

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 20, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 60

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### PRAYER

HON. FRANCIS X. RYAN, member of the House of Representatives, offered the following prayer:

Mr. Speaker, members, thank you so much. Normally, I come prepared with written remarks, as I have done today for the prayer, but I have seen in the past few weeks some anxiety and fears in the hearts and eyes and the soul of so many people that I was praying today. I looked at Luke, chapter 12, verse 12, where it said "For the Holy Spirit will teach you at that moment what to say."

So with that, I would ask you to join with me in prayer, and as we look at this, there was a scholar of the law, as it is written, who stood up to test Jesus, and he said, "Teacher, what must I do to inherit eternal life?" Jesus said to him, "What is written in the law? How do you read it?" He said in reply, "You shall love the Lord, your God, with all your heart, with all your being, with all your strength, and with all your mind, and your neighbor as yourself." He replied to him, "You have answered correctly; do this and you will live."

Members, as we see the anxiety and the fears that we all have had in be it COVID-19 or the economy, whatever, family relationships, I ask you to pray together for compassion, understanding, and wisdom as we deliberate the most challenging tasks ahead of us. May we assume that all of us, despite our varied backgrounds, are intending to do good, to do the will of the people that we serve. May we look at that which is positive in each person that we interact with. If you have had someone with whom you have had disagreements, perhaps you should talk today and apologize and ask for their forgiveness, as they forgive you and you forgive them. Perhaps now is the time to be at peace with one another, as we deliberate these most difficult and complex tasks ahead.

In Your name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 19, 2020, will be postponed until printed.

### COMMUNICATION FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of a letter from the Independent Fiscal Office regarding a request for an actuarial note for HB 1961, PN 4478.

(Copy of communication is on file with the Journal clerk.)

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

#### HB 1919, PN 3410

By Rep. MURT

An Act amending the act of June 28, 2018 (P.L.455, No.69), known as the Hospice and Home Health Prescription Medication Disposal Act, further providing for disposal of unused prescription medication.

HUMAN SERVICES.

#### SB 983, PN 2000

By Rep. MURT

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for definitions and for Newborn Child Screening and Follow-up Program; and providing for mandated screening and follow-up.

HUMAN SERVICES.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1992** By Representatives COX, DAVANZO, DRISCOLL, GLEIM, KNOWLES, MILLARD, MOUL, WEBSTER and GREEN

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in determination of compensation, appeals, reviews and procedure, further providing for rules of procedure.

Referred to Committee on LABOR AND INDUSTRY, October 20, 2020.

**No. 2949** By Representatives RABB, BROOKS, HOWARD, PASHINSKI, MURT, CALTAGIRONE, McNEILL, HOHENSTEIN, KENYATTA, WILLIAMS, HILL-EVANS, SCHLOSSBERG, LEE, WEBSTER, GREEN and DRISCOLL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in development, marketing and promotion, providing for food security initiative; establishing the Food Security Initiative Grant Program and the Food Security Initiative Tax Credit Program; imposing duties on the Department of Agriculture; and making an appropriation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 20, 2020.

**No. 2951** By Representatives BURNS, MURT, COX, HENNESSEY, READSHAW, RYAN, MILLARD, KINSEY, STRUZZI, CALTAGIRONE, T. DAVIS, HILL-EVANS, SONNEY, WEBSTER and GREEN

An Act designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22, also known as the William Penn Highway, in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge.

Referred to Committee on TRANSPORTATION, October 20, 2020.

### SENATE BILLS FOR CONCURRENCE

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

#### **SB 845, PN 1153**

Referred to Committee on TRANSPORTATION, October 20, 2020.

#### **SB 1279, PN 2099**

Referred to Committee on HEALTH, October 20, 2020.

#### **SB 1339, PN 2049**

Referred to Committee on STATE GOVERNMENT, October 20, 2020.

#### **SB 1341, PN 2050**

Referred to Committee on STATE GOVERNMENT, October 20, 2020.

### SENATE MESSAGE

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1033, PN 4539**, and **HB 1838, PN 3590**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1584, PN 2032**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

#### RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,  
October 20, 2020

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, November 10, 2020, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, November 10, 2020, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence. The Chair recognizes the majority whip, who indicates that there are no leaves. The Chair thanks the lady.

The Chair recognizes the Democratic whip, who indicates that there are no leaves. The Chair thanks the gentleman.

### MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

#### PRESENT—202

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Bonner	Fritz	Mako	Rowe
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

The SPEAKER. Two hundred and two members being present, a quorum is present.

### 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 1584, PN 2032

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, repealing provisions relating to waterways patrolmen and employees.

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

## CALENDAR

### RESOLUTION

Mr. HEFFLEY called up **HR 1001, PN 4368**, entitled:

A Concurrent Resolution encouraging the International Olympic Committee to reinstate Jim Thorpe as the sole gold medal winner of the pentathlon and the decathlon events of the 1912 Olympic games in Stockholm, Sweden.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Heffley.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask my colleagues for their unanimous support of HR 1001, which attempts to resolve an Olympic controversy that is more than a century old involving one of the nation's greatest athletes, Jim Thorpe.

As all of you may know, the town of Jim Thorpe, where he is buried, is located in the 122d Legislative District, which I represent.

My resolution encourages the International Olympic Committee to reinstate Jim Thorpe as the sole gold medal winner of the pentathlon and decathlon events during the 1912 Olympic games in Stockholm, Sweden. He was the first U.S. athlete to win those two events in one Olympic year. He was the only athlete to ever win both events in the same Olympic year.

Unfortunately, Jim Thorpe's gold medals were revoked after it was discovered that he violated strict rules regarding amateurism. He had played two seasons of Minor League Baseball in North Carolina prior to the Olympics. The medals were reinstated in 1982; however, he was only recognized as a co-gold medal winner with the athletes who were elevated to gold medal status after his medals were revoked.

I believe the time is long overdue to reinstate Jim Thorpe as the rightful winner of these two Olympic events. And so does his grandson, John Thorpe, who has joined us here today in the House gallery, and I would ask for him to please stand. If we could all welcome John Thorpe to the Pennsylvania State House.

John has been quoted as saying, "It's time to finally right a terrible wrong," as he believes that racism played a role in his grandfather's medal revocation. Jim Thorpe was a Native American, a member of the Sac and Fox Nation. John says reinstating his grandfather as the sole gold medal winner would send a positive message to a country at a time when such a message is sorely needed, and I would have to agree. After winning his gold medals, King Gustav V of Sweden called Jim Thorpe "...the greatest athlete in the world."

Mr. Speaker, we firmly believe this Native American sports superstar deserves to finally be named the sole winner of these two Olympic events that took place so many years ago, and I call on the International Olympic Committee to right this wrong.

I thank you all again and ask for your unanimous support of HR 1001.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and welcomes the guests in the balcony. We certainly appreciate your advocacy.

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman,  
Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the  
gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

#### YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

#### FAREWELL ADDRESS BY MR. BARRAR

The SPEAKER. At this time the Chair will invite Chairman  
Barrar to approach the rostrum while we share his biography.

In 1997 Representative Steve Barrar was elected to serve the  
160th District in the Pennsylvania House of Representatives. He  
is now serving in his 12th term, and after talking this morning,  
I learned of 30 years of local service. He is chairman and  
longest-serving member of the House Veterans Affairs and  
Emergency Preparedness Committee. In addition to his State  
service, the chairman is a U.S. Navy veteran, having served  
during the Vietnam war. Steve is a graduate of Interboro High  
School and is an active member of his community, where he  
served six terms as Upper Chichester Township Commissioner.

He is involved with several local groups, including the  
Chichester Business Association, Chadds Ford Business  
Association, Aston Business Association, Bethel VFW (Veterans  
of Foreign Wars) post, and Concord Lodge No. 625. He also has  
been named as an honorary member of the Military Order of the  
Purple Heart for his support of disabled veterans. Steve and his  
wife, Elena, have two daughters, Stephanie Toth and Elizabeth  
Barnett. He is the proud grandfather of Ethan, Caden, Ainsley,  
Elena Jane, and Lucy Katherine.

Chairman Barrar, welcome.

Mr. BARRAR. Hard to believe it has been 24 years. I have  
seen a bunch of good things happen here, and also I have seen a  
few bad things happen in my 24 years here. For many years  
I have listened to a bunch of farewell speeches and I always  
wondered what I would say. I tried to remember some of the  
speeches that I really liked, but I will tell you, I put my thoughts  
into words on paper last night and I could not remember a darn  
thing of what I heard in the past, but here I go.

So as one of the few surviving members today of the class of  
'96 – Kerry Benninghoff is the only other member of my class  
that is still in the House, and, Kerry, you have been a role model,  
a mentor, and I am so happy for your success and to have been  
able to serve under your leadership as the majority leader here in  
the House of Representatives.

I grew up in a house that was very political nature. My father  
was a small-town politician, serving on borough council in  
Glenolden Borough for 16 years, to be exact. I never understood  
his desire to serve the community until his death, and the night of  
his viewing, it all came into focus why he did what he did. So  
many people came to say goodbye to him that night, and it all  
became clear. He loved being an elected official. It was not about  
money or power; it was about the ability to help his neighbors.

A year after my father's death, I decided to run for office. I ran  
for township commissioner, where I served 6 years in Upper  
Chichester Township, a township that I loved being part of its  
government. When I heard that my State Representative,  
Kathrynann Durham, was going to retire, I decided that I would

run for this seat, and I told two friends about it because I was not sure if they would laugh at me or embrace me. When I told them, they embraced me with open arms. I was told by eight political leaders in my county, that I had to go visit and pay homage to, that I would never sit in this seat because the job had been promised to someone else. And I decided, well, I did not make the promise and I had no commitment to honor it, and I ran for the job. I had a very tough primary fight, and I also had a very tough primary election, but at the end of the day, I have been here, and I have been here now for 24 years and it is hard to believe for me.

For the last 10 years I have had a great honor to serve as the chairman of the Veterans Affairs Committee. I was appointed by Speaker Sam Smith, whom I thank to this day. I thank God every day for this opportunity that I get to serve as the chairman of this committee. When I give speeches, and especially on Memorial Day – Memorial Day has always been one of my favorite holidays – and to stand up and give a Memorial Day speech was always such a great honor for me. And I would start out by telling people that as the chairman of Veterans Affairs, I have the best job in Harrisburg, and I would not trade it for anything else.

Last year, after being reelected, Speaker Turzai called me up and pretty much offered me just about any chairmanship that I wanted, and I said, "I am staying with Veterans Affairs and Emergency Preparedness because it is where my heart is and where I belong." Chairman Sainato – is he here? Chairman Sainato, thank you. Chairman Sainato has been my partner in the committee for the past 10 years also. We have done a lot of good things. We have made life better for veterans and first responders, and without you and your cooperation – I thank God that you served with me these 10 years also. You have been just an incredible man and I thank you from the bottom of my heart for working side by side with me. You are a good man and I will miss you and I will miss your leadership on the committee. I hope you will stay here, and I do not know who is going to take the committee when I leave, but it will be hard to see someone else in that position, but hopefully, they will work with you the same way and you will be able to continue what you have done.

Also, the other people that I have worked with on the committee are Rick O'Leary and Sean Harris – over here. You guys, stand up. I can only – the success we have had. Both of these men have been recognized with national awards for their work on this committee. A lot of people do not know that, but the National Guard has nominated them in the past for awards that are not just statewide, but nationwide, for their work on this committee. They are just absolutely fantastic. You know, when I became the chairman, I told them that they were free to speak their mind, and I said the one thing, do not let me do anything stupid. And after many, many arguments, they have stopped me from doing a whole lot of stupid things, so, you know, I owe them so much, but we owe them in this committee for the success.

Then there is LuAnn. LuAnn has been the A.A. (Administrative Assistant) since I have been the chairman, and even though she left me as a secretary, she still is the A.A. of the committee, and she has been phenomenal to work with all these years.

General Carrelli and Dusty Durand. General Carrelli is probably the best Adjutant General that I have seen in my lifetime, and he is just a great man. And Dusty Durand. Dusty is the liaison from the Governor's Office, and we just worked so well, and I think of all the issues we have tackled over the past 10 years.

So many other committee members that have been there – I mean, I look out in the audience and I see so many of you who have served. Maybe you are not on the committee today, but you were there. I thank you for your service, your cooperation, and you have all come up to me at one point in time and said and talked about, what can we do for veterans? And it has been great.

One of my greatest moments in my career happened last year when I received a national honor from the National Guard Association out in Lancaster, Pennsylvania. It was a night I will never forget, and I have that medal that I was presented hanging in my office. Serving with the first responders and working on the SR6 Commission; it was a 2-year commission where we pulled together the leaders of the emergency community and emergency preparedness community and worked on dozens of recommendations, and either today or tomorrow we will pass a bill, an omnibus bill that will probably include about a dozen of those recommendations from the SR6 Commission. And what a lot of people did not realize, in a matter of days we had passed from the House 16 bills that went to the Senate, and now they will be – most of them will become law. But we made a commitment to the leaders in the SR6 Commission that we would not just have a commission, print up a final copy, and then forget about it. We did not put it on the shelf, and we are still trying to enact as many measures of the SR6 Commission as we can. Our first responders, there is a crisis in the first responder community, and we truly need to address it.

There have been a lot of important people in my life. Nobody gets here and stays here for 24 years without the help of a lot of people. On my left is my wife of 42 years. She has put up with a lot from me – a lot of missed dates, a lot of missed birthdays, a lot of missed family things that I have been here. Elena, stand up. Back when she was 16, she picked up a hitchhiker and ended up marrying him, and, you know, it turned out to be great. And even though we had known each other a little bit at the swim club, but I was hitchhiking home from work and this beautiful girl pulls over; even though she had curlers in her hair, she still picked me up and drove me home. I asked her out on a date and she brought her best friend with her on our first date. Also with me today is my daughter, Stephanie. Stephanie is an excellent schoolteacher. She works at a school district in Delaware County; actually, she will start next week at a new job at a different school. But she has talked about being a teacher since she was in second grade, and today she has been a teacher for probably, what, 12 years or better? Longer than that. But her husband is – who is not here today – Frank Toth, but he could not be here because my other grandson was not feeling well this morning. They stayed home and could not be here. Frank is a police officer in Kennett Square Borough, and he is a phenomenal police officer, does a great job. He makes us all very, very proud. And it makes me sad to see what is happening to police officers all over this country. I think it is a disgrace, and every day we read about a tragic ending for police officers somewhere. Hopefully, after this election, maybe things will turn around and get better for them.

I lost my place here. Oh, here I am. My grandson, Caden, is here. Caden is a third grader – fourth grader; okay, I am sorry – and Caden wants to be an astronaut. I told him today they swore in the first recruits to the space patrol or whatever it was today – the Space Force, and his dream is to go to Mars one day. He is an extremely, extremely bright kid, and his brother, Ethan, is not here. My daughter, Elizabeth, lives in Virginia Beach, where she is also a teacher. She is married to a Navy pilot. I am sure you heard me talk about her and him and the life they have. This week

he will be, on Friday he will be sworn in as the commander of an air squadron in Virginia Beach, and the nickname for the squadron is called the "Pukin' Dogs," but he is an extremely accomplished young man. They have three children: Ainsley, Elena Jane, and Lucy, and they could not be here today because they are in preparation for their events at home.

So some of the people who have played such a major role in my life. A young lady came to work for me for my first campaign as township commissioner, a young lady named Beth Zenuk. She spent 19 years working in my district office, but she was one of the first people I had told that I wanted to run for State Representative, and she stood by my side all these years and she has just been a phenomenal person. Unfortunately, Beth lost her husband a few days ago after about a year-and-a-half battle with cancer. Very, very tragic. He was a great man.

Tom Ferro, again another person who encouraged me to run for township commissioner and then State Representative. And then there was Mark Plaugher, a great guy from Chester County. Tom Roberts, Jay Wills, Johnny Atkinson – these names may not mean much to you, but they mean the world to me. I would not be here without them. No one gets elected on their own. It takes a team to bring us here, and we should always remember the people that helped us get here.

Senator Clarence Bell, my Senator for 48 years. He served in office, probably one of the longest-serving General Assemblyman in history. When I campaigned for this job, I had pictures of me and Senator Bell, and the pictures were of us arm in arm, and they said, "Side by side, on your side." Senator Bell was a mentor. He was a hero. He was a very, very important man in my life and I tried to emulate him in every way. He did not refer to his constituents as constituents, he called them his neighbors, and he was probably one of the most successful politicians to ever come out of Pennsylvania. He loved being a Senator, and he and I probably went to over a thousand Eagle Scout Courts of Honor that he never missed until his death. People used to say to me all the time, "You're going to be the next Senator Bell," and I said, "I'm not, because Senator Bell's dream was to die here, and he did, and that was not my dream."

Speaker Matt Ryan. Matt Ryan was a great man. He was my first Speaker and he just, just something about Matt that when you were close to him, he was so professional and just an incredible role model. Ron Raymond, another mentor of mine. I would not have gotten elected – reelected without Ron's help. Actually, Ron gave a campaign check to my opponent the year I ran for office and I had always held it against him, but I loved the man like a brother. He is just a great man. Bill Adolph, Mario Civera, Nick Micozzi, Nick Miccarelli. One of my best friends in the world – Colonel, Senator, and Representative – John Pippy, another member of the class of '96. John Pippy and I have been lifelong friends – and I hope he is watching – since we had our first dinner together here in Harrisburg for new-member orientation, and we had so much in common. We are actually still very, very good friends. And Senator Pileggi is another man that I look up to and think the world of. And also my newest Delco colleague, Chris Quinn, who has become just a lifelong friend, and I hope it is a friendship that will last forever.

My staff: Ann Iacono served 20 years with me, Beth Zenuk served 19 years with me, and Gloria Parkhill, who passed away a few years ago, was my first district office staff person. She had been the staff person for Kathy Durham, and she passed away a few years ago, but she taught me what it meant to do constituent service work. Nobody did work like her. She was just a

phenomenal lady. Rita Markel was my first secretary here in Harrisburg, and then a few years later LuAnn came on board, and again, we have had such a great friendship. Traci Plunkett. Traci Plunkett runs my district office. I met Traci the year of the pay raise, if you remember the 2005 pay raise. Traci called me up on the phone and yelled at me and she said to me, she said, "You people do nothing for kids with autism." And I tried to explain to her, I said, "I thought we did." And I said to her one day, I said, "Well, teach me what I need to know about autism." I said, "Come to work for me," and she did, and she has worked for me since 2005. She is an incredible, incredible lady who puts her heart and soul into this job. Rachel Miccarelli, back in the district office. They could not come up today because they had some babysitter problems that they could not address and are not here today. Rachel started out as an intern with me and she still works in my district office today and she is such a fantastic worker.

I have worked with a lot of great people, and we have done some really great things together. Maybe we did not change the whole world, but we made a small part of it better. Every elected official I have ever met had one goal, and that was to make their community a little bit better than they found it. I hope and pray that my constituents feel I have accomplished that. I have said many times, I have had a 24-year love affair with my job and the people that I have represented all these years.

Two years ago I had a health issue that rocked my world and left me unsure of my future. My family had hoped that I would retire a few months into my new term. My goal was to stay and fulfill the obligation I had made for that 2-year obligation, to stay here. I have just 50 days to go and my term will end. Now I am planning the next chapter of my life: more time with my family and more time sailing – which I love as much as anything else in the world – biking, kayaking, and buying a much bigger boat. Right, Honey? This is a point of contention in our house all the time. For 35 years I have sailed the Chesapeake Bay. Now I intend to break out and sail south down to the Caribbean, down to the Florida Keys. You are all welcome to join me at some point in time.

Every time I walk up those Capitol steps, I thank God that I grew up in a country so great that a person as ordinary as me could put his name on a petition, run for office, and end up serving in the State House of Representatives.

I leave here today with a heavy heart. I know I will miss the work, I will miss the people, and I will miss the camaraderie that I have had with you all. May God bless you all, and may He always bless this great country we live in. Mr. Speaker, thank you.

### COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Thank you, Chairman Barrar.

We will invite his family to come up for the presentation of the ceremonial gavel. I, for one, have always appreciated your advocacy on behalf of our veterans and fire and EMS (emergency medical services) services and all the hard work that you put into that bill package. And I also appreciated the recognition of the staff, because I have said it many times, but I think it bears repeating. As elected officials, our staff oftentimes gets yelled at for all of the things that we make mistakes on, and then we get thanked for all the hard work that they do. And I know that you have led a wonderful ship and I appreciate it, and I look forward to seeing pictures on the next journey.

As we work through the exchange of guests and staff, I will invite Representative Murt to begin his way down. But we will turn now to the uncontested calendar.

### UNCONTESTED CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. MALAGARI called up **HR 996, PN 4363**, entitled:

A Resolution recognizing October 6, 2020, as "German-American Day" in Pennsylvania.

\* \* \*

Mr. NEILSON called up **HR 999, PN 4366**, entitled:

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

\* \* \*

Mr. HEFFLEY called up **HR 1008, PN 4418**, entitled:

A Resolution designating October 5, 2020, as "Peroxisomal Disorder Awareness Day" in Pennsylvania.

\* \* \*

Ms. HANBIDGE called up **HR 1014, PN 4424**, entitled:

A Resolution designating the month of October 2020 as "Civic Education Awareness Month" in Pennsylvania.

\* \* \*

Mr. BIZZARRO called up **HR 1024, PN 4442**, entitled:

A Resolution designating November 22, 2020, as "Veterans Suicide Prevention and Awareness Day" in Pennsylvania.

\* \* \*

Mr. QUINN called up **HR 1025, PN 4443**, entitled:

A Resolution recognizing the cultural, religious and interfaith importance of Shri Guru Granth Sahib Ji as "Living Guru" of Sikhs in promoting peace and declaring Sikhs as a distinct ethnic and religious minority.

\* \* \*

Mr. KNOWLES called up **HR 1026, PN 4444**, entitled:

A Resolution designating the week of September 27 through October 2, 2020, as "Juvenile Services Providers Week" in Pennsylvania.

\* \* \*

Mr. KINSEY called up **HR 1027, PN 4445**, entitled:

A Resolution designating the week of September 10 through 16, 2020, as "Direct Support Professionals Week" in Pennsylvania.

\* \* \*

Mr. KINSEY called up **HR 1028, PN 4446**, entitled:

A Resolution recognizing the month of September 2020 as "Emergency Preparedness Month" in Pennsylvania.

\* \* \*

Mr. KINSEY called up **HR 1029, PN 4447**, entitled:

A Resolution recognizing the month of October 2020 as "Rett Syndrome Awareness Month" in Pennsylvania.

\* \* \*

Mr. KINSEY called up **HR 1030, PN 4448**, entitled:

A Resolution recognizing September 25, 2020, as the "Day of Remembrance for Murder Victims" in Pennsylvania.

\* \* \*

Mr. POLINCHOCK called up **HR 1038, PN 4463**, entitled:

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

\* \* \*

Mr. MATZIE called up **HR 1045, PN 4516**, entitled:

A Resolution designating the month of November 2020 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

\* \* \*

Mr. MATZIE called up **HR 1046, PN 4517**, entitled:

A Resolution designating the month of October 2020 as "Wine, Wineries and Grapes Month" in Pennsylvania.

\* \* \*

Ms. DELOZIER called up **HR 1056, PN 4525**, entitled:

A Resolution recognizing the week of October 25 through 31, 2020, as "Pro Bono Week" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

(Members proceeded to vote.)

#### VOTE STRICKEN

The SPEAKER. The clerk will please strike the board and we will reset it. Members may proceed to vote.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.  
The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.  
The electronic board is accurate.  
The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

## YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

## FAREWELL ADDRESS BY MR. MURT

The SPEAKER. At this time the Chair welcomes Representative Tom Murt, who is serving in his 7th term as the Representative of the 152d Legislative District. He is a classmate of mine and was elected in 2006. He currently serves as the chairman of the Human Services Committee and serves on the Children and Youth Committee. Tom served in the United States Army Reserve from 1990 to 2008, where he was called to active duty in 2003 and served in Iraq with the U.S. Army's 4th Infantry Division. While in Iraq, Representative Murt was assigned to many civil affairs and humanitarian missions in and around Tikrit. He assisted in opening schools and health clinics and assisted in training Iraqi security forces, and in 2008 he retired as a staff sergeant for the United States Army Reserve.

He received his doctoral degree in education from Temple University in 2018. Before his election to the House, he was the assistant director of the Counseling and Advising Center at Penn State Abington, where he still serves as a part-time faculty member of Penn State and currently teaches in the business department. Representative Murt and his wife, Maria, live in Upper Moreland with their three children, Katherine, Daniel, and Patrick.

Representative Murt, welcome. I will ask members to please take your seats. Please move any conversations off the floor as we give Representative Murt the opportunity for some remarks.

Mr. MURT. Thank you, Mr. Speaker.

Good morning, everyone. I would like the record to reflect to our colleague, Col. Frank Ryan, that I am in possession of a regulation military haircut today.

The first order of business is for me to express my gratitude. First and foremost, I wish to thank my wife, Dr. Maria Murt, who is here with us today. Thank you, Maria, for your support and your love, and I know that without your encouragement, I would not have been successful in getting here, nor effective in serving here. Thank you.

In 2003 and 2004, Maria endured 14 months of being a single parent to three small children when I was serving in combat in Iraq. Maria lived in the daily fear that she would be visited by soldiers in dress blue uniforms who would greet her with the words, "We regret to inform you." Maria has also endured the single parenting that comes along with being married to a legislator, not to mention the phone calls and people stopping her at the supermarket and at Mass, asking her to relay a message to me or to the office. Maria's support and love has always reminded me of the song by the Rembrandts: "I'll Be There for You," which is the theme song for the TV show "Friends."

I also wish to thank my children for their support and their love – my daughter, Katie; and my sons, Daniel and Patrick. I am blessed to have such great children. My daughter, Katie, is here, and I wish to recognize her at this time. I also want to recognize another guest, Mr. Will Erb, who is a constituent, who is here today. Thank you, Will, for traveling to the Capitol for today; thank you. I also wish to thank two young women who helped me draft these remarks. The first is Sarah Pettineo, a senior at Hatboro-Horsham High School. Sarah is planning to enter college next fall and major in speech pathology. In addition to being a scholar, Sarah is also an accomplished musician and plays three instruments in the marching band at Hatboro-Horsham High School. Sarah has a very bright future.



In addition, Nicole Bogan, a senior at Emory University, also helped to draft these remarks. Nicole is a senior playwriting major and lives in Alabama. Her mother was born and raised in Montgomery County and is a family friend. Nicole is a gifted and talented writer. I am grateful to these young women for their assistance.

I also want to thank the staff here in the Capitol who work so hard to make the chamber function as well as it does. We often take for granted the choreography that takes place daily here in the House. Kelly Fedeli, Laura Wagner, and all the staff do an outstanding job keeping this legislative body functioning, and I thank them.

I also want to thank Dave Spizzirri and Lynn Bias, who devotedly work behind the scenes here in the House to ensure that our members have what they need to do their jobs. I also want to thank our security staff. It is not an exaggeration to say that these men and women who protect and serve us and our guests would take a bullet if it meant assuring our safety. I see them standing watch, doing patrol work, helping us in times of need, walking their rounds late at night, and making certain we are all safe. Thank you to these devoted public servants.

I also wish to thank the people of the 152d Legislative District. Serving here in the House has truly been a great honor as well as the fulfillment of a childhood dream. My staff and I have always tried to serve our constituents with great fidelity. District operations has often recognized that our district office was the busiest in the entire State, and this was something of which we were very proud.

Thank you to my staff for their devotion to public service and to our constituents. I am very grateful to the members of my staff: Nancy Williams, Gina Rondinelli, Patty Fleming, Bill Dixon, and Kailee Fisher. Their devotion to our constituents is remarkable. What they do in our district office is not just a mission, but also a ministry. We are so busy in the district office that my staff from Hatboro could not be here today, but Kailee Fisher from our Capitol office is here. Thank you, Kailee, for your great work.

I also want to recognize Erin Raub, the executive director of the Human Services Committee. Erin Raub is the driving force behind much of the great policy that serves the neediest people of Pennsylvania, and I add that Erin works in a truly bipartisan way with Caleb Sisak, who is the executive director of the Democratic side. And if anybody is ever in search of an example of civility and mutual respect, it is these two professionals. Thank you, Erin.

I grew up in a family of five boys, with no sisters. My dad was a union plumber in Local 690, as was his father and as is my brother. My mother was a stay-at-home mom, who also cleaned houses around Hatboro and Warminster to help pay Catholic school tuitions. When my younger brother, Pat, went to first grade, my mom took a full-time job in a bindery doing very hard physical work to help support our family. I remember getting up to serve the 6 o'clock, 6 a.m. Mass on weekdays and seeing my dad on his knees saying his morning prayers – praying for our family before he dutifully went to work. My dad was a WWII veteran and participated in the liberation of the Dachau concentration camp near Munich in 1945. This was a memory of which he rarely spoke. In WWII my dad earned many awards including the one of which he was most proud – his Combat Infantry Badge.

My parents were like most Pennsylvanians who pay their taxes, obey the laws, take care of their families, and teach their kids right from wrong. They both grew up in Philadelphia during

the Great Depression and knew hard work and sacrifice. The possibility of one of their children being elected to the House of Representatives was probably not even a passing thought. I just hope that I was able to make my parents and my family proud.

Growing up in Hatboro in the 1960s and 1970s, I always admired elected officials who manifested empathy for the people they served and who truly cared about making the world a better place and not just about politics. I admired elected officials who cared about people with special needs, who were not afraid to do the right thing – even when it was hard or unpopular – who showed empathy for disabled veterans, who cared about loved ones or neighbors struggling with mental illness, who cared about people with intellectual disabilities or autism, who would stand up to influential power brokers when they were wrong, and who cared about children. Someone asked me just this morning what elected official inspired me as a young man, and I thought about it for a minute, and I answered, Senator Hubert Humphrey, because he showed the great compassion that is so badly needed by elected officials – today and always.

Many of you know that I served in combat in Iraq in 2003 and 2004. In combat it is not unusual to see ordinary soldiers, sailors, marines, airmen, or coastguardsmen perform great acts of heroism on the battlefield. It is what our men and women in uniform do for one another and for our nation. In this chamber, we also see acts of bravery and courage worthy of our admiration and respect. Two State Representatives sitting here today are the victims of child sexual abuse, and have courageously stepped forward to tell the world about the horrible crimes committed against them. They did this to bring attention to this crime and to encourage us to address it in a meaningful way. Statistics sadly tell us that there are most likely even more of our colleagues who are victims of this repulsive crime against innocent children.

I bring this up because work still needs to be done on the crime of child sex abuse. When this body reconvenes in January, I hope that you will make further progress on legislation that affords justice to victims of child sex abuse. Please think of the victims who live in torment and anguish on a daily basis, including the two courageous men with whom we serve. The statute of limitations needs to be opened so victims who can irrefutably prove their cases in a court of law can seek justice against their abusers. There is nothing the matter with a victim who can conclusively prove their sexual abuse getting into a civil court of law to seek justice. We owe this to both our colleagues sitting here today who are victims of child sex abuse, and to the thousands of Pennsylvanians who are also victims and still suffer in silence and pray for the day when their pain and agony will subside. Please remain dedicated to providing justice to the victims of this horrific crime of the sexual abuse of children – which is sometimes called the murder of a child's soul.

Roughly one in five Pennsylvanians struggles with some form of mental illness. Whether you know it or not, you know someone who deals with mental illness every day of their life. This may be a friend, a relative, a child, a constituent, a loved one, a veteran, or you may struggle with mental illness yourself. It is not a character flaw or a personal failing to struggle with mental illness. As time has progressed, we have worked to confront the stigma surrounding mental illness, and we have made great progress. We have provided more assistance to our brothers and sisters who struggle with behavioral health issues. We even have a mental health parity bill currently in the Senate – we may even see it this session – but we need to do more.

Dr. Martin Luther King once said, "Of all the forms of inequality, injustice in health" care "is the most shocking and inhuman." This truth pertains not just to physical health, but mental health as well. Justice and equity in health care are vital in a democracy. It is not right that a parent of a child with bipolar disorder, depression, or anxiety, or a disabled veteran with post-traumatic stress disorder has to fight with an insurance company to get a few extra visits with a therapist. Creating a perfect system for each individual case is not feasible, but crafting a system that will simplify the process of getting help for every person suffering from a mental illness is something we absolutely have the power to do – and something we have the responsibility to address. I hope improving mental health parity will be a legislative priority next session.

One of the most marginalized populations of which we know is adults with intellectual disabilities, developmental disabilities, special needs, or autism. Unless you know someone with a developmental disability, you might not be aware of the challenge that parents face when planning the future for their adult child with special needs. Parents of an adult child with special needs exist in the hope that they will live just 1 day longer than their child so that they can ensure that their child is cared for.

A year ago I received a phone call from a family in Huntingdon Valley – that is in Montgomery County – who wanted me to visit their mother who was on hospice care at home. I was not sure why they wanted me to visit, but I went right over to see the family. While I was sitting there at the sick woman's bedside, she actually passed away while I was there. Before she died, she whispered in my ear, "Please take care of my son." Her one son had special needs and was about 60 years old.

This was the last thought on this mother's mind before she died – who was going to care for her adult son with special needs? This tragic situation is played out over and over again across Pennsylvania every day in every county and in every district when elderly parents care for an adult child with special needs at home and wait years for some form of funding or a program or a waiver for their child. Many of these families have parents who are 90 years old and have an adult child with special needs who is 65 or 70 years old. We badly need more elected officials who will step up, like my friend and colleague, Representative Dan Miller, has, and fight for people with special needs. Next session we need more allies to work with Representative Dan Miller who will devote themselves to this issue and carry the banner. We may as well warn you up front: this is not the easiest issue for which to advocate, and frequently you will find yourself groveling for funding, but there is no other issue that so clearly manifests what State government should be doing. I hope that you will make the care of adults with special needs a priority in this House. We have made great progress in this area, but work remains to be done. I remind you that caring for this population of Pennsylvanians with special needs is not welfare. It is a basic and core function of State government.

It is hard to believe that in the Commonwealth of Pennsylvania, there is no Disability Bill of Rights. HB 1363 is in the other chamber right now and should have been done by now. The bill is cost-neutral and would improve the quality of life for Pennsylvanians with disabilities, as well as those supporting these individuals. We do not even know how many Pennsylvanians with special needs exist in our Commonwealth. How will we address this issue without the data needed to draft a

plan? HB 1363 would provide this data, and next session, I hope someone will step up and show some leadership on this bill.

The final topic I want to mention is caring for our veterans. When I was in the Army Reserve at the Willow Grove Naval Air Station one weekend, I was ordered to wear my dress blues and to accompany an officer who was making a casualty notification to a family who had lost their son in Iraq. I recognized the address where we were going. It was in North Philadelphia. It was right off North Broad Street in a little neighborhood section called Glenwood. The family recognized right away why we there and invited us into their tiny row home. As the officer started reciting his message to the parents from the Secretary of the Army, I could barely keep from crying. While the officer whom I accompanied spoke to the mother of the fallen soldier, I sat and spoke to the father. The father of the dead soldier told me that he himself was a Vietnam veteran, and I could see his awards proudly hung on the wall of the small living room; Combat Infantry Badge, Purple Heart, Silver Star, and various other awards were all proudly displayed. This experience reminded me that one of the most painful chapters in American history is the years of the Vietnam war, and sadly, Black men, Latino men, Hispanic men, and poor White men all served and died in Vietnam in unacceptably and disproportionately high numbers. Back then these men were not afforded the opportunity to obtain draft deferments from being in college, or were not afforded nor were politically connected whereby they were able to get into the National Guard where they could serve out their military obligations one weekend a month. Black men, Latino men, Hispanic men, and poor White men all had to go and serve in Vietnam while many others did not.

I tell this story because we need to do more for all veterans in Pennsylvania, but most especially for our Vietnam veterans, many of whom still struggle with homelessness, post-traumatic stress disorder, exposure to Agent Orange and other chemicals, and recovery from addictions. Many of these veterans live a few blocks from here in the Bethesda Mission on Reily Street. Veterans are also overrepresented in our nation's courts, jails, and prisons. We have a responsibility to offer American veterans assistance following their military service, and I ask you to please remain devoted to this mission of helping our veterans.

I wish to recognize the last-serving Vietnam veteran in this body, Chairman Steve Barrar from Delaware County. Among other missions, Chairman Barrar was involved in the evacuation of Saigon when South Vietnam fell to the Communists. Chairman Barrar, thank you for your service.

A final thank-you I extend to Chairwoman Kathy Rapp. A few years back, due to what I will refer to as spiteful actions by a committee chair, a bill that criminalized female genital mutilation was vindictively never reported out of committee. When I was serving in Iraq, I witnessed infant girls who were the victims of this ghastly crime, and I was there when Army medics afforded the young girls emergency medical care when they could not stop bleeding after being mutilated. This cultural practice was not only taking place in Pennsylvania, it was on the rise. And by the way, female genital mutilation is not unique to the Muslim faith. There are plenty of Christian denominations in parts of Africa, the Middle East, and parts of Southwest Asia that still practice this custom. I spoke to Kathy Rapp about this, and she demanded that the bill be totally reintroduced and immediately assigned to her Health Committee. We worked with Karen Coates in leadership to get the bill reintroduced and assigned to the Health Committee, where Representative Rapp quickly moved the bill to the full

House, we got it to the Senate, and to Governor Wolf for his signature. This practice of female genital mutilation is now a criminal act in Pennsylvania, and previously it was not. Our law has become a model for many other States thanks to the leadership of Chairwoman Kathy Rapp.

I also want to mention that my friend and my colleague, Representative Pam DeLissio, worked with me closely on this bill in a bipartisan fashion to get this bill over the finish line. Pam, I thank you for that. Representative DeLissio helped me to recruit over 150 cosponsors for this bill, and I thank Representative DeLissio for her help and her leadership with that important legislation.

As I conclude my remarks, I remind you that at the present time, our nation is, sadly, engulfed in hyperpartisan rhetoric and vitriol that is often painful to even hear. Much of it lacks the respectful and civil comportment that our offices and elected officials deserve. Not to mention, the people whom we serve are also deserving of respectful and courteous Representatives. Please remember at every chance to afford the office we hold and the people we serve the dignity and respect they both warrant. Make Pennsylvania a place where respectful dialogue and debate are a way of life and an example to others. I mentioned earlier today about Erin Raub and Caleb Sisak from the Human Services Committee and how well they worked together and what a great example they are. It is very heartwarming to see them so devoted to these, actually, nonpartisan issues that frequently come before the Human Services Committee.

In closing, I wish everyone the very best for continued success. I ask that you keep my family and keep me in your prayers. God bless you, and God bless America.

### COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Thank you, Representative Murt.

I certainly appreciate your advocacy on behalf of those who oftentimes have no voice. We are going to present the ceremonial gavel and invite your friends and family to join us here for a couple of quick pictures.

At this time we will move to committee announcements, as well as caucus announcements. As has become the practice to minimize time on the floor, we will do a variety of resolutions at the break as well.

### CONDOLENCE RESOLUTION

The SPEAKER. Prior to that, I just saw Representative Matzie stand in the back, and at this time I would like to recognize him for a condolence resolution. So we are about to take up a condolence resolution on the death of a former member of the House. The Sergeants at Arms will please close the doors of the House. Members, please take your seats. Move any conversations off the floor.

The clerk will please read the resolution.

The following resolution was read:

### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Susan Bogosian Laughlin, a former member of the House of Representatives of Pennsylvania who passed away at the age of eighty-eight on June 27, 2020; and

WHEREAS, The daughter of the late Misag and Lucie Bogosian, Ms. Laughlin was born in Sewickley on March 16, 1932. A 1950 graduate of Ambridge High School, she was elected to the House of Representatives of Pennsylvania in 1988 and served the 16th Legislative District until 2004. Elected as a delegate to the Democratic National Convention, Ms. Laughlin was active in her community as a member of the Beaver County Democratic Women's Club. The beloved wife of the Honorable Charles P. Laughlin for many years prior to his passing, she enjoyed fine dining, playing cards, attending theatrical productions and traveling with her family; and

WHEREAS, Throughout her life, Ms. Laughlin strove to bring joy and happiness to all of her many friends and family members. She will be fondly remembered as a caring and giving person, and her memory will live on in the minds of the numerous people whose lives she has touched; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Susan Bogosian Laughlin; and extend heartfelt condolences to her son, Thomas C.; two grandchildren; two great-grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Robert F. Matzie on September 24, 2020, be transmitted to the family of the Honorable Susan Bogosian Laughlin.

Robert F. Matzie, Sponsor  
Bryan Cutler, Speaker of the House  
ATTEST:  
David Reddecliff, Chief Clerk of the House

On the question,  
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will please rise and remain standing as a mark of respect for the deceased former member. Guests will also please rise for a moment of silence.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Susan Bogosian Laughlin.)

The SPEAKER. The resolution has been unanimously adopted.

### REMARKS BY MR. MATZIE

The SPEAKER. The Chair recognizes the gentleman, Representative Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

Thank you, colleagues, for your unanimous support of this condolence resolution. And I want to thank you for the description of the resolution about Sue's life, and it was a remarkable life that Sue had. I got to know Sue many years ago prior to me getting involved in government. I was 18, got my first car, was going to community college, and wanted to get a

personalized plate, so where did you go? You went to Charlie Laughlin's office because Charlie was the State Representative. Well, in those days, Sue was a volunteer. She was there all the time, and Sue knew everything about how to get things done from a constituent service perspective. So we completed the application and she took some interest in me and we had a nice conversation. I was working in local radio at the time and knew her husband through that, and when her husband took ill, his name was on the ballot, and it was a couple of weeks before the election and he told his son, Tom, in the hospital, "You have to convince your mother that she has to run. She knows the job. She'll get it done." And he had such a fondness for his wife and understanding that when he was on the radio doing the talk show – it was called "Air Your Opinion," and people would call with issues. Roy Angst was the host at that time – and he would say, "Well, just call Sue at 869" and gave the phone number, "she will figure it out." Because in the early days, in the early seventies, there was not a full-time staff and it was not done as we do it now in a professional way. There were no offices. You worked out of your house. He shared a secretary in Harrisburg with two or three other members, so Sue was, really, his first staffer. So it was a natural progression for her.

They convinced her to run. So it was a write-in, and the treasurer of one of our cities at that time decided he was going to do a write-in as well. People got together, worked really hard, and at that particular time, when Sue won as a write-in, she said that she had to make sure she beat Charlie, even though he still got some votes because his name was on the ballot. She held the distinction of having the largest write-in victory for a General Assembly election in our history, so it was truly a monumental time.

I got to know Sue later on when I became a Senate staffer and we became close friends. And a lot of people took Sue for granted. They thought, you know, she looks like a grandma. We can pull the wool over Sue's eyes. But she was tough. She knew what was going on and she would not take any heat from anyone. I mean, she gave across that grandmotherly appearance, but she really let folks have it if she had to. She was old school. She was 100 percent committed to the people that she served. Constituent service was key to Sue – period. Someone had a problem, no matter what that problem was, 24/7, you could call Sue and Sue would take care of it.

Well, when Sue decided to retire in 1994, I flirted with the idea of potentially running, and I was an unofficial candidate for about 48 hours. I never circulated a petition and decided it was not in my best interest at that particular time to run. My daughter was a couple of years old and we still were not sure about the family situation, etc., so I decided not to run. Well, 4 years later, when the position opened up again and my boss at that time in the Senate decided to retire – Sue's successor decided to run for the Senate – so another bite at the apple occurred. So I decided to run. Well, the first person I called was Sue, and I asked her to be my chairman. And Sue, so characteristic of her, thanked me for asking her. She said, "You know, everybody forgot about me when I retired. Nobody calls. I don't get invited to anything," and I said, "Well, we're going to change that, Sue; you're getting invited to everything, so get on the Matzie train, and here we go." And she was my chairman until this year when she took ill and we switched the chairman. So she was with me for my entire tenure during my time here in the General Assembly. We took

her to the spaghetti dinners and the events, and she was always happy to talk to people, and people were happy to see her as well. She was truly a public servant. If you looked up the definition of "public servant," it definitely was Sue.

She and her husband held the seat for 32 years combined, so the Laughlin name was synonymous with the 16th House seat. Prior to that, the holder of that seat was one-time Speaker, Bob Hamilton. He held the seat for over 40 years. So three people held that seat for a very long time. And it is interesting that in that particular seat, mostly in Beaver County but part of Allegheny County over the years of redistricting, people came to know that the Laughlin name was synonymous with getting things done.

So I appreciate the opportunity to just tell you that story. She was a strong woman of faith. She was a good lady. She was an outstanding State Representative and public servant, but most importantly, she was a good friend. So, Mr. Speaker, I thank you for the opportunity and the indulgence of the members to tell a couple of stories about Sue Laughlin. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Sergeants at Arms will please open the doors of the House.

### **AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Representative Keller, for a committee announcement.

Mr. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, there will be an Agriculture and Rural Affairs Committee meeting at the break in 205 Ryan. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an Agriculture and Rural Affairs Committee meeting at the break in 205 Ryan.

### **RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes Majority Leader Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

We are going to call a Rules Committee meeting directly leaving the floor, down in the majority caucus room, for the purpose of considering two bills, HB 1033 and HB 1038. That will be in the majority caucus room at about 12:25. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be a Rules Committee meeting in the majority caucus room at about 12:25.

### **APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Chairman Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

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

### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlewoman, Representative Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus virtually at 1 o'clock. We would be prepared to return to the floor at 1:45. Thank you.

The SPEAKER. The Chair thanks the lady.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentlewoman, Representative McClinton, for a caucus announcement.

Ms. McCLINTON. Thank you, Mr. Speaker.

House Democrats, we will caucus at 1 p.m., virtually; that is 1 p.m., virtually.

The SPEAKER. The Chair thanks the lady.

As previously announced, we will have four speakers to speak about resolutions on the uncontested calendar, and it is the Chair's intention then to recess until 1:45, unless sooner recalled by the Speaker.

### STATEMENT BY MR. MATZIE

The SPEAKER. At this time the Chair recognizes the gentleman, Representative Matzie, to speak on HR 1045.

Mr. MATZIE. Thank you, Mr. Speaker.

I want to thank my colleagues for adopting my resolution designating November 2020 as "Pancreatic Cancer Awareness Month" in Pennsylvania. I introduce this resolution every year because we need to keep talking about pancreatic cancer until survival is the rule, not the exception. Many of you have heard me speak about my mother, who beat the odds and survived pancreatic cancer; 6 years as a cancer survivor. She is the one in five who made it 5 years. And while my mother's story is extremely inspiring, it is not typical. One, for most of the 57,000 Americans diagnosed with pancreatic cancer each year, they do not have that same luck. The fact is, pancreatic cancer is a sly killer, and we invite folks to recognize that some of the symptoms that do occur as a result of being diagnosed with pancreatic cancer normally do not come about until it is much too late. Most recently, a name added to the list of those who succumbed was our former U.S. Supreme Court Justice, Ruth Bader Ginsburg.

So I thank you for the opportunity to introduce this resolution. I have some statistics that I would like to submit for the record.

One of the last things that I will leave with you is, we can support research, we can volunteer with groups like Pancreatic Cancer Action Network, and we can participate in events like the Network's Purple Stride Walk. Last year my brothers and I had that opportunity with some friends to do that whose mother, unfortunately, did not have the opportunity to make it.

So again I thank you for the opportunity, and will submit the remainder of my remarks for the record.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

I certainly appreciate your advocacy every year. I lost a good friend of mine to pancreatic cancer. It was an X-ray tech that I used to work with. And reflecting back to both Chairman Barrar's service, as well as Representative Murt's comments, the Vietnam era, because of exposure to Agent Orange, has created

an entire system of problems for our veterans, and pancreatic problems and diabetes. And in my time in the veterans clinic, when I worked there during law school, we did a lot of service connection for Vietnam veterans, who, as the chairman correctly pointed out, unfortunately were suffering from health problems, and oftentimes self-medicating, in addition to having mental health problems. So I appreciate the advocacy and thank the gentleman.

### REMARKS SUBMITTED FOR THE RECORD

Mr. MATZIE submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker, and I want to thank my colleagues for adopting my resolution designating November 2020 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

The symptoms, which can include back or abdominal pain, weight loss, jaundice, appetite loss, nausea, stool changes, or recent-onset diabetes, often do not signal an immediate connection to the disease. Worse still, there are often no symptoms at all during the early stages, so that by the time the cancer is diagnosed, it is incurable. Once pancreatic cancer has spread to a patient's lymph nodes, the 5-year survival rate drops to just 12 percent. If it spreads to other organs, like the liver or lungs, the rate drops to 3 percent. Compounding the problem is that because the pancreas is located deep in the abdomen, doctors usually cannot see or feel a tumor during a physical examination. Although there are several tests doctors use to make a diagnosis, there is no one standard test, which makes diagnosis even more complicated.

It is not surprising that pancreatic cancer is the third leading cause of cancer-related deaths in the United States. This year alone, 47,000 Americans will die of the disease. Just last month, we added a famous name to that list. The late U.S. Supreme Court Justice Ruth Bader Ginsburg was first diagnosed with early stage pancreatic cancer in 2009, at age 75. It was not her first bout with cancer. A decade earlier she was diagnosed with colon cancer and underwent successful treatment to beat that disease. When caught early, colon cancer has a much higher survival rate than pancreatic cancer. When R.B.G. was diagnosed with pancreatic cancer, she had no symptoms at all – her cancer was discovered during a routine checkup, which was an unusual stroke of luck. She underwent surgery to remove part of her pancreas and her spleen. For nearly 10 years she had no recurrence. In 2018 doctors discovered cancerous nodules in her lung, and the following year, in the summer of 2019, doctors discovered a cancerous tumor in the remaining portion of her pancreas. R.B.G. was undaunted and continued working, even after announcing in July that she was receiving treatment for a recurrence of cancerous lesions in her liver. She finally lost her battle on September 18, at age 87. But as a long-term survivor who lived for more than 11 years after her initial diagnosis, her story provided hope to thousands of other pancreatic cancer patients.

And there is in fact cause for hope, even if we are not anywhere near where we would like to be. There is a growing pancreatic cancer scientific community, and there are new clinical trials and new resources for patients and families fighting this disease. According to the Pancreatic Action Network, from 2014 to 2020, the 5-year survival rate for pancreatic cancer patients increased from 6 percent to 10 percent. Those 4 percentage points mean that 10 people out of 100 – instead of just 6 people out of 100 – were alive 5 years after their diagnosis. That represents more than 2,200 people across the country who benefited from this progress.

Progress happens because research happens. As more clinical trials take place, the number of survivor stories grows, and so do the people who live to tell them, like my mother. One day we will wake up to news about a breakthrough treatment for pancreatic cancer. But that day is not here yet, which is why it is so important to keep the spotlight on this unusually deadly disease.

What can we do now? We can support research, volunteer with groups like the Pancreatic Cancer Action Network, and participate in events like the network's Purple Stride Walk. My brothers and I walked last year with friends who were honoring their mother who unfortunately lost her battle much too soon. We can tell loved ones and friends to learn the symptoms and to talk about those symptoms with their doctors. We can urge people to know the risk factors and which ones – including smoking, obesity, heavy alcohol use, and a diet with too many red and processed meats – can be controlled. And we can be tenacious, like R.B.G. We can continue raising awareness and keeping the spotlight on this disease until survival becomes less of a miracle and more of a realistic prospect.

Thank you.

### STATEMENT BY MR. NEILSON

The SPEAKER. At this time the Chair recognizes Representative Neilson to speak on HR 999.

Mr. NEILSON. Thank you, Mr. Speaker.

I want to thank all the members for their support to designate the month of October 2020 as "Dyslexia Awareness Month." Since joining this House, I have worked tirelessly with numerous groups and parents throughout the Commonwealth to bring awareness and educate the legislative body. I want to especially thank Daphne Uliana and the Dyslexia and Literacy Network of Pennsylvania. These are parents whose children have been affected by dyslexia, and they continuously seek ways to help their children learn to read. Children affected by dyslexia could have difficulty learning sounds, confusing letters, and recognizing words. Going undiagnosed, a student is likely to struggle in many aspects of academic learning and are highly at risk of dropping out of school.

Mr. Speaker, this was the importance of passing Act 69 of 2014, the Dyslexia and Early Literacy Intervention Pilot Program. We have the data. While we took action to extend the program, we need to use that data to help these kids by expanding on Act 69 and making it available to all the school districts and all the children throughout the Commonwealth. The State needs to invest in teacher education and recognize that both children and teachers need additional resources to help them at an early age – unlike what is happening today – before we lose them.

Yesterday my son, Ryan, turned 15. I want to wish him a happy birthday. He is in his freshman year of high school, and he struggles. I have told the story here many a times, for it was Ryan who brought this to the forefront in my home 8 years ago, just when I joined the House. It was a long week in Harrisburg, and I went home with my suitcase and suits over my shoulder, and he came home and he said, "Dad, we've got to talk." I said, "Ry, let me get changed, you know, I got this tie on, let me relax." He says, "Dad, we've got to talk now." Ryan was in kindergarten. I said, "What's the matter, Ry?" He says, "I just got thrown out of school." I went, "What? Thrown out of school?" Imagine a child getting thrown out of school, and I am going, "Ry, what could you have possibly done?" Any parent would grab their heart. He says, "I'm too smart." He is too smart, because Ryan got accepted to the Masonic dyslexia center in Philadelphia, who only has the availability to fund 75 kids through private donations and the Masonic Order throughout the Commonwealth of Pennsylvania, and these centers are stationed all around the State of Pennsylvania.

I consider myself lucky, for he received their help, a program that helped thousands of children throughout the Commonwealth and gave them the tools and resources to overcome some of the challenges they faced by introducing them to a specific way of learning.

Mr. Speaker, every child has the right to learn to read. Imagine having to win a lottery just to learn how to read. By utilizing evidence-based reading programs with proven results, such as the Orton-Gillingham, a teaching approach specifically designed to help struggling readers by teaching them the connections between letters and sounds – decades after it was introduced – today it is proven to work for children, even those without dyslexia. This is something we should be using across the Commonwealth.

Now COVID-19 has further complicated things for all kids in school in multiple ways that we as adults could not even imagine. Online tutoring and learning online, it is not working, especially for those with special needs or who have a learning disability. And it is not just dyslexia, it is everything. It is us, this body, that needs to make certain that our children of the future get the help and take the politics out of things.

Mr. Speaker, in closing, I would like to thank all the members who have supported HR 999. Our children need us in Harrisburg to be strong voices and demand – we as legislators need to demand that we fund programs such as the Dyslexia and Early Literacy Intervention Program for all children, no matter what ZIP (Zoning Improvement Plan) Code they come from. This is a bipartisan issue. It is a children's issue. I hope we can address it sooner rather than later. Our children deserve better.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### STATEMENT BY MS. DELOZIER

The SPEAKER. The Chair recognizes the gentlewoman, Representative DeLozier, to speak on HR 1056.

Ms. DELOZIER. Thank you, Mr. Speaker.

I am glad to be able to speak on HR 1056, making the education and identifying "Pro Bono Week" in Pennsylvania.

Throughout all 67 counties in this Commonwealth, hundreds of dedicated pro bono attorneys help low-income Pennsylvanians get the legal representation that they need. These attorneys dedicate their time to representing their clients for a reduced cost, or none at all, on many, many different issues. These issues often include mortgage foreclosures, domestic violence, and other sensitive cases in which income is a factor, and these are people that, at the lowest point in their life, need a hand up, and pro bono attorneys are there to help them. These attorneys provide an invaluable service to their communities and help make Pennsylvania great. To volunteer one's time in service to others is perhaps the most noble deed there is. By recognizing the service these attorneys offer to their communities, we inspire others to follow in their footsteps, and in doing so, we continue to make Pennsylvania better. After all, goodness is not determined by how well you treat the haves, but rather, it is determined by how far you will go to help the have-nots.

I thank the attorneys who embody that sentiment in their actions and service to their communities. I have seen many, many times in working with victims of domestic violence where they have nowhere to turn, but they know that they have rights that

can be asserted. They do not have the dollars to pay a high-finance attorney, and they look to those that will give them something with pro bono. These actions help someone at the worst possible time in their life and give them hope, which, in many cases, is something that many of them need. Their work, and those attorneys, for those that have lesser means, continues to help them better themselves and their lives.

Thank you for supporting this important resolution honoring the selflessness of pro bono attorneys throughout Pennsylvania, and we thank those who serve in that capacity. Thank you very much.

The SPEAKER. The Chair thanks the lady.

### RECESS

The SPEAKER. This House will stand in recess until 1:45, unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 2 p.m.

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

**HB 100, PN 4452** By Rep. SAYLOR

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for Certified Registered Nurse Practitioner Pilot Program.

APPROPRIATIONS.

**HB 2861, PN 4564** By Rep. SAYLOR

An Act providing for access to long-term care facilities for essential caregivers, for additional safety requirements for residents of long-term care facilities, for suspension of access for essential caregivers and for personal protective equipment for essential caregivers.

APPROPRIATIONS.

**SB 30, PN 2102** (Amended) 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 city revitalization and improvement zones, further providing for reports and for restrictions; and providing for Pennsylvania Housing Tax Credit.

APPROPRIATIONS.

**SB 94, PN 2101** By Rep. SAYLOR

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in additional coverages, further providing for the definition of "employee"; and making editorial changes.

APPROPRIATIONS.

**SB 273, PN 224** By Rep. SAYLOR

An Act amending the act of May 21, 2013 (P.L.32, No.10), known as the Community-Based Health Care Act, in health care assistance, further providing for Community-Based Health Care Program.

APPROPRIATIONS.

**SB 1076, PN 1560** By Rep. SAYLOR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in military leave of absence, further providing for military family relief assistance.

APPROPRIATIONS.

### BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 1033, PN 4539** By Rep. BENNINGHOFF

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for definitions and for duties of board; repealing provisions relating to qualifications; further providing for certification; providing for employees of political subdivisions; further providing for disciplinary and correction measures and for unlawful practice; repealing provisions relating to nonapplicability; and providing for assessors in counties of the first class.

RULES.

**HB 1838, PN 3590** By Rep. BENNINGHOFF

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in emergency medical services system, further providing for support of emergency medical services; in general provisions, further providing for EMS costs; and, in driving after imbibing alcohol or utilizing drugs, further providing for Accelerated Rehabilitative Disposition.

RULES.

### COMMUNICATIONS FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of the following letters from the Independent Fiscal Office regarding requests for actuarial notes for HB 1962, PN 4477; HB 1962, PN 4477, as amended by amendment A07725; and HB 1964, PN 2897, as amended by amendment A07757.

(Copies of communications are on file with the Journal clerk.)

### BILL SIGNED BY SPEAKER

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

**SB 995, PN 1460**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions.

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

### FAREWELL ADDRESS BY MR. READSHAW

The SPEAKER. I will ask the chamber to please come to order. Members, please take your seats and move any conversations off the back of the House.

At this time we will invite Representative Harry Readshaw to the rostrum to give his retirement comments.

Representative Readshaw is currently serving his 13th term, representing the 36th Legislative District. He was elected in 1995. He is the chair of the Professional Licensure Committee and serves on the Policy Committee, and is cochairman of the Pennsylvania Military Community Protection Commission, a bipartisan group that works to promote and protect the State's military installations.

Harry was born and raised in Allegheny County. He attended Pittsburgh public schools and graduated from Carrick High School. He attended Duquesne University and graduated from the Pittsburgh Institute of Mortuary Science. He became a Pennsylvania-licensed funeral director, thus becoming a third-generation funeral director and operator of a funeral home, and he proudly served from 1965 to 1971 in the United States Marine Corps, including Reserve time.

Most recently he was inducted into the Four Chaplains Legion of Honor for his dedication to our veterans and military personnel. He has been honored for being founder of the Gettysburg Monuments Project. Harry and his wife, Carol, have three children: Hank, Megan, and Malinda; and four granddaughters and two grandsons.

Representative Readshaw, it has been an honor and a privilege to serve with you, and I welcome you to the rostrum for your comments.

Mr. READSHAW. Thank you, Mr. Speaker.

Mr. Speaker, Democratic leaders, Republican leaders, and I say this so very sincerely, and all the wonderful support people that we depend upon every day, and to my colleagues. As I have searched for a single word that depicts my 26 years as a member of the House of Representatives, I believe that word is "remarkable." Remarkable that through the challenge of two reapportionment processes, the constituents of the 36th Legislative District had faith in me. Remarkable that I only had one primary election when I had an opponent, and never had an opponent in a general election. Remarkable that my family – my dear, remarkable wife, Carol; we have been married for 54 years – and our children, Harry, Megan, and Malinda, always worked diligently for me and supported me with love and affection, as well as many of my supporters. The journey indeed has been remarkable.

Besides my remarkable family, I must also thank all the staff that worked with me and supported me through 26 years. I say thank you to Harrisburg legislative assistant, Kathy Schue, who is retired, and my current legislative assistant, Barbara Mowery, both of whom played important roles. My district office people, who, as we all know, are on the front lines day in and day out. They service our constituents and assist in solving difficulties. The people that man the district offices – and I am sure everyone knows this – are special; they are very special indeed.

Recognizing some from my district office: Marilyn Miller, 25 years and retired; Andrea Olechowicz, 25 years and still working for me; Nancy Heckmann; and Elainea DePetro – all dedicated, hardworking people.

I had the honor of being the Democratic chairman of the Professional Licensure Committee for 10 years and a member of the committee for all of my 26 years. I have enjoyed every minute of that journey. Currently the staff consists of Shannon Snell, research analyst; Susan Finger, legislative assistant; and also, Margaret Tricarico, who is retired now, was on that staff. And I also would like to give a special shout-out to Shannon Keith, associate producer and writer for LCO (Legislative Communications Office).

I am going to sing the praises of the executive director, Marlene Wilson, Esq., who has, without a doubt, given all of her time and talents to solving all requests – and I repeat, all requests – concerning licensing difficulties during these times of COVID-19 delays and licensing transactions and problems. Simply put, Marlene is remarkable as an executive director.

For those who know me, both here and at home, you will surely understand if this farewell speech shies away from touting all of my work and accomplishments for the 36th Legislative District. It is just not my style. Let us not forget the good work we all do and have done, even when the pressures of political divide pushed us to make difficult choices. There is no doubt – there is no doubt – each vote cast weighed with no allegiance but to the people whom we proudly serve, and that is our constituents.

As I have always been reminded by Abraham Lincoln's words, "...government of the people...for the people, shall not perish from the Earth." That is what we must do as elected officials, what you who remain must continue doing – act in accordance and under the guidance of President Lincoln's words, for this legislative body is of the people and for the people. They are words that have guided my time in office.

To my colleagues who sit in the three rows on the right-hand side, I appreciate your friendship and discussion over the years. You are indeed my friends.

There is one Representative that I must single out, because he and I share a borough; our districts abut one another. I basically represent the north side of Baldwin Borough and he the south side of Baldwin Borough. We have become extremely tight, as they say, and speak daily. That is none other than the Honorable Representative "Wild Bill" Kortz, as he is known. Bill, thank you for working with me together for so many years. If I have to say so myself, we have been very successful for the particular Borough of Baldwin.

Two other shout-outs. One will be for Representative Dan Moul, representing Gettysburg. As many of you may know, I was a founder of the Pennsylvania monuments at the Gettysburg Battlefield project. Over the years we have raised \$1 million for the repair and restoration of the Pennsylvania monuments at the Gettysburg Battlefield. Thank you. And money being raised now will be going to endowing many of those monuments. But as so many of your activities for your special interests this year, because of COVID-19, the fundraising activities for that project, which consisted of a Civil War ball/dance, and also a motorcycle ride from Harrisburg to Gettysburg, and that is where I would like to thank Dan Moul. He has always welcomed that ride; sometimes as high as 400 bikers make that ride. He has not only participated, but has welcomed that gang, as we say, into his district, and, Dan, I thank you so very much.



I also thank the people who previously had mentioned my name in their farewell speeches. It is an honor to hear that, that I may be respected, and I appreciate it very much.

Now here comes – you know, I was an E-5 sergeant in the Marine Corps, and it is time, as we refer to it, for the "changing of the guard." So I went over the Marine roster, and I am thinking, well, who – it has always been the one that is somewhat in charge of that group, to be an officer. I believe I was the first NCO (noncommissioned officer) to head that group. So it may be time to return it to an officer. So obviously, we have a full-bird United States Marine Corps colonel amongst us, and he has been taking orders from me for a few years now. He appears at times to enjoy it, and at other times he does not enjoy it, but colonels just do not like sergeants telling them what to do. So, Colonel Ryan, the detachment, the troops are yours, sir. Carry on.

To my brothers and sisters who served in the United States Marine Corps, I say, Semper Fi, and to all who served in the military, I say thank you and well done, good and faithful servants.

I would like to share with you a message from Psalm 122, and a few lines, it goes like this: "As we gather" – and I translate that into meaning as we gather in this House of Representatives – "As we gather, may Your spirit work within us; as we gather may we glorify Your name, knowing well that as our hearts begin to worship, we will be blessed because we came." May these words reflect your individual pledge the next session.

Mr. Speaker, I want to say to you that I do believe I have abided by the 5-minute rule.

To my family, I want to say, I am coming home.

And to all of you assembled here, I want to say, goodbye.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Chairman Readshaw.

### COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. While we do the presentation of the gavel and some photographs, I will take this opportunity to invite Representative Kortz, and, I believe, Representative Kulik to the front, please.

### CITATION PRESENTED

The SPEAKER. The Chair is pleased to recognize the gentlewoman, Representative Kulik.

Mrs. KULIK. Thank you, Mr. Speaker.

The following citation was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CITATION

WHEREAS, The Honorable Harry A. Readshaw, a member of the House of Representatives of Pennsylvania serving the 36th Legislative District, is being honored upon his retirement after twenty-five years of distinguished service; and

WHEREAS, A 1959 graduate of Carrick High School, Representative Readshaw attended Duquesne University and graduated from the Pittsburgh Institute of Mortuary Science. A licensed funeral director, he worked as the third-generation funeral director and operator of Readshaw Funeral Home. Representative Readshaw served this

country with honor and distinction as a member of the United States Marine Corps from 1965 to 1971. Elected to the House of Representatives of Pennsylvania in 1994, he was re-elected to twelve consecutive terms. Currently serving as Chair of the Professional Licensure Committee, he is Cochair of the Pennsylvania Military Community Protection Commission and a founder of the Pennsylvania Gettysburg Monument Project. Active in his community, Representative Readshaw has been a member of American Legion Post No. 935, the Coraopolis Sportsmen's Association, the Gettysburg Battlefield Preservation Association, the Marine Corps League, the National Welsh American Association, the Royal Order of Jesters and William D. McIlroy Lodge No. 269 of the Free & Accepted Masons. To his great credit, he was inducted into the Four Chaplains Legion of Honor for his dedication to veterans and military personnel.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Honorable Harry A. Readshaw upon his well-deserved retirement; heartily recognizes his exemplary record of service, in keeping with the highest ideals and traditions of this Commonwealth; offers best wishes for a happy and fulfilling future;

And directs that a copy of this citation, sponsored by Representatives Anita Astorino Kulik and Bill Kortz on September 10, 2020, be transmitted to the Honorable Harry A. Readshaw.

Anita Astorino Kulik, Sponsor

Bill Kortz, Sponsor

Bryan Cutler, Speaker of the House

ATTEST:

David Reddecliff, Chief Clerk of the House

### CALENDAR CONTINUED

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 530, PN 1940**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for students convicted or adjudicated delinquent of sexual assault; in safe schools, further providing for safe schools advocate in school districts of the first class; and, in educational tax credits, further providing for school participation in program.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 1195, PN 2041**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in general provisions relating to insurance companies, associations and exchanges, further providing for Reinsurance Credits and providing for credit for reinsurance and reciprocal jurisdictions; in Life and Health Insurance Guaranty Association, further providing for purpose, for definitions, for coverage and limitations, for creation of association, for board of directors, for powers and duties of association, for assessments, for plan of operation, for powers and duties of the commissioner, for prevention of insolvencies, for credits for assessments paid, for miscellaneous provisions, for examination of the association and annual report, for immunity, for stay of proceedings and reopening default judgments, for prohibited advertisement or Insurance Guaranty Association Act in insurance sales and for prospective application.

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

\* \* \*

The House proceeded to second consideration of **SB 1164**,  
**PN 2006**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130),  
known as The County Code, in coroner, further providing for coroner's  
investigation.

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

\* \* \*

The House proceeded to second consideration of **SB 395**,  
**PN 1824**, entitled:

An Act amending the act of March 4, 1970 (P.L.128, No.49),  
entitled "An act granting to the Governor of the Commonwealth the sole  
authority for regulating the display of the flag of the United States from  
any public ground or building and from any ground or building of certain  
other institutions," further providing for display of flag.

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

\* \* \*

The House proceeded to second consideration of **SB 1241**,  
**PN 1936**, entitled:

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 General Services and its departmental administrative and  
advisory boards and commissions, providing for report of State facilities  
owned or leased.

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

\* \* \*

The House proceeded to second consideration of **SB 745**,  
**PN 2039**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania  
Consolidated Statutes, in inspection of vehicles, further providing for  
prohibition on expenditures for emission inspection program.

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

\* \* \*

The House proceeded to second consideration of **SB 1281**,  
**PN 2040**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania  
Consolidated Statutes, in licensing of drivers, further providing for  
schedule of convictions and points; in rules of the road in general,  
further providing for duty of driver in emergency response areas.

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

Mr. **KORTZ** offered the following amendment No. **A07624**:

Amend Bill, page 1, line 3, by striking out "and,"  
Amend Bill, page 1, line 5, by striking out the period after  
"areas" and inserting  
; and, in offenses in general, further providing for the offenses of  
homicide by vehicle and of aggravated assault by vehicle.  
Amend Bill, page 1, line 8, by striking out "and 3327(a), (b) and  
(e.1)" and inserting  
, 3327, 3732(b)(1.1) and 3732.1(b)(2)  
Amend Bill, page 3, line 5, by inserting after "a")  
or (a.1)

Amend Bill, page 3, lines 5 and 6, by striking out all of line 5 and  
"emergency response area." in line 6 and inserting  
Duty of driver in emergency response areas and in relation to disabled  
vehicles.

Amend Bill, page 4, line 22, by inserting after "areas"  
and in relation to disabled vehicles  
Amend Bill, page 4, line 23, by inserting a bracket before  
"General"

Amend Bill, page 4, line 23, by inserting after "rule"  
] Emergency response areas  
Amend Bill, page 5, lines 3 through 11, by striking out all of said  
lines and inserting  
(a.1) Disabled vehicles.—When approaching or passing a disabled  
vehicle, a person shall:

(1) if it is possible to do so, pass in a lane not adjacent to  
that of the disabled vehicle; or

(2) if it is impossible, illegal or unsafe, to comply with  
paragraph (1), pass the disabled vehicle at a rate of speed that is  
no more than 20 miles per hour less than the posted speed limit  
and reasonable for safely passing the disabled vehicle.

(b) Penalty.—Any person violating subsection (a) or (a.1)  
commits a summary offense and shall, upon conviction, pay:

(1) For a first offense, a fine of not more than [~~\$250~~] \$500.  
(2) For a second offense, a fine of not more than [~~\$500~~]  
\$1,000.

(3) For a third or subsequent offense, a fine of not more  
than [~~\$1,000~~] \$2,000.

(b.1) Suspension of operating privilege.—

(1) Except as otherwise provided in paragraph (2), in  
accordance with section 1540 (relating to surrender of license), the  
department shall suspend the operating privilege of any person for  
90 days upon receiving a certified record of the driver's conviction,  
adjudication of delinquency or admission into an Accelerated  
Rehabilitative Disposition program or a preadjudication program  
for a violation of subsection (a) or (a.1), if the certified conviction:

(i) indicates the violation resulted in serious  
bodily injury to or death of another person; or

(ii) is the driver's third or subsequent conviction  
for a violation of subsection (a) or (a.1).

(2) Upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program for a violation of subsection (a) or (a.1), in accordance with section 1540, the department shall suspend the operating privilege of the driver in accordance with the following:

(i) For a period of six months if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the serious bodily injury of an emergency service responder or a person in or near a disabled vehicle.

(ii) For a period of one year if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the death of an emergency service responder or a person in or near a disabled vehicle.

(b.2) Penalties for bodily injury or death in emergency response areas.—In addition to any other penalty prescribed by law, a driver who violates [this section] subsection (a) and causes bodily injury to, serious bodily injury to or the death of an emergency service responder or another person commits an offense and shall, upon conviction, as follows:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301 (relating to definitions), pay a fine of not more than \$1,000.

(2) For causing serious bodily injury, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

(b.3) Penalties for bodily injury or death in relation to disabled vehicles.—In addition to any other penalty prescribed by law, a driver who violates subsection (a.1) and causes bodily injury to, serious bodily injury to or the death of another person commits an offense:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301, pay a fine of not more than \$1,000.

(2) For causing serious bodily injury as defined in 18 Pa.C.S. § 2301, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

(c) Marking.—

(1) An emergency response area shall be clearly marked with road flares, caution signs or any other traffic-control device which law enforcement officials may have at their immediate disposal or visual signals on vehicles meeting the requirements of Subchapter D of Chapter 45 (relating to equipment of authorized and emergency vehicles).

(2) A disabled vehicle shall use at least two of the following markings:

(i) Vehicular hazard signal lamps as provided in section 4305 (relating to vehicular hazard signal lamps).

(ii) Caution signs or other traffic control device.

(iii) Road flares.

(d) Reports by emergency service responders.—

(1) An emergency service responder observing a violation of subsection (a) or (a.1) may prepare a written, signed report which indicates that a violation has occurred. To the extent possible, the report shall include the following information:

(i) Information pertaining to the identity of the alleged violator.

(ii) The license number and color of the vehicle involved in the violation.

(iii) The time and approximate location at which the violation occurred.

(iv) Identification of the vehicle as an automobile, station wagon, motor truck, motor bus, motorcycle or other type of vehicle.

(2) Within 48 hours after the violation occurs, the emergency service responder shall deliver a copy of the report to a police officer having authority to exercise police power in the area where the violation occurred. If the police officer believes that the report established a sufficient basis for the issuance of a citation, the officer shall file a citation and a copy of the report with the issuing authority. If the issuing authority determines that the report and citation establish a sufficient basis for the issuance of a summons, a summons shall be issued in accordance with general rules governing the institution of proceedings in summary traffic offense cases. The issuing authority shall send the defendant a copy of the citation, together with a statement that it was filed by the police officer named in the citation on the basis of information received.

(3) A person may institute a proceeding pursuant to this subsection or in accordance with any means authorized by the Pennsylvania Rules of Criminal Procedure.

(e) Fines to be doubled.—In addition to any penalty as provided in subsections (b) [and], (b.2) and (b.3), the fine for any of the following violations when committed in an emergency response area manned by emergency service responders shall be double the usual amount:

Section 3102 (relating to obedience to authorized persons directing traffic).

Section 3111 (relating to obedience to traffic-control devices).

Section 3114 (relating to flashing signals).

Section 3302 (relating to meeting vehicle proceeding in opposite direction).

Section 3303 (relating to overtaking vehicle on the left).

Section 3304 (relating to overtaking vehicle on the right).

Section 3305 (relating to limitations on overtaking on the left).

Section 3306 (relating to limitations on driving on left side of roadway).

Section 3307 (relating to no-passing zones).

Section 3310 (relating to following too closely).

Section 3312 (relating to limited access highway entrances and exits).

Section 3323 (relating to stop signs and yield signs).

Section 3325 (relating to duty of driver on approach of emergency vehicle).

Section 3361 (relating to driving vehicle at safe speed).

Section 3707 (relating to driving or stopping close to fire apparatus).

Section 3710 (relating to stopping at intersection or crossing to prevent obstruction).

Section 3714 (relating to careless driving).

Section 3736 (relating to reckless driving).

Section 3802 (relating to driving under influence of alcohol or controlled substance).

Amend Bill, page 5, lines 18 through 20, by striking out all of said lines and inserting

(f) [Definition.—As used in this section, the term "emergency response area" means any of the following:] Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Disabled vehicle." A vehicle that is in a traffic lane or on the side of a traffic lane and is clearly marked with at least two of the markings specified in subsection (c)(2).

"Emergency response area." Any of the following:

(1) The area in which emergency service responders render emergency assistance to individuals on or near a roadway or a police officer is conducting a traffic stop or systematic check of vehicles or controlling or directing traffic as long as the emergency vehicle is making use of visual signals meeting the requirements of Subchapter D of Chapter 45.

(2) The area in which contractors or employees of a public utility, a municipally owned utility or an electric

cooperative provide disaster emergency-related services, including, but not limited to, the repair, renovation, installation, construction and activities related to damaged, impaired or destroyed infrastructure, within the first 72 hours after a declared emergency or until the expiration of a declared emergency, whichever is later, as long as the vehicles used to provide disaster emergency-related services are making use of visual signals as authorized under section 4572(b) (relating to visual signals on authorized vehicles).

§ 3732. Homicide by vehicle.

\* \* \*

(b) Sentencing.—

\* \* \*

(1.1) In addition to any other penalty provided by law, a person convicted of a violation of subsection (a) who is also convicted of a violation of section 1501 (relating to drivers required to be licensed), 1543 (relating to driving while operating privilege is suspended or revoked), 3316 (relating to prohibiting text-based communications), 3325 (relating to duty of driver on approach of emergency vehicle) or 3327 (relating to duty of driver in emergency response areas and in relation to disabled vehicles) may be sentenced to an additional term not to exceed five years' confinement.

\* \* \*

§ 3732.1. Aggravated assault by vehicle.

\* \* \*

(b) Sentencing.—

\* \* \*

(2) In addition to any other penalty provided by law, a person convicted of a violation of subsection (a) who is also convicted of a violation of section 1501 (relating to drivers required to be licensed), 1543 (relating to driving while operating privilege is suspended or revoked), 3316 (relating to prohibiting text-based communications), 3325 (relating to duty of driver on approach of emergency vehicle) or 3327 (relating to duty of driver in emergency response areas and in relation to disabled vehicles) may be sentenced to an additional term not to exceed two years' confinement.

\* \* \*

Section 2. This amendatory act may be referred to as the Move Over Law.

Section 3. This act shall take effect in 180 days.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I bring amendment A07624 before the House for its consideration. This amendment is currently supported by the State Police and the F.O.P. (Fraternal Order of Police). Mr. Speaker, this amendment, sir, would expand the Move Over Law to include disabled vehicles on the side of the road, even if there is not an emergency responder present, sir.

Mr. Speaker, there was a tragedy that occurred to a constituent of mine, Scott Hirsh. He was struck and killed while he was changing a flat tire on a trailer. He had pulled off the side of the road, he had put up flares, he had on his four-ways, and he also put out cones, and tragically – and it happened at 1:30 in the afternoon on a sunny day, so he was off the side of the road – another gentleman was coming down the road in a passing lane and swerved over into the slow lane, and then swerved over again off the road, striking Mr. Hirsh and killing him.

Mr. Speaker, it was a tragedy, and sadly enough, due to the lack of applicable laws on the books, the State Police and the Allegheny County District Attorney were unable to prosecute the driver that killed Scott Hirsh. There were no consequences. There were no legal consequences to this driver that struck and killed him, even though all those safety devices were enabled.

Again, Mr. Speaker, the State Police is behind this bill. They would like it to pass, and also the F.O.P., and I would respectfully request a positive vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and calls on the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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 **SB 773, PN 1771**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for the offense of driving while operating privilege is suspended or revoked; in driving after imbibing alcohol or utilizing drugs, further providing for grading, for penalties, for ignition interlock, for prior offenses, for Accelerated Rehabilitative Disposition and for mandatory sentencing and providing for 24/7 sobriety monitoring program; and providing for a study of driving under the influence courts.

On the question,

Will the House agree to the bill on second consideration?

Ms. **KLUNK** offered the following amendment No. **A07663**:

Amend Bill, page 1, line 13, by inserting after "DEFINITIONS;" and,

Amend Bill, page 1, line 13, by inserting after "FOR" ignition interlock limited license, for

Amend Bill, page 1, line 18, by inserting after "DISPOSITION" , for drug and alcohol assessment

Amend Bill, page 1, line 19, by striking out "24/7 SOBRIETY" and inserting substance

Amend Bill, page 1, lines 19 and 20, by striking out "; AND PROVIDING FOR A STUDY OF DRIVING UNDER THE INFLUENCE COURTS"

Amend Bill, page 10, line 3, by striking out "**MORE**" and inserting

both

Amend Bill, page 10, lines 6 through 10, by striking out all of said lines and inserting

(1) A continuous alcohol monitoring device, remote breath testing device or any other alcohol monitoring technology or device, as determined by the court.

(2) Random drug testing or any other controlled substance monitoring technology or device, as determined by the court.

Amend Bill, page 10, line 12, by striking out "SECTION" where it occurs the second time and inserting Sections

Amend Bill, page 10, line 12, by inserting after "1543(B)(1.1)(I)" and 1556(b)(1) and (2)

Amend Bill, page 10, line 12, by striking out "IS" and inserting are

Amend Bill, page 11, by inserting between lines 16 and 17

§ 1556. Ignition interlock limited license.

\* \* \*

(b) Petition.—

(1) An applicant for an ignition interlock limited license shall file a petition with the department, by certified mail, on a form prescribed by the department[, and shall include proof that an approved ignition interlock system, as defined in section 3801, has been installed in one or more motor vehicles that the applicant seeks permission to operate]. The petition shall include proof of financial responsibility covering each vehicle the applicant requests to be permitted to operate. Upon approval of the petition, the ignition interlock system shall be installed in any motor vehicle to be operated by the applicant, and proof of installation shall be provided by the ignition interlock device vendor.

(2) [The petition shall also include proof of financial responsibility covering each vehicle the applicant requests to be permitted to operate.] The department shall promulgate regulations to require additional information as well as additional evidence to verify the information contained in the petition.

\* \* \*

Amend Bill, page 12, line 10, by inserting after "**THREE**" or more

Amend Bill, page 12, lines 11 and 12, by striking out all of said lines

Amend Bill, page 12, line 15, by striking out "A SUBSECTION" and inserting subsections

Amend Bill, page 12, line 22, by inserting after "**COURT**" , except for those with which the offense must merge as a matter of law

Amend Bill, page 12, by inserting between lines 22 and 23

(c.3) Sentencing enhancement.—The Pennsylvania Commission on Sentencing, under 42 Pa.C.S. § 2154 (relating to adoption of guidelines for sentencing), shall provide for a sentencing enhancement for a violation of section 3802(a)(1) where the individual refused testing of breath or chemical testing pursuant to a valid search warrant, court order or any other basis permissible by the Constitution of the United States and the Constitution of Pennsylvania or for a violation of section 3802(c) or (d) and where the individual has four or more prior offenses.

Amend Bill, page 13, line 3, by striking out "A SUBSECTION" and inserting subsections

Amend Bill, page 14, by inserting between lines 20 and 21 (h.3) Notice to department.—If a violation under subsection (h.2)(1), (2) or (3) occurs in the two consecutive months prior to the date entered on the certificate, the vendor shall notify the department as to the violation on a form designated by the department, and the department shall notify the person of the violation and that ignition interlock device usage shall continue until no violations have occurred within a 60-day period.

Amend Bill, page 15, line 10, by inserting after "PARAGRAPH" and subsection (b)(4) is amended

Amend Bill, page 15, by inserting after line 30

\* \* \*

(b) Evaluation and treatment.—

\* \* \*

(4) The assessment under paragraph (2) shall consider issues of public safety and shall include recommendations for all of the following:

- (i) Length of stay.
- (ii) Levels of care.
- (iii) Follow-up care and monitoring.
- (iv) The use of medication-assisted treatment in conjunction with behavioral therapies if the treatment is clinically appropriate.

\* \* \*

Section 7.1. Section 3814(4) of the act is amended to read:

§ 3814. Drug and alcohol assessments.

If a defendant is convicted or pleads guilty or no contest to a violation of section 3802 (relating to driving under influence of alcohol or controlled substance), the following apply prior to sentencing:

\* \* \*

(4) The assessment under paragraph (2) shall consider issues of public safety and shall include recommendations for all of the following:

- (i) Length of stay.
- (ii) Levels of care.
- (iii) Follow-up care and monitoring.
- (iv) The use of medication-assisted treatment in conjunction with behavioral therapies if the treatment is clinically appropriate.

Amend Bill, page 16, lines 29 and 30; page 17, lines 1 through 6; by striking out all of said lines on said pages and inserting

3802 and who has one or more prior offenses may be ordered by the court to participate in a substance monitoring program under section 3818.

Amend Bill, page 17, lines 8 through 15, by striking out "3802(A)" in line 8 and all of lines 9 through 15 and inserting

3802 and who has one or more prior offenses may be ordered by the court to participate in a substance monitoring program as a condition of probation under section 3818.

Amend Bill, page 17, lines 19 through 30; pages 18 and 19, lines 1 through 30; page 20, lines 1 through 11; by striking out all of said lines on said pages and inserting

(a) Evaluation required.—The following shall apply:

(1) In all of the following circumstances, in addition to any other condition or restriction imposed, an individual shall be evaluated by a court to determine whether, at the court's discretion, the individual may be ordered to participate in a substance monitoring program:

(i) While adjudication of a violation of section 3802 (relating to driving under influence of alcohol or controlled substance) is pending for an individual who has one or more prior offenses.

(ii) While adjudication of two or more violations of section 3802 are concurrently pending for an individual.

(iii) As a condition of probation or parole where the individual violates section 3802 and has one or more prior offenses.

(2) The court may use the assessment from section 3814 (relating to drug and alcohol assessments) to satisfy this requirement under paragraph (1).

(b) Monitoring devices and technologies.—

(1) A substance monitoring program shall include a requirement that the individual use or participate in one or both of the following, as determined by the court:

(i) A continuous alcohol monitoring device, remote breath testing device or any other similar alcohol monitoring technology or device, other than an ignition interlock system, as determined by the court.

(ii) Random drug testing or any other controlled substance monitoring technology or device as determined by the court.

(2) When determining the devices or technologies to be used under paragraph (1), the court shall consider the individual's:

(i) prior offenses;

(ii) most recent violation of section 3802;

(iii) any pending adjudication for a violation of section 3802;

(iv) in consultation with the county, the monitoring devices and technologies available to or utilized by the county; and

(v) any other factor deemed appropriate by the court.

Amend Bill, page 20, lines 12 and 13, by striking out all of said lines and inserting

(c) Determination and costs to be paid.—If the court orders an individual to participate in

Amend Bill, page 20, lines 18 through 30; page 21, lines 1 through 5; by striking out all of lines 18 through 30 on page 20, all of lines 1 through 4 and "(F)" in line 5 on page 21 and inserting

(d)

Amend Bill, page 21, line 14, by striking out "(G)" and inserting

(e)

Amend Bill, page 21, line 24, by striking out "IN 120 DAYS." and inserting

as follows:

(1) The amendment of 75 Pa.C.S. § 1543(b)(1.1) shall take effect immediately.

(2) The amendment of 75 Pa.C.S. § 1556(b) shall take effect in eight months.

(3) The amendment or addition of 75 Pa.C.S. § 3805(c) and (c.1) shall take effect in 90 days.

(4) The addition of 75 Pa.C.S. § 3805(h.3) shall take effect in eight months.

(5) The amendment of 75 Pa.C.S. § 3807(a) shall take effect immediately.

(6) This section shall take effect immediately.

(7) The remainder of this act shall take effect in four months.

On the question,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

## YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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. WHEATLEY offered the following amendment No. A06317:

Amend Bill, page 1, line 15, by inserting after "REVOKED" and providing for Relief from Administrative Suspension Program  
Amend Bill, page 11, by inserting between lines 16 and 17  
Section 2.1. Chapter 15 of Title 75 is amended by adding a subchapter to read:

## SUBCHAPTER E

RELIEF FROM ADMINISTRATIVE SUSPENSION PROGRAM

Sec.

1591. Definitions.

1592. Relief from Administrative Suspension Program.

1593. Program requirements.

1594. Use of revenue.

1595. Proceedings relating to violations barred.

§ 1591. Definitions.

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

"Court." The issuing authority or court of competent jurisdiction which notified the department of an individual's failure to respond that resulted in the indefinite suspension of that individual's operating privilege under section 1533 (relating to suspension of operating privilege for failure to respond to citation).

"Program." The Relief from Administrative Suspension Program established under section 1592 (relating to Relief from Administrative Suspension Program).

§ 1592. Relief from Administrative Suspension Program.

(a) Establishment.—The department, in consultation with the Administrative Office of Pennsylvania Courts, shall establish the Relief from Administrative Suspension Program that shall begin on the effective date of this section and end 12 months after the effective date of this section.

(b) Purposes.—The program shall permit the department to restore the operating privileges of eligible individuals from suspensions imposed under sections 1533(a), (b) or (d) (relating to suspension of operating privilege for failure to respond to citation), 1543(a) (relating to driving while operating privilege is suspended or revoked) and 1544(a) (relating to additional period of revocation or suspension).

(c) Duties.—The department, in consultation with the Administrative Office of Pennsylvania Courts, shall:

(1) Review the applications filed for relief under the program and make a determination as to the applicant's eligibility for relief within 30 days of receipt of the application and all other required items.

(2) Determine if an applicant has satisfied all court-ordered obligations which resulted in a suspension of the applicant's operating privilege under section 1533(a), (b) or (d).

(3) Determine if an applicant was convicted of one or more violations under section 1543(a) that occurred only as the result of a suspension imposed under the authority of section 1533 or 6146 (relating to enforcement agreements) and is currently serving or will serve an operating privilege suspension for a section 1543(a) conviction.

(4) Determine whether the granting of relief under the program would result in immediate restoration of the applicant's operating privilege.

(5) Prioritize the processing of applications for which the granting of relief will result in an immediate restoration of the applicant's operating privilege.

(6) Update eligible applicants' driver's records and restore the operating privilege of applicants as permitted under this title.

(d) Eligibility.—The program shall be available to an individual who meets the following criteria:

(1) The individual's operating privilege has been indefinitely suspended under section 1533(a), (b) or (d) prior to the effective date of this subsection.

(2) The department's records show that the individual's operating privilege will be or is suspended for a conviction under section 1543(a) only as a result of a suspension imposed under the authority of section 1533 or 6146 prior to the effective date of this section.

(3) The individual has served any operating privilege suspension required by the underlying offense which resulted in violation of section 1533(a), (b) or (d).

(4) The individual has submitted a completed application for relief to the department on a form prescribed by the department. The following items must also be submitted with the application:

(i) the restoration fee; and

(ii) proof of financial responsibility; or

(iii) in the case of an individual who does not own a motor vehicle currently registered in this Commonwealth, a signed statement certifying that the individual does not own a motor vehicle currently registered in this Commonwealth.

(e) Prohibitions.—An individual shall be prohibited from receiving relief under the program for convictions of violations committed after the effective date of this subsection.

(f) Reinstatement.—The department shall amend eligible individuals' driver's records to show they satisfied all court-ordered obligations which resulted in a suspension of the individual's operating privilege under section 1533. The department shall amend eligible individuals' driver's records to show that suspensions imposed for relevant convictions under section 1543(a) will end or will not be imposed. Any add-on suspensions imposed under section 1544(a) for violations that occurred at the same time as a relevant violation of section 1543(a) shall be rescinded from eligible individuals' driver's records. The department shall not be required to reinstate the operating privilege of an individual under this subchapter if the department is authorized under this title to suspend the operating privilege of the individual for other violations of this title. Upon restoration from suspension under this program, eligible individuals' driver's records shall show five points.

(g) Compliance.—The department may not be required to restore the operating privilege of an individual under this subchapter until the individual has complied with section 1593 (relating to program requirements).

§ 1593. Program requirements.

(a) Form.—An individual who seeks to participate in the program shall respond to the court pursuant to the instructions in a restoration requirements letter which shall be provided by the department.

(b) Satisfaction of payments owed.—The individual is required to pay 100% of the original penalty and any other court-ordered obligations imposed under the applicable laws of this Commonwealth.

(c) Requirements.—In addition to the requirements under section 1960 (relating to reinstatement of operating privilege or vehicle registration), an individual applying for the program shall perform one of the following:

(1) Pay all court-ordered obligations immediately or in a single remittance.

(2) If an individual is unable to pay all obligations under subparagraph (i), the individual shall either:

(i) pay in installments all court-ordered obligations after a hearing conducted by the issuing authority to determine the individual's ability to pay and the issuance of an order providing for installment payments; or

(ii) notwithstanding 42 Pa.C.S. § 1520(a) (relating to adjudication alternative program), complete a court-ordered public service or other adjudication alternative program under 42 Pa.C.S. § 1520(b).

(d) Proof of financial responsibility.—Notwithstanding section 1783 (relating to proof of financial responsibility before restoring operating privilege or registration), before restoring an operating privilege, the department shall require an individual participating in the program to provide the department with:

(1) proof of financial responsibility; or

(2) in the case of an individual who does not own a motor vehicle currently registered in this Commonwealth, a signed statement certifying that the individual does not own a motor vehicle currently registered in this Commonwealth.

(e) Certification.—The court shall certify to the department that an individual is eligible for relief under the program because:

(1) an individual has satisfied the amounts owed to the court; or

(2) an individual has completed or satisfied all court-ordered public service requirements or other alternative adjudication programs.

§ 1594. Use of revenue.

All revenue received by the court under the program shall be distributed in accordance with law.

§ 1595. Proceedings relating to violations barred.

Participation in the program is conditioned upon the individual's agreement not to protest or pursue an administrative or judicial proceeding against the department for the sanctions it imposed on the individual's operating privilege under section 1533 (relating to suspension of operating privilege for failure to respond to citation), 1543 (relating to driving while operating privilege is suspended or revoked), 1544 (relating to additional period of revocation or suspension) or 6146 (relating to enforcement agreements) as addressed by the program.

Amend Bill, page 21, line 24, by striking out "IN 120 DAYS." and inserting

as follows:

(1) This section shall take effect immediately.

(2) The addition of Subchapter E of Chapter 15 of Title 75 shall take effect in 10 months.

(3) The remainder of this act shall take effect in 120 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to offer up amendment 06317. This amendment is a combination of over 5 years of bipartisan, multistakeholder agreements, that was originally HB 80, that now we are hoping to have support for this amendment. This amendment is really about social justice reform, workforce development, and the ability to help our citizens who have made mistakes have the ability to find some pathways back to a legal license. Amendment 06317, like I said, started 5 years ago to provide the opportunity for Pennsylvanians to settle their suspensions and become legal drivers.

This is not about those who are outside of our process. This has been limited in scope, and we think – again, talking with our courts, talking with PennDOT, talking with our magistrates, working with our Transportation Committee that voted unanimously to bring HB 80 out – this is a good step forward in giving our citizens who have years and years of suspensions and years and years of fines a pathway back to coming back to being responsible drivers on our highways, our roadways. And I want to encourage the members to look at this amendment and give a positive vote to offer some level of hope for our citizens, that they



do right and they pay their original fines and they serve their original time, that they can eventually have a license again. I would encourage you to support this.

I have received many calls from all throughout the Commonwealth about HB 80, and although we are not passing HB 80, this amendment is essentially that bipartisan, agreed-to language that came out of the Transportation Committee unanimously. I encourage a "yes" vote to give Pennsylvania citizens a pathway back to a legal license.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—129

Benninghoff	Farry	Lewis	Sainato
Bizzarro	Fiedler	Longietti	Samuelson
Bonner	Fitzgerald	Madden	Sanchez
Borowicz	Flynn	Malagari	Sappey
Boyle	Frankel	Markosek	Saylor
Bradford	Freeman	Masser	Schlossberg
Briggs	Fritz	Matzie	Schroeder
Brooks	Gainey	McCarter	Schweyer
Brown	Galloway	McClinton	Shusterman
Bullock	Gillen	McNeill	Simmons
Burgos	Goodman	Mehaffie	Sims
Burns	Green	Merski	Snyder
Caltagirone	Gregory	Miller, D.	Solomon
Carroll	Hanbidge	Mizgorski	Sonney
Cephas	Harkins	Mullery	Sturla
Ciresi	Harris	Mullins	Thomas
Comitta	Heffley	Murt	Tobash
Conklin	Hennessey	Neilson	Tomlinson
Cruz	Hohenstein	O'Mara	Toohil
Daley	Howard	O'Neal	Topper
Davidson	Innamorato	Oberlander	Ullman
Davis, A.	Isaacson	Ortitay	Vitali
Davis, T.	Kaufner	Otten	Warren
Dawkins	Kenyatta	Pashinski	Webster
Day	Kim	Petrarca	Wheatley
Deasy	Kinsey	Polinchock	White
DeLissio	Kirkland	Quinn	Williams
Delloso	Kortz	Rabb	Youngblood
DeLuca	Kosierowski	Ravenstahl	Zabel
Dermody	Krueger	Readshaw	
Donatucci	Kulik	Roebuck	Cutler,
Driscoll	Lawrence	Rowe	Speaker
Evans	Lee	Rozzi	

NAYS—73

Barrar	Gillespie	Mackenzie	Rader
Bernstine	Gleim	Mako	Rapp
Boback	Greiner	Maloney	Reese
Causar	Grove	Marshall	Rigby
Cook	Hahn	Mentzer	Roae
Cox	Helm	Metcalf	Rothman
Culver	Hershey	Metzgar	Ryan
Davanzo	Hickernell	Mihalek	Sankey
Delozier	Irvin	Millard	Schemel
Diamond	James	Miller, B.	Schmitt
Dowling	Jones	Moul	Staats
Dunbar	Jozwiak	Mustello	Stephens
Dush	Kail	Nelson	Struzzi
Ecker	Kauffman	Owlett	Toepel
Emrick	Keefer	Peifer	Warner
Everett	Keller	Pickett	Wentling
Fee	Klunk	Puskaric	Wheeland
Gabler	Knowles	Pyle	Zimmerman
Gaydos			

NOT VOTING—0

EXCUSED—0

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. **CARROLL** offered the following amendment No. **A07729**:

Amend Bill, page 1, line 13, by inserting after "FOR" suspension of operating privilege and for

Amend Bill, page 10, lines 12 and 13, by striking out "SECTION 1543(B)(1.1)(I) OF TITLE 75 IS AMENDED TO" in line 12 and all of line 13 and inserting

Section 1532(d) of Title 75 is amended and subsection (b) is amended by adding a paragraph to read:

§ 1532. Suspension of operating privilege.

\* \* \*

(b) Suspension.—

\* \* \*

(6) Beginning as soon as practicable, but no later than 10 months after the effective date of this paragraph, the department shall update driver records as follows:

(i) If a driver record shows on the effective date of this paragraph an active sanction imposed by the department for a conviction of any offense under a Federal, State or other state's controlled substance laws, except for an offense under section 1532(a), the driver record will be changed to indicate the active departmental sanction has ended. The following shall apply:

(A) If the ending of the active departmental sanction means a driver's operating privilege is eligible for restoration, no points will be placed on the driver record as required by section 1545 (relating to restoration of operating privilege) and no restoration fee shall be imposed as required by section 1960 (relating to reinstatement of operating privilege or vehicle registration).

(B) If a driver record shows a pending departmental sanction after the active sanction imposed by the department for a conviction of any offense under a Federal, State or other state's controlled substance laws, except for an offense under section 1532(a), the effective dates of the pending departmental sanction will be adjusted as if the active sanction ended under this subsection had been rescinded from the record.

(ii) If a driver record shows on the effective date of this paragraph a pending sanction imposed by the department for a conviction of any offense under a Federal, State or other state's controlled substance laws, except for an offense under section 1532(a), the driver record will be changed to indicate that the pending sanction will not be imposed. The effective dates for a departmental sanction to be imposed after a conviction of any offense under a Federal, State or other state's controlled substance laws will be adjusted as if the controlled substance-related departmental sanction had been rescinded from the record.

(iii) If a driver record shows on the effective date of this paragraph an active suspension imposed under former subsection (d), the driver record will be changed to indicate the suspension has ended. The following shall apply:

(A) If the ending of the suspension means the driver's operating privilege is eligible for restoration, no restoration fee shall be imposed as required by section 1960.

(B) If the driver record shows any pending departmental sanction after the suspension imposed under former subsection (d), the effective dates of any such pending departmental sanction will be adjusted as if the suspension ended under this section had been rescinded from the record.

(iv) If the driver record shows on the effective date of this paragraph a pending suspension imposed under former subsection (d), the driver record will be changed to indicate the suspension will not be imposed. The effective dates for any departmental sanctions to be imposed after the pending suspension under former subsection (d) will be adjusted as if the pending suspension had been rescinded from the record.

\* \* \*

[(d) Additional suspension.—The department shall suspend the operating privilege of any person upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into a preadjudication program for a violation under 18 Pa.C.S. § 6307 (relating to misrepresentation of age to secure liquor or malt or brewed beverages), 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages) or 6310.3 (relating to carrying a false identification card). The duration of the suspension shall be as follows:

(1) For a first offense, the department shall impose a suspension for a period of 90 days.

(2) For a second offense, the department shall impose a suspension for a period of one year.

(3) For a third and subsequent offense, the department shall impose a suspension for a period of two years. Any multiple suspensions imposed shall be served consecutively.

Courts may certify the conviction, adjudication of delinquency or admission into the preadjudication program on the same form used to submit the order of suspension required under the provisions of 18 Pa.C.S. § 6310.4 (relating to restriction of operating privileges). Wherever practicable, the suspension imposed under this section shall be made concurrent with the suspension imposed under the provisions

of 18 Pa.C.S. § 6310.4. All offenses committed on or after May 23, 1988, shall be included in considering whether an offense is a first, second, third or subsequent offense.]

Section 2.1. Section 1543(b)(1.1)(i) of Title 75 is amended to read:

Amend Bill, page 21, line 24, by striking out "IN 120 DAYS." and inserting

as follows:

(1) This section shall take effect immediately.

(2) The amendment of 75 Pa.C.S. section 1532 shall take effect in 60 days.

(3) The remainder of this act shall take effect in 120 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this chamber wisely supported and approved what later became Act 95, which provided a prospective relief from driver's license suspensions for people convicted of drug offenses and also underage drinking offenses. This amendment simply makes that same relief retroactive, and I ask for your support.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—179

Barrar	Fiedler	Lewis	Ravenstahl
Benninghoff	Fitzgerald	Longietti	Readshaw
Bizzarro	Flynn	Mackenzie	Reese
Bonner	Frankel	Madden	Rigby
Borowicz	Freeman	Mako	Roae
Boyle	Gabler	Malagari	Roebuck
Bradford	Gainey	Maloney	Rowe
Briggs	Galloway	Markosek	Rozzi
Brooks	Gillen	Marshall	Sainato
Bullock	Gillespie	Masser	Samuelson
Burgos	Gleim	Matzie	Sanchez
Burns	Goodman	McCarter	Sankey
Caltagirone	Green	McClinton	Sappery
Carroll	Gregory	McNeill	Saylor
Causer	Grove	Mehaffie	Schemel
Cephas	Hahn	Merski	Schlossberg
Ciresi	Hanbidge	Metcalfe	Schmitt
Comitta	Harkins	Metzgar	Schroeder
Conklin	Harris	Mihalek	Schweyer
Cook	Helm	Millard	Shusterman

Cox	Hennessey	Miller, D.	Simmons
Cruz	Hershey	Moul	Sims
Culver	Hohenstein	Mullery	Snyder
Daley	Howard	Mullins	Solomon
Davanzo	Innamorato	Murt	Sonney
Davidson	Isaacson	Mustello	Struzzi
Davis, A.	James	Neilson	Sturla
Davis, T.	Jones	Nelson	Thomas
Dawkins	Jozwiak	O'Mara	Tobash
Day	Kail	O'Neal	Tomlinson
Deasy	Kaufer	Oberlander	Topper
DeLissio	Kauffman	Ortitay	Ullman
Deloso	Keefer	Otten	Vitali
Delozier	Keller	Owlett	Warren
DeLuca	Kenyatta	Pashinski	Webster
Dermody	Kim	Peifer	Wentling
Donatucci	Kinsey	Petrarca	Wheatley
Dowling	Kirkland	Pickett	Wheeland
Driscoll	Klunk	Polinchock	White
Dunbar	Kortz	Puskaric	Williams
Dush	Kosierowski	Pyle	Youngblood
Ecker	Krueger	Quinn	Zabel
Emrick	Kulik	Rabb	
Evans	Lawrence	Rader	Cutler,
Everett	Lee	Rapp	Speaker
Farry			

NAYS—23

Bernstine	Gaydos	Mentzer	Stephens
Boback	Greiner	Miller, B.	Toepel
Brown	Heffley	Mizgorski	Toohil
Diamond	Hickernell	Rothman	Warner
Fee	Irvin	Ryan	Zimmerman
Fritz	Knowles	Staats	

NOT VOTING—0

EXCUSED—0

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. CARROLL offered the following amendment No. A06303:

Amend Bill, page 1, line 15, by inserting after "REVOKED;" in commercial drivers, further providing for definitions;

Amend Bill, page 1, line 16, by inserting after "FOR" where it occurs the first time

driving under influence of alcohol or controlled substance and for

Amend Bill, page 1, line 18, by inserting after "DISPOSITION" , for authorized use not a defense

Amend Bill, page 11, by inserting between lines 16 and 17

Section 2.1. The definition of "controlled substance" in section 1603 is amended to read:

§ 1603. Definitions.

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

\* \* \*

"Controlled substance." Any substance so defined or classified, except marijuana used lawfully in accordance with the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, under:

(1) The act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(2) Section 102(6) of the Controlled Substance Act (Public Law 91-513, 21 U.S.C. § 802(6)).

(3) Schedules I through V of 21 CFR Part 1308.

(4) Any revisions to paragraphs (2) or (3) which are published by the Department of Transportation as notices in the Pennsylvania Bulletin.

\* \* \*

Amend Bill, page 11, line 17, by striking out "SECTION" where it occurs the second time and inserting

Sections 3802(d) and

Amend Bill, page 11, by inserting between lines 18 and 19 § 3802. Driving under influence of alcohol or controlled substance.

\* \* \*

(d) Controlled substances.—An individual may not drive, operate or be in actual physical control of the movement of a vehicle under any of the following circumstances:

(1) There is in the individual's blood any amount of [a]:

(i) a Schedule I controlled substance, as defined in the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, except marijuana used lawfully in accordance with the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act;

(ii) a Schedule II or Schedule III controlled substance, as defined in The Controlled Substance, Drug, Device and Cosmetic Act, which has not been medically prescribed for the individual; or

(iii) metabolite of a substance under subparagraph (i) or (ii).

\* \* \*

Amend Bill, page 15, by inserting after line 30

Section 7.1. Section 3810 of Title of Title 75 is amended to read: § 3810. Authorized use not a defense.

The fact that a person charged with violating this chapter is or has been legally entitled to use alcohol [or], controlled substances or marijuana in compliance with the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, is not a defense to a charge of violating this chapter.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Representative Carroll, on the amendment.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply treats those using medical marijuana the same as prescription drug users in relation to a DUI (driving under the influence). This would ensure that people who have medical marijuana in their system, but are not impaired, are not subjected to a DUI.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Rothman, on the amendment.

Mr. ROTHMAN. Mr. Speaker, will the gentleman stand for interrogation?

The SPEAKER. The gentleman indicates he will.

You are in order and may proceed.

Mr. ROTHMAN. Mr. Speaker, a question for the gentleman: Is there a way to determine that the marijuana in the system is the medical marijuana and not recreational or illegal marijuana?

Mr. CARROLL. There is no way to determine that; no, sir. The question is whether or not somebody is impaired, and if they are using medical marijuana legally and not impaired, then they

should be allowed to drive. Otherwise, we are setting up people who are lawfully using medical marijuana for a potential DUI charge.

Mr. ROTHMAN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Mr. Speaker, I stand in support of this amendment. Pennsylvania recognizes the use of medical marijuana as a lawful act. What we are saying with this amendment is that even if you are using medical marijuana, you still must use it in a way that does not impair your ability to safely operate a vehicle. This makes sense as we try to apply the changing conditions that we have today in terms of the use of medical marijuana. This basically says, if you are going to use it, you must be able to operate safely or you will fall within the same standards as every other driver on the highways. So I ask for approval of the amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Heffley.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Will the gentleman stand for interrogation?

The SPEAKER. The gentleman indicates he will.

You are in order and may proceed.

Mr. HEFFLEY. So the question is, somebody would have to get pulled over first and then suspected of driving under the influence before they would go to get the test, correct?

Mr. CARROLL. That is always the case.

Mr. HEFFLEY. So if they fail a field sobriety test, they then go to get drug tested, correct?

Mr. CARROLL. First of all, they do not have to fail the field sobriety test.

Mr. HEFFLEY. So if an officer suspected them of driving under the influence, they would then be charged and sent – and they could either refuse or submit to having the test taken to see if they have an illegal substance in their system, correct?

Mr. CARROLL. And that is the whole point, because if they have medical marijuana in their system and they are not impaired, they should not be subjected to a DUI. Once we enacted the medical marijuana provision in this State, we gave people a card to carry that says they can take medical marijuana. If they are then pulled over and subjected to a test that shows that there is a trace level of medical marijuana in their system, but they are not impaired, current law would suggest that they could be subjected to a DUI. The amendment seeks to solve that remedy.

Mr. HEFFLEY. Thank you, Mr. Speaker.

On the bill, on this amendment.

The SPEAKER. The gentleman has ended his interrogation, and you are in order to speak on the bill.

Mr. HEFFLEY. Quite honestly, I do not really understand it, why this is needed. Here is the thing. The person would first have to be pulled over and charged with driving under the influence, right? So either you swerve over the double yellow line, maybe you take down a mailbox, or for any reason you get pulled over, the officer then would issue a field sobriety test and deem whether or not that individual is under the influence. So if they are under the influence of marijuana, right, because it is illegal to smoke marijuana and drive. And I do not want people that are drunk, stoned, or high driving on the same roads as my children or anybody else's children or my parents or myself.

So essentially, what this amendment will do will give anybody that wants to drive while under the influence of marijuana essentially a get-out-of-jail-free card, because the officer proves or suspects that they are driving under the influence, the only way to prove it is by them having a test, but they are only going to get charged if they first were driving erratically or first pulled over.

I would urge a "no" vote, because if not, you are going to have a huge increase in accidents and deaths across the State of Pennsylvania because people are going to be able to just get high and drive, and that is not what the medical marijuana legislation was intended to do. I would urge a "no" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Rabb.

Mr. RABB. Thank you, Mr. Speaker.

This subject is a little personal for me because I am a medical cannabis patient myself, and I think it is worth saying that – perhaps this is relevant, perhaps this is self-incriminating in some way – but I have never been high before, and one of the reasons I use medical cannabis in the way that I do is because the kind that I take does not get me high, and yet at any point of time, however little I take, it is in my system for up to 30 days, no matter what I do, irrespective when I first took it or whether or not it made me high.

I drive all the time. If I am stopped for any reason that has nothing to do with reckless driving, an officer could ask me, "Have you taken any illicit drugs or anything like that?" and if I did not know the state of what is going on in the Commonwealth, I could say, "Well, honestly, I've had medical cannabis," irrespective of how long ago it was or whether it impaired me when I first took it weeks ago. And if I had to take a test, they would find that cannabis is in my system, and as a result, I could be charged with DUI.

Now, it is theoretical for me, because that has not happened to me, but since introducing my bill – that is, this amendment – I have had people from all over the Commonwealth tell me about their stories, people who have never been high like me, seniors, veterans who have gotten DUIs and have no recourse – no recourse – because if they take the test, they fail. Right now I have cannabis in my system, medical cannabis.

You have got to get your own card, Mr. Whip.

I say that to say that there is no correlation between taking medical cannabis – no direct correlation – and reckless driving. If you get pulled over for reckless driving, that alone is its own thing, but it does not mean that because you have medical cannabis in your system that that is necessarily a DUI. That is what this amendment would address, and I appreciate the majority chair agreeing to this amendment and to the minority chair putting this forth, because this is an important issue. There are hundreds of thousands of Pennsylvanians, many of whom are seniors, who have done this, who have taken this card, who have taken these liberties to make their health better and are not driving around recklessly. If you are driving around recklessly, then you should get a ticket. That is not what this amendment does, and ultimately, we should not blur those lines, because we have passed this statute and it is helping people, and this amendment can too.

Thank you, Mr. Chairman.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Will the maker rise for brief interrogation?

The SPEAKER. The gentleman indicates he will.

You are in order and may proceed.

Mr. DUSH. Thank you, Mr. Speaker.

Mr. Speaker, when an individual is pulled over for suspected DUI, whether it would be alcohol or marijuana or any other intoxicant, is that person subjected to things like field sobriety tests?

Mr. CARROLL. Yes.

Mr. DUSH. Is that person—

Mr. CARROLL. And, Mr. Speaker, if the driver is impaired, regardless of whether they are taking medical marijuana or not, if they are in fact impaired, then they will rightfully get a DUI.

Mr. DUSH. What specifically – my concern is with the officers, Mr. Speaker, that when the officers are pulling the people over under this, if they could test positive, like if it is with a Breathalyzer—

Mr. CARROLL. You mean like 0.00001?

Mr. DUSH. No, because you can actually be taken in for driving under the influence or driving while impaired for below 0.001. So—

Mr. CARROLL. Except that the 0.001 or whatever that number is, is the key evidence in the effort to get a conviction on the charge.

Mr. DUSH. That is only one element, and when one is taken in, you can be convicted for having, even while having a blood intox level of alcohol of less than that 0.001.

Mr. CARROLL. I would hire another lawyer.

Mr. DUSH. It is a recognition of the fact that alcohol and other intoxicants have different levels of impairment on different individuals, and coupled with the officer's observation and other factors that go into the citation, those citations and those convictions are done with good reason, and my concern with this is that you are throwing away the ability, or at least impairing the officer's ability to make those types of determinations at the scene and at least initiate the initial citation and then go through the adjudicative process to determine whether or not the person is in fact indeed intoxicated.

Mr. CARROLL. Mr. Speaker, this, from my perspective, provides a defense that if you are using medical marijuana and you are not impaired – you are capable of driving the vehicle – it is not prima facie evidence that you are impaired because this General Assembly has legalized medical marijuana. And as was stated earlier, I do not know whether 30 days in your system is the right number or not, but it is in your system for some number of days after you ingest the medical marijuana. There is a period of time that is significant – while you have marijuana in your system but you are not impaired. Current law, without this amendment, subjects that person – and that is now thousands and thousands of Pennsylvanians – to a DUI charge.

Mr. DUSH. Mr. Speaker, on the bill?

The SPEAKER. The gentleman has concluded his interrogation and is in order to speak on the bill.

You may proceed.

Mr. DUSH. Mr. Speaker, just like the legislature has determined that alcohol is a legal intoxicant, there is a presumption, based on the fact that one has it in one's system, that there is an element of probability that the one is operating under the influence, and the officer's observations, those other elements that go into it, are very key and very important.

For that reason, Mr. Speaker, I oppose this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Brown.

Mrs. BROWN. Thank you, Mr. Speaker.

Will the maker of the amendment rise for brief interrogation, questioning?

The SPEAKER. The gentleman indicates he will.

You are in order and may proceed.

Mrs. BROWN. Thank you, Mr. Speaker.

I am adding on a little bit to some of the comments before, and I am hoping the maker of the amendment might be able to clarify, which I hope will help this body.

As a supporter of medical marijuana, I believe, just like many of you, that people have really been helped with some of the use for medical marijuana that they need. However, there are many medications that have warnings that say "Caution when operating a vehicle while taking this medication."

When we did the legalization of medical marijuana, we also offered an amendment that allowed for – we took the cap off of the THC (tetrahydrocannabinol). So I remember being slightly concerned about that, but I do remember the fact that there are different medical conditions that might require the THC to be higher, depending on how the patient is getting treated.

With that, I want to continue on the questioning that when someone has it in their system, I believe that there could be a problem, that they get pulled over and they have the medical marijuana in their system, and that could be a concern for something that they are really not impaired. But because of that level of THC cap being pulled off, can you answer for me the ability for that level in the bloodstream to be confirmed, so that if somebody has it in their system we can assure that they are not incorrectly charged with a DUI because they are not impaired, but if that level of THC was raised higher for their prescription, they very well may be impaired while they are driving.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Mr. CARROLL. Mr. Speaker, I will start by saying that current law does not allow any presence of the medical marijuana in your system, because it is a Schedule I drug, and so the presence of the marijuana in your system puts you at peril with respect to the law. What this amendment will do is simply treat medical marijuana as we treat all prescription drugs, and if you are truly impaired, the fact that you are taking medical marijuana or Robitussin or anything else, you will still be subjected to the penalty if you are truly impaired. But the mere presence of the medical marijuana in your system – by itself, without being impaired – should not put you at risk of a DUI.

Mrs. BROWN. Yes, and I understand that, and I thank you for that answer, but my concern is that level of, you know, Robitussin taking is more at a stagnant level. My concern is the THC level among different patients. And I do agree with you that if someone is not impaired and they are at a very low THC level, but it is just that level, and I am wondering if there is a capability for us to be able to accurately test that level, if it is very strong for a DUI sort of provision.

Mr. CARROLL. Mr. Speaker, I understand exactly what you are hoping for, and I think the University of Pittsburgh, among others, is trying to develop the very technology that you are seeking, that I would seek, and I am sure the police officers of our State will seek, and that is to correlate a measure of impairment with the presence of marijuana in your system. It does not exist yet.

Mrs. BROWN. Okay.

Mr. CARROLL. But even though it does not exist, we still authorized medical marijuana, and we took that step with the full knowledge it did not exist, but in an effort to try and solve a problem that parents had with epileptic children and so on and so forth, this body, and by virtue of the enactment of medical marijuana, made that available to patients, but we ignored the reality that would come with the driver's license potential suspension for DUI, even though you have it in your system and you are not impaired.

Mrs. BROWN. Thank you, Mr. Speaker.

And while I do appreciate that and I understand that, I really think we do need that technology. I struggle here a little bit with the ability of the problem that we have with the basic use of medical marijuana for patients that so need it, but I am a little bit worried about that THC level and the volume that that could reach if we do not have the right technology.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman, Representative Jozwiak.

Mr. JOZWIAK. Thank you, Mr. Speaker.

I would just like to just comment here on the impairment and probable cause of driving under the influence. So to be impaired, a person has to have the slurred speech, driving erratic, they cannot walk straight. They have to pass the field sobriety tests. But more important than that, the police officer needs probable cause to pull somebody over. If somebody is taking medical marijuana and they are not impaired, they are not going to get pulled over and they are not going to be charged with it. This amendment – I mean, just because you are taking medical marijuana does not mean that you will be charged with a DUI offense, unless you are driving erratic. There is no way to measure the quantity of marijuana in somebody's system. So this amendment is not necessary. A prescription from the doctor gives you the right to have it in your system. Then you must show impairment beyond a reasonable doubt. So it is a totality of the circumstances with this, and I would urge a "no" vote. I do not think this amendment is necessary.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Hennessey for the second time.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I still urge an approval of the amendment. Under our current DUI law, it is not the presence of any amount of alcohol in the blood system that would lead to a conviction; it is, we measure, we set the level at .08 percent for blood alcohol. The problem is, we do not treat marijuana, even medical marijuana, in the system in a consistent way. Any amount of marijuana in the system, not a measurable amount, any amount leads to the consideration by the jury of other factors like, was the person driving erratically? Was there swerving? Was there slurring of speech? All we are trying to do with this amendment is to find some consistency between the way we treat alcohol use and the way we treat marijuana use, medical marijuana use. We should not make it a totally different standard. So this, I think, allows the jury to say, "Even if there's a trace amount, we still have to find these other factors – erratic driving, whatever – in order to lead to a conviction for drunk driving and driving under the influence."

So I urge the amendment be approved. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

There is no reason for me to speak; the gentleman who just spoke before me was very eloquent with his remarks. He explained, quite clearly, that someone could have one taste of alcohol, below a legal limit, and be okay to move on, but without this amendment, that is not true for the person who may have taken their medical marijuana 27 days ago and could very well be arrested just because they were just a little bit tired or had bloodshot eyes and had no way to defend themselves. But with this amendment, that would give clarification until the rest of the technology we need comes on board.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, the good sponsor of the amendment stated earlier that when SB 3, which created the medical marijuana program in 2016, was passed, that we ignored the reality of this potential, of the situation in front of the House. With all due respect, I do not believe that that is the case. This is not the first time that this issue has come up on the House floor.

When SB 3 was moving its way through the House chamber, I offered amendment A06066. That amendment said that the Department of Health, upon issuing a medical marijuana card, would include a written notification to everyone who received one that would state, "IMPORTANT NOTICE...: Before starting a medical marijuana regimen, talk to your doctor or health care practitioner about how medical marijuana" regimen "may impact your ability to safely operate a motor vehicle." It went on to say, "Under Pennsylvania law, even a small amount of marijuana in your blood could result in conviction for DUI, also called Impaired Driving or Drugged Driving. Conviction for DUI can result in serious penalties, including fines, jail and losing your driver's license for a period of time. If you have any questions about how the DUI law could potentially impact you, contact your" doctor or your "attorney for...advice."

Now, Mr. Speaker, that amendment failed on the floor that day. There were 81 "yes" votes and 106 "no" votes. And I accepted the will of the House. The good gentleman sponsoring this amendment was a "no" vote on that amendment.

The fact of the matter is, is that this situation was entirely predictable, but the fix that is being offered at this moment does not fix the problem. As the good gentleman from Carbon noted earlier, there is no test available today, if someone is pulled over with cannabis in their system, that can detect whether or not they are high or not. Mr. Speaker, with that in mind, I would encourage a "no" vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I do not believe anybody in this chamber worked harder or advocated harder for the passage of medical cannabis for people with serious medical conditions in Pennsylvania than I did, and I certainly appreciate the maker of the amendment's efforts to try to address this because Pennsylvania's zero-tolerance policy is problematic.

I am also very sensitive to the nature of the gentleman from Philadelphia's comments about, you know, whether you are high or not. I think, though, that the problematic language in this amendment, Mr. Speaker, is the fact that it says someone who has

"lawfully" used medical cannabis. Well, under the law, and it is quite true what the gentleman from Philadelphia said, is that there is no real guidance for patients on what you should take for this condition or what you should take for that condition because that clinical research that we included in that bill really has not come to fruition yet. So under the lawful use of medical cannabis in Pennsylvania, you absolutely, positively can be high. I have seen it in a loved one who has tried various different formulations of medical cannabis. Some of them do not do anything. Some of them really, really, really do impact you. So I think that the problematic language here is the use of the term "lawfully" because lawfully you can be prescribed or recommended or certified to have medical cannabis and lawfully you can take a dose that really, really alters your mind and impacts your ability to drive.

So, Mr. Speaker, while I certainly appreciate the gentleman's offering of this amendment and I think it is a problem we do have to focus on and work on, I think there ought to be, we ought to wait until the technology comes around until we can actually measure the active metabolites in someone's system before we give them essentially a get-out-of-jail-free card, potentially, in order to operate on our highways while using medical cannabis.

So, Mr. Speaker, while I certainly empathize with the maker of the amendment's arguments here and I agree with him that we do need to address this in Pennsylvania, I do not think this amendment is the way to do it and I think it will end up being abused and I think we ought to vote "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Longiotti, on the amendment.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, if we do not adopt this amendment, what it means is that somebody could be convicted of driving under the influence even though they are not under the influence. So we all agree on this House floor that nobody knows what the THC level is for impairment. And under current law, any, any amount of marijuana in your system can convict you of driving under the influence even though you are not under the influence.

Now, if we adopt this amendment, what we are saying is that you have to be impaired. If you are impaired because you have medical marijuana in your system, you can be convicted. That is the standard that we ought to adopt. And we need to recognize, too, that people get pulled over every day in this Commonwealth not because they are erratically driving, but because they did not use a turn signal to switch lanes, because they have a taillight out on their car that they do not know. And police, rightfully, pull that person over and now we are going to say that it is okay, even though that person was not driving erratically, if we do not adopt this amendment, we are going to say we can convict them of DUI, driving under the influence, even though they are not under the influence.

Let us adopt this amendment, make it crystal clear that you have to be impaired, you have to be impaired to get convicted of DUI. Let us not lock up people who were driving around and they were not impaired.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Jozwiak, for the second time.

Mr. JOZWIAK. Thank you, Mr. Speaker.

I appreciate your letting me speak a second time.

First of all, hearing this discussion here, in medical marijuana there is not supposed to be any THC in it so you should not be impaired to start with.

Second of all, I just checked with the State F.O.P. (Fraternal Order of Police), the State F.O.P. is against this amendment. They say they would not approve it. They request a "no" vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Gainey.

Mr. GAINNEY. Thank you, Mr. Speaker.

Mr. Speaker, we fought long and hard to pass medical marijuana. We did it because we wanted to make sure that we had some type of difference when we talked about medical marijuana and opioid abuse, and the fact that medical marijuana reduced opioid abuse by 25 percent. Everybody in this chamber has agreed that that was a good thing.

Now we are having a conversation about being pulled over. I think that you can ask any veteran or anybody that is using medical cannabis right now that if they took the prescription on Monday, Wednesday they are not high, and if they got pulled over, they darn should not be charged for being intoxicated or under the influence of medical marijuana and the last time they took it was Monday. It would make no sense for us to put them in that type of a situation where we are giving them a ticket, fining them, or giving them some type of fine that says, you have got to pay this or go to court, be put into the judicial system, the whole nine, and we know that if they had it Monday and it is Wednesday, they are not high anymore, they are not high anymore.

And I think we are putting an undue burden on the people of Pennsylvania if we are saying that this is what we want to do. After we fought so hard to pass medical marijuana and we know what it has done to help the people of Pennsylvania, now you want to put something else in place that makes it difficult for them to use it and be paranoid about being pulled over even if they are not high.

I rise today to ask people to vote "yes" on this amendment because at the end of the day, if they had a prescription on Monday, we all in here know they are not high on Wednesday. Thank you.

The SPEAKER. The Chair thanks the gentleman.

As a reminder to the members, it is customary to save the maker of the amendment or the underlying bill and the leaders until last. Seeing no one else seeking recognition at this – I stand corrected and recognize the gentleman, Representative Heffley.

Mr. HEFFLEY. Just real quick, I think this is a well-intended amendment. Obviously, if somebody is using medical marijuana, they are not impaired and they can drive. As the gentleman from Philadelphia stated earlier, he uses medical marijuana, it is legal to use, but it is not legal to be impaired while driving. And the only way that you are going to be tested is if you have already been pulled over for erratic driving and suspected of being impaired.

So with that said, this argument has nothing to do with medical marijuana. But if somebody is using marijuana, smoking marijuana, using edible marijuana, legal or illegal, and they are high and they get behind the wheel of a car and they go out and they kill somebody and they are then charged with driving under the influence and the way that you have to prove that at the end

is that they have to have a test to see if they had that substance in their system but then they hold up a card and say, "Well, I use it for medical reasons," you have no way to prove their guilt and they will essentially get away with murder.

If you vote for this, you are putting everybody that drives on the highway in the State of Pennsylvania at risk. I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Rabb, for the second time.

Mr. RABB. Thank you, Mr. Speaker.

I should just state that if you are impaired for any reason, you can be charged with careless driving or reckless driving. There does not have to be one charge. So just because you have a medical cannabis patient card does not give you a get-out-of-jail-free card. If you are reckless, then you should be charged, but this is an issue of causation versus correlation. We cannot talk about causation right now because none of us are scientists and we do not have enough information about what that threshold is. But I trust law enforcement when they say someone is driving recklessly or carelessly. We have laws on the books to charge people appropriately. So this is really not about medical cannabis at all.

And as the good gentleman from Mercer County said, are we charging people with DUIs who actually are not under the influence? Without this amendment, that will remain the norm. So if you believe that someone is driving recklessly, if a law enforcement officer believes that, that person can be charged and convicted. No one is getting away with anything just because they have a patient card.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Zabel, on the amendment.

Mr. ZABEL. Thank you, Mr. Speaker.

As someone who has prosecuted hundreds of DUIs, including many marijuana DUIs, I will tell you that this amendment does not impede a prosecutor's ability to prosecute someone for driving under the influence of marijuana, it does not impede it one iota. It does not change it at all. If someone is driving erratically, if they have marijuana in their system, if they are impaired while they are driving – this amendment changes absolutely none of that. All this is targeted toward and the reason this has bipartisan support is because it is common sense. All this gets rid of is if there is a trace amount of marijuana and no other evidence that you are impaired, that you will not be prosecuted for it. It is not a de facto DUI. That is the only reason this exists. It does not take any tools out of an officer's tool belt and it does not impede a prosecutor's ability to present evidence that marijuana was in your system at trial. It does not change any of that. All it does is prevents the one instance, the one category of an unjust result.

This is just common sense. It is not going to put anyone in danger. I encourage a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman and now goes to the maker of the amendment, the gentleman, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

A couple things, Mr. Speaker. Marijuana is a Schedule I drug. That has been the case – it was the case prior to medical marijuana; it continues to be the case today.

Section 3802(d) of our Vehicle Code uses the word "any," any trace – .01, .0001, any. People who use lawfully medical marijuana may have a trace in their system, but it does not mean that they are impaired, and the impairment is what matters here. If somebody is impaired, they ought to be charged and they ought to be convicted. But if they are not impaired, they should not be convicted.

The gentleman from Berks County cited the F.O.P. as being opposed to this amendment. I will offer that the District Attorneys Association supports this amendment, because, Mr. Speaker, the district attorneys of this State will have to prosecute these charges if they come to county court.

And so, Mr. Speaker, we live in a Commonwealth that allows medical marijuana. If we want to tell those folks that use medical marijuana that you cannot drive a motor vehicle, we have essentially taken away their ability to use medical marijuana. Folks who use medical marijuana and are not impaired should not be subjected to a driving-while-impaired charge, as rightfully highlighted by the gentleman from Mercer.

Mr. Speaker, if the vehement opponents of this amendment do not want to have medical marijuana users driving, then I cannot solve that because medical marijuana is the law of this State. Repeal the medical marijuana provision, I would suggest, and then you will have the ability to say anybody who has it in their system should not be driving. But, Mr. Speaker, we do have medical marijuana. Families have taken advantage of that medical marijuana, individuals have taken advantage of that medical marijuana, and for those that are not impaired, they should be legally able to drive a motor vehicle.

And I know there were highlights from the gentleman from Carbon related to fatal accidents and people getting killed. Mr. Speaker, I have had double fatal accidents in my family. I am well aware of the phone call that you get from a police officer highlighting a fatal accident. So I do not need to be lectured about fatal accidents. I am well aware. Mr. Speaker, if I thought for a minute this amendment opened the door to fatal accidents, I would not have offered it, not for one second.

Mr. Speaker, this amendment simply solves a flaw that exists in our current law because of our authorization of medical marijuana. I ask for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.



The following roll call was recorded:

## YEAS—109

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

## NAYS—93

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

## NOT VOTING—0

## EXCUSED—0

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?

The SPEAKER. It is the Chair's understanding that all remaining amendments have been withdrawn. Seeing agreement, the Chair thanks the multiple members who have withdrawn their amendments.

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.

At this time the majority leader has requested that we take a very brief time of being at ease. We expect to return to the voting schedule in approximately 15 to 20 minutes. At this time the House will be at ease.

The House will come to order.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**SB 1182, PN 2106** (Amended)

By Rep. KELLER

An Act amending the act of July 8, 1986 (P.L.437, No.92), known as the Pennsylvania Agricultural Fair Act, further providing for advisory committee; and providing for COVID-19 Emergency Agricultural Fair Grants.

#### AGRICULTURE AND RURAL AFFAIRS.

**SB 1330, PN 2105** (Amended)

By Rep. KELLER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for milk sell by date and best by date labeling.

#### AGRICULTURE AND RURAL AFFAIRS.

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 976, PN 2023**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in jurisdiction of appellate courts, providing for commerce court program; and, in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts and providing for commerce courts.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The gentlewoman, Representative Toohil, has amendment 7518, which the clerk will read— The gentlelady withdraws.

She has informed the Chair she pulled all three amendments. The Chair thanks the lady.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1342, PN 4465**, entitled:

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, further providing for health services and providing for vision screening and examinations.

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

Mrs. **BROWN** offered the following amendment  
No. **A07650**:

Amend Bill, page 2, line 30, by striking out the period after "Pediatrics" and inserting  
and American Association for Pediatric Ophthalmology and Strabismus.

Amend Bill, page 3, line 5, by inserting after "and"  
at least

Amend Bill, page 3, line 19, by striking out the period after "first" and inserting  
and a list of vision resources compiled by the Department of Health.

Amend Bill, page 4, lines 17 through 20, by striking out "A PARENT OR LEGAL GUARDIAN WHO" in line 17 and all of lines 18 through 20

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

The SPEAKER. On that question, the Chair recognizes Representative Brown.

Mrs. BROWN. Thank you, Mr. Speaker.

This amendment basically addresses some stakeholder concern that allows for annual vision screening for children in grades 6 through 12 instead of every 2 years if they so choose. It also reduces the tracking requirements by providing the Department of Health compile vision resources when the child fails the vision screening instead of at a later date. And I do ask for support for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

## YEAS—202

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—0

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?

## AMENDMENT RULED OUT OF ORDER

The SPEAKER. The Chair has ruled amendment 7733, offered by the gentleman, Representative Davis, is out of order.

## RULING OF CHAIR APPEALED

The SPEAKER. For the information of the members, we had previously ruled Representative Davis' amendment out of order.

The Chair recognizes the gentleman, Representative Davis. For what purpose do you rise?

Mr. DAVIS. Thank you, Mr. Speaker.

I rise to appeal the ruling of the Chair.

The SPEAKER. The Chair thanks the gentleman.

We will give some background information here, and then we will return to you.

The gentleman, Mr. Davis' amendment to HB 1342 is out of order because it violates House rule 20, which provides that no bill shall be passed containing more than one subject – Constitution for the Commonwealth, Article III, section 3. HB 1342 amends the School Code to provide for vision examinations. Amendment 7733 creates a new funding formula for State reimbursement for all health-care services, not just limited to vision exams. Therefore, this amendment inserts a different subject matter into the bill.

The PA Supreme Court held, in *Commonwealth v. Neiman*, that the subject matter of the proposed amendment must relate to the same subject matter as that contained in the underlying bill and that the mere fact that an amendment amends the same title as the bill does not mean it meets the requirements of Article III, section 3. Also, the Supreme Court held, in *City of Philadelphia v. Commonwealth*, that there must be a single subject to which all the provisions of the act are relevant. Additionally, in *Leach v. Commonwealth*, the court held that by inserting a different subject into the bill, the original purpose of the bill is changed and thus violates Article III, section 1, of the Constitution and House rule 27.

The ruling of the Chair, therefore, is that amendment 7733 is out of order.

On the question,

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

The SPEAKER. The Chair recognizes the gentleman on the question of appealing the ruling of the Chair.

Mr. DAVIS. Thank you, Mr. Speaker.

I believe amendment A07733 is germane because it relates directly to the way the Commonwealth reimburses school districts for these health services. HB 1342 lists requirements of vision screenings in schools. My amendment provides State reimbursement for vision screenings in schools. To say that the State-mandated process is unrelated to the State reimbursement is another way to say I support unfunded mandates. Funding for vision services comes from the same pot, so increasing funds available in that pot to provide for otherwise an unfunded mandate of vision screenings.

So for those reasons, I would ask that the members support my motion to appeal the ruling of the Chair.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, the majority leader, Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I would ask the members to please support the ruling of the Chair. Thank you.

The SPEAKER. The question before the House is, 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, "no."

On the question recurring,

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

## YEAS—109

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

NOT VOTING—0

EXCUSED—0

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 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 2861, PN 4564**, entitled:

An Act providing for access to long-term care facilities for essential caregivers, for additional safety requirements for residents of long-term care facilities, for suspension of access for essential caregivers and for personal protective equipment for essential caregivers.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentlewoman, Representative Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

Mr. Speaker, I sponsored this bill after hearing from constituents and citizens all across the Commonwealth who became locked out and blocked out from seeing their loved ones, and what a tragedy, those loved ones who are in long-term care

not able to see their family members or their essential caregivers. So truly, Mr. Speaker, I definitely request that you would support me in this bill.

This bill was expanded on second as far as facilities that would be abiding by the essential caregiver during a disaster emergency, and those facilities are the following: long-term-care nursing facilities; skilled nursing facilities; assisted-living facilities; personal care homes; older adult daily living centers; independent long-term-care facilities, also known as a community residential rehabilitation services facility; and intermediate-care facility for individuals with intellectual disabilities.

Part of this legislation, Mr. Speaker, would also provide that the facilities and the caregiver would have certain protocols that they would have to abide by. The essential caregiver could even be told that they would have to purchase their own PPE equipment (personal protective equipment) to enter the nursing home or the other facility.

So, Mr. Speaker, I believe that this bill, which was taken and this was brought to my attention from citizens across this Commonwealth, the legislation is similar to Executive orders from the States of Indiana and Minnesota that required long-term-care facilities to begin and accept visitors from a strict safety protocol.

In the interest of our senior citizens in these facilities and the tragedy, the tragic stories that we have heard of our senior citizens dying alone without their family members, I request a vote in the positive.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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 gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—176

Barrar	Gabler	Maloney	Rothman
Benninghoff	Galloway	Markosek	Rowe
Bernstine	Gaydos	Marshall	Ryan
Bizzarro	Gillen	Masser	Sainato
Boback	Gillespie	Matzie	Samuelson
Bonner	Gleim	McCarter	Sanchez
Borowicz	Goodman	McNeill	Sankey
Boyle	Gregory	Mehaffie	Sappey
Bradford	Greiner	Mentzer	Saylor
Brown	Grove	Merski	Schemel
Burns	Hahn	Metcalfe	Schlossberg
Caltagirone	Hanbidge	Metzgar	Schmitt

Carroll	Harkins	Mihalek	Schroeder
Causer	Heffley	Millard	Schweyer
Ciresi	Helm	Miller, B.	Shusterman
Comitta	Hennessey	Mizgorski	Simmons
Conklin	Hershey	Moul	Snyder
Cook	Hickernell	Mullery	Sonney
Cox	Howard	Mullins	Staats
Culver	Innamorato	Murt	Stephens
Daley	Irvin	Mustello	Struzzi
Davanzo	James	Neilson	Sturla
Davidson	Jones	Nelson	Thomas
Davis, A.	Jozwiak	O'Mara	Tobash
Davis, T.	Kail	O'Neal	Toepel
Day	Kaufner	Oberlander	Tomlinson
Deasy	Kauffman	Ortitay	Toohil
Delloso	Keefer	Otten	Topper
Delozier	Keller	Owlett	Ullman
DeLuca	Kim	Pashinski	Vitali
Dermody	Kirkland	Peifer	Warner
Diamond	Klunk	Petrarca	Warren
Dowling	Knowles	Pickett	Webster
Driscoll	Kortz	Polinchock	Wentling
Dunbar	Kosierowski	Puskaric	Wheatley
Dush	Krueger	Pyle	Wheeland
Ecker	Kulik	Quinn	White
Emrick	Lawrence	Rader	Williams
Evans	Lee	Rapp	Youngblood
Everett	Lewis	Ravenstahl	Zabel
Farry	Longietti	Readshaw	Zimmerman
Fee	Mackenzie	Reese	
Flynn	Madden	Rigby	Cutler,
Freeman	Mako	Roae	Speaker
Fritz	Malagari		

NAYS—26

Briggs	DeLissio	Harris	Miller, D.
Brooks	Donatucci	Hohenstein	Rabb
Bullock	Fiedler	Isaacson	Roebuck
Burgos	Fitzgerald	Kenyatta	Rozzi
Cephas	Frankel	Kinsey	Sims
Cruz	Gainey	McClinton	Solomon
Dawkins	Green		

NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **SB 273, PN 224**, entitled:

An Act amending the act of May 21, 2013 (P.L.32, No.10), known as the Community-Based Health Care Act, in health care assistance, further providing for Community-Based Health Care Program.

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. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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

Evans	Kosierowski	Rader	Zimmerman
Everett	Krueger	Rapp	
Farry	Kulik	Ravenstahl	Cutler,
Fee	Lawrence	Readshaw	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **SB 94, PN 2101**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in additional coverages, further providing for the definition of "employee"; and making editorial changes.

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. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS-202

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Bonner	Fritz	Mako	Rowe
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan
Bradford	Galloway	Markosek	Sainato

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

\* \* \*

The House proceeded to third consideration of **HB 100, PN 4452**, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for Certified Registered Nurse Practitioner Pilot Program.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman, Representative Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

Many times as we have talked in the realm of public policy about health care, actually much of the conversation centers around health insurance: Who is going to pay for the care? But there is also the important aspect of actually having access to health care. And in districts such as mine and underserved districts all throughout the State and even the country, we see that that has been a problem, particularly in the area of primary care.

One of the solutions, in my opinion, is to look at our certified nurse practitioners and allow them to practice more independently. This issue has certainly been a hot-button issue over the years, certainly through my entire time here in the legislature, so I want to thank the many folks who have worked painstakingly to try and come up with a product that while both sides, I am sure, are not extremely happy with, it is something that moves us in a direction that, I believe, is positive.

A few things about the compromise that was reached in committee: This bill creates a 6-year pilot program to allow nurse practitioners to practice without a collaborative agreement in areas of the Commonwealth that demonstrate a critical shortage of primary care physicians. These areas are referred to as "health professional shortage areas" that are federally designated. So those designations have already taken place. There will be a study after 5 years on the outcomes, and I think this will help to alleviate many of the concerns that have been expressed over the years as this topic has been discussed. And in the study, I am confident that we will find that we have the medical professionals that we need in this field to help with that primary care shortage and indeed give more of our citizens access to high-quality health care. And that is why I urge a "yes" vote, Mr. Speaker, on HB 100. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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 gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Hold on just a moment.

Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

#### YEAS—201

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

#### NAYS—1

Irvin

#### NOT VOTING—0

#### EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **SB 30, PN 2102**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in city revitalization and improvement zones, further providing for reports and for restrictions; and providing for Pennsylvania Housing Tax Credit.

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 Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Bonner	Fritz	Mako	Rowe
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan
Bradford	Galloway	Markosek	Sainato
Briggs	Gaydos	Marshall	Samuelson
Brooks	Gillen	Masser	Sanchez
Brown	Gillespie	Matzie	Sankey
Bullock	Gleim	McCarter	Sappey
Burgos	Goodman	McClinton	Saylor
Burns	Green	McNeill	Schemel
Caltagirone	Gregory	Mehaffie	Schlossberg
Carroll	Greiner	Mentzer	Schmitt
Causar	Grove	Merski	Schroeder
Cephas	Hahn	Metcalfe	Schweyer
Ciresi	Hanbidge	Metzgar	Shusterman
Comitta	Harkins	Mihalek	Simmons
Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder
Cox	Helm	Miller, D.	Solomon
Cruz	Hennessey	Mizgorski	Sonney
Culver	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davanzo	Hohenstein	Mullins	Struzzi
Davidson	Howard	Murt	Sturla
Davis, A.	Innamorato	Mustello	Thomas

Davis, T.	Irvin	Neilson	Tobash
Dawkins	Isaacson	Nelson	Toepel
Day	James	O'Mara	Tomlinson
Deasy	Jones	O'Neal	Toohil
DeLissio	Jozwiak	Oberlander	Topper
Delloso	Kail	Ortitay	Ullman
Delozier	Kaufe	Otten	Vitali
DeLuca	Kauffman	Owlett	Warner
Dermody	Keefer	Pashinski	Warren
Diamond	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	White
Dush	Klunk	Pyle	Williams
Ecker	Knowles	Quinn	Youngblood
Emrick	Kortz	Rabb	Zabel
Evans	Kosierowski	Rader	Zimmerman
Everett	Krueger	Rapp	
Farry	Kulik	Ravenstahl	Cutler,
Fee	Lawrence	Readshaw	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **SB 1076, PN 1560**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in military leave of absence, further providing for military family relief assistance.

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 Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.



Mr. HARRIS. Thank you, Mr. Speaker.  
The electronic board is accurate.  
The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR B

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1033, PN 4539**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for definitions and for duties of board; repealing provisions relating to qualifications; further providing for certification; providing for employees of political subdivisions; further providing for disciplinary and correction measures and for unlawful practice; repealing provisions relating to nonapplicability; and providing for assessors in counties of the first class.

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

The SPEAKER. Moved by the gentleman, Representative Moul, that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative Moul for a brief description of Senate amendments.

Mr. MOUL. Thank you, Mr. Speaker.

HB 1033 was amended by the Senate to require that assessors in Philadelphia become a Certified Pennsylvania Evaluator within 3 years of the effective date and that the board may deny an applicant that has plead guilty of a crime that directly relates to the duties of the job.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Bonner	Fritz	Mako	Rowe
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan
Bradford	Galloway	Markosek	Sainato
Briggs	Gaydos	Marshall	Samuelson

Brooks	Gillen	Masser	Sanchez
Brown	Gillespie	Matzie	Sankey
Bullock	Gleim	McCarter	Sappey
Burgos	Goodman	McClinton	Saylor
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Causer	Grove	Merski	Schroeder
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Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder
Cox	Helm	Miller, D.	Solomon
Cruz	Hennessey	Mizgorski	Sonney
Culver	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davanzo	Hohenstein	Mullins	Struzzi
Davidson	Howard	Murt	Sturla
Davis, A.	Innamorato	Mustello	Thomas
Davis, T.	Irvin	Neilson	Tobash
Dawkins	Isaacson	Nelson	Toepel
Day	James	O'Mara	Tomlinson
Deasy	Jones	O'Neal	Toohil
DeLissio	Jozwiak	Oberlander	Topper
Deloso	Kail	Ortitay	Ullman
Delozier	Kaufer	Otten	Vitali
DeLuca	Kauffman	Owlett	Warner
Dermody	Keefer	Pashinski	Warren
Diamond	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	White
Dush	Klunk	Pyle	Williams
Ecker	Knowles	Quinn	Youngblood
Emrick	Kortz	Rabb	Zabel
Evans	Kosierowski	Rader	Zimmerman
Everett	Krueger	Rapp	
Farry	Kulik	Ravenstahl	Cutler,
Fee	Lawrence	Readshaw	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1838, PN 3590**, entitled:

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in emergency medical services system, further providing for support of emergency medical services; in general provisions, further providing for EMS costs; and, in driving after imbibing alcohol or utilizing drugs, further providing for Accelerated Rehabilitative Disposition.

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

The SPEAKER. Moved by the gentleman, Representative Causer, that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative Causer for a brief description of Senate amendments.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, HB 1838 is an important piece of legislation to provide necessary funding for our emergency medical services system. The Senate amended the bill to add a requirement that the Legislative Budget and Finance Committee study court records for the last 5 years to ensure that funds are properly collected and deposited according to law. I support the amendment and ask the members to support HB 1838 on concurrence.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS-202

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Bonner	Fritz	Mako	Rowe
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan
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Briggs	Gaydos	Marshall	Samuelson
Brooks	Gillen	Masser	Sanchez
Brown	Gillespie	Matzie	Sankey
Bullock	Gleim	McCarter	Sappey
Burgos	Goodman	McClinton	Saylor
Burns	Green	McNeill	Schemel
Caltagirone	Gregory	Mehaffie	Schlossberg
Carroll	Greiner	Mentzer	Schmitt
Causer	Grove	Merski	Schroeder
Cephas	Hahn	Metcalfe	Schweyer
Ciresi	Hanbidge	Metzgar	Shusterman
Comitta	Harkins	Mihalek	Simmons
Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder
Cox	Helm	Miller, D.	Solomon
Cruz	Hennessey	Mizgorski	Sonney
Culver	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens

Davanzo	Hohenstein	Mullins	Struzzi
Davidson	Howard	Murt	Sturla
Davis, A.	Innamorato	Mustello	Thomas
Davis, T.	Irvin	Neilson	Tobash
Dawkins	Isaacson	Nelson	Toepel
Day	James	O'Mara	Tomlinson
Deasy	Jones	O'Neal	Toohil
DeLissio	Jozwiak	Oberlander	Topper
Deloso	Kail	Ortitay	Ullman
Delozier	Kaufer	Otten	Vitali
DeLuca	Kauffman	Owlett	Warner
Dermody	Keefer	Pashinski	Warren
Diamond	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	White
Dush	Klunk	Pyle	Williams
Ecker	Knowles	Quinn	Youngblood
Emrick	Kortz	Rabb	Zabel
Evans	Kosierowski	Rader	Zimmerman
Everett	Krueger	Rapp	
Farry	Kulik	Ravenstahl	Cutler,
Fee	Lawrence	Readshaw	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

**BILLS SIGNED BY SPEAKER**

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

**HB 1033, PN 4539**

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for definitions and for duties of board; repealing provisions relating to qualifications; further providing for certification; providing for employees of political subdivisions; further providing for disciplinary and correction measures and for unlawful practice; repealing provisions relating to nonapplicability; and providing for assessors in counties of the first class.

**HB 1838, PN 3590**

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in emergency medical services system, further providing for support of emergency medical services; in general provisions, further providing for EMS costs; and, in driving after imbibing alcohol or utilizing drugs, further providing for Accelerated Rehabilitative Disposition.

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

**CALENDAR CONTINUED**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1110, PN 1702**, entitled:

An Act amending the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, further providing for definitions, for reports and for confidentiality of reports and records; and providing for confidentiality provisions during disaster emergency.

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

Mr. **FRANKEL** offered the following amendment  
No. **A07717**:

Amend Bill, page 1, line 9, by inserting after "~~for~~" where it occurs the second time  
definitions, for

Amend Bill, page 2, lines 22 through 24, by striking out all of said lines and inserting

Section 1. Section 2(a) of the act of April 21, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, is amended and the section is amended by adding a definition to read:

Section 2. Definitions.—

The following terms, whenever used in this act, have the meanings indicated in this section, except where the context indicates a clearly different meaning:

(a) Aerosolized transmission. Person-to-person transmission of a communicable disease by large or small particles that are able to remain airborne for a duration of time to allow infection.

[(a)] (a.1) Board. The State Advisory Health Board.  
\* \* \*

Section 2. Sections 4 and 15 of the act are amended to read:  
Amend Bill, page 5, line 9, by striking out "2" and inserting  
3

Amend Bill, page 5, line 11, by striking out all of said line and inserting

Emergency.—

(a) Upon a proclamation of disaster emergency issued or renewed by

Amend Bill, page 5, line 12, by inserting after "**DISEASE**"  
infectious through aerosolized transmission

Amend Bill, page 5, lines 19 through 30; page 6, lines 1 through 30; page 7, line 1; by striking out "**TO PUBLIC SAFETY PERSONNEL, INCLUDING CORONERS.**" in line 19, all of lines 20 through 30 on page 5, all of lines 1 through 30 on page 6 and all of line 1 on page 7 and inserting

, within twenty-four (24) hours of receiving information of a confirmed case of the communicable disease infectious through aerosolized transmission subject to the disaster emergency, the address of the confirmed case to a public safety answering point as defined in 35 Pa.C.S. § 5302 (relating to definitions). The public safety answering point shall provide the address to law enforcement officers, fire department personnel and emergency medical services personnel. Recipients of the address information under this clause shall only use the information for the purpose of notifying law enforcement officers, fire department personnel and emergency medical services personnel that there has been a case of the communicable disease infectious through aerosolized transmission subject to the disaster emergency at the address to which the law enforcement officers, fire department personnel and emergency medical services personnel have been called to perform an essential job function. Law enforcement officers, fire

department personnel and emergency medical services personnel may not use or disclose address information for any purpose other than to carry out an essential job function at the given address.

(2) The department or local boards or departments of health shall release, within twenty-four (24) hours of receiving information of a confirmed case of the communicable disease infectious through aerosolized transmission subject to the disaster emergency, the address of the confirmed case of the communicable disease subject to the disaster emergency to coroners and medical examiners in a manner prescribed by the department. Recipients of the address information under this clause shall only use the information for the purpose of notifying staff that there has been a case of the communicable disease infectious through aerosolized transmission subject to the disaster emergency at the address to which the coroner, medical examiner or staff have been called to perform an essential job function. Coroners, medical examiners and staff receiving this data may not use or disclose address information for any purpose other than to carry out an essential job function at the given address provided under section 1218-B of the act of August 9, 1955 (P.L.323, No.130), known as The County Code.

(3) The department may disclose additional information determined to be essential to protecting public health and safety and to prevent the spread of the communicable disease infectious through aerosolized transmission subject to disaster emergency on the factors that determine the basic reproduction number or R-naught (R0) of the communicable disease. In determining the additional factors to disclose, the department shall consider all of the following:

(i) Requests for data from the General Assembly, including, but not limited to, areas of heightened risk to the residents of this Commonwealth.

(ii) The factors that contribute to the increased risk of contracting the communicable disease infectious through aerosolized transmission for an individual due to age, gender, race, area of residency or connection to a health care facility, school or place of employment, population density or other factors.

(iii) Applicable Federal and State privacy and confidentiality requirements, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191, 110 Stat. 1936).

(b) Notwithstanding any other provision of law, this section shall not apply to cities and counties of the first class for the duration of the period of proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

Amend Bill, page 7, line 2, by striking out "3" and inserting 4

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I believe that this is an agreed-to amendment. And just so people have an understanding of what it does, the amendment limits the people who have access to health data by sending it through 911 centers. It is the way counties that are providing COVID-19 diagnosis information to first responders are doing it now. The amendment gives the Department of Health and local health boards and departments discretion needed to keep health information private when publicly reporting factors such as population density, age, gender, race, or other identifying factors that may be linked to increased risk of contagion. Finally, it limits the bill to communicable diseases that are spread by coming into shared air with a person, not simply any communicable disease.

The Department of Health supports this amendment, and I understand that it is agreed to. Enormous amount of work with my counterpart, the chairlady from the Health Committee, and the Senate was worked out to get this amendment that I think makes this a good bill.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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

Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
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Dush	Klunk	Pyle	Williams
Ecker	Knowles	Quinn	Youngblood
Emrick	Kortz	Rabb	Zabel
Evans	Kosierowski	Rader	Zimmerman
Everett	Krueger	Rapp	
Farry	Kulik	Ravenstahl	Cutler,
Fee	Lawrence	Readshaw	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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. It is the Chair's understanding that Representative Stephens has withdrawn amendment 5888. The Chair thanks the gentleman.

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.

Mr. BENNINGHOFF. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. BENNINGHOFF. I rise with the purpose of pulling up HB 2513 to give the members an opportunity to vote for the override, please.

### BILL VETOED BY GOVERNOR

The House proceeded to consideration of the veto message on **HB 2513, PN 4340**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for establishment operation.

On the question,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The SPEAKER. On that question, the Chair recognizes the majority leader.

Mr. BENNINGHOFF. Mr. Speaker, many of the members have heard across their districts about the devastating effects of all the restrictions in the hospitality industry, to the point where some of them are shutting down and will not survive, some have already shut down. We believe that they have done their very best at providing not only employment to the few that are there, covering insurance costs for the many that are not there. But at

the end of the day, we need these industries to continue and do it safely. Many of them are experiencing the tremendous additional expenditures in order to provide the CDC-required protections and those of the Department of Health according to what the Governor and his administration have required. They are doing the social distancing, they are putting up physical barriers, they are paying for extra construction in their businesses to do that, they are requiring the masks when people are not eating or drinking.

There are a lot of restrictions that have become very punitive, especially in the establishments that do not have much capacity, and some of these measures have just been to the point where we believe that our members should be able to exercise their voice on behalf of their constituents who have asked, almost crying out, for some additional relaxation of these restrictions. And I would ask the members to support this proposal to override the veto on HB 2513.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Masser.

Mr. MASSER. Thank you, Mr. Speaker.

For the overwhelming majority of our clubs, restaurants, taverns, VFWs (Veterans of Foreign Wars), legions, fire companies, and the entire hospitality industry, time is not on their side. Many shifted to outdoor seating, but that is quickly coming to a close. Every day we choose not to act, more are going to go out of business. Up to 7500 businesses will shutter their doors permanently if not given the opportunities they were given when in the green phase.

In September, 66 percent of restaurants in Pennsylvania said they will not survive 6 months with the current mitigation. That is compared to 38 percent nationwide. Pennsylvania restaurants and clubs are clearly suffering more because of the administration's actions. Forty-two percent of Pennsylvania restaurants laid off employees over the summer, compared to 19 percent across the rest of the nation. Again, this is directly related to the Governor's July 15 announcement.

Please understand the event guidance recently introduced by the administration actually took many facilities, especially restaurants, backwards. A 75-seat restaurant can now only have an event for 15 people, including staff. Before it was safe to hold an event in the same space for 25. What does this cause? Because people are not permitted to safely have events at restaurants, many are holding these events unsafely in their homes – no masks, no social distancing. Restaurants are equipped to hold these events and get-togethers safely but are not allowed. The holidays are coming very soon – normally a very busy time for the industry. If they are not allowed to safely host these functions, it will be another blow to this industry. Again, people will host these at their homes with no safeguards.

This bill does not allow restaurants to open fully despite what the Governor is saying. It allows them to operate at 50 percent capacity and then more if the Governor or Secretary of Health permits it. The bill returns us to the same standards that the Governor set in the green phase. The industry is just asking to survive with the same rules they were given in green.

Some have suggested that grants are the answer to bail out the industry. It may be a part of the solution, but it certainly is not the solution. To make the industry whole right now, you would be looking at over \$5 billion. And everyone knows what the shape of our budget is going to be; that is just not doable.

This industry has risen to the challenges of keeping customers and employees safe, but everyday more businesses are being put out of business because of unrealistic rules. If some are not doing things properly, if we have bad actors, then by all means punish them but do not cripple an entire industry over some bad actors.

Please let your clubs, restaurants, taverns, and VFWs know that you stand with them and support this bill. Time is not on their side. I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

That time has come and gone for a family restaurant called the Gold Eagle in Brookville. That family business has been in operation for 70 years. It also sits right along one of the trade corridors with Interstate 80. It is only a quarter mile off the exit. As those heat maps started showing up all over the United States, Jefferson County and Elk County were the last two to show positive cases. We are still near the bottom of the ladder as far as positive cases. Our people knew and understood how to take care of their facilities and to make sure that people were safe. They have been operating safely. And for an icon in our community to have been decimated by just the whim of two people in our government, I think, is an abomination. He has destroyed a family business. He has destroyed the income level and the opportunity for these waitresses at this restaurant to take care of their families as well as the other employees at that restaurant. And there are others right now on the edge of going the same way as the Gold Eagle.

Mr. Speaker, I have been asked time and again, "Why would people flip? Why would they show that they were supportive and then turn around and flip?" I do not have a good answer for that, and when I say that to them, the response is, "Well, are they just telling us that they're going to vote for it knowing that the Governor is going to veto it?"—

The SPEAKER. The gentleman will please suspend.

Mr. DERMODY. Mr. Speaker?

Mr. DUSH. All right.

The SPEAKER. I would caution the gentleman not to go to motives of members and the reasons that they vote. Please contain the debate to that being the underlying policies and the actual veto override.

Mr. DUSH. I understand. I caught myself—

Mr. DERMODY. No, you do not.

Mr. DUSH. —just as I was saying it and I apologize.

My point is, my constituents are having a hard time understanding why people would flip, and it is—

### POINT OF ORDER

Mr. DERMODY. Mr. Speaker, he is right back where he started—

Mr. DUSH. —hard for me to answer.

The SPEAKER. The gentleman will please suspend.

For what purpose does Leader Dermody rise?

Mr. DERMODY. Mr. Speaker, I believe that you admonished the current speaker on going far afield and questioning our motives and he went right back to questioning our motives and he is not talking about what is the matter at hand here today.

The SPEAKER. Respectfully, Mr. Leader, I admonished the gentleman as to motive and not to go to the motive of the individual as to why they may change their vote. All he indicated, there was a statement of he does not understand how people would flip.

The gentleman has been corrected and reminded once again to please stay on the topic of the veto override.

Mr. DUSH. Mr. Speaker, I do apologize. It has been a very difficult time with my restaurant owners and my bar owners and my club owners. It is difficult to answer their questions, is what I am saying. And I would encourage everyone to stay the course with the votes that they cast when this bill first passed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair calls on the gentleman, Representative Moul, on the veto override.

Mr. MOUL. Thank you, Mr. Speaker.

We have an awful lot of businesses out there, restaurants in particular, that are suffering, and when somebody says, "Well, we have got to do what we have got to do because it's based on science," how often do we hear "based on science"? So along that line of thinking, let us just travel down this road of reviewing a very recent court case, the court case being the *County of Butler v. Wolf*, and I would like to read out of the court case some questions and answers. Obviously, the Governor himself did not show up for the court case; he sent his representatives. I do not know who they were. However, I would like to read you all some of these questions and then you tell me if you think your restaurants being closed was based on science.

Question: How many scientists were on the Governor's team of advisors that came up with these Executive orders? Answer: None.

How many immunologists or epidemiologists were on the Governor's team of advisors that came up with these Executive orders? Answer: None.

How many health-care or medical professionals were on the Governor's team of advisors that came up with these Executive orders? Answer: None.

Of the hundreds if not thousands of meetings the Governor's teams of advisors testified that they had, how many meetings did the Governor attend? Answer: None.

Did the Governor's teams make a written record of any of these meetings? No.

Did the Governor's advisors provide an objective definition of the words "life-sustaining" and "non-life-sustaining"? No.

Did the Governor's advisors define the word "life-sustaining business"? Answer: Yes.

Question: What was their definition? Answer: "A business that sustains life."

Whatever the Governor's advisors' definition of the word "life-sustaining" is or was, did they write it down on paper? Answer: No.

Did they write it on a notebook? No.

A post-it note? No.

On the back of their hands? No.

Anywhere? No.

So when the Governor's team was reviewing the waiver requests filed by tens of thousands of businesses and trying to decide if the businesses were life-sustaining or non-life-sustaining, did the Governor's team apply a written definition of "life-sustaining"? No.

So how did they decide whether your business was life-sustaining? According to the trial transcript, what did they claim they used to decide the waiver applications? Answer: Common sense.

Is common sense a legal standard? Answer: No.

So picture the State coming to the front door of your business—

### POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. The gentleman will please suspend.

For what purpose does the gentleman rise?

Mr. DERMODY. Mr. Speaker, I believe the subject of this override is a bill dealing with opening restaurants and not the Governor's waiver program or anything like that.

Mr. MOUL. Mr. Speaker, I can cut right to—

The SPEAKER. The gentleman will please suspend.

In consultation with the Parliamentarian, I believe the gentleman is reading into the record, and for the information of the members, the actual court proceedings that led to many of the closure discussions; therefore, it is relevant to the underlying bill and the motion to override.

### POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. The gentleman, for what purpose do you rise?

Mr. DERMODY. I submit to you that the Butler County case has nothing to do with restaurants. The subject matter has nothing to do with the matter at hand, and the gentleman should speak about what we are here today for. Yeah, restaurants were never closed. They were always – that is true – life-sustaining.

The SPEAKER. The gentleman prefaced the comments and is actually reading from the official court record regarding the overlying business closure order of which restaurants were eventually impacted in terms of attendance, and I believe the gentleman is getting to his point of the actual closure and the Executive order that this bill seeks to remedy.

Mr. DERMODY. Mr. Speaker, restaurants were never closed. The Governor did not close restaurants. You want to argue about that.

The SPEAKER. The gentleman— The House will please come to order. This is a very important topic for members on both sides of the aisle, and I believe that the debate is with merit and it should be heard.

In response to the Democratic leader's comments regarding restaurants, while they were not completely closed, indoor dining was limited in the early days of the pandemic and in fact prohibited, I believe, with issues surrounding the licensing by the State and the Department of Health.

The Chair thanks the leader. The gentleman is in order and may proceed.

Mr. MOUL. Thank you, Mr. Speaker.

I think the point is very well made that – and it certainly caused some rift here – and because of that, I will not go deeper into more of these questions, although I have several pages of them that proves that there was no data, there was no science, nobody testified, there were no experts. I sat in on a policy committee hearing one day and listened to people from a major health organization testify that they offered the Governor two of

their epidemiologists on their staff, free of charge to the Governor; they never heard back from the Governor's Office.

The bottom line is, all of this was pulled out of thin air. There is no science, there is no data in which these decisions were made to shut down or drastically reduce beyond repair the restaurant situation in Pennsylvania.

Thank you, Mr. Speaker. Please vote for this override.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Kortz, on the motion to override the Governor's veto.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I live in a little borough, Dravosburg, and we have a volunteer fire department and an American Legion, and, Mr. Speaker, they have been throttled back so far they are hanging on by a thread. In the summer I personally donated a lot of money to each one of those organizations to pay their electric bill, and it is sad what is happening to it.

In Pleasant Hills, another one of my boroughs, I also have an American Legion that is shut down. I have restaurants all over the district shutting down. I have friends shutting down their places. They call me all the time. Mr. Speaker, it is time to change this. Let them operate under the guidelines, but let us open them up. Okay? So vote the override. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair calls on the gentleman, Representative Grove, on the motion to override.

Mr. GROVE. Thank you, Mr. Speaker.

We have heard a little bit about the internal workings of the Governor's Office making decisions, but we really have not cited case studies or actual data on the House floor, which is kind of sad because we say we are doing this based on science and data. There is a CDC study released September 11 of this year, "Community and Close Contact Exposures Associated with COVID-19 Among Symptomatic Adults 18 Years or Older in 11 Outpatient Health Care Facilities." It was done in July of 2020. They looked at patients that were symptomatic, about 154 individuals who tested positive to COVID-19, and about 160 individuals who tested negative. Now, both, again, were symptomatic. These were sick people in hospital settings. They went back and did case investigation on these individuals, and they found that the vast majority of individuals, 131 positive COVID-19 people said they were shopping during a 14-day period, 141 negative were shopping. They were hanging out with groups of greater than 10 people in a home setting, 79 COVID-19 positive, 84 for COVID negative. Finally, we get to restaurants, 63; 63 people said they visited a restaurant in those days and 44 negative.

Now, if you go through the list, they have shopping, groups of 10 or more, restaurants, office settings, salons, home groups of less than 10, gyms, public transportation, bar/coffee shops – I am not sure how bar and coffee shops coordinate with each other, but that is how the CDC grouped them – and then church/religious gathering, and, Mr. Speaker, through this entire study it shows restaurants were the third highest; overwhelmingly shopping. Those big-box stores that were operating unabridged for multiple months was the number one place that people visited.

Now, again, you cannot determine exactly where someone contracted a virus. It could have been shopping, it could have been a home group, it could have been a restaurant, it could have been an office setting, it could have been a salon, it could have been a number of things, but it shows kind of where people were at. Well, kind of is not definitive that says, "Right here. This is

where you got it." Because if I am looking at data, I think an informed person would say, "Well, the number one category is shopping." That is probably the most dramatic a place we need to look for the spread of COVID-19 or general symptoms.

I might also add, Mr. Speaker, that 84 percent of COVID-positive often or always wore their masks, and about 88 percent of COVID-negative people who were still showing symptoms often or always wore their masks as well. So that is a national study, Mr. Speaker. What does our study say? What does our contact tracing say? When this came out, there was a local news that actually asked for the data. The Governor said, "Yes, you can have it," and then the Secretary said, "No, we don't have granular data at all verifying any of this." Finally, there was a Right-to-Know request thanks to Act 77. We were able to get that data released on case investigation. What did that data say? There were 24,468 cases, positive cases of COVID, from July 13 to August 11, right about the time the Governor released the first order shutting down our restaurants or restricting them to 25 percent. They had 705 people out of 24,000 say they visited a restaurant; 705. Based on that data, it is actually safer to go visit a restaurant, it is safer to go to a bar, it is safer to visit another business, it is safer to go to a gym/fitness center or a salon or a barber shop.

Just yesterday the department updated their case investigation data and not a lot has changed. From October 4 through October 10, there were 8,580 confirmed cases. Out of that, 243 said they visited a restaurant. That is a very small threshold. Based on the Governor's Executive order, a small minority of people, very small percentage of individuals, said they visited a restaurant and the Executive order came to annihilate an entire industry and continues to suppress it to this day.

Mr. Speaker, this is a simple bill. It says let us follow what the data and the science actually say. The science and the data actually say that we do not know exactly where people get a virus. We know kind of where they have been at in a 14-day period, and the vast majority of people answering questions are saying, "I am not going to a business, period – not a restaurant, not grocery shopping, not a convenience store, not a pharmacy." The vast majority of people are contracting COVID-19 by going somewhere else other than a business, other than a business, but we continue to strangle and restrict business practice here in the Commonwealth.

Why is that? Because business owners take this seriously. They want to protect their customers, they want to protect their employees, they want to provide services to the general public to create jobs and make sure that they can put food on their table for their families as well as their employees, Mr. Speaker. No one wants to be on unemployment compensation, particularly in this State when you – good luck getting it – but it is not fair.

This bill allows those operators to continue. We are not Florida, we are not Georgia, we are not South Carolina; we do not have warm winters. We do not. It is going to get cold. People are not going to eat outside. We need to address this now, so to make sure we have restaurants and businesses operating moving forward.

Mr. Speaker, the science and data are clear: Restaurants were not superspreaders. It has been proven time and time again. CDC studies reflect the data. Our own State data reflects the data.

Mr. Speaker, let us veto override this and allow our business professionals to do what they do best, provide a tremendous service to the Commonwealth, put food on their tables for their

families, and they are going to do it in a way that protects them, their customers, and their employees.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Kenyatta.

Mr. KENYATTA. Thank you, Mr. Speaker.

Now, if you listen to some of what we have heard, people at home who are watching might think that one day the Governor woke up and decided to close all businesses because he had nothing else better to do, which is just patently absurd. And so here is, as we just heard from the previous speaker, here is the data. On January 20, the first case of COVID-19 was reported in Washington State. That is a part of how we got here. Back in March, on March 6, in Pennsylvania, we got the first reports of two COVID-positive cases here in the Commonwealth, and since that time, the Governor, as the leader of this State, has tried to use the authority he has to deal with emergency situations to keep people safe.

This debate is so trite and it is so wrong because one side is acting as if no Democrat has a restaurant in their district or has a business that is closed or has an entrepreneur who had a good idea and is now seeing it slip away, and so you are not the only ones who care about business owners who are struggling. You are not the only ones who have restaurants and locations that matter in the community that have fallen on hard times because of this pandemic. But I give you the timeline of that pandemic and remind you that there is a pandemic because still I am looking at people with no masks on their face; still, in October, after we understand how this disease is spread and how we can mitigate its continued spread, and leaders in this very building are not doing what is necessary to limit the spread and are contributing to this virus continuing to spread around the Commonwealth. And so if you want to talk about being responsible, if you want to talk about getting back to business, model good behavior; that is step one. Step two is to start thinking about what we can do with grants, with forgivable loans, with other things to ensure that folks who are hurt can get back on their feet.

The previous speaker said that this is not Florida or Texas or Georgia, and you know the reason it is not Florida or Texas or Georgia as it relates to our case counts? Because we did not listen to you. That is why it is not, because we listened to people like Secretary Levine and Governor Wolf, because we did not open up businesses one at a time as you all said we should and as we came here during the height of the pandemic for nonsense, foolish votes. People want to do something to help businesses— Excuse me. You can huff and puff, I am talking, and if you want to talk, you can talk.

Now, what I was saying is that if we want to actually do something to help businesses, we know what we can do to help businesses. There is a billion dollars of CARES (Coronavirus Aid, Relief, and Economic Security) Act money that we could push out to help businesses right now, but nobody shut down businesses because the Governor does not like businesses or because Democrats do not want restaurants open. How foolish and silly of an argument to make. How foolish. Now, we ought to get to work actually helping people and stop with the political games. Stop with the political games. And a lot of you are smiling and I should not see your smiles because you should have on a darn mask.



The SPEAKER. The gentleman will suspend.

As a reminder to the gentleman who just spoke as well as all members, the motives of members and their reasons to vote for or against any issues and subscribing motives is inappropriate. I would encourage all members to stay on the underlying debate. Recognizing that emotions run high, it is incumbent upon all of us to act as professionals.

The Chair recognizes the gentleman, Representative Masser, for the second time.

Mr. MASSER. Thank you, Mr. Speaker.

Again, I just rise to point out, this is not changing what you are allowed to have as occupancy. This is not increasing the occupancy in restaurants to 100 percent. This is allowing the occupancy to what the Governor is allowing right now. If you self-certify, you can be at 50 percent right now.

What is changing are some things, that you cannot have bar service. So I have a bar in my district that the bar is the majority of their building. They have no tables. They cannot do tables, so they are shut down. But you can put a table up against the bar, people can sit at that small table beside the bar, but they cannot get served over the bar by the bartender at a distance. No, the science tells you that you should get closer to your customers and stand next to them for 5 minutes while you are taking their orders. That is what we are doing; that is what is happening. Bars are putting tables next to the bar and the bartenders are going around to serve them because they cannot serve across the bar. It is anti-social distancing. It takes away the food mandate. What does food do?

First of all, a lot of VFWs and legions were called dive bars because they do not serve food on a regular basis. That is an insult. But if we serve this magical burger, we are okay. Come on, people. And what do I do when my meal is over? Do I have to leave now? People are leaving a tater tot on their plate to prove that they are not done eating. None of this makes any sense.

Punish the bad actors. Punish the bad actors, but do not cripple an entire industry over a couple of these rules that just do not make any sense.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Gabler.

Mr. GABLER. Thank you very much, Mr. Speaker.

I felt compelled to speak because I think it is important to point out why we are here today with a motion to override HB 2513. We are here today with this motion to override because the citizens of the Commonwealth, 13 million people, have been living for months under arbitrary Executive orders that have had no consultation with their duly elected Representatives in the General Assembly.

The prior speaker spoke to the nonsense of some of these arbitrary orders. One of the things that I continue to hear from my constituents is that somehow we are operating under a rule that suggests that if one of our constituents simply purchases some food with their beverage, that that is going to somehow mitigate COVID. We all know that that is kind of crazy, but that is the crazy world we are living in right now.

Now, on April 14, I spoke on SB 613 when this chamber considered that, and I stood here and I said how I and my like-minded colleagues, we are not advocating to ignore this virus, we are not advocating to go to business as usual; we are arguing for commonsense mitigation measures that work, and we continue to make that argument.

Unfortunately, as a General Assembly, we have been met with a Governor's veto every time because the Governor, rather than engaging with this General Assembly, rather than working through the constitutional process we have, he has decided it is easier to issue Executive orders and walk away.

This bill that we have in front of us subjects restaurants to science-based, expert-driven CDC guidelines rather than ill-conceived Executive orders. This bill passed the House on September 23 by a vote of 145 to 56, more than two-thirds of this chamber agreed at that time that this bill should become law. I have a simple plea: Please, let us finish the job. Let us do this together. Let us finish the job that our constituents all elected us to do. As another prior speaker said, I am going to borrow a phrase from a now-concluded television series "Winter is Coming," and when winter comes, outdoor seating will go away.

This is a life-or-death proposition for the economies of our districts, for our small business owners, for people to be able to continue to work, and we know we can do this safely. So I am asking, let us do this together. Let us do this safely. Let us get the job done because we can all do this together. Please vote "yes."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

I was not going to comment, but there were some incorrect facts and data that were shared.

Mr. Speaker, the gentleman from York County talked about a CDC study. What he did not do was tell you that the same CDC study that he quoted said, and I quote, "Adults with positive...COVID...test results were approximately twice as likely to have reported dining at a restaurant than" those who were negative. Let me say that again. The same CDC report that the gentleman stood on this floor to use actually said those with a positive COVID test have said that they were twice as likely to have eaten at a restaurant than those who have not. The gentleman also talked about restaurants not being superspreaders. Well, the White House Rose Garden must be the place that he meant to say since we see that that is the place that there was actually a superspreading event. You know, those places where people go and do not wear masks and do not protect people and do not protect the health and welfare of the people around them.

Mr. Speaker, let us talk more numbers and more facts. Let us talk about the fact that on September 23 when this bill came back on concurrence, there were around 800 new cases of COVID-19 here in the Commonwealth on that day. Look at the number now, Mr. Speaker; almost double that number today, almost double that number in less than a month. Let us talk about the numbers, Mr. Speaker. At that time we had around 8,062 people who have lost their lives to COVID-19 on the 23d. Less than a month later that number has increased almost by 500 deaths.

Mr. Speaker, back on September 23, we had about 152,000 people with COVID-19 here in the State of Pennsylvania. Now that number has increased almost by 32,000 of our citizens. Here is what is annoying about this conversation. That is not what we are talking about. We are not talking about the 30,000 more Pennsylvanians that got COVID-19. We are not talking about the 500 more people that died from COVID-19. We are sitting here talking about an economy, an economy that can be revived, but the lives of these loved ones that we have lost cannot be. It is nice to be more concerned about businesses, but I have to tell you, I will go home and proudly say that I upheld this Governor's veto

knowing that my job here is about saving lives first. We are in a pandemic.

Now, I know to some people this is not real. I understand that; I get that. To some people this is just fuzzy math, funny science. I understand that. But tell that to the people that lost their loved ones. Tell those people that you are more concerned about restaurants and the meals that you can eat at a restaurant table, you are more concerned about that meal than the meals that they will no longer eat at their grandmother's dinner table because she is dead because of COVID-19. You can groan, you can moan, but those are the facts. "Men lie, women lie, numbers don't" lie. The great Jay-Z.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At this time we will move to the leaders to speak on the motion to override.

First recognizing the gentleman, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we talked a little bit about solutions here, and there is only one solution to our problem. There is only one solution that makes our economy get better and grow again. There is only one solution that solves the problem, and that is controlling and getting control of this virus, and as we just heard, this is the 15th day with over 1,000 new cases – 1,500 new cases today reported in the Commonwealth. States are implementing travel bans on Pennsylvanians because of the coronavirus surge in the Commonwealth of Pennsylvania.

It is incredible to me that we are here today trying to deal with this override. Look, you look at evidence, you look at the facts, you look at the data, and we have and you have and the Governor has and you know he has and you look what has happened. Back at the start, in June, I believe, when Allegheny County went green and went to 50 percent capacity in their restaurants, there was an incredible surge of cases. We were having 8 cases a day and went to 250, 350, 400 cases a day, and their contact tracing came right back to bars and restaurants. Think of what you are doing. You are not just putting the patrons at risk; the workers, our communities, you are putting them right in harm's way. And you know what this bill does? This bill would permit establishments to up to 100 percent capacity without having to follow any mitigation guidelines given by the Centers for Disease Control, the Departments of Health and Human Services, or their local health departments. That is what it would do.

If you put up physical barriers in your restaurant, and they do not even define "physical barriers" in this bill – it could be a door to the kitchen; it could be an entrance way; it could be any physical barrier because we do not know what that means – you could do 100 percent capacity and not have to follow any guidelines, you do not have to talk to the CDC, you do not have to talk to the Department of Health. You are putting people in harm's way with this legislation, and now here we are sitting on a billion dollars of CARES money where we could begin helping our local businesses, helping our bars and restaurants get through this, to survive so they can live another day and keep people safe, keep people healthy. That is what this should be about.

We should not be overriding a veto to give them 100 percent capacity with so-called physical barriers. Yeah, we based it on evidence, data, and facts, and that is what we all should be doing. That is why, that is why we can have a solution to this problem, but it certainly is not allowing these restaurants to do whatever they want, whenever they want, which is what this bill does.

So, Mr. Speaker, we should not override this veto to protect the people of this Commonwealth, to protect the people that are going to work every day in this Commonwealth, to protect the restaurant workers, to protect their patrons, to make sure they have a business at some point. We need to vote "no" on this override. We need to take CARES money and start making – having an impact, making sure we allocate that to the businesses and restaurants and bars that need it the most so they can survive.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Leader Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I suspect no more discussion is going to necessarily change any votes, but at the end of the day, we look at this as not just an issue about jobs. It is allowing free people to make decisions about taking care of their employees, which they do very, very well. This bill sets a floor at 50 percent occupancy. This requires them to have guidelines and follow those guidelines by the CDC as well as the Commonwealth's Department of Health, and they can do that in multiple ways in addition to wearing these masks, requiring social distancing, or putting up physical barriers in between every table or every booth. It is about giving them some flexibility to make decisions as all smart business owners do.

I do not know a single business owner that wants to put an employee, sometimes it is even some of their own family that work there, much less their customers at risk. Earlier the speaker talked about the fact that the number of cases are going up. Yes, they go up, they go down, but keep in mind, they were going up when restaurants were at 25 percent capacity, and many restaurants are closed, but yet some of those numbers go up and some of them go up in very high-dense areas, as all of our colleges have gone back into place and we have a lot of students returning to environments where they are in more of a dense population.

This is about trying to allow restaurants, other hospitalities to stay afloat. Somebody said this is more important. It is not that we are trying to weigh it as an "and" or "is" situation. We believe we can strike a balance here. At the end of the day, we need to have our businesses open because the employees that work there, many of them are struggling, because at the end of the day without their jobs, whether they are a waitress, a server, a cook, cleaning staff, or managers, with no money coming in or reduced hours or no hours, they still have to pay their rent, in some cases they have to pay a mortgage, they have to pay their car payment, child care, and some of their medical costs, and many of them have contacted a lot of our offices saying they just cannot go on much longer. In addition to that, yes, some of the business owners themselves are suffering. Many have put their life savings into these things to keep them afloat. They wanted to do the right thing and keep their employees insured even when they were not able to work.

This override, HB 2513, is about striking a balance between keeping people safe, instituting and enforcing CDC guidelines for those safeties, and allowing businesses to use other options in trying to keep that safety and having a floor of 50 percent occupancy. I believe they can do both, and I think they will do it right because they care about their customers and they care about their employees as we have seen them exercise that in the last 7 months, 8 months, and we have learned an awful lot about social distancing and mask wearing and proper precautions to protect ourselves and our loved ones, but I also think this is an

issue about whether you believe and have faith in individual Pennsylvanians as well as family-owned businesses or job creators to do the right thing and make the right decisions and make the right decisions to keep people safe. I believe they will do that. I think many of them have tried to do that and will continue to do this. This is about trying to help these people get back to work and be able to provide and feed their family.

Mr. Speaker, I would ask the members to support the override and allow free people to make their decisions – what is best for their families, for their workers, for their employees. If you are not comfortable with that, nothing forces us to go into a restaurant. Let people have a choice, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

#### YEAS—133

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

#### NAYS—69

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

#### NOT VOTING—0

#### EXCUSED—0

The SPEAKER. On the question of the bill becoming law, the objections of the Governor to the contrary notwithstanding, the "ayes" were 133 and the "noes" were 69, and the veto of the Governor is sustained.

For the information of the members, there will be no further votes this evening, but we will be leaving the desk open to do some housekeeping.

#### REPUBLICAN CAUCUS

The SPEAKER. For what purpose does the gentlewoman, Representative Toepel, rise?

Mrs. TOEPEL. For a caucus announcement.

The SPEAKER. The gentlewoman is in order and may proceed.

Mrs. TOEPEL. I would like to announce that Republicans will caucus tomorrow morning at 10 o'clock virtually. Thank you.

The SPEAKER. The Chair thanks the lady.

#### VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentlewoman, Representative Oberlander, rise?

Ms. OBERLANDER. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. The lady is in order and may proceed.

Ms. OBERLANDER. Thank you, Mr. Speaker.

On amendment A07729, Representative Boback was recorded in the negative but would like to be recorded in the positive.

And on SB 1199, Representative Farry was recorded in the positive and should have been recorded in the negative.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady, and the remarks will be spread upon the record.

**DEMOCRATIC CAUCUS**

The SPEAKER. For what purpose does the gentlewoman, Representative McClinton, rise?

Ms. McCLINTON. For a caucus announcement, Mr. Speaker.

The SPEAKER. The lady is in order and may proceed.

Ms. McCLINTON. House Democrats, we will caucus at 10 a.m. virtually tomorrow; 10 a.m. tomorrow.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady. You are very welcome.

**BILLS RECOMMITTED**

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

HB 1342;  
SB 395;  
SB 530;  
SB 745;  
SB 773;  
SB 976;  
SB 1110;  
SB 1164;  
SB 1195;  
SB 1241; and  
SB 1281.

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 2684;  
SB 139;  
SB 1193;  
SB 1268; and  
SB 1309.

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 105, PN 2916**, entitled:

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 classes of income.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 105 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 105 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 995, PN 3533**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for regulatory review and for regulatory reduction pilot program; and making an editorial change.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 995 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 995 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 1874, PN 3534**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions and for classification of documents.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 1874 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 1874 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 2539**, **PN 3816**, entitled:

An Act amending the act of December 21, 1989 (P.L.672, No.87), known as the Health Club Act, 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 2539 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 2539 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 **SB 412**, **PN 730**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, repealing provisions relating to disqualifications for service as election officer.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that SB 412 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 SB 412 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 **SB 703**, **PN 1625**, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in publication and effectiveness of Commonwealth documents, further providing for Joint Committee on Documents.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that SB 703 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 SB 703 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 706, PN 3224**, entitled:

A Resolution recognizing the month of March 2020 as "Bleeding Disorders Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 706 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 706 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 708, PN 3243**, entitled:

A Resolution designating the week of April 19 through 25, 2020, as "Infertility Awareness Week" in Pennsylvania in conjunction with "National Infertility Awareness Week."

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 708 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 708 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 716, PN 3253**, entitled:

A Resolution recognizing the month of March 2020 as "National Colorectal Cancer Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 716 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 716 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 720, PN 3264**, entitled:

A Resolution recognizing the month of March 2020 as "National Nutrition Month" in Pennsylvania as sponsored by the Academy of Nutrition and Dietetics.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 720 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 720 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 721, PN 3265**, entitled:

A Resolution designating the week of March 1 through 8, 2020, as "Sleep Apnea Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 721 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 721 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 722, PN 3266**, entitled:

A Resolution recognizing March 11, 2020, as "Registered Dietitian Nutritionist Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 722 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 722 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 728, PN 3283**, entitled:

A Resolution recognizing the month of March 2020 as "National Athletic Training Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 728 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 728 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 764, PN 3335**, entitled:

A Resolution designating the month of April 2020 as "Sjogren's Syndrome Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 764 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 764 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 768, PN 3372**, entitled:

A Resolution recognizing April 1, 2020, as "National Walking Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 768 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 768 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 794, PN 3404**, entitled:

A Resolution recognizing April 17, 2020, as "World Hemophilia Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 794 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 794 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 808, PN 3433**, entitled:

A Resolution recognizing May 20, 2020, as "Emergency Medical Services for Children (EMSC) Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 808 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 808 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 839, PN 3528**, entitled:

A Resolution recognizing the month of April 2020 as "National Donate Life Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 839 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 839 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*



Mr. BENNINGHOFF called up **HR 848, PN 3576**, entitled:

A Resolution recognizing the week of May 10 through 16, 2020, as "National Women's Lung Health Week" in Pennsylvania and encouraging all residents of this Commonwealth to learn more about the detection and treatment of lung cancer.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 848 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 848 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 852, PN 3640**, entitled:

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

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 852 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 852 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.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 81, PN 4475; HB 770, PN 4562; HB 1673, PN 4573; HB 1961, PN 4478; and HB 2370, PN 4061**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 885, PN 4075, and HB 2561, PN 4373**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 940, PN 1951; SB 952, PN 2043; and SB 1199, PN 2042**.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HB 885, PN 4075

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for duty of prime contractor to provide financial security in certain contracts involving public works and public improvements.

#### HB 2561, PN 4373

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, further providing for definitions, for approval of drugs, for exemptions and exceptions and for violations and penalties.

#### SB 940, PN 1951

An Act providing for filing and recording by municipalities of condemnation orders and for statements of vacated condemnation orders.

#### SB 952, PN 2043

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' preference, repealing provisions relating to soldier defined, providing for purpose and for definitions, repealing provisions relating to credits in civil service examinations, further providing for additional points in grading civil service examinations, for preference in appointment or promotion, for lack of

training, age or physical impairment, for preferential rating provision in public works specifications, for computation of seniority for reduction in force, for preference of spouses and for law exclusive and providing for reporting requirement and for guidelines; and, in voluntary veterans' preference in private employment, further providing for definitions and for eligibility for preference.

**SB 1199, PN 2042**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions and providing for personal delivery devices; and making editorial changes.

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

**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 Speaker is in receipt of a motion to adjourn from Representative Rigby, who moves that this House do now adjourn until Wednesday, October 21, 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 6:06 p.m., e.d.t., the House adjourned.