

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 16, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 65

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

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

Father God, we thank You for the opportunity to assemble here today. We ask for Your blessings upon us and our deliberations, Lord. We just ask that You continually show us wisdom in these times, Lord, and give us the peace that passes all understanding. We ask that You give us safe travels as we leave here and return to our homes. We ask this all in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, November 12, 2020, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the Journal of Tuesday, June 23, 2020, is in print and, without objection, will be approved.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 845, PN 2123 (Amended) By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for maximum gross weight of vehicles; in liquid fuels and fuels tax, further providing for definitions and providing for electric vehicle road use fee; and making editorial changes.

TRANSPORTATION.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report submitted by the Committee on Committees.

The following report was read:

Committee on Committees Supplemental Report

In the House of Representatives
November 16, 2020

RESOLVED, That

Representative Matt Gabler, Clearfield and Elk Counties, resigns as a member of the Appropriations Committee.

Representative Tim O'Neal, Washington County, is elected a member of the Appropriations Committee.

Respectfully submitted,
Stan Saylor, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1718, PN 2310**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, further providing for definitions.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1718 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 1718 be removed from the tabled calendar and placed on the active calendar.

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

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

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1862 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1862 be removed from the tabled calendar and placed on the active calendar.

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

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

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2039 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 2039 be removed from the tabled calendar and placed on the active calendar.

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

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

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1236 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1236 be removed from the tabled calendar and placed on the active calendar.

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

BILLS ON THIRD CONSIDERATION

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

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1279 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 1279 be removed from the tabled calendar and placed on the active calendar.

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

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The House proceeded to third consideration of **HB 827, PN 928**, entitled:

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 827 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 827 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTIONS

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

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 344 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 344 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 459, PN 2394**, entitled:

A Resolution urging the United States Food and Drug Administration to promptly consider guidelines and protocols for the approval of cannabidiol as a product which is legally available for resale.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 459 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 459 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 460, PN 2395**, entitled:

A Resolution urging the United States Food and Drug Administration to recognize this Commonwealth's concern with the safety of kratom and the current distribution and sale of kratom as a drug replacement, supplement or food and to promptly consider guidelines and protocols for the safe use of kratom.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 460 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 460 be removed from the tabled calendar and placed on the active calendar.

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

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

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 586 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 586 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 646, PN 3059**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 646 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 646 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 647, PN 3060**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 647 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 647 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 673, PN 3157**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 673 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 673 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 747, PN 3318**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 747 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 747 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 749, PN 3320**, entitled:

A Resolution recognizing the week of October 25 through 31, 2020, as "National Massage Therapy Awareness Week" in Pennsylvania to honor the more than 7,900 licensed massage therapists in this Commonwealth.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 749 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 749 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 805, PN 3430**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 805 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 805 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 819, PN 3477**, entitled:

A Resolution recognizing the week of September 7 through 11, 2020, as "National Payroll Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 819 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 819 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 820, PN 3478**, entitled:

A Resolution recognizing the month of November 2020 as "Carbon Monoxide Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 820 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 820 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 845, PN 3560**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 845 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 845 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 910, PN 3994**, entitled:

A Resolution designating the week of September 6 through 12, 2020, as "Idiopathic Pulmonary Fibrosis Research and Awareness Week" in Pennsylvania to increase awareness and understanding of idiopathic pulmonary fibrosis.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 910 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 910 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 914, PN 3998**, entitled:

A Resolution designating the week of September 20 through 26, 2020, as "Surgical Technologists Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 914 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 914 be removed from the tabled calendar and placed on the active calendar.

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

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Mr. BENNINGHOFF called up **HR 917, PN 4001**, entitled:

A Resolution designating the month of July 2020 as "MECP2 Duplication Syndrome Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 917 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 917 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.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 1088 By Representatives STRUZZI, SNYDER, METCALFE, OBERLANDER, BARRAR, CAUSER, DAVANZO, DUNBAR, DUSH, ECKER, GABLER, GLEIM, HEFFLEY, KAUFFMAN, KEEFER, KORTZ, MACKENZIE, MOUL, PICKETT, READSHAW, REESE, ROWE, RYAN, SAINATO, SANKEY, SAYLOR, SCHMITT and ZIMMERMAN

A Resolution urging Pennsylvania's Independent Regulatory Review Commission to reject the proposed carbon dioxide budget trading program regulation as part of the Regional Greenhouse Gas Initiative.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 16, 2020.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2965 By Representatives GREEN, GALLOWAY, HOWARD, SANCHEZ, MURT, BURGOS, BOBACK, WILLIAMS, KINSEY and McNEILL

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions and for unlawful acts or practices and exclusions.

Referred to Committee on CONSUMER AFFAIRS, November 16, 2020.

No. 2966 By Representative SAYLOR

A Supplement to the act of May 29, 2020 (P.L. , No.1A), known as the General Appropriation Act of 2020, further providing for additional appropriations and replacement of appropriations from the General Fund and other funds and accounts for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

Referred to Committee on APPROPRIATIONS, November 16, 2020.

No. 2967 By Representatives BIZZARRO, BURNS, BURGOS, KINSEY, HENNESSEY, LONGIETTI, FREEMAN, CALTAGIRONE, HILL-EVANS, GALLOWAY, READSHAW and GREEN

An Act designating a bridge, identified as Bridge Key 55864, on State Route 4016, also known as Millfair Road, over the CSX Railroad in Fairview Township, Erie County, as the John A. Pulice Memorial Bridge.

Referred to Committee on TRANSPORTATION, November 16, 2020.

No. 2968 By Representative PUSKARIC

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, providing for designation of Election Day as legal holiday.

Referred to Committee on STATE GOVERNMENT, November 16, 2020.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet at 1:30 today in the majority caucus room.

And just a note, Mr. Speaker: The Appropriations Committee will have a second meeting. We will announce that time later.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at 1:30 today in the majority caucus room.

RECESS

The SPEAKER. For the information of the members, this House will be in recess until the call of the Chair, and we will wait for the conclusion of the Appropriations meeting.

AFTER RECESS

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****HB 2966, PN 4603**

By Rep. SAYLOR

A Supplement to the act of May 29, 2020 (P.L. , No.1A), known as the General Appropriation Act of 2020, further providing for additional appropriations and replacement of appropriations from the General Fund and other funds and accounts for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

APPROPRIATIONS.

RECESS

The SPEAKER. This House will be in recess until the call of the Chair and we receive a bill from the Senate.

AFTER RECESS

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 1089 By Representatives CIRESI, GALLOWAY, KINSEY, CALTAGIRONE, SANCHEZ, FREEMAN, HILL-EVANS, HOHENSTEIN, GREEN, PASHINSKI, DEASY and NEILSON

A Resolution urging the Congress of the United States to amend the Internal Revenue Code of 1986 to exempt economic relief for small businesses under the CARES Act from Federal taxation.

Referred to Committee on FINANCE, November 16, 2020.

SENATE BILL FOR CONCURRENCE

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

SB 1350, PN 2052

Referred to Committee on APPROPRIATIONS, November 16, 2020.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Chairman Saylor for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

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

RECESS

The SPEAKER. This House will be in recess while the committee goes and considers the bill.

AFTER RECESS

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 1350, PN 2052**

By Rep. SAYLOR

A Supplement to the act of May 29, 2020 (P.L. , No.1A), entitled "An act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide for the appropriation of

Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019," further providing for additional appropriations and replacement of appropriations from the General Fund and other funds and accounts for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020; and providing for required lapsing of money in the General Fund.

APPROPRIATIONS.

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 made by Representative Bill Kortz, who so moves that this House do adjourn until Tuesday, November 17, 2020, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:07 p.m., e.s.t., the House adjourned.