at the same rate.

(8) Information from the employer if a coworker has been tested for COVID-19 and the results of those tests when available.

(a.3) Compliance.—A business operating in this Commonwealth under a waiver under subsection (a) that violates any requirement of the mitigation plan shall be immediately closed and may not be permitted to reopen until the business is in compliance.

(a.4) Applicability.—The contraction of the COVID-19 virus by an essential employee shall be considered a personal injury to the employee under the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act. The fact that the essential employee contracted the COVID-19 virus shall establish a presumption that the injury arose in the course of the employee's employment within the meaning of the Workers' Compensation Act. The presumption shall not be conclusive but may be rebutted if the employer establishes that the employee contracted the COVID-19 virus prior to any job-related exposure.

Amend Bill, page 4, by inserting between lines 7 and 8

(d) Definitions.—The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Business." Any business, industry or trade operating with a physical location in this Commonwealth, regardless of whether that physical location is open to the public.

"COVID-19." The novel coronavirus, otherwise known as COVID-19.

"Essential employee." An employee of a business who is required by the employee's employer to report to work at a physical location.

On the question,

Will the House agree to the amendment?

The SPEAKER. So 05212 is a corrective reprint to 05204, but the amendment in front of us is 05212.

The Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise to offer this amendment in the same spirit in which this House in a bipartisan way offered worker protections. While I still believe it is probably not a great idea for a legislative process or a political process to determine which areas of the economy should be opened in contravention of the advice of public health officials, but if we are going to do it, I believe that these same and additional worker protections should be included. We did it in the car dealer contacts, thanks to the good Representative from Allegheny County. I think, again, if we are going to do something that, frankly, is even more intrusive in the area of real estate and maybe even more of a public policy blunder, at the very least we should make sure we are protecting workers, and I believe this amendment would do that. I hope we do exactly what we did for the car dealers. What is good for the goose should be good for the gander.

Thank you, Mr. Speaker.

GERMANENESS QUESTIONED

The SPEAKER. The majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, again, I appreciate the good gentleman's desire to work in a bipartisan way. However, this underlying amendment, 5212, I believe is a corrective reprint from 5204, and they both suffer from the same fatal flaw. Mr. Speaker, I think we made it very clear in the prior vote regarding the underlying bill and the nature of what it does. It is limited to real estate activity during a disaster, and despite the categorization of that by the minority leader as being political games, it is dealing in the harsh reality of how our current Supreme Court interprets the legislative process and the underlying constitutional provisions that we are governed by. So while we may not agree with the underlying decisions and we may not agree with some of their directives, the truth is we have to still operate within them as a matter of constitutional law. This amendment goes far beyond the practice of real estate to extend workers' comp and defines "business" not as just real estate-related business, but, quoting from the amendment itself, page 2, line 16, "any business."

Mr. Speaker, this is well beyond the original scope of the bill. Therefore, the underlying amendment is not germane, and I would like to make a motion to that effect, Mr. Speaker.

The SPEAKER. The gentleman from Lancaster County, our majority leader, Representative Bryan Cutler, has raised the question of whether amendment 5212 is germane.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On the issue as to whether amendment 5212 is germane, the Chair calls upon the minority leader, Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the subject of the bill is opening up Pennsylvania's economy, and it is opening it up in a way—all this amendment is doing is trying to make it safer for workers to open up the economy. Of course it is germane. We are unleashing

workers in a manner that is not recommended by the public health experts in the Commonwealth and our country, and the least we should do is make sure that those folks who are out there have protections every worker deserves.

The SPEAKER. The majority leader, on the issue of germaneness.

Mr. CUTLER. Thank you, Mr. Speaker.

Again, Mr. Speaker, I welcome the gentleman's support in opening up our economy in a limited and safe way for those individuals who wish to do so. But the bill is quite clear; the bill deals with limited real estate transactions, both in terms of real estate agents and a later amendment will deal with the legal arguments therein related to lawyers. Mr. Speaker, this amendment, as drafted, goes well beyond that, because it applies to any business that is operating. Mr. Speaker, I understand the interest in protecting businesses. That is why we included the amendment previously regarding workers' protections, not just in this bill but other bills as well, and, Mr. Speaker, I would encourage the good gentleman to properly draft amendments consistent with the House rules and prior Supreme Court case law. Thank you.

I urge support of the motion that this is not germane on the underlying bill.

The SPEAKER. And, Representative Bradford, on the issue of germaneness.

Mr. BRADFORD. Thank you.

I do not mean to correct the good gentleman and I do want to point out to him, many of us do not actually think it is a good idea to open these segments of the economy, but if we are going to go down this road, I think we should be clear about what this amendment proposes. The good gentleman goes to page 2, line 19, and it defines "business" as "any business...operating with a physical location in this Commonwealth..." But if you look at the front of the bill, actually, lines 1 through 5, and then, subsequently, if you look at line 14, "business" is clearly discussing any business relating to real estate or the entry of a rental agreement. So I know many want to open up law firms as well, and maybe it would be good to get some good legal advice on statutory construction, because I think that this amendment is right on point as it applies to the real estate industry, and if you are going to open this segment of business, you should do so with worker protections.

The SPEAKER. And the majority leader, on germaneness.

Mr. CUTLER. Mr. Speaker, I believe the gentleman had the citation wrong. It is page 2, line 16, that starts the definition of the word "business," and in that, he further drafts an exception that swallows up the entire rule. I would continue to urge support of the amendment being overly broad and therefore not germane. Thank you.

The SPEAKER. So under House rule 27, questions involving whether an amendment is germane shall be decided by the House. Those who believe that the amendment is germane will be voting "aye"; those who believe the amendment is not germane will be voting "nay."

On the question recurring,

Will the House sustain the germaneness of the amendment?

(Members proceeded to vote.)

The SPEAKER. The majority whip, please.

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, please.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—93

Bizzarro	Donatucci	Kortz	Ravenstahl
Boyle	Driscoll	Kosierowski	Readshaw
Bradford	Evans	Krueger	Roebuck
Briggs	Fiedler	Kulik	Rozzi
Bullock	Fitzgerald	Lee	Sainato
Burgos	Flynn	Longiotti	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			

NAYS—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
Causar	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	Roae	

NOT VOTING—0

EXCUSED—1

Mako

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was declared not germane.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Mr. SCHEMEL offered the following amendment No. **A05201**:

Amend Bill, page 3, line 11, by striking out "and"

Amend Bill, page 3, line 19, by striking out the period after "virus" and inserting

: and

(5) legal services provided by attorneys at law as long as those services are provided in a manner consistent with the Centers for Disease Control and Prevention's social distancing guidelines related to the COVID-19 pandemic at the time the services are provided.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Schemel, on the amendment, sir.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This amendment allows legal services to be available for clients as well. Legal services are often implicated in the transaction of real estate transactions, anything from handling an estate to selling estate properties, to bankruptcies, to issues relating to divorce, real estate contracts, and so forth.

Thank you, Mr. Speaker.

GERMANENESS QUESTIONED

The SPEAKER. Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

In light of the last two germaneness objections, I think one may very well be in order here. While the good gentleman proved that some good lawyers are continuing to work through this pandemic, I think we both know that if worker protections are not germane to real estate, maybe the practice of law is not either. I understand that there is always a level of political finesse that involves how this body proceeds, but if we cannot see fit to do worker protections as part of putting real estate employees back to work, clearly the unrelated field of the practice of law should be held to the same standard.

Therefore, I make a motion to find this amendment not germane to the underlying bill.

Thank you, Mr. Speaker.

The SPEAKER. And Representative Bradford has moved that 5201 is not germane. Under House rule 27, questions involving whether an amendment is germane shall be decided by this House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On the question of germaneness, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

As real estate deals with real estate law and attorneys deal with the law, real estate is integral to – the practice of law, I should say, is integral to all real estate transactions. Thank you.

The SPEAKER. And does anybody else wish to – Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, your last two rulings on germaneness, you suggested that OSHA standards, protecting public-sector employees with OSHA standards and worker protections were not germane to a bill because the bill dealt with real estate transactions. So here we are today and the gentleman begins a speech talking about divorces, which has very little to do with real estate transactions, most of the time. However, you know, if worker protections and OSHA protections for public-sector employees are not germane to a real estate transaction, legal services has nothing to do with it, it is not germane, and it contradicts your previous two rulings, Mr. Speaker. So let us, you know, interpret the rules in a fair manner and rule that this amendment is not germane.

The SPEAKER. The Speaker did not rule on either of the two prior amendments. There was a motion for germaneness filed by the majority leader, and there was a vote on the House floor on the motion. You spoke against the majority leader's motions. There has been no ruling by the Speaker, none. And there is no ruling here because the majority – I am sorry; the minority Appropriations chair has moved that this be voted as not germane, just as the majority leader did on the prior two amendments.

So once again, the prior two amendments, there was a motion by the majority leader, arguments were made by both leaders, and by a vote of 109 to 93, the body ruled them germane, not the Speaker. The Speaker has not made any rulings on any of the amendments on HB 2412.

The majority leader, Representative Bryan Cutler, on the issue of germaneness.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think informing the chamber regarding real estate transactions, I think there are a couple sentinel points. One, the Bar Association acknowledges that this amendment is necessary and supports it for real estate transactions. Two, I would offer the good gentleman who says – I believe the term was "rarely" – I would point him to title protections, contracts, transfers, mortgages, and notes. And certainly, if lawyers are not integrally involved in settlements, some of which I personally handled myself as an attorney in prior private practice, the truth is I wasted a lot of time in law school in my secured transactions class, Mr. Speaker. The reality is, it is an area of law that is specific to real estate. Those items are appropriate, often working hand in hand with realtors. While the good gentleman goes far afield referencing OSHA standards and other areas governed by labor law, this particular area is specific to real estate law and I believe the gentleman's motion is inappropriate, and despite the categorization of being a prior ruling, the truth is it was the will of the body in determining our direction, and I believe the body will have its say here as well. Mr. Speaker, I oppose the motion.

The SPEAKER. So under House rule 27, questions involving whether an amendment is germane shall be decided by the House. Representative Bradford has made a motion that this is not germane. Those who believe the amendment is germane will be

voting "aye"; those who believe the amendment is not germane will be voting "nay."

On the question recurring,

Will the House sustain the germaneness of the amendment?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is correct, 109 votes for the majority party in favor of the motion.

The SPEAKER. And the minority whip.

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
Causar	Helm	Mizgorski	Simmons
Cook	Hennessey	Moul	Sonney
Cox	Hershey	Murt	Staats
Culver	Hickernell	Mustello	Stephens
Cutler	Irvin	Nelson	Struzzi
Davanzo	James	O'Neal	Thomas
Day	Jones	Oberlander	Tobash
Delozier	Jozwiak	Ortitay	Toepel
Diamond	Kail	Owlett	Tomlinson
Dowling	Kaufner	Peifer	Toohil
Dunbar	Kauffman	Pickett	Topper
Dush	Keefer	Polinchock	Warner
Ecker	Keller	Puskaric	Wentling
Emrick	Klunk	Pyle	Wheeland
Everett	Knowles	Quinn	White
Farry	Lawrence	Rader	Zimmerman
Fee	Lewis	Rapp	
Fritz	Mackenzie	Reese	Turzai,
Gabler	Maloney	Rigby	Speaker
Gaydos	Marshall	Roe	

NAYS—93

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

Delloso	Kinsey	Petrarca	Youngblood
DeLuca	Kirkland	Rabb	Zabel
Dermody			

NOT VOTING—0

EXCUSED—1

Mako

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

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

The SPEAKER. We have one more amendment. It is a late-filed amendment by Representative Polinchock, amendment 05294— Oh, my apologies. We have to vote the amendment, 05201.

Representative Schemel, on the amendment.

Mr. SCHEMEL. Thank you, Mr. Speaker.

As already presented, this amendment will allow attorneys to be active in real estate and other matters. I would certainly appreciate your vote on this amendment. Thank you.

The SPEAKER. Does anybody else wish to be recognized on the amendment?

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

(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.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—122

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

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

NAYS—80

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

NOT VOTING—0

EXCUSED—1

Mako

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. **POLINCHOCK** offered the following amendment No. **A05294**:

Amend Bill, page 3, by inserting between lines 19 and 20
(a.1) Public open house prohibited.—A meeting under subsection (a)(1)(i) by a licensee with a prospective home buyer or tenant must be individually scheduled at least 24 hours prior to the time of the meeting. A licensee with a prospective home buyer or tenant must be arranged at least 24 hours prior to the time of the meeting. A licensee may not conduct a public open house.

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

MOTION TO SUSPEND RULES

The SPEAKER. This is a late-filed amendment. There has to be a motion to suspend, as I understand; Representative Polinchock is going to make a motion.

Mr. POLINCHOCK. Thank you, Mr. Speaker.

I apologize for the tardiness of the amendment, but I will tell you that in my discussions over the past couple of weeks, we have gone in depth on how we were going to make this process of getting real estate and this industry back moving safer. I had discussions just a couple of days ago with the Governor's staff, and they had a concern about open houses and the ability to do them safely, and gatherings. So with that, it made sense to me that we should absolutely not have open houses. Sometimes you get one or two people at an open house, but given the cabin fever people are feeling, you may get 20 or 30 now. So we thought it prudent to include this. It will alleviate some of the fears that the Governor's Office has, and I think it is a smart thing to do.

So, Mr. Speaker, I would like to make a motion that we suspend the rules to allow this amendment.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to suspend, does anybody wish to speak?

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 following roll call was recorded:

YEAS—125

Barrar	Gillespie	Masser	Rothman
Benninghoff	Gleim	Mehaffie	Rowe
Bernstine	Gregory	Mentzer	Ryan
Boback	Greiner	Metcalfe	Sainato
Bonner	Grove	Metzgar	Sankey
Borowicz	Hahn	Mihalek	Sappey
Brooks	Heffley	Millard	Saylor
Brown	Helm	Miller, B.	Schemel
Burns	Hennessey	Mizgorski	Schmitt
Carroll	Hershey	Moul	Schroeder
Causer	Hickernell	Mullery	Shusterman
Ciresi	Irvin	Murt	Simmons
Cook	James	Mustello	Sonney
Cox	Jones	Nelson	Staats
Culver	Jozwiak	O'Mara	Stephens
Cutler	Kail	O'Neal	Struzzi
Davanzo	Kaufer	Oberlander	Thomas
Day	Kauffman	Ortitay	Tobash
Delozier	Keefer	Owlett	Toepel

Diamond	Keller	Peifer	Tomlinson
Dowling	Klunk	Pickett	Toohil
Dunbar	Knowles	Polinchock	Topper
Dush	Kortz	Puskaric	Ullman
Ecker	Kosierowski	Pyle	Warner
Emrick	Kulik	Quinn	Wentling
Everett	Lawrence	Rader	Wheeland
Farry	Lewis	Rapp	White
Fee	Longietti	Ravenstahl	Zimmerman
Fritz	Mackenzie	Readshaw	
Gabler	Malagari	Reese	Turzai,
Gaydos	Maloney	Rigby	Speaker
Gillen	Marshall	Roae	

NAYS—77

Bizzarro	Dermody	Isaacson	Petrarca
Boyle	Donatucci	Kenyatta	Rabb
Bradford	Driscoll	Kim	Roebuck
Briggs	Evans	Kinsey	Rozzi
Bullock	Fiedler	Kirkland	Samuelson
Burgos	Fitzgerald	Krueger	Sanchez
Caltagirone	Flynn	Lee	Schlossberg
Cephas	Frankel	Madden	Schweyer
Comitta	Freeman	Markosek	Sims
Conklin	Gainey	Matzie	Snyder
Cruz	Galloway	McCarter	Solomon
Daley	Goodman	McClinton	Sturla
Davidson	Green	McNeill	Vitali
Davis, A.	Hanbidge	Merski	Warren
Davis, T.	Harkins	Miller, D.	Webster
Dawkins	Harris	Mullins	Wheatley
Deasy	Hohenstein	Neilson	Williams
DeLissio	Howard	Otten	Youngblood
Delloso	Innamorato	Pashinski	Zabel
DeLuca			

NOT VOTING—0

EXCUSED—1

Mako

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 2455, PN 3639

By Rep. EVERETT

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Health and its departmental administrative and advisory boards, providing for local health department COVID-19 antibody testing; and providing for COVID-19 emergency testing procurement and disbursement.

STATE GOVERNMENT.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2416, PN 3579**, 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 regulatory tolling and extensions.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. Representative Seth Grove calls up HB 2419 – actually, we are going to go over that briefly.

* * *

The House proceeded to second consideration of **HB 2392, PN 3541**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Independent Fiscal Office, further providing for definitions and for duties of office.

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

Mrs. **KOSIEROWSKI** offered the following amendment No. **A05205**:

Amend Bill, page 2, line 9, by inserting after "amended" and the subsection is amended by adding a paragraph
Amend Bill, page 2, by inserting between lines 21 and 22
(9) Compile information to track money distributed by the Federal Government to entities within this Commonwealth under the Coronavirus Aid, Relief and Economic Security Act (Public Law 116-136, 134 Stat. 281) that was not received directly by or originally deposited into an account of the Commonwealth or an agency of the Commonwealth. The office shall regularly provide this information to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives. The office shall post this information to the office's publicly available Internet website. This paragraph shall expire on December 31, 2021.

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

The SPEAKER. Representative Kosierowski, on the amendment.

Mrs. KOSIEROWSKI. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require the Independent Fiscal Office to help the General Assembly track CARES (Coronavirus Aid, Relief and Economic Security) Act money coming into the Commonwealth. The State will receive a large amount of funding from the CARES Act across many program areas, but some funds will go to local entities and organizations directly from the Federal government. To help us coordinate our efforts, this amendment will task the IFO with compiling information about those funds that are not flowing through the

State budget. This will give us more information that we can use to help best target our resources and build an effective response to our constituents through this crisis.

I ask my colleagues to please support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Barb Gleim, on the amendment.

Mrs. GLEIM. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

It is a unanimous vote by the majority party. The board is correct.

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	Sappery
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	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 having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 2413, PN 3572**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in additional special funds and restricted accounts, providing for COVID-19 response transfers for assistance to the Commonwealth's volunteer service organizations.

On the question,

Will the House agree to the bill on second consideration?

Mrs. **SNYDER** offered the following amendment No. **A05193**:

Amend Bill, page 2, line 6, by inserting after "organizations" ; and making an appropriation

Amend Bill, page 2, lines 28 through 32, by striking out "Authorization.—The Secretary of the Budget shall only" in line 28, all of lines 29 through 31 and "House of Representatives" in line 32 and inserting

(Reserved)

Amend Bill, page 4, by inserting between lines 7 and 8

Section 2. The sum of \$30,000,000 is appropriated from the Volunteer Companies Loan Fund to the Pennsylvania Emergency Management Agency for the purpose of COVID-19 Crisis Fire and EMS Grants

Amend Bill, page 4, line 8, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Bradford.

Mr. BRADFORD. Thank you, Speaker.

Representative Snyder is actually offering this amendment. This amendment would transfer \$30 million from the Volunteer Companies Loan Fund to make an immediate \$30 million grant

program to help those fire companies that are currently struggling in this very difficult time. This would do that immediately, and it would require this transfer under this amendment from Representative Snyder.

Thank you, Speaker.

The SPEAKER. Thank you.

Representative Cris Dush, on the amendment.

Mr. DUSH. Thank you, Mr. Speaker.

And I commend Representative Snyder for her dedication to our firefighters, and she even had a bill on this. However, looking at the fund's balance – I looked at it this morning – and as of this morning, the Liquid Asset Pool is \$11,602,000; the Common Investment Pool, it still is under \$30 million, at \$29,535,000. In 2014 we ended up taking money from this fund in the amount of \$30 million; in 2016 we took \$9 million; and then just as of March 30, we received notification from the Governor that there is going to be another \$6 million taken from the Volunteer Companies Loan Fund.

Now, I have talked with Jerry Ozog, the Executive Director of the Pennsylvania Fire & Emergency Services Institute, who says raiding the VLAP (Volunteer Loan Assistance Program), the loan fund, is not a good idea. He has actually attempted to contact the State Fire Commissioner to find out where that \$6 million is going, and as of the last time I spoke with him, the Governor has not responded.

It is interesting, Representative Struzzi and I learned that the State Fire Commissioner, as we are getting ready to go into finding money for these guys, because their fundraisers have all been canceled, the Fire Commissioner's Office was declared "nonessential." In the midst of awarding the grants to the fire companies, they were sent home. They had some issued, but there are others that they were not, and two of those fire companies in my district were already – their spring fundraisers were already canceled, and now this money that deals with the operating funds has been cut off until, thankfully, the majority leader and Chairman Barrar got involved with it, and now they have been able to operate from home.

Mr. Speaker, this money, again, at some point I have a feeling we are going to – our fire companies are going to need this money anyway in the VLAP loan fund. We need to leave that alone. And the reason I want to say that is because this one is already under what this amendment states and my bill, as well, in chief. When I came in in 2015, one of the trust pools, the Public Transportation Trust Pool, was at \$193 million. Earlier this year it was at \$771 million, and the bulk of that happened in the matter of a month, in June of last year. Traditionally, that fund stays right between about \$190 and \$250 million. But that fund has got hundreds of millions of dollars in excess of what they have traditionally had, and that has just happened in the last year, and they have dumped over – just in the last couple of months – they have dumped almost \$200 million of that. That is down now to \$552 million.

So there are places where we can get this money outside of something that is so key to these first responders who are coming out there and working for us, and again, I would have given more consideration to this, except for the fact that the Governor is already taking another \$6 million out of that fund when it does not have enough money to cover it as it stands.

I ask for a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Neilson.

Mr. NEILSON. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for a "yes" vote for Representative Snyder's amendment, because we are talking about taking money out of the fund that fire companies can borrow from and giving it to these fire companies that need it right now. For volunteer fire companies to have to borrow to protect the public, that is ridiculous, especially now when they have no means to raise these funds, as the gentleman just indicated. They have no fundraising activities. They have no means of getting this money. This money is sitting there. No one is applying for these loans. It has been there for quite a while.

So, Mr. Speaker, I would ask that we do a "yes" vote and let this money get freed out to the volunteer fire companies so they are not in jeopardy of protecting the public and the people of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. I know of Representative Bradford and Representative Kortz.

Representative Kortz, you may proceed, sir.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of this amendment, and I want to congratulate the good lady from Greene County for putting this forward. She is exactly right. Our volunteer fire companies are taking it on the chin, Mr. Speaker. They cannot have their cash bashes, they cannot have their bingos; they can do no fundraising. These folks are in trouble out there, and the least we can do, by voting "yes" for this amendment, we are showing them a big "yes" that we are supporting them, and I urge a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford.

Mr. BRADFORD. Thank you.

Just for a point of clarity, as of yesterday at 4 p.m., the Treasurer's Web site actually has \$41,138,180 in the account. While I understand the gentleman believes some of that may be encumbered at a future date, I would just point out this need is now and there are, obviously, other dollars that are going to flow into the Commonwealth for COVID response. These fire companies need that assistance immediately. We have access to this cash, and we should use it to help those volunteer fire companies.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

And just as a follow-up, I will read the Treasury report: As of this morning, the combined numbers may be correct, but the cash, the Liquid Asset Pool is \$11,600,000. Otherwise, they are going to have to dip into the Common Investment Pool, which is an investment pool, take money that is tied up in investments, and that only has \$29 million. There are other funds out there, and the underlying bill in chief will actually take care of this just as immediately as this amendment, without having to dip into our fire companies trust fund.

Thank you, Mr. Speaker.

The SPEAKER. And the majority leader — well, Representative Ullman, did you want to speak, because I want to save the majority leader until the end.

Ms. ULLMAN. Thank you, Mr. Speaker.

I was looking for an e-mail that I had recently gotten from Plumsteadville Fire Company, really nice guys. I helped them flip pancakes, I stand there with buckets on the street corner and get change. This is real quick, because he just sent this to me: As we wind through the State, our fire company right now is losing

\$25,000: \$10,000 from a race, \$4,000 from roast beef, \$1,500 for the Relay for Life, \$10,000 on the coin toss, and they had to spend \$2,000 to buy PPE (personal protective equipment) to take care of what they needed to do, because they did not have the needed supplies. Right now they are just bleeding through their veins and they just need some money to help them through until they can start fundraising again.

Thank you, Mr. Speaker.

The SPEAKER. Representative Chris Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

This amendment, I think, is very important. This is something we have been dealing with and no one expected what we would be seeing with the coronavirus, and I think all of us, especially in some of the more rural areas who have the volunteer fire companies, have seen the devastation that has occurred. I know in my district before it all hit, you used to have fish dinners, they had gun raffles, they had things to generate their revenue for the year to be able to sustain the fire company, and one of my fire companies ended their fish dinners because of the coronavirus and for the safety of everyone. And I think it is so important. They lost like \$12,000 in revenue, and we need to do something for these fire companies to make up for this. They did what was right; they canceled. Even before they were required to cancel it, they did it; they did it.

So I think we are going to have to do something. I think this amendment is a good amendment, and if this amendment does not get in, this bill needs to be brought up, because we have to do something to help our fire companies to make up for this revenue that was lost because of the coronavirus. And we are not talking big dollars here. We are talking \$10,000 to \$20,000 to help them sustain their fire companies for the rest of this fiscal year. And we commend each of the men and women of these companies for what they do, and we have to do something for them, because without this revenue, these fire companies are going to be in grave danger; some of them may not be with us next year.

So thank you, Mr. Speaker.

AMENDMENT AND BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going to briefly go over this amendment. I will be back to it. I will be back to the amendment. We are going to go over the bill, too, for the time being.

* * *

The House proceeded to second consideration of **HB 2419**, **PN 3581**, entitled:

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, providing for COVID-19 Cost and Recovery Task Force; and making an appropriation.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GROVE** offered the following amendment No. **A05186**:

Amend Bill, page 2, lines 2 through 30; pages 3 through 8, lines 1 through 30; page 9, lines 1 through 9; by striking out all of said lines on said pages and inserting

Section 2101-C. Legislative findings.

The General Assembly finds and declares as follows:

(1) A novel coronavirus, known as COVID-19, entered the United States in late January 2020 and has spread throughout the states, including this Commonwealth.

(2) On March 6, 2020, the Governor declared a disaster emergency, citing a threat of imminent disaster that is of such a magnitude and severity as to necessitate extraordinary measures to protect the health, safety and life of this Commonwealth's citizens.

(3) The impact of COVID-19, including all the necessary measures taken to mitigate the spread of the disease, has severely disrupted the Commonwealth and its subdivisions and is producing short-term and long-term negative economic consequences.

(4) In order to effectively manage the current disaster, all branches of the Commonwealth's government must work cooperatively to identify immediate and urgent issues, provide a structure to catalog the Commonwealth's response to the disaster emergency and create a forum to receive testimony, information and recommendations from individuals, business and industry.

(5) In addition to managing the existing public health challenges of COVID-19, the Commonwealth will need a recovery plan once the emergency subsides to address the innumerable issues resulting from the disaster emergency, including the impact to the economy.

(6) The most effective manner to achieve these critical needs is to form an interbranch task force.

Section 2102-C. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Order." As follows:

(1) The declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

(2) A declaration of disaster emergency relating to the novel coronavirus, known as COVID-19, issued after March 6, 2020.

"Task force." The COVID-19 Cost and Recovery Task Force established under section 2103-C(a).

Section 2103-C. Task force.

(a) Establishment.—The COVID-19 Cost and Recovery Task Force is established.

(b) Membership.—The task force shall consist of the following members, appointed within five days of the effective date of this section:

(1) The Governor or a designee.

(2) The President pro tempore of the Senate or a designee.

(3) The Majority Leader of the Senate or a designee.

(4) The Minority Leader of the Senate or a designee.

(5) The Speaker of the House of Representatives or a designee.

(6) The Majority Leader of the House of Representatives or a designee.

(7) The Minority Leader of the House of Representatives or a designee.

(8) The Chief Justice of the Supreme Court or a designee.

(9) A judge of the Superior Court or Commonwealth Court or a judge of the court of common pleas appointed by the Chief Justice of the Supreme Court.

(c) Method of appointment.—An appointing authority under subsection (b) shall make appointment or replacement appointment by the transmission of a letter to the Governor, all ex officio members and all appointing authorities under subsection (b).

(c.1) Executive advisors.—The following shall serve as advisors to the task force:

(1) An officer or employee of the Department of

Agriculture to represent the Secretary of Agriculture.

(2) An officer or employee of the Department of Banking and Securities to represent the Secretary of Banking and Securities.

(3) An officer or employee of the Department of Community and Economic Development to represent the Secretary of Community and Economic Development.

(4) An officer or employee of the Department of Education to represent the Secretary of Education.

(5) An officer or employee of the Department of Human Services to represent the Secretary of Human Services.

(6) An officer or employee of the Insurance Department to represent the Insurance Commissioner.

(7) An officer or employee of the Department of Labor and Industry to represent the Secretary of Labor and Industry.

(8) An officer or employee of the Department of Transportation to represent the Secretary of Transportation.

(d) Advisory committees.—The following shall apply:

(1) The task force may establish advisory committees to review issues relating to the COVID-19 public health emergency that require executive, legislative or judicial action and to report related information to the task force.

(2) Members of an advisory committee shall be individuals appointed by the task force who have experience in the issue being reviewed. Members of the task force and individuals who are not members of the task force may be appointed to an advisory committee.

(3) Individuals appointed to an advisory committee who are not members of the task force shall represent the geographic, racial, gender and socioeconomic diversity of this Commonwealth. Individuals appointed to an advisory committee who are not members of the task force may not be a lobbyist as defined in 65 Pa.C.S. § 13A03 (relating to definitions) or an officer or an employee of a political party or political committee as defined in section 801 or 1621(h) of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(4) A member of the task force shall serve as the chairperson of each advisory committee.

(5) An advisory committee established under this subsection may be directed to review issues related to issues arising from the COVID-19 pandemic and the impact those issues have had on the Commonwealth.

(e) Chairperson.—The Governor or a designee under subsection (b)(1) shall serve as chairperson of the task force.

(f) Participation.—A member not physically present may participate by teleconference or video conference.

(g) Quorum and voting.—The following shall apply:

(1) A majority of the members of the task force participating in person, teleconference or video conference shall constitute a quorum.

(2) Action of the task force must be authorized or ratified by majority vote of the members of the task force.

(h) Meetings.—The following shall apply:

(1) The task force shall meet at least once a week.

Additional meetings may be called by the chairperson as necessary. The chairperson shall schedule a meeting upon written request of four members of the task force.

(2) The first meeting shall be convened within 10 days of the effective date of this paragraph.

(3) The task force may take actions necessary to conform to public gathering requirements ordered or recommended by the Secretary of Health or the Centers for Disease Control.

(4) The task force shall permit the public to view or listen to an advisory committee meeting through contemporaneous methods and make the recordings available on the Department of Community and Economic Development's publicly accessible Internet website.

(5) The task force or an advisory committee may hold public hearings if necessary.

(i) Expenses.—Members shall not receive compensation but shall be reimbursed for actual expenses incurred in service of the task force.

(j) Support.—The Office of the Governor, the Senate, the House of Representatives and the Administrative Offices of the Pennsylvania Courts shall provide administrative services to the task force or advisory committee.

(k) Applicability.—The following shall apply:

(1) (i) Except as provided under subparagraph (ii), the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, shall apply to the task force.

(ii) Correspondence between a person and a member of the task force and records accompanying the correspondence submitted under section 2104-C(a)(3) shall be exempt from access by a requester under the Right-to-Know Law. This subparagraph shall not apply to correspondence between a member and a principal or lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying).

(2) Except as provided under paragraph (3), the task force shall be deemed an agency for the purposes of 65 Pa.C.S. Ch. 7 (relating to open meetings).

(3) Public notice of a meeting of the task force shall be made by the by the chairperson no less than 24 hours prior to a meeting.

(4) A member of the task force shall be deemed a public official for the purpose of 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure). A statement required to be filed by a member under 65 Pa.C.S. § 1104(a) (relating to statement of financial interests required to be filed) due to the individual's membership on the task force shall be filed only with the State Ethics Commission.

(5) The task force shall be considered an independent agency for the purposes of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

Section 2104-C. Functions of task force.

(a) Powers.—The task force shall have the following powers:

(1) To request periodic updates from each agency under the Governor's jurisdiction, independent agencies, the legislature and the unified judicial system on any actions taken in response to the COVID-19 public health emergency.

(2) To appoint advisory committees under section 2103-C(d).

(3) To receive communications from individuals, businesses, nonprofit entities, local governments and any other entity regarding issues under subsection (b)(2).

(b) Duties.—The task force shall have the following duties:

(1) To monitor and track the response by the Commonwealth to the COVID-19 public health emergency during the time that the order remains active, including all actions taken under the authority of the order.

(2) To identify issues of immediate public importance relating to the COVID-19 public health emergency that require executive, legislative or judicial action and to make recommendations to the proper branch in a timely fashion.

(3) To develop and submit a recovery plan to the Executive Branch, Legislative Branch and Judicial Branch of the Commonwealth's government. A recovery plan shall include a documented, structured approach that describes how the Commonwealth and its political subdivisions can expeditiously resume mission-critical functions, including the restoration of housing, transportation, education and other public services and economic activity to levels equal to or better than their predisaster states through a series of short-term, intermediate and long-term strategies and actions. The recovery plan may be based in part or in whole on the Federal Emergency Management Agency's resources for recovery planning and managing recovery.

(4) To make a final report no later than six months after the order is terminated by executive order, proclamation or operation of law documenting all of the following:

(i) Actions taken by executive agencies under the order.

(ii) Legislative enactments made in response to the COVID-19 public health emergency.

(iii) Judicial orders made in response to the COVID-19 public health emergency.

(iv) A summary of actions undertaken by local governments in response to the COVID-19 public health emergency.

(v) A detailed summary of the actions taken by the task force and each advisory committee established under section 2103-C(d).

Section 2105-C. Appropriation.

The amount of \$1,000 is appropriated from the General Fund to the Department of Community and Economic Development for payment of reasonable expenses under section 2103-C(i). The appropriation under this section shall not lapse until the expiration of this article under section 2106-C. Any amount of the appropriation unexpended or uncommitted upon the expiration under section 2106-C shall lapse.

Section 2106-C. Expiration.

This article shall expire six months after the order is terminated by executive order, proclamation or operation of law.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Grove.

Mr. GROVE. Thank you, Mr. Speaker.

This amendment would just provide some clarity, increasing transparency of the task force, as well as change out the members of the task force. They will be replaced with the Governor or designee, the President pro tem or designee, majority leader of the Senate or designee, minority leader of the Senate or designee, Speaker of the House or designee, majority leader of the House or designee, minority leader of the House or designee, Chief Justice of the Supreme Court or designee, and then a judge of the Superior Court or Commonwealth Court or a judge of the court of common pleas appointed by the Chief Justice of the Supreme Court.

Mr. Speaker, the members of this task force align with the weekly calls the Governor gives to the leadership team of the House and the Senate, provides consistency, reduces the numbers, and they are already actively involved in these discussions moving forward. And if nothing else, Mr. Speaker, it gives more work to our leadership teams, which is always a good thing.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Does anybody else wish to speak on the amendment?

On the question recurring,

Will the House agree to the amendment?

(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 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	Roae	

NAYS—93

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

NOT VOTING—0

EXCUSED—1

Mako

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. CARROLL offered the following amendment No. A05198:

- Amend Bill, page 4, by inserting between lines 12 and 13
- (iv) A representative from a small business in this Commonwealth.
 - (v) A representative from a large employer in this Commonwealth.
 - (vi) A representative from a labor union in this Commonwealth.
 - (vii) A representative from the medical profession in this Commonwealth.
 - (viii) A representative from a nursing home facility in this Commonwealth.
 - (ix) A representative from a health insurance provider in this Commonwealth.
 - (x) A representative from a grocery store in this Commonwealth.
 - (xi) A representative from a school district in this Commonwealth.
 - (xii) A representative from a governing body of a county in this Commonwealth.

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

The SPEAKER. On the amendment, Representative Mike Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will add to the task force by adding what I would call some other folks that have a real stake in how this unfolds: small business owners, medical professionals, nursing home facilities, health-care providers, grocery store clerks – the folks that we cheer and celebrate every day. Those folks deserve a seat at this table as well. This amendment gives those folks a seat at the table. Let us not just cheer for them every day; let us give them a seat at the table so they can help make decisions. That would make a real difference, not just clapping for them at a window at 7 p.m.

The SPEAKER. On the amendment, Seth Grove, Representative Seth Grove, the prime sponsor of the bill.

Mr. GROVE. Thank you, Mr. Speaker.

We have the option of adding additional people in other language which was adopted by this body. We heard loud and clear that it was too many people and too unwieldy to begin with. So that is why we adopted the previous amendment, to narrow the scope, narrow the members on this task force, to meet those the Governor is already meeting with weekly. This provides the task force, as this provides an opportunity for that to happen. The individuals that the prime sponsor of this amendment went over could easily be added as advisory members and the task force should advise with those individuals, particularly our nursing homes, who are under a great scourge of half our deaths here in Pennsylvania. We should be having discourse with them. We should be having discourse with our hospitals, who are wanting to reopen and start doing essential surgeries. We should have discourse with them, Mr. Speaker. We should have discourse with our coroners, who are having great issues with the data the Department of Health is providing us on a day-to-day basis. That

should all happen, but they should be advisory members and provide their expert advice to this task force.

Thank you, Mr. Speaker.

The SPEAKER. So Representative Carroll will go and then the majority leader will go.

Representative Carroll, you may proceed.

Mr. CARROLL. Well, Mr. Speaker, if we are to take the advice of the gentleman from York, we will have legislators and elected officials at the table and the nurses at the bedside, remaining at the bedside, and checkout store clerks remaining behind the black belt, but not with a seat at the table. Mr. Speaker, what I just heard was [word stricken]. We need these folks to have a seat at the table, not just to stand by bedsides and not just to stand next to a grocery store checkout line.

How about our public school officials, Mr. Speaker? They are responsible for the education of tens and tens of thousands of children across this State and how their education unfolds. They deserve a seat at this table, a real seat, not just a "stand in the corner and keep your mouth shut." Let us give them a real seat at the table.

Let us, again, consider whom we are saying no to here: nurses, school officials, nursing home facility folks, small business people. Mr. Speaker, they deserve a seat at the table. Let us give them the seat at the table. This is not asking much. This is a task force, Mr. Speaker; an opportunity to have your profession and your expertise brought forward. We are not asking them to make the decisions that elected officials would make in the House and the Senate and the Governor's Office. These, Mr. Speaker, are recommendations. These recommendations should come from exactly these people, the folks that are being told no if we take the advice of the gentleman from York.

Mr. Speaker, I say "yes," let us give our nurses, let us give our health-care providers, let us give our grocery store clerks and others a seat at the table.

The SPEAKER. And the majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, despite the gentleman's impassioned plea, the truth is we had the chance for that vote last week and the members of his party voted "no." Mr. Speaker, we had 23 different people on the commission at such time when we voted it, and addressing the concerns of our current calls, because, please remember, the commission, as currently drafted now, as well as then, names those individuals or their designee. The language is there; the language is clear.

Mr. Speaker, we heard last week that we had to follow science, that we had to listen to the medical professionals. Why are we only limiting it to one medical professional, Mr. Speaker? What about the engineers that oversee traffic construction? What about other individuals, other work groups that are left out? Mr. Speaker, I believe the gentleman's focus is wrong in asking whose views are represented and should rather be asking, who is he excluding? The amendment, as drafted, and the bill, as amended, allows for maximum input while at the same time maximizing efficiency at the executive level. Mr. Speaker, these calls are already occurring on a weekly basis with the sole exception of the courts, which we would include in the amendment as drafted. So I understand the gentleman's passion, but I believe that it is misguided and somehow characterizing it as being exclusive. The truth is, we are looking for as much input as possible and we welcome the gentleman's support on not just the underlying bill as amended, but in the future as well.

Mr. Speaker, I urge opposition to this amendment, because we heard the Governor loud and clear. This is not the work group that was envisioned or, quite frankly, the one that is currently meeting. I urge a "no" vote so that we can find a solution.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is accurate for the majority party's vote.

The SPEAKER. And the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

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

NAYS—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	Ortity	Toepel
Diamond	Kail	Owlett	Tomlinson
Dowling	Kaufman	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	Roae	

NOT VOTING—0

EXCUSED—1

Mako

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

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

The SPEAKER. The bill as amended will be reprinted.

CONSIDERATION OF HB 2413 CONTINUED

**CONSIDERATION OF
AMENDMENT 05193 CONTINUED**

The SPEAKER. We are going to go back to HB 2413, page 3 of today's House calendar. This is PN 3572. We are going to recall the Snyder amendment, 05193.

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

The SPEAKER. And the majority leader.
Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe that the prime sponsor of the bill adequately raised some liquidity issues within the underlying fund. However, in consultation with our Appropriations chairman and knowing that there is some Federal money available for the COVID-19 response, I think that we should work collaboratively, because we do agree that we should be helping the volunteer fire companies, particularly those smaller rural companies that are impacted. So we need to understand what the liquidity limits are of the fund, but I also would caution that with the adoption of this amendment, we will also need to have further discussions about possibly backfilling this with Federal money.

So after discussing this with the Appropriations chairman, as well as the prime sponsor of the bill, I would politely urge the members to please support the underlying amendment, because we all agree that fire companies should be helped, but I also think we would, hopefully, all agree that we should and must operate under sound doctrines of cash flow so that these needs can be met while balancing all of the other needs contained in the budget as we work on that in the coming weeks.

So, Mr. Speaker, I appreciate the good gentleman's, the prime sponsor's discussions and details regarding this, but I also recognize the greater goal is to help those who need it, and I think that we all can hopefully agree on that. I would urge a unanimous vote.

Thank you, Mr. Speaker.
The SPEAKER. Thank you, sir.

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

(Members proceeded to vote.)

The SPEAKER. The majority whip.
Mr. BENNINGHOFF. Thank you, Mr. Speaker.
The electronic voting board is accurate for the majority party's vote. 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—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	Sappery
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causer	Greiner	Merski	Schroeder
Cephas	Grove	Metcalf	Schweyer
Ciresi	Hahn	Metzgar	Schusterman
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	Kaufner	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 having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on second consideration as amended?

The SPEAKER. Representative Stephen Barrar has amendment 05246 – he waives off. Thank you, sir. He waives off.

There are no other amendments to HB 2413. Oh, I am sorry; Representative Burns has an amendment?

Representative Burns, I do not have it, but if you just want to come up and tell us what the amendment is and I will check.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Mr. **BURNS** offered the following amendment No. **A05276**:

Amend Bill, page 3, lines 8 and 9, by striking out "period beginning on September 1, 2019." and inserting "periods beginning on September 1 of calendar year 2017, 2018 or 2019."

On the question,

Will the House agree to the amendment?

RULES SUSPENDED

The SPEAKER. This is a late-filed amendment, so there would have to be a motion for suspension.

Representative Burns.

Mr. **BURNS**. I would like to make a motion to suspend the rules for consideration.

The SPEAKER. And please just state the basis for your motion, sir.

Mr. **BURNS**. In the bill itself it only covers fire companies that got their funding last year. Now, there is a handful of small rural companies that, for whatever reason, sometimes have a hard time—

The SPEAKER. Sir, I apologize. You will be able to speak on the amendment, but on the motion to suspend.

Mr. **BURNS**. I would like to make a motion to suspend to consider amendment 05276, on the basis that there will be fire companies out there that are not going to get funding through this and our job is not to punish those who did not get the money last year, but to make sure this emergency funding is shared by all, and I urge you to vote so that some of the smallest fire companies in our area can get the funding they need.

The SPEAKER. So this is a late-filed amendment and it is a motion to suspend the rules to allow the amendment. A motion to suspend requires a two-thirds vote, which is 136 "yes" votes.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Cris Dush, on the motion to suspend.

Mr. **DUSH**. Mr. Speaker, I am not usually for suspending the rules, but apparently there are going to be a couple of fire companies that, for whatever reason, did not get on that grant list for this year, this past year, so I am going to be asking for support in suspension of the rules.

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 with a unanimous vote by the majority party.

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
Causser	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	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

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

(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 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	Sappery
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg

Carroll	Gregory	Mentzer	Schmitt
Causar	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	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 having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 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 is accurate on this vote for the majority party.

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	Longiotti	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	Sappery
Burgos	Gleim	McClinton	Saylor
Burns	Goodman	McNeill	Schemel
Caltagirone	Green	Mehaffie	Schlossberg
Carroll	Gregory	Mentzer	Schmitt
Causar	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	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 bill passed finally.

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

* * *

The House proceeded to third 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 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?

The Chair recognizes Representative David Rowe.
Mr. ROWE. Thank you, Mr. Speaker.

Mr. Speaker, Act 314 of 1935 imposed a graduated income tax on both residents and nonresidents of Pennsylvania for the purpose of generating funding for public schools. The Pennsylvania Supreme Court in that same year declared that act unconstitutional, based on the violation of the uniformity clause of the Pennsylvania Constitution. Mr. Speaker, HB 2259 will simply repeal this unconstitutional tax and simplify and streamline the tax code, and I would ask for an affirmative vote.

Thank you, Mr. Speaker.
The SPEAKER. Thank you, sir.

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 recognizes the majority whip.
Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does accurately reflect the unanimous vote by the Republican Party.

The SPEAKER. And the Chair recognizes 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	Longiotti	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	Kaufert	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 bill passed finally.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2418, PN 3580**, entitled:

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

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

Ms. DALEY offered the following amendment No. **A05200**:

Amend Bill, page 2, line 10, by striking out "June 30, 2020." and inserting

60 days after the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at Pa.B. 1644 (March 21, 2020), and any renewal of the State of Disaster Emergency, is terminated or expires under 35 Pa.C.S. § 7301 (relating to general authority of Governor).

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

The SPEAKER. Representative O'Neal, on the amendment – I do not see anybody else speaking on it.

On the amendment, sir.

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

Mr. Speaker, I would encourage the members to oppose this amendment. This bill passed the House already and it included in SB 327 the identical language that the stand-alone bill now offers. Please oppose the amendment. Thank you.

The SPEAKER. The majority leader, on the amendment, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I also want to add that I believe the good lady's intentions are good. However, by possibly extending the report date past 60 days of the duration of the emergency, we actually risk potentially missing this budget cycle, which is how the bill is currently drafted. Please remember, in all the discussions regarding refinancing debt, the goal was to free up additional cash flow to support those social programs which we all know have a higher increase in demand in the current crisis.

So I would urge the members to leave the bill as it is drafted, have the report by June 30 so that we can course-correct as needed for the social programs and we can also discuss further reports, should this declaration of emergency go on for multiple months or a year or more, such as the current opioid one.

Mr. Speaker, I think it is pertinent to get good information now as well as later, not just later. I urge a "no" vote.

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

(Members proceeded to vote.)

The SPEAKER. The majority whip.
 Mr. BENNINGHOFF. Thank you, Mr. Speaker.
 The electronic voting board is correct for the majority party's votes.

The SPEAKER. And the minority whip.
 Mr. HARRIS. Thank you, Mr. Speaker.
 The electronic board is accurate.

The following roll call was recorded:

YEAS—93

Bizzarro	Donatucci	Kortz	Ravenstahl
Boyle	Driscoll	Kosierowski	Readshaw
Bradford	Evans	Krueger	Roebuck
Briggs	Fiedler	Kulik	Rozzi
Bullock	Fitzgerald	Lee	Sainato
Burgos	Flynn	Longiotti	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
Delloso	Kinsey	Petrarca	Youngblood
DeLuca	Kirkland	Rabb	Zabel
Dermody			

NAYS—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
Causar	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	Roae	

NOT VOTING—0

EXCUSED—1

Mako

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

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

AMENDMENT RULED OUT OF ORDER

The SPEAKER. Amendment 05192 is ruled out of order, after consultation with the Parliamentarian. It is on the basis of section 1703-A, "Disposition of Budget Stabilization Reserve Fund," and that is 72 P.S. § 1703-A, and then in addition, the subject is debt cost reduction review. This actually creates a new program called Small Business First Program that does not presently exist and is taking money from the Budget Stabilization Reserve Fund. I will leave it to anybody to argue, but it is ruled out of order.

RULING OF CHAIR APPEALED

The SPEAKER. Representative Schweyer.
 Mr. SCHWEYER. Thank you, Mr. Speaker.
 Mr. Speaker, I would like to make a motion.
 The SPEAKER. You certainly may, sir.
 Mr. SCHWEYER. Thank you, sir.

I would like to make a motion to appeal the ruling of the Chair.
 The SPEAKER. Yes. Just give me a second. I will state the issue and then call upon you.

Mr. SCHWEYER. Yes, sir.
 The SPEAKER. The question is, shall the decision of the Chair stand as the judgment of the House? And the good gentleman will be able to speak on his appeal. Those in favor of sustaining the Chair's decision will be voting "aye"; those opposed will be voting "nay."

On the question,
 Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. Representative Schweyer, you may proceed, sir.

Mr. SCHWEYER. Thank you, Mr. Speaker.
 Mr. Speaker, I was a little confused by the ruling, sir. In your comments there, you had mentioned that this is the creation of a new program. It is, in fact, not the creation of a new program. In fact, earlier today DCED (Department of Community and Economic Development), if my information is correct, pushed out another \$60 million of funding through this program. What the amendment does, sir, is help recapitalize that program and tweak some of the parameters of it, and the underlying nature of this bill, HB 2418, which I certainly understand the desire of the maker of the bill, is to create an opportunity to provide for the economic stability for our Commonwealth, which, obviously, again we are all concerned about, but this bill would also provide for the economic stability of the Commonwealth by helping to avoid an economic breakdown when the State is – rightfully, I would add – under the stay-at-home order. Where this amendment is needed, Mr. Speaker, is to help ensure that once the crisis is past us, that the people of Pennsylvania can safely go back to work, and yet we need to make sure that there are, in fact, jobs and an economy for them to go back to. Just so the members

know, Mr. Speaker, this amendment would make sure that organizations that provide health-related services and domestic violence or rape crisis prevention, violence prevention services, counseling services, shelter for homeless folks, our food banks, adult literacy services, and other organizations have the funding that they need through an existing program, again, that is just undercapitalized, to be able to be there when this crisis is past us.

So again, Mr. Speaker, I believe not only do I disagree with the ruling, I also believe that it adheres to the single-subject rule, and again, as an added bonus, that supporting this motion and then the amendment at large will allow us to stand up for those employees who hope to have a job to go back to once this is all said and done.

Mr. Speaker, I ask the members to vote to override the ruling of the Chair.

The SPEAKER. Thank you, sir.

And before I call on the majority leader, we had been – the Parliamentarian and I had been informed that this was a new program, but you are correct, it is not a new program. It is established under 12 Pa.C.S. Ch. 23. You are correct. We are still relying on, in consultation with the Parliamentarian, 72 P.S. § 1703-A and single subject.

The Chair calls upon the majority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we welcome the gentleman's support and all the members of the chamber, hopefully, of safely reopening our economy piece by piece, for those individuals who want to do so and can safely return to work. However, Mr. Speaker, as is often the case, as we debate many of the issues up here, it is not the identification of the problem where we disagree. We agree that all of those programs are good. We agree that our citizens need some support. But, Mr. Speaker, the laws, the rules, and the Constitution still apply. The good gentleman seeks to take \$100 million from our Rainy Day Fund, and that is a discussion that could certainly be appropriate at a different time, but it is the way that this amendment is drafted. Mr. Speaker, this is a concern that we have seen time and time again from many of the individuals who draft amendments and simply cannot follow the rules. Mr. Speaker, our law is very clear and the short version is this: We must have a separate appropriation bill. The Fiscal Code requires that appropriations from the Rainy Day Fund, or the Budget Stabilization Reserve Fund, have to be made by a, quote, "separate appropriation bill," end quote. Therefore, any amendment attempting to add a Rainy Day Fund appropriation to the language of a substantive bill would, in fact, be out of order and is not, by definition, a separate appropriation bill.

Furthermore, Mr. Speaker, I believe the good gentleman has a vote problem, and that is why also we do not include this in the underlying bill, because by adopting this amendment, if it were in order, you would create a threshold where we override the two-thirds majority requirement needed for the Rainy Day disbursements by a simple majority vote here in the chamber.

Mr. Speaker, the Chair's ruling is correct. We agree that the goals are noble, we agree that we should continue to work together, but, Mr. Speaker, that does not negate the ability to follow the rules as they are currently drafted. Rainy Day appropriations, or reserve fund appropriations, must be in a separate bill as well as require a two-thirds vote here in the chamber.

Mr. Speaker, we do not question anyone's intent or their desire to help people, but the Constitution and the rules are quite clear, and I must, respectfully, argue that the gentleman, not on the merit of the underlying funding, but on the inability to draft an amendment that is compliant with the rules.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford, the minority Appropriations chair.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise to concur with my good friend from Allentown. I believe that the objections we have seen raised indicate a real lack of desire to get to what we need to do, which is push money into this program—

POINT OF ORDER

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

Mr. BRADFORD. We need to recapitalize this program—

Mr. CUTLER. Point of order.

The SPEAKER. Representative, it is a point of order. I am going to call on the majority leader.

Yes, sir; you may proceed.

Mr. CUTLER. Mr. Speaker, I believe "desire" would speak to motive, which is also inappropriate under our rules. I understand the good gentleman has struggled to draft amendments throughout the week that are consistent with the rules, but I would urge the Chair to please keep him on point.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford, if everybody could just stay away from motivations.

Mr. BRADFORD. I know the gentleman takes issue with drafting—

The SPEAKER. You may proceed.

Mr. BRADFORD. I must tell you, our office is currently working on one staffer, so I am not going to throw that staffer under the bus. But I think what we need to do, rather than get into the minutia and the i's dotted and the t's crossed, is talk about what the good gentleman from Allentown wants to do, which is to recapitalize the CWCA (COVID-19 Working Capital Access)—

POINT OF ORDER

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

The SPEAKER. Yes. The majority leader, on a point of order.

Mr. CUTLER. I believe that the substantive discussion of the amendment would be appropriate if and when the ruling of the Chair is overruled. Should not the good gentleman simply speak to why he believes the ruling of the Chair is wrong, based by the rules, as opposed to the underlying merits of the amendment, which is a separate and distinct debate?

The SPEAKER. Representative Bradford, shall the decision of the Chair stand as the judgment of the House?

Mr. BRADFORD. We should overrule the opinion of the Chair, and to be honest, for clarity, there were so many objections, reverted objections. The rulings were then changed. I am not even sure what the gentleman is objecting to. I am trying to explain that I believe that we should overrule the ruling of the Chair because the CWCA fund, capital assistance fund for small

business, needs to be recapitalized, and to continue to engage in this whack-a-mole use of parliamentary procedure and then to act as though we want to do this, but we really cannot, I say put it up for a two-thirds vote, if that is the gentleman's opinion, if that is the opinion of the Chair, with all due respect, but let us recapitalize this fund. So many people are talking about small business and their support for it. It is raining for small business in Pennsylvania. We have a Rainy Day Fund with more than sufficient funds to do this. We had this challenge in Appropriations the other day about a two-thirds vote for this. We are more than happy to show that we believe this body in almost unanimous fashion will vote to recapitalize this fund. I think two-thirds will be the least of our problems.

What I think we need to do is show that it is raining for small business, that there is money in this fund, and let us get about the business of overruling the ruling of the Chair and let us get money out to our small businesses. Let us not just talk about supporting small business, by forcing workers back into those businesses. Let us get working capital into those funds that were oversubscribed in about 24 hours when it last opened. We have an obligation to do this. We have funds available. We know that there are funds coming that can recapitalize these funds, but let us get help out right away to our small businesses. Let us stop with the rhetoric, and let us put up the votes and start funding and helping our small businesses.

Thank you, Speaker.

The SPEAKER. So the question is, shall the decision of the Chair stand as the judgment of the House?

And the majority leader is recognized.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, again, there is no disagreement over the underlying goals. However, I think what we have heard from the good gentleman is the management style of the ends always justify the means, ignoring the rules, the laws, or in some cases the Constitution. The statutes are very clear, and the proper course of action would be to repeal the statutes, if that is the course that we wish to go. This bill, this amendment, as drafted, does not do that. Mr. Speaker, we are not discussing esoteric ideas. What we are discussing is a mechanical and the proper way to address the good gentleman's needs. We cannot approach, to use the good gentleman's terms, a whack-a-mole approach in drafting amendments. The rules are very clear; the law is very clear. It requires a two-thirds suspension or two-thirds vote of support in order to spend money out of the rainy day or reserve fund.

Mr. Speaker, furthermore, I believe it is fairly clear that separate means separate. Separate means an individualized bill. I have not seen such an individualized bill put forward by any members so far that I am aware of. Perhaps there is one in committee. But the fact of the matter is, and it does not change, just because it is for a good purpose or some other purpose – I will not question the purpose of these amendments that are not drafted properly – but it certainly calls into question the dilatory nature of amendments that consistently time after time after time are not drafted properly.

Mr. Speaker, we agree on the goals, we agree that we need solutions. I would hope that we could also agree that we still have to abide by the rules, the laws, and the Constitution, and that, Mr. Speaker, is not what I have seen so far. I would encourage supporting the motion of the Chair, because it is proper. It is

proper because the law is clear. And the good gentleman, if he would like to have a further sidebar, I am happy to counsel him in drafting amendments.

Thank you, Mr. Speaker.

The SPEAKER. Shall the decision of the Chair stand as the judgment of the House?

Those in favor of sustaining the Chair's decision will vote "aye"; those opposed will vote "nay."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

(Members proceeded to vote.)

The SPEAKER. The majority whip.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does represent 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—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
Causar	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	Kaufman	Peifer	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		Roae	

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	Sappery
Carroll	Gainey	Markosek	Schlossberg

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

NOT VOTING—0

EXCUSED—1

Mako

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

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

The SPEAKER. There are no further votes.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 852 By Representatives ULLMAN, HILL-EVANS, MURT, ROZZI, BIZZARRO, KINSEY, DONATUCCI, LONGIETTI, MILLARD, BURGOS, FREEMAN, BURNS, KIM, YOUNGBLOOD, READSHAW, KORTZ, McCLINTON, CONKLIN, BOBACK, NEILSON, MALAGARI, GALLOWAY, SHUSTERMAN, SAYLOR, HOWARD and FRANKEL

A Resolution recognizing the month of April 2020 as "World HIE Awareness Month" in Pennsylvania.

Referred to Committee on HEALTH, April 27, 2020.

No. 853 By Representatives SCHROEDER, HENNESSEY, KIM, BIZZARRO, KORTZ, RYAN, READSHAW, FREEMAN, LONGIETTI, KINSEY, DONATUCCI, SCHMITT, SONNEY, STAATS, MALAGARI, BURNS, ROZZI, MILLARD, CIRESI, M. K. KELLER and MURT

A Resolution designating the week of May 3 through 9, 2020, as "Tardive Dyskinesia Awareness Week" in Pennsylvania.

Referred to Committee on EDUCATION, April 27, 2020.

No. 854 By Representatives KENYATTA, BURGOS, FIEDLER, KINSEY, SANCHEZ, INNAMORATO, HOHENSTEIN, SCHWEYER, SCHLOSSBERG, YOUNGBLOOD, LEE, ISAACSON, GREEN, FRANKEL, MADDEN, GAINNEY and McCLINTON

A Resolution urging the Congress of the United States to include undocumented residents in all future COVID-19 stimulus and recovery plans.

Referred to Committee on STATE GOVERNMENT, April 27, 2020.

HOUSE BILLS INTRODUCED AND REFERRED

No. 777 By Representatives KLUNK, FARRY, HERSHEY, MASSER, RYAN, ROTHMAN, NELSON, KNOWLES, SAINATO, KAUFFMAN, JONES, LONGIETTI, KEEFER, KORTZ, GLEIM, ECKER, HILL-EVANS, WARNER, SCHLEGEL, CULVER, THOMAS, BENNINGHOFF, SAYLOR, SNYDER and JAMES

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in club licensees, further providing for report and for distribution of proceeds.

Referred to Committee on GAMING OVERSIGHT, April 27, 2020.

No. 2447 By Representatives ULLMAN, HILL-EVANS, MILLARD, KINSEY, HOHENSTEIN, BURGOS, KENYATTA, CALTAGIRONE, ROZZI, BRIGGS, McCLINTON, GALLOWAY, WILLIAMS, DONATUCCI, READSHAW, WARREN, DeLUCA, NEILSON, FRANKEL, MURT, WEBSTER, SHUSTERMAN, YOUNGBLOOD, DELLOSO, HOWARD and MADDEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for associate degree for transfer programs.

Referred to Committee on EDUCATION, April 27, 2020.

No. 2448 By Representatives T. DAVIS, KINSEY, SCHLOSSBERG, BRIGGS, GALLOWAY, BURGOS, DONATUCCI, SANCHEZ, ROZZI, SCHWEYER, HOWARD, DeLUCA, NEILSON, FRANKEL and KORTZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, providing for suicide prevention hotline telephone number on student identification card; and, in school safety and security, further providing for school safety and security coordinator.

Referred to Committee on EDUCATION, April 27, 2020.

No. 2449 By Representatives SHUSTERMAN, ULLMAN, BRIGGS, HANBIDGE, SCHWEYER, KENYATTA, BURGOS, WILLIAMS, DRISCOLL, GREEN, T. DAVIS, LONGIETTI, YOUNGBLOOD, KORTZ, KIM, GALLOWAY, MULLINS, BIZZARRO, SANCHEZ, WEBSTER, CEPHAS, MADDEN, KINSEY, FRANKEL, OTTEN, SIMS, CIRESI, MALAGARI, DeLUCA, READSHAW, ROEBUCK, MERSKI, STURLA, KOSIEROWSKI, HOHENSTEIN and DONATUCCI

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in small business first, providing for subchapter heading and for relief during emergency; and making editorial changes.

Referred to Committee on COMMERCE, April 27, 2020.

No. 2450 By Representatives SHUSTERMAN, SCHLOSSBERG, YOUNGBLOOD, GREEN, DONATUCCI, SANCHEZ, O'MARA, HOHENSTEIN, SCHWEYER, CIRESI, DeLUCA, FRANKEL, KORTZ and HOWARD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in special licenses and permits, further providing for definitions, for exotic wildlife possession permits and for menagerie permits.

Referred to Committee on GAME AND FISHERIES, April 27, 2020.

No. 2451 By Representatives SCHWEYER, GALLOWAY, WEBSTER, BURGOS, SCHLOSSBERG, HOHENSTEIN, CALTAGIRONE, MARKOSEK, YOUNGBLOOD, McNEILL, DELLOSO, WILLIAMS, HILL-EVANS, FREEMAN, NEILSON, McCLINTON, DRISCOLL, SANCHEZ, READSHAW, DEASY, DeLUCA, LEE, GREEN, FRANKEL, CIRESI, MADDEN and GAINNEY

An Act providing for the Emergency COVID-19 Homelessness Grant Program; imposing duties on the Department of Human Services; and making an appropriation.

Referred to Committee on HUMAN SERVICES, April 27, 2020.

No. 2452 By Representatives CIRESI, SNYDER, HOHENSTEIN, YOUNGBLOOD, MURT, ULLMAN, KOSIEROWSKI, FREEMAN, CEPHAS, SANCHEZ, ISAACSON, HANBIDGE, SCHLOSSBERG, RAVENSTAHL, SHUSTERMAN, OTTEN, HILL-EVANS, CONKLIN, MULLINS, DALEY, WILLIAMS, MALAGARI, SCHWEYER, A. DAVIS, FRANKEL, CALTAGIRONE, ROZZI, GALLOWAY, DERMODY, DONATUCCI, LEE, MADDEN, ROEBUCK, STURLA and DELLOSO

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for small business grant program, imposing duties on the Department of Community and Economic Development and making an appropriation.

Referred to Committee on COMMERCE, April 27, 2020.

No. 2454 By Representatives SAPPEY, FREEMAN, KINSEY, SCHWEYER, READSHAW, GALLOWAY, KENYATTA, HANBIDGE, SCHLOSSBERG, SANCHEZ, DELLOSO, KORTZ, WARREN, DERMODY, WILLIAMS, SHUSTERMAN, A. DAVIS, BIZZARRO, FRANKEL, HOHENSTEIN, HILL-EVANS, ISAACSON, YOUNGBLOOD, SIMS, INNAMORATO, DeLUCA, KIM, HOWARD, T. DAVIS, CIRESI, MADDEN, O'MARA, ROZZI, MERSKI, WEBSTER, McCLINTON and ZABEL

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.

Referred to Committee on INSURANCE, April 27, 2020.

BILLS RECOMMITTED

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

HB 2392;
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 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 2206;
HB 2369;
HB 2370;
HB 2386; and
SB 1108.

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 HB 1677 and HB 1779 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 TABLED

The SPEAKER. The majority leader moves that HB 1677 and HB 1779 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.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1912, PN 2660**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in records, further providing for records and fees for copies.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1912 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 1912 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 1037, PN 1836**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions and for application; and, in exemptions, applicability and penalties, further providing for penalties.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1037 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 1037 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 Dave Maloney moves that the House be adjourned until Tuesday, April 28, 2020, at 11 a.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 6:36 p.m., e.d.t., the House adjourned.