

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

FRIDAY, SEPTEMBER 11, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)
PRESIDING**

PRAYER

HON. BRYAN CUTLER, Speaker of the House of Representatives, offered the following prayer:

Father God, as we come here today I just ask for Your blessings upon our country on this day of remembrance. Lord, I ask that You be with the families that have lost loved ones from 9/11 until this day. I ask, Lord, that You continue to bless this Commonwealth and the United States that we may always seek Your guidance, Your wisdom, and pursue the freedoms that we have been guaranteed. We ask this in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, September 2, 2020, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2851 By Representatives DUSH, DONATUCCI, KORTZ, HENNESSEY, HICKERNELL, COX, GREINER, KIM, RYAN, MURT, LONGIETTI, BURNS, STRUZZI, ROTHMAN, VITALI, JAMES, PETRARCA, HILL-EVANS, PYLE, BERNSTINE, READSHAW, SONNEY, SCHMITT, MILLARD, SAINATO, HEFFLEY, DEASY, NEILSON, SANKEY, ROEBUCK and CONKLIN

An Act designating the bridge, identified as Bridge Key 40209, on State Route 1014 over the North Branch of Two Lick Creek in Green Township, Indiana County, as the Private Carl Edgar Keith Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 9, 2020.

No. 2852 By Representatives DIAMOND, COX, GAYDOS, RYAN and SCHEMEL

An Act amending the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act, providing for public notice, further providing for board of arbitration, powers and procedures regarding arbitration and for determination of board of arbitration, providing for issues excluded from collective bargaining and arbitration and further providing for costs and expenses.

Referred to Committee on LABOR AND INDUSTRY, September 9, 2020.

No. 2853 By Representatives IRVIN, RYAN, ROZZI and GAYDOS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in dissolution of marital status, further providing for decree of court.

Referred to Committee on JUDICIARY, September 9, 2020.

No. 2854 By Representatives MURT, BURNS, SONNEY, RYAN, YOUNGBLOOD, SAYLOR, GREEN, HENNESSEY, TOOHIL, DONATUCCI, KORTZ and MILLARD

An Act designating a portion of the Pennsylvania Turnpike, known as the Willow Grove Interchange, and Willow Grove Exit 343 at Pennsylvania Route 611 in Upper Moreland Township, Montgomery County, as the Senator Stewart J. Greenleaf Interchange.

Referred to Committee on TRANSPORTATION, September 9, 2020.

No. 2855 By Representatives QUINN, NEILSON, CIRESI, SOLOMON, COOK, HILL-EVANS, BARRAR, TOMLINSON, MILLARD and THOMAS

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for definitions and for alternative energy portfolio standards, providing for solar photovoltaic technology requirements, for contract requirements for solar photovoltaic energy system sources, for renewable energy storage report, for energy storage deployment targets and for contracts for solar photovoltaic technologies by Commonwealth agencies and further providing for portfolio requirements in other states; and making a related repeal.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 9, 2020.

No. 2856 By Representatives COMMITTA, McCARTER, FREEMAN, HOHENSTEIN, SHUSTERMAN, VITALI, LEE, CALTAGIRONE, WILLIAMS, HILL-EVANS, FRANKEL, SANCHEZ, ULLMAN, RAVENSTAHL, BRIGGS, SAPPEY, JOHNSON-HARRELL, DALEY, HANBIDGE, KIM, McNEILL, McClINTON, FITZGERALD, HOWARD, BURGOS, ROEBUCK, STURLA, WARREN, WEBSTER and SCHLOSSBERG

An Act establishing the CO2 Budget Trading Program; providing for powers and duties of department; establishing the Energy Transition Fund; providing for revenue from sale of carbon allowances; establishing the Energy Transition Board; and providing for energy transition plan.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 9, 2020.

No. 2857 By Representatives KEEFER, RYAN, BARRAR, SAYLOR, GROVE, GAYDOS, KLUNK, BROOKS, RADER, SCHEMEL, SCHLEGEL CULVER, KNOWLES and MOUL

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 persons eligible for medical assistance.

Referred to Committee on HEALTH, September 9, 2020.

No. 2859 By Representatives McNEILL, LEE, FREEMAN, KINSEY, DELLOSO, MADDEN, T. DAVIS, HILL-EVANS, HOWARD, DeLUCA, SIMS, YOUNGBLOOD, CIRESI, SAMUELSON, SANCHEZ, SHUSTERMAN, McClINTON, KORTZ, HARRIS, ROZZI, DONATUCCI, NEILSON, GREEN, A. DAVIS, KIRKLAND, PASHINSKI, SCHWEYER and MULLERY

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

Referred to Committee on TRANSPORTATION, September 9, 2020.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2787, PN 4334**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 2787, PN 4334

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for precautions against spread of COVID-19; and, in terms and courses of study, providing for sports and extracurricular activities during the COVID-19 pandemic.

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

REMEMBRANCE OF VICTIMS OF 9/11 TRAGEDY

REMARKS BY SPEAKER

The SPEAKER. As the members might recall, today is a very somber date. On this date 19 years ago, it was a Tuesday morning that started like many others – I know, personally, I was working as an x-ray technologist at Lancaster General Hospital at the time and my wife was working as a nurse – until 8:46 a.m. that morning when American Airlines Flight 11 crashed into the World Trade Center's North Tower; and at 9:03 a.m. United Airlines Flight 175 crashed into the South Tower; and at 9:37 a.m. American Airlines Flight 77 crashed into the western side of the Pentagon; and finally, at 10:03 a.m. United Airlines Flight 93 crashed into a field just north of Shanksville, in Somerset County.

That attack took the lives of 2,977 Americans, injured more than 25,000 more, and created long-term health impacts on countless numbers. Among those killed, 343 firefighters, 72 law enforcement officers, people who in the face of the ultimate evil ran towards the danger to try and save the lives of their fellow man. For a generation of Americans, it remains the single most impactful event that they have ever experienced.

I know recently my wife and I had the privilege to travel to Somerset County, outside of Shanksville, and visited the Flight 93 Memorial, and it was a truly powerful reminder of America's ability and resilience in the face of danger. The individuals who fought back on that plane exhibited a spirit that I think has been woven into the fabric of our country since our founding. And sadly, for our children, they have grown up in a time where they do not know a post-9/11 world. But that impact is not just measured in the intensity of the emotions that can overcome us if we stop to think about the events on that fateful day, but it is also measured in how we responded as Americans – a sense of patriotism, duty, and pride that still exists today.

The days, weeks, and months after the attacks saw Americans celebrating what makes this country special: a pride in our communities; a feeling that while we were a nation in mourning, we would rise up stronger; and more than anything, a commitment that no terrorist could ever break the American spirit.

Our men and women of the military, under direction from multiple Presidents, continue to seek out those who harm our people and disrupt our way of life. We have been fortunate to thank many of the heroes in this very chamber, and we are also blessed by the return of one of our own who was recently serving overseas. But we also have mourned those from our Commonwealth who made the ultimate sacrifice.

Next year will mark two decades since those attacks and our nation has come a long way and seen many changes. We will never forget what happened, and we will always honor those who lost their lives by living with a sense of purpose and pride that this is the greatest nation on the earth.

I will ask for a moment of silence in remembrance of the victims.

(Whereupon, a moment of silence was observed.)

The SPEAKER. Thank you.
Members may be seated.

**BILLS REREPORTED FROM RULES
COMMITTEE AND TABLED
PURSUANT TO HOUSE RULE 22**

HB 1820, PN 3951 By Rep. BENNINGHOFF

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for seizure recognition and related first aid training.

RULES.

HB 1930, PN 3949 By Rep. BENNINGHOFF

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, making extensive amendments; and adding provisions relating to preliminary provisions, administration, criminal history for employees, reporting suspected abuse by employees and miscellaneous provisions.

RULES.

HB 2022, PN 4316 By Rep. BENNINGHOFF

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, establishing the Veterans' Outreach and Support Network Program.

RULES.

HB 2098, PN 3946 By Rep. BENNINGHOFF

An Act providing for dedication of portion of sales and use tax; and establishing the Tourism, Museum and Arts Trust Fund.

RULES.

HB 2100, PN 2979 By Rep. BENNINGHOFF

An Act designating September 11 of each year as "September 11th Remembrance Day" in this Commonwealth; and providing for the observance of "September 11th Remembrance Day" in public school entities and during public meetings.

RULES.

HB 2322, PN 3952 By Rep. BENNINGHOFF

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for how constituted.

RULES.

HB 2324, PN 3368 By Rep. BENNINGHOFF

An Act designating a bridge on that portion of State Route 4001 over Crooked Creek, Armstrong Township, Indiana County, as the Sergeant Carl Roof Bridge.

RULES.

HB 2352, PN 3913

By Rep. BENNINGHOFF

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, providing for liability for false claims, for adoption of congressional intent of the Federal False Claims Act, for damages, costs and civil penalties, for powers of Attorney General and for civil investigative demands.

RULES.

HB 2420, PN 4338

By Rep. BENNINGHOFF

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions.

RULES.

HB 2543, PN 4076

By Rep. BENNINGHOFF

An Act providing for COVID-19 testing in long-term care facilities and for duties of the Department of Health and Department of Human Services.

RULES.

HB 2598, PN 3928

By Rep. BENNINGHOFF

An Act repealing the act of February 27, 1868 (P.L.43, No.9), entitled "An act to declare the true intent and meaning of the eleventh section of an act to provide for the reduction of the public debt, approved April twenty-second, Anno Domini one thousand eight hundred and forty-six."

RULES.

HB 2599, PN 3929

By Rep. BENNINGHOFF

An Act repealing the act of April 9, 1870 (P.L.59, No.38), entitled "A supplement to an act, entitled 'An Act to provide for the reduction of the public debt,' approved the twenty-second April, Anno Domini one thousand eight hundred and forty-six."

RULES.

HB 2724, PN 4197

By Rep. BENNINGHOFF

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for definitions; and providing for recreational user's claim for property rights and for the substitution of the Department of Conservation and Natural Resources for a party in litigation.

RULES.

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 2022 and HB 2100 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.

CALENDAR**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.

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The House proceeded to second consideration of **HB 2488, PN 3864**, 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?

BILL TABLED

The SPEAKER. The majority leader moves that HB 2488 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 2488 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.

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The House proceeded to second consideration of **HB 2528, PN 3780**, entitled:

An Act providing for extension of waiver provisions for pediatric services.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2528 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 2528 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 ON THIRD CONSIDERATION

The House proceeded to third 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 third 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.

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The House proceeded to third 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 third consideration?

BILL TABLED

The SPEAKER. The majority leader moves that HB 2416 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 2416 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.

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The House proceeded to third consideration of **HB 2489, PN 3810**, 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 relating to extension of waiver provisions for outdoor recreational activities.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2489 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 2489 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTIONS

Mr. BENNINGHOFF called up **HR 783, PN 3392**, entitled:

A Resolution honoring the life, service and accomplishments of Congressman Elijah Cummings.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 783 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 783 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.

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Mr. BENNINGHOFF called up **HR 824, PN 3482**, entitled:

A Resolution enhancing the friendship and bilateral relationship between the Commonwealth of Pennsylvania and Taiwan and congratulating President Dr. Tsai Ing-wen and Vice President-elect Dr. Lai Ching-te.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 824 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 824 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.

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Mr. BENNINGHOFF called up **HR 826, PN 3484**, entitled:

A Resolution designating December 15, 2020, as "Bill of Rights Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 826 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 826 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.

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Mr. BENNINGHOFF called up **HR 828, PN 3486**, entitled:

A Resolution designating the month of October 2020 as "Archives Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 828 be removed from the active calendar and placed on the tabled calendar.

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

Motion was agreed to.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 828 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.

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Mr. BENNINGHOFF called up **HR 841, PN 3549**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 841 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 841 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. The Chair recognizes the majority leader, who moves that this session be adjourned until Tuesday, September 15, 2020, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:08 p.m., e.d.t., the House adjourned.