

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

FRIDAY, NOVEMBER 20, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 69

HOUSE OF REPRESENTATIVES

The House convened at 12 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 come before You today thanking You for the blessings that we have all experienced. Lord, we ask for Your wisdom and Your guidance as we conclude this legislative cycle and session. Lord, we ask for Your peace, we ask for Your protection, but most importantly, we ask for Your understanding, knowing that You are always in control, knowing that You know what is best, Lord, and You also know where we are going. We ask for Your continued guidance. We ask for safe travels and traveling mercies as our members, hopefully, head home very soon.

Lord, we ask all this in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 21**, **PN 4619**, and **HB 1737**, **PN 4625**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

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 983, PN 2000

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.

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

LEAVES OF ABSENCE

The SPEAKER. Moving to leaves of absence, are there any requests?

On that question, the Chair recognizes the gentlewoman, Representative Oberlander, who indicates that there are none. The Chair thanks the lady.

The Chair recognizes the gentleman, Leader Dermody, who indicates that there are none.

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	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	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

LEAVES ADDED—1

Maloney

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

RULES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, Leader Benninghoff, for a committee announcement.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

There will be a Rules Committee meeting at 12:15 in the majority caucus room to go over a couple of quick bills. Thank you.

The SPEAKER. The Chair thanks the leader.

There will be a Rules Committee meeting at 12:15 in the majority caucus room.

Members of the Rules Committee can proceed to the meeting. We will leave the desk and session open, however, so that we can have a couple members speak under unanimous consent regarding issues.

STATEMENT BY MS. HELM

The SPEAKER. With that, the Chair recognizes the gentlewoman, Representative Helm, under unanimous consent.

Ms. HELM. Thank you, Mr. Speaker.

I rise today to honor the memory of John K. Martz, who passed away at the age of 95 on August 22, 2020. Born in Wiconisco, Pennsylvania, on June 18, 1925, Mr. Martz served his country with honor and pride as a member of the United States Army during World War II, from 1943 to 1947. For his service, he earned the World War II Victory Medal, the European-African Middle Eastern Campaign Medal, and the Purple Heart. He was a lifetime member of the VFW Post 5750 and a life member of the Dauphin County Firemen's Association. Mr. Martz retired after 28 more years of service to his community as a corrections officer at SCI (State Correctional Institution) Camp Hill.

A beloved family member, dedicated worker, avowed community steward, Mr. Martz exemplified the best qualities that exist inside us all and inspired those who knew him to live their lives in service and in honor. He generously gave of his heart and time to enhance the quality of life of his family and community, and his loss will be felt by the many individuals who knew, admired, and loved him.

Please join me in honoring and thanking Mr. John Martz.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The chamber will be at ease until the conclusion of the Rules Committee meeting.

The House will please come to order.

Members, please take your seats.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 21, PN 4619

By Rep. BENNINGHOFF

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as The Real Estate Appraisers Certification Act, further providing for title of act, for definitions, for State Board of Certified Real Estate Appraisers, for powers and duties of board and for application and qualifications; providing for application and qualifications of home inspectors and home inspectors-in-training and for conduct of home inspection; further providing for reciprocity, for certification renewal, licensure renewal and records, for disciplinary and corrective measures, for reinstatement of certificate or license, for reporting of multiple certification, for surrender of suspended or revoked certificate or license, for penalties and for injunctive relief; providing for remedies for home inspection services consumers, for home inspection contracts and for home inspection reports; and making a related repeal.

RULES.

HB 777, PN 4342

By Rep. BENNINGHOFF

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

RULES.

HB 916, PN 4618

By Rep. BENNINGHOFF

An Act mending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for suspension of operating privilege, for the offense of driving while operating privilege is suspended or revoked and for ignition interlock limited license and providing for Relief from Administrative Suspension Program; and, in driving after imbibing alcohol or utilizing drugs, further providing for penalties, for ignition interlock, for prior offenses, for Accelerated Rehabilitative Disposition, for drug and alcohol assessments and for mandatory sentencing and providing for substance monitoring program. This act may be referred to as Deana's Law.

RULES.

HB 1737, PN 4625

By Rep. BENNINGHOFF

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for economic development agency, fiduciary and lender environmental liability protection, for agritourism activity protection and for COVID-19-related liability; and making a related repeal.

RULES.

HB 1962, PN 4575

By Rep. BENNINGHOFF

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions relating to retirement for school employees, further providing for Public School Employees' Retirement Board and for administrative duties of board and providing for stress test of system; and, in administration, funds, accounts and general provisions relating to retirement for State employees and officers, further providing for the State Employees' Retirement Board and for administrative duties of the board and providing for stress test of system.

RULES.

SB 1216, PN 2126

By Rep. BENNINGHOFF

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements, for special provisions applicable to the Keystone Exams, graduation requirements and alternative competency assessment and for Special Education Funding Commission; in certification of teachers, further providing for instructional certificate grade spans and age levels and duties of department and providing for special provisions applicable to 2020-2021 school year; in pupils and attendance, providing for nonpublic school transportation for 2020-2021 school year in terms and courses of study, further providing for pandemic of 2020; and, in educational tax credits, further providing for limitations.

RULES.

SUPPLEMENTAL CALENDAR A**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 21, PN 4619**, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as The Real Estate Appraisers Certification Act, further providing for title of act, for definitions, for State Board of Certified Real Estate Appraisers, for powers and duties of board and for application and qualifications; providing for application and qualifications of home inspectors and home inspectors-in-training and for conduct of home

inspection; further providing for reciprocity, for certification renewal, licensure renewal and records, for disciplinary and corrective measures, for reinstatement of certificate or license, for reporting of multiple certification, for surrender of suspended or revoked certificate or license, for penalties and for injunctive relief; providing for remedies for home inspection services consumers, for home inspection contracts and for home inspection reports; and making a related repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentlewoman, Representative Helm, that the House concur in the amendments inserted by the Senate.

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

Ms. HELM. Thank you, Mr. Speaker.

HB 21 establishes licensure of home inspectors in Pennsylvania. This bill passed the House in October 2019. The Senate amended the bill to modify the membership of the board and to make various technical changes to make the bill internally consistent. The Senate passed the bill by a vote of 40 to 9.

We have been working on this bill for several years, and I respectfully request an affirmative vote to concur in the amendments made by the Senate so that we can finally get this bill over the finish line. Thank you.

The SPEAKER. The Chair thanks the lady.

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. 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—182

Barrar	Fiedler	Lawrence	Readshaw
Benninghoff	Fitzgerald	Lee	Reese
Bizzarro	Flynn	Longietti	Rigby
Boback	Frankel	Mackenzie	Roebuck
Bonner	Freeman	Madden	Rothman
Boyle	Gabler	Mako	Rozzi
Bradford	Gainey	Malagari	Sainato
Briggs	Galloway	Maloney	Samuelson
Brooks	Gaydos	Markosek	Sanchez
Brown	Gillespie	Marshall	Sankey
Bullock	Gleim	Masser	Sappey
Burgos	Goodman	Matzie	Saylor
Burns	Green	McCarter	Schlossberg
Caltagirone	Gregory	McClinton	Schmitt
Carroll	Greiner	McNeill	Schroeder
Causar	Grove	Mehaffie	Schweyer
Cephas	Hahn	Mentzer	Shusterman

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

NAYS—20

Bernstine	Fritz	Metcalf	Rowe
Borowicz	Gillen	Nelson	Ryan
Diamond	Kauffman	Rader	Schemel
Dowling	Keefer	Rapp	Warner
Ecker	Lewis	Roae	Wentling

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.

STATEMENT BY MR. KORTZ

The SPEAKER. At this time the Chair recognizes the gentleman, Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Unanimous consent, please.

The SPEAKER. You are in order and may proceed.

Mr. KORTZ. Thank you, Mr. Speaker.

I want to take a moment and I want to thank Representative Sue Helm for her hard work and her persistence on this measure.

Mr. Speaker, this bill has been around for many, many years, and there were literally hundreds of hours of work and negotiations with numerous stakeholders to get this thing right, and I want to thank the chairwoman for her hard, hard work on this measure. I also want to take a moment to thank the Professional Licensure Committee and their staff for their work on this measure – specifically, Chairman Hickernell and Chairman Readshaw. Chairman Readshaw could not be here

today – I am sure he is watching from home – Chairman Readshaw just wanted to thank the members of the General Assembly. He was a strong supporter of this measure, and I want to personally thank him for his expertise and his guidance to get this through, Mr. Speaker.

I also want to acknowledge the hard work of the staff who put in countless hours to get this right. There were some key people that worked very, very hard, and this has been around for over decades. I mean, it is a long time.

And finally, Mr. Speaker, I want to thank you, sir. I want to thank you for your personal intervention for making this vote possible today. I thank you, personally, for getting involved, and I thank the members of the General Assembly for your vote.

Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 777, PN 4342**, entitled:

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentlewoman, Representative Klunk, that the House concur in the amendments inserted by the Senate.

The Chair now recognizes the lady for a brief description of Senate amendments.

Ms. KLUNK. Thank you, Mr. Speaker.

The Senate amended language into the bill to clarify that our social and veterans' clubs can utilize 100 percent of the small games of chance proceeds, beginning with calendar year 2020 through a 1-year period after the emergency declaration for COVID ends, and I would ask for an affirmative vote.

Thank you so much.

The SPEAKER. The Chair thanks the lady.

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. 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, Leader Dermody.

Mr. DERMODY. 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	Lee	Rigby
Benninghoff	Fitzgerald	Lewis	Roae
Bernstine	Flynn	Longiatti	Roebuck
Bizzarro	Frankel	Mackenzie	Rothman
Boback	Freeman	Madden	Rowe
Bonner	Fritz	Mako	Rozzi
Borowicz	Gabler	Malagari	Ryan
Boyle	Gainey	Maloney	Sainato
Bradford	Galloway	Markosek	Samuelson
Briggs	Gaydos	Marshall	Sanchez
Brooks	Gillen	Masser	Sankey
Brown	Gillespie	Matzie	Sappery
Bullock	Gleim	McClinton	Saylor
Burgos	Goodman	McNeill	Schemel
Burns	Green	Mehaffie	Schlossberg
Caltagirone	Gregory	Mentzer	Schmitt
Carroll	Greiner	Merski	Schroeder
Causar	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.	Irvin	Nelson	Toepel
Dawkins	Isaacson	O'Mara	Tomlinson
Day	James	O'Neal	Toohil
Deasy	Jones	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Ullman
Delloso	Kail	Otten	Vitali
Delozier	Kaufer	Owlett	Warner
DeLuca	Kauffman	Pashinski	Warren
Dermody	Keefer	Peifer	Webster
Diamond	Keller	Petrarca	Wentling
Donatucci	Kenyatta	Pickett	Wheatley
Dowling	Kim	Polinchock	Wheeland
Driscoll	Kinsey	Puskaric	White
Dunbar	Kirkland	Pyle	Williams
Dush	Klunk	Quinn	Youngblood
Ecker	Knowles	Rabb	Zabel
Emrick	Kortz	Rader	Zimmerman
Evans	Kosierowski	Rapp	
Everett	Krueger	Ravenstahl	Cutler
Farry	Kulik	Readshaw	Speaker
Fee	Lawrence	Reese	

NAYS—1

McCarter

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.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman rise?
Mr. DUSH. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman indicated yesterday was his last time speaking, but you are in order and may proceed.

Mr. DUSH. Yes.

On HB 21 I would like to correct the record. I was actually supposed to be in the negative; it was recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be spread upon the record.

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 916, PN 4618**, entitled:

An Act mending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for suspension of operating privilege, for the offense of driving while operating privilege is suspended or revoked and for ignition interlock limited license and providing for Relief from Administrative Suspension Program; and, in driving after imbibing alcohol or utilizing drugs, further providing for penalties, for ignition interlock, for prior offenses, for Accelerated Rehabilitative Disposition, for drug and alcohol assessments and for mandatory sentencing and providing for substance monitoring program. This act may be referred to as Deana's Law.

On the question,

Will the House concur in Senate amendments?

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

The Chair now recognizes the gentleman for a brief description of Senate amendments.

Mr. STEPHENS. Thank you, Mr. Speaker.

The Senate adopted a gut-and-replace amendment that makes some omnibus changes related to the Vehicle Code's DUIs (driving under the influence) and licensing provisions. It encompassed some additional penalties, it altered some suspensions, it provided for continuous alcohol monitoring devices and other provisions, and I would urge the members to vote "yes" and support the bill.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to bring to the attention of the members three groups who oppose this bill.

The ACLU (American Civil Liberties Union), and they point out one reason for opposition, that it imposes consecutive mandatory sentences. I note some in this chamber will vote on that, as a matter of principle. And it also points out this bill makes it a second-degree felony for refusing to take a breath or chemical test, if you have had a prior offense. Felonies are fairly heavy duty. They point out, in many instances, the provisions of this bill remove all discretions from the Court, and they point out that

HB 916 would entirely prohibit pretrial – prior to conviction – certain people from imbibing in alcohol in any amount, and they point out that alcohol is still legal and this is pretrial, where there should be a presumption of innocence. They also note a burden this will place on the counties, the mandatory monitoring provisions of this bill. They point out that provisions of this bill will take discretion away from judges and put it in the hands of prosecutors and police. And they also point out that the General Assembly in 2018 alone has attempted to address the DUI problem by passing nine different penalties, which I will not go into here.

This bill is also opposed by the Families Against Mandatory Minimums, and they point out that these provisions, the mandatory minimum provisions, will tie the hands of local courts who know their communities the best.

And also the firearm owners have weighed in against this. The Firearm Owners Against Crime also do not support this.

So I just put that out there for the information of the members. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, driving while under the influence is a serious problem and should be treated with the utmost importance. However, Mr. Speaker, the elevation to a felony charge in conviction is very concerning to me, sir. I believe strongly that there should be several things added to this bill, if Pennsylvania is going to take a more aggressive effort to curb driving under the influence. First, there should be a mechanism for mandatory treatment for those with alcohol addiction. Second, the individual must be told that they are going to lose their right to own and bear arms for these crimes. Third and finally, there needs to be a pathway to restore an individual's right that clearly represents the steps needed so it is unmistakably clear to the courts.

Mr. Speaker, it is ironic that an individual can lose their right to own and bear arms under the U.S. and PA Constitutions, while at the same time they can purchase, possess, and use a device, a vehicle, that was the instrument of the crime itself.

MOTION TO RECOMMIT

Mr. KORTZ. For these reasons, Mr. Speaker, I would like to make a motion.

The SPEAKER. The gentleman is in order and you may make your motion.

Mr. KORTZ. Mr. Speaker, for the reasons I put forth just a few minutes ago, I would like to rerefer this bill to the Transportation Committee so that they can take up these items and address it, because I feel strongly that elevating this to a felony is going to be very, very problematic to many people.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Representative Kortz, has made the motion that HB 916 be referred to the Transportation Committee.

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

The SPEAKER. On that motion, the Chair recognizes the gentleman, Leader Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Respectfully, my understanding is the Transportation Committee does not have the ability to amend this now that this bill has just come back on concurrence. I would ask the members to not support that recommittal motion.

The SPEAKER. The Chair thanks the gentleman.

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

(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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—26

Bullock	Dawkins	Kulik	Readshaw
Burgos	Deasy	Longiitti	Roebuck
Burns	Donatucci	Markosek	Sainato
Caltagirone	Driscoll	Merski	Sims
Conklin	Harkins	Neilson	Vitali
Cruz	Isaacson	Petrarca	Williams
Davis, A.	Kortz		

NAYS—176

Barrar	Fritz	Madden	Roae
Benninghoff	Gabler	Mako	Rothman
Bernstine	Gainey	Malagari	Rowe
Bizzarro	Galloway	Maloney	Rozzi
Boback	Gaydos	Marshall	Ryan
Bonner	Gillen	Masser	Samuelson
Borowicz	Gillespie	Matzie	Sanchez
Boyle	Gleim	McCarter	Sankey
Bradford	Goodman	McClinton	Sappery
Briggs	Green	McNeill	Saylor
Brooks	Gregory	Mehaffie	Schemel
Brown	Greiner	Mentzer	Schlossberg
Carroll	Grove	Metcalfe	Schmitt
Causser	Hahn	Metzgar	Schroeder
Cephas	Hanbidge	Mihalek	Schweyer
Ciresi	Harris	Millard	Shusterman
Comitta	Heffley	Miller, B.	Simmons
Cook	Helm	Miller, D.	Snyder
Cox	Hennessey	Mizgorski	Solomon
Culver	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davanzo	Hohenstein	Mullins	Stephens
Davidson	Howard	Murt	Struzzi
Davis, T.	Innamorato	Mustello	Sturla
Day	Irvin	Nelson	Thomas
DeLissio	James	O'Mara	Tobash
Delloso	Jones	O'Neal	Toepel
Delozier	Jozwiak	Oberlander	Tomlinson

DeLuca	Kail	Ortitay	Toohil
Dermody	Kaufar	Otten	Topper
Diamond	Kauffman	Owlett	Ullman
Dowling	Keefer	Pashinski	Warner
Dunbar	Keller	Peifer	Warren
Dush	Kenyatta	Pickett	Webster
Ecker	Kim	Polinchock	Wentling
Emrick	Kinsey	Puskaric	Wheatley
Evans	Kirkland	Pyle	Wheeland
Everett	Klunk	Quinn	White
Farry	Knowles	Rabb	Youngblood
Fee	Kosierowski	Rader	Zabel
Fiedler	Krueger	Rapp	Zimmerman
Fitzgerald	Lawrence	Ravenstahl	
Flynn	Lee	Reese	Cutler,
Frankel	Lewis	Rigby	Speaker
Freeman	Mackenzie		

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. Moving to the underlying bill again, the Chair recognizes the gentleman, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, like a lot of other Vehicle Code pieces of legislation that run through this chamber, this one is not perfect. However, Mr. Speaker, it is worthy of the chamber's vote. There are plenty of components of this bill that will advance the interest of the Commonwealth to protect our community, protect drivers, while at the same time providing an opportunity for people who found themselves suspended for a series of other reasons not related to driving while under the influence to be eligible to have an opportunity to have a license restored.

So I would ask for a "yes" vote, Mr. Speaker, again, with the full knowledge this is not perfection, but it is an advancement.

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. 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—51

Barrar	Everett	Mako	Saylor
Benninghoff	Fee	Mehaffie	Simmons
Boback	Gillespie	Mentzer	Solomon
Brooks	Heffley	Mihalek	Stephens
Brown	Helm	Mizgorski	Thomas
Caltagirone	Hennessey	Moul	Tobash
Carroll	Hickernell	Mullery	Toepel
Cox	James	Murt	Toohil
Culver	Kaufar	Neilson	Wheeland
Davidson	Klunk	O'Mara	White
Davis, T.	Kosierowski	Oberlander	
Day	Krueger	Quinn	Cutler,
Delloso	Lawrence	Rigby	Speaker
Driscoll			

NAYS—151

Bernstine	Frankel	Lewis	Reese
Bizzarro	Freeman	Longietti	Roae
Bonner	Fritz	Mackenzie	Roebuck
Borowicz	Gabler	Madden	Rothman
Boyle	Gainey	Malagari	Rowe
Bradford	Galloway	Maloney	Rozzi
Briggs	Gaydos	Markosek	Ryan
Bullock	Gillen	Marshall	Sainato
Burgos	Gleim	Masser	Samuelson
Burns	Goodman	Matzje	Sanchez
Causar	Green	McCarter	Sankey
Cephas	Gregory	McClinton	Sappay
Ciresi	Greiner	McNeill	Schemel
Comitta	Grove	Merski	Schlossberg
Conklin	Hahn	Metcalfe	Schmitt
Cook	Hanbidge	Metzgar	Schroeder
Cruz	Harkins	Millard	Schweyer
Daley	Harris	Miller, B.	Shusterman
Davanzo	Hershey	Miller, D.	Sims
Davis, A.	Hohenstein	Mullins	Snyder
Dawkins	Howard	Mustello	Sonney
Deasy	Innamorato	Nelson	Staats
DeLissio	Irvin	O'Neal	Struzzi
DeLozier	Isaacson	Ortitay	Sturla
DeLuca	Jones	Otten	Tomlinson
Dermody	Jozwiak	Owlett	Topper
Diamond	Kail	Pashinski	Ullman
Donatucci	Kauffman	Peifer	Vitali
Dowling	Keefer	Petrarca	Warner
Dunbar	Keller	Pickett	Warren
Dush	Kenyatta	Polinchock	Webster
Ecker	Kim	Puskaric	Wentling
Emrick	Kinsey	Pyle	Wheatley
Evans	Kirkland	Rabb	Williams
Farry	Knowles	Rader	Youngblood
Fiedler	Kortz	Rapp	Zabel
Fitzgerald	Kulik	Ravenstahl	Zimmerman
Flynn	Lee	Readshaw	

NOT VOTING—0

EXCUSED—0

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1737, PN 4625**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for economic development agency, fiduciary and lender environmental liability protection, for agritourism activity protection and for COVID-19-related liability; and making a related repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentlewoman, Representative Gleim, that the House concur in the amendments inserted by the Senate.

The Chair now recognizes the lady for a brief description of Senate amendments.

Mrs. GLEIM. Thank you, Mr. Speaker.

The first part of this bill relates to the rehabilitation of industrial and commercial property by an economic development authority, and it provides immunity from any environmental hazard they may be taking on when getting a loan or taking on a lien for the property in order to develop it. The second section of this bill, the Senate amended in an agritourism bill, HB 1438, which we just passed in the House this week – you are familiar with the premise – and the bill is back on concurrence in this HB 1737. Finally, the bill provides temporary liability protection from unwarranted COVID-19-related civil lawsuits, if complying with public health directives in effect at the time the alleged act occurred, and this has full force and effect upon enactment.

Mr. Speaker, I urge an affirmative vote, for the betterment of the entire State, on HB 1737.

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

Mr. DAVIS. Thank you, Mr. Speaker.

You know, I am very disappointed in what the Senate amended into this bill. Originally, HB 1737 was my legislation to eliminate blight in struggling communities, but during the worst pandemic in 100 years the Republicans in the Senate and the Republicans here in the House are poised to hurry this legislation to provide immunity for hospitals, nursing homes, manufacturers, when they negligently hurt our friends and our families. Let us be clear, Mr. Speaker: As amended, HB 1737 is nothing more than a disgusting attempt by massive corporations, manufacturers, hospitals, and nursing homes to hide in the shadow of health-care workers' bravery and use the COVID-19 crisis as an attempt to protect themselves when they have been negligent and have harmed our loved ones.

Mr. Speaker, I, as a second-term legislator, was excited that my legislation might make it to the Governor's desk, but yesterday I removed my name as the prime sponsor of this bill, because the reality is this is nothing more than a giveaway to special interests. This bill has been hijacked by Senate Republicans, and I am going to urge all of my colleagues to vote "no" on this legislation, and next session, hopefully, we can get it right to address blight for the communities across this Commonwealth. And with that, I urge my colleagues to vote "no." Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

Mr. Speaker, whenever we have a Senate amendment that causes the original prime sponsor and approximately 75 percent of the original cosponsors to remove their names from a bill, I think that amendment deserves a little more attention than it just got from the new prime sponsor of the bill. And when that original prime sponsor is a freshman member on the verge of sending that bill to the Governor's desk for his signature, and again, he is forced to take his name off the bill, I do not think that is ever a good sign. So let us take a deeper look into this 22-page amendment to HB 1737.

First, I will pass on rehashing the agritourism activity protection that is contained in subchapter F.3, because we just debated and voted on that measure about 48 hours ago. But if you do not remember that debate and vote because we spent the better part of the last 2 days debating meaningless resolutions, let me remind you that we provided civil immunity to farm-related tourist and entertainment activities, provided the injuries sustained by the agritourists were not the result of gross negligence, purposefully caused, criminal behavior, or the result of a reckless failure to warn against a dangerous condition. I am not going to rehash that part.

This amended bill now provides liability protection for all of our school districts; all of our charter schools; all of our cyber charter schools; all regional charter schools; all charter schools for the deaf and blind; all private schools; all nonpublic schools; all pre-Ks; all IUs (intermediate units); all career and technical schools; all our institutions of higher education; all child-care facilities; all manufacturers, distributors, labelers, and donors of personal protection equipment; all other manufacturers, distributors, and labelers – I am not sure who those others are, because they are not identified in this newly amended bill – all users of PPE; all businesses and government agencies; and finally, all health-care providers. When you throw in the farmers, I cannot imagine who has been left off this list of the protected.

But the problems with this amended bill do not end with the list of those it seeks to protect. It is also deficient in what it protects. This bill provides liability protection for gross negligence, unless a potential plaintiff can establish their case with clear and convincing evidence. I will come back to what that dramatic change in the burden of proof means, but first let us talk about what gross negligence is. It is not ordinary negligence. Gross negligence is defined as an act showing a severe and reckless disregard for the life and safety of another person. I understand that definitions sometimes fail to provide a clear picture. That is why we have examples. So let me give you an example or two of gross negligence.

You have a constituent suffering from serious breathing difficulty. With confirmation, he has been exposed to COVID-19, and he presents to your local hospital. His condition worsens and his attending physician orders a tracheotomy and ventilator care. He is transferred for placement of the trach, but instead of being put on a vent, he is shuffled to an operating room, mistaken for another patient, and has open-heart surgery performed. That is gross negligence and it is protected under this newly amended bill.

How about a nursing home needs to utilize a typically unused wing so they can comply with social distancing for their residents. A nursing home patient is moved to the new wing, but they fail to register that on the chart. The patient does not get her regular meals, does not get her medicine and, after a few days of

lying in her own feces, starves to death. That is gross negligence and it is protected under this newly amended bill.

Or the manufacturer of influenza tests who wants in on the COVID boom, but instead of making new COVID tests, they just rebrand their influenza tests and send them out into the community, making their quick buck. That is gross negligence and it is protected under this bill.

Are these the actions you want to support? Is this the type of legislation you are willing to go back to your districts promoting?

Well, let us get back to the dramatic change in the burden of proof. In a typical civil case, the burden of proof is a preponderance-of-evidence standard. It is pretty simple to explain. The plaintiff needs to convince the finder of fact that there is a greater than 50 percent chance that their claim is true. Again, this is the standard in Pennsylvania in the vast majority of civil cases. This bill changes that burden to clear and convincing. It is a higher and more difficult burden of proof, typically reserved for claims involving inheritances or wills or fraud, not injury claims. So when you add that more difficult burden of proof with this expanded level of protection, we are not simply trying to limit liability, we are granting immunity. This is plain and simple.

Mr. Speaker, much of the amendment that was adopted in the Senate yesterday was a product of the good Senator from my home county's bill, SB 1239, and I always like to look at the cosponsor memo when I read a bill that just does not make any sense to me, because oftentimes the cosponsor memo provides some insight into the real reason behind the bill and Senator Baker's cosponsor memo did not disappoint. She said, quote, "It is hard to imagine an environment more target rich for litigation," and, quote, "Early indications are that lawsuits will come from every direction..." if these protections were not adopted. Not only has that not happened, the exact opposite has happened. The number of lawsuits filed in the Commonwealth of Pennsylvania is down. The number of applications for preliminary injunctive relief, down. The number of motions filed and heard, down. The number of trials and appeals being conducted in the Commonwealth, down. In fact, the only thing negatively impacting the number of claims being filed in our courts over the past several months has been the litany of bogus claims brought by our soon-to-be ex-President.

When the Senate bill which became this amendment was introduced, there was much uncertainty about how this virus would impact Pennsylvanians, how our government would react, how our businesses would react, how our health-care institutions would be able to deal with it, and I guess a concern, by some in the Senate, that lawsuits would come from every direction.

Now we sit on the precipice of a vaccine with nearly a full year of experience in managing our lives and businesses and government institutions during this pandemic, and with the hope of an impending administration ready to take this seriously, finally, we did not need these protections that this bill seeks to enforce when it was originally introduced in the Senate and we do not need them now.

I urge a "no" vote on HB 1737.

Thank you, Mr. Speaker.

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

Mr. MATZIE. Thank you, Mr. Speaker.

Just a little history on HB 1737, and I will not belabor a lot of what was said by my good colleague from Luzerne, but the reality is this bill was gutted in the Senate to add this COVID immunity.

It is far from the version that passed the House unanimously in January, as my good colleague from Allegheny said earlier. This is a Title 42 bill; however, it moved through the House as an Urban Affairs bill, amending this Title 42 bill, a judiciary bill. It goes to the Senate and becomes an environmental bill. It has never been before the Judiciary Committee in either chamber.

Now, I can count, so I will not make a motion to recommit or table the bill. However, I cannot, in clear conscience, drive 3 hours and 25 minutes home tonight – hopefully – and face my constituent, Jodi Gill, whose father, Glenn Gill, is in a nursing home in Beaver County and has a lawsuit, along with several other folks. You see this particular nursing home has become an incubator of disease and death, period. National attention in Beaver County for the wrong reasons at the onset of this pandemic. The National Guard had to come in. I lost friends because of this disease, because you know you want to talk about it being a virus until you are blue in the face; the reality, in my judgment – and I am no doctor – it is a disease.

But after 12 years in this legislature, I have got to tell you it is bills like these that still make me shake my head. We are going to give nursing homes immunity from liability during this pandemic – it is insane. Most people are doing the right thing, mind you; most owners of nursing facilities are doing the right thing. My soon-to-be 87-year-old father is in a nursing facility. They have done an outstanding job, an outstanding job. But if you are a bad actor, if you are a bad actor and you have been negligent, this is not Monopoly; you do not get a card to get out of jail for free. The consumer deserves the opportunity to present their case and evidence about negligence, and nursing homes, not just in Beaver County, not just in Pennsylvania, but across our country have sadly become incubators of disease and death. Think about that line for a second, because it is accurate.

Now, I am hopeful. As I said earlier, I can count, and the prospects of this bill passing are pretty good. In fact, if I were a betting man, I would put the odds on it passing. So I am hopeful that the Governor is listening and he will exercise his duty and veto this bill, because I cannot make that trip home with a clear conscience knowing that somebody who has been negligent and a participant in an incubator of disease and death gets off scot-free.

I urge a "no" vote.

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

Mr. ECKER. Thank you, Mr. Speaker.

Now, we have heard the doom and gloom for this bill. Let us talk about the opportunity this bill provides. This is an opportunity to help everyone: our schools, our businesses, manufacturers, restaurants, health care, farmers, and nursing homes. This covers everybody. This is an opportunity to help those folks that have been following the rules, the good guys, the good actors. There are safeguards in here. In fact, this is why – this, quite honestly, legitimizes the orders that the Department of Health have put out, the CDC (Centers for Disease Control and Prevention), because we are saying if you follow those guidelines, if you follow those rules, then you have done what you need to do, you have acted well, you have done what you could to limit the risk, and because of that, we are not going to allow frivolous lawsuits to come against you.

What this bill does not do is protect the bad actors, those folks that make gross mistakes and act in a reckless disregard. Those folks are still liable, if they are not following the guidance. You know, I think what is really important about this bill is this bill

helps those incredible Pennsylvanians that converted their businesses to make PPE or to make hand sanitizer. It helps those folks, the Good Samaritans, the good Pennsylvanians. That is what this bill does, too; it protects those folks.

Look, we all want to get back to normal. This bill gives us that chance. It gives our business owners, our restaurants, our schools, the ability to go forth and make decisions and follow the guidance, but not have fear of liability, fear of frivolous lawsuits, fear of going to court and defending with money they just do not have. This bill returns us back to normal. I am a strong supporter of this bill. I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else, the Chair will return – the Chair apologizes and did not see the gentleman seeking recognition.

The gentleman, Representative Hohenstein, is in order and may proceed.

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

I was not going to come forward because I believe that all of my colleagues have expressed what needs to be said about this bill, with one exception. The last speaker spoke of all of the different people who are helped by this bill, but then mentioned everybody but the people. He did not mention workers. He did not mention patients. He did not mention the people, people at risk for getting sick.

I note that not a single workers' organization or labor union is signed off on this bill right now. This bill is serving corporate special interests and putting the screws to our frontline workers and the patients that they are caring for. I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman and now recognizes the gentleman, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, \$1.3 billion in CARES (Coronavirus Aid, Relief, and Economic Security) money that could have been provided to the very entities that are trying to be protected here today was not exercised. That \$1.3 billion in lost revenues to these very industries and businesses was not directed their way. In my view, Mr. Speaker, HB 1737 is an effort to provide a consolation prize to the folks that did not benefit from the \$1.3 billion. So what will happen, undoubtedly, is all the folks that are attempted to be protected here and helped will lose twice. They will not get the \$1.3 billion in CARES money and they will not get the protections provided by this bill, because in my view, there is no way in the world the Governor is going to sign 1737.

So for those that think that 1737 will come to fruition, I offer those folks are about to lose twice.

The SPEAKER. The Chair thanks the gentleman.

Moving to the prime sponsor of the bill, the Chair recognizes Representative Gleim for the second time.

Mrs. GLEIM. Thank you, Mr. Speaker.

There is enormous, widespread support for this bill, and I urge the Governor to sign this bill. It is pro-economic growth, community development, and it protects schools, churches, businesses, and health-care providers from potential frivolous lawsuits that could potentially drag us down and not allow our economy and the people in our great Commonwealth to get back to their normal lives. We can hold bad actors accountable, while we are supporting overwhelmingly the good people of this Commonwealth. I have seen firsthand, in my district, frontline

workers – nonprofits, like the United Way; pediatricians; school districts, who are having to open and then close and then open again; nursing homes; restaurants; and small businesses – do everything they can to help people during this pandemic, and they should be afforded the confidence to continue this work without fear of being sued. Anyone who supports children in schools – and they need to be in schools – should vote overwhelmingly for temporary COVID-19 liability protection for these school entities.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Leader Benninghoff.

Mr. BENNINGHOFF. Mr. Speaker, I would ask all of our members to support this for a couple quick reasons. I respect that neither the Governor nor businesses, entities, or providers had any control of the pandemic hitting as it did. Decisions were made, businesses were shuttered, and a lot of people were working through that, providing tremendous care, loving care. At the same token, they also suffered some losses. Some of them got ill doing this. Some of them continued to work after their illness and many suffered financially. We should not reinjure them, especially financially, by some lawsuit that could put them out of business and not let them continue to serve our public. Our schools and those that you, as taxpayers, help finance, you will be paying those lawsuits, as will the citizens in our communities and some of those very same frontline workers who have been serving us will also pay for these lawsuits that should be unnecessary during the pandemic.

We are only asking for temporary relief for these great people in our communities who are serving those in need, and I am not making a decision based on whether or not the Governor is going to sign it or not. That is a decision he makes independently. But I am making a decision based on the people who sent us to Harrisburg to represent them and to be their voice in these situations when they cannot be here, because they are on the front line providing these services.

So I would ask our members to support, stand up, and speak for these people who have been serving us so diligently the last 8 months and vote "yes" on HB 1737 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 Constitutions, 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—104

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

NAYS—98

Bizzarro	Driscoll	Kortz	Ravenstahl
Boyle	Evans	Kosierowski	Readshaw
Bradford	Farry	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	Mehaffie	Solomon
Daley	Harris	Merski	Sturla
Davidson	Hennessey	Miller, D.	Toohil
Davis, A.	Hohenstein	Mullery	Ullman
Davis, T.	Howard	Mullins	Vitali
Dawkins	Innamorato	Neilson	Warren
Deasy	Isaacson	O'Mara	Webster
DeLissio	Kaufer	Otten	Wheatley
Delloso	Kenyatta	Pashinski	Williams
DeLuca	Kim	Petrarca	Youngblood
Dermody	Kinsey	Rabb	Zabel
Donatucci	Kirkland		

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 1962, PN 4575**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions relating to retirement for school employees, further providing for Public School Employees' Retirement Board and for administrative duties of board and providing for stress test of system; and, in administration, funds, accounts and general provisions relating to retirement for State employees and officers, further providing for the State Employees' Retirement Board and for administrative duties of the board and providing for stress test of system.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentlewoman, Representative Keefer, that the House concur in the amendments inserted by the Senate.

The Chair now recognizes her for a brief description of Senate amendments.

Mrs. KEEFER. Thank you, Mr. Speaker.

I want to thank my colleague, Representative Frank Ryan, for his tireless efforts on leading pension reform. We, as General Assembly members, are charged with sound management of our pension system. This legislation requires the actuary for SERS (State Employees' Retirement System) and PSERS (Public School Employees' Retirement System) to each perform annual stress tests that include various scenario, simulation, and sensitivity analyses. SERS and PSERS would then be required to submit the stress test to the Independent Fiscal Office, who would then prepare a summarizing report for the General Assembly. The report would be available to policymakers for use during annual budgetary considerations.

Allowing legislators and others to see the potential long-term implications of pension funding decisions and market forces is imperative to be good stewards of our pension systems. Thank you.

The SPEAKER. The Chair thanks the lady.

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. 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

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 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.

STATEMENT BY MR. RYAN

The SPEAKER. For what purpose does the gentleman from Lebanon County rise?

The bill is no longer before us. Is the gentleman seeking unanimous consent?

Mr. RYAN. Yes.

The SPEAKER. You are in order and may proceed.

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

Members, this bill is a bill that – and I thank you tremendously for the tremendous support, the unanimous support, but I want to specifically mention that this bill came about as the result of a tremendous amount of dedicated effort of people on both sides of the aisle, and we have had so much division over the past session that I thought it would be a good opportunity to explain some of the great work.

First, to my dear colleague from York and Cumberland Counties, Representative Keefer, and her willingness to work together with this, when we combined HB 1996 with HB 1962, which is what we just voted on; the minority Appropriations chair, Representative Bradford, was untiring in his efforts to work with me on 1996 and with the PSEA (Pennsylvania State Education Association) to be able to take the corrective action on 1996 so that the bill was acceptable; as well as Representative Bradford's executive director, his chief, Pat Shaughnessy, who did a great job on PSERS. We had a tremendous amount of working cooperation as well from the Senate – from Senator Browne, the Appropriations chair, and from Senator Blake, from Lackawanna County and Monroe and parts of Luzerne County, where they worked together tirelessly with us to be able to pull this together.

I want to specifically mention that because of the efforts that you just took today, three of the six bills that were identified as having to be done for pension reforms were successfully accomplished this session. Hopefully the Governor will sign this bill. The PSEA was willing so much, along with SERS and PSERS, to work together to bring this to fruition. And again, I would be remiss if I did not mention the great efforts of our Treasurer, Joe Torsella, to bring this about, as well as, again, as I said, Representative Mike Tobash, the majority leader's office and his staff – Janelle, thank you. Stacey Connors, Jill Vecchio, Chris Craig, Lloyd Ebrecht, and Luc Miron did a phenomenal job – from both sides of the aisle – to have for the first time in the United States a major governance and stress test bill applied to the pension systems, that will provide greater protections for the annuitants and for the taxpayers, and for that level of cooperation from all levels of government, Democrats and Republicans, I wanted to express my sincerest and my most profound thanks.

Mr. Speaker, thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1216, PN 2126**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements, for special provisions applicable to the Keystone Exams, graduation requirements and alternative competency assessment and for Special Education Funding Commission; in certification of teachers, further providing for instructional certificate grade spans and age levels and duties of department and providing for special provisions applicable to 2020-2021 school year; in pupils and attendance, providing for nonpublic school transportation for 2020-2021 school year; in terms and courses of study, further providing for pandemic of 2020; and, in educational tax credits, further providing for limitations.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Moved by the gentleman, Representative Sonney, that the House concur in the amendments.

The Chair now recognizes him for a brief description of the Senate and House amendments.

Mr. SONNEY. Thank you, Mr. Speaker.

The Senate Rules Committee amended SB 1216 to extend the Special Education Funding Commission reporting deadline to June 30, 2021. Also, it allows the Secretary to extend an emergency, long-term, or day-to-day substitute teacher permit for up to 1 year. Also, the Department of Secretary can apply for a current school year assessment-testing waiver, if the U.S. Department of Education allows, and also on that same note, any future waivers would require legislative approval. It also allows for education tax credits to be carried forward, if awarded to a business during this fiscal year or the following fiscal year that cannot be used during the fiscal year in which they were awarded. It addresses the pupil transportation subsidy concerns for the current school year. A school entity will receive a transportation subsidy payment of either the current school year calculation or the amount allocated in the prior year, whichever is greater. For a school entity to receive the same amount allocated in the prior school year, the school entity must pay their bus contractor what they would have received if transportation services were not impacted by the COVID-19 disaster emergency, minus variable costs certified by the bus contractor. The PDE (Pennsylvania Department of Education), in consultation with the Pennsylvania School Business Officials, the Pennsylvania School Boards Association, and the Pennsylvania School Bus Association, will develop and publish those variable cost guidelines. Also, the Senate removed the provisions for the Keystone Exam parental opt-out for their students and also removed the COVID-19 notification process.

Thank you, Mr. Speaker, and I would encourage a positive vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

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
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
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 to House 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 21, PN 4619

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as The Real Estate Appraisers Certification Act, further providing for title of act, for definitions, for State Board of Certified Real Estate Appraisers, for powers and duties of board and for application and qualifications; providing for application and qualifications of home inspectors and home inspectors-in-training and for conduct of home inspection; further providing for reciprocity, for certification renewal, licensure renewal and records, for disciplinary and corrective measures, for reinstatement of certificate or license, for reporting of multiple certification, for surrender of suspended or revoked certificate or license, for penalties and for injunctive relief; providing for remedies for home inspection services consumers, for home inspection contracts and for home inspection reports; and making a related repeal.

HB 777, PN 4342

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

HB 1737, PN 4625

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for economic development agency, fiduciary and lender environmental liability protection, for agritourism activity protection and for COVID-19-related liability; and making a related repeal.

HB 1962, PN 4575

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions relating to retirement for school employees, further providing for Public School Employees' Retirement Board and for administrative duties of board and providing for stress test of system; and, in administration, funds, accounts and general provisions relating to retirement for State employees and officers, further providing for the State Employees' Retirement Board and for administrative duties of the board and providing for stress test of system.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1214, PN 2128**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to grant and convey to the Schuylkill County Municipal Authority an easement from lands of the Commonwealth of Pennsylvania at the State

Correctional Institution Mahanoy situate in Mahanoy Township, County of Schuylkill, for the purpose of establishing, utilizing, and maintaining water wells and appurtenances thereto related to potable water production and distribution for the benefit of customers within the authority's service territory; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to take such action with respect to the Commonwealth's real property interests in the site commonly known as Penn's Landing to facilitate the further development plans for the real property; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Highlands Historical Society, certain lands situate in Whitmarsh Township, Montgomery County; authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to Bollinger Enterprises, Inc., certain lands situate in Conewango Township, Warren County; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to L-A Battery, QOZ, LLC land within the bed of the Delaware River within the City of Philadelphia; authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Washington Health System, or its assignee, certain lands and improvements situate partially in the 6th Ward of the City of Washington and partially in South Strabane Township, Washington County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Harry E. Frey, Jr., and Jeffrey L. Frey, a permanent easement over certain lands of the Commonwealth of Pennsylvania at Muncy State Correctional Institution situate in Clinton Township, Lycoming County, for the purpose of ingress and egress to lands which Harry E. Frey, Jr., and Jeffrey L. Frey propose to acquire from Harold James Carpenter and Carlene M. Carpenter; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of West Pittston, Luzerne County; authorizing the release of Project 70 restrictions on certain lands owned by Glen Rock Borough, York County, in return for the development of park and open space lands owned by Glen Rock Borough, York County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Human Services, Inc., certain lands and improvements situate in the Borough of West Chester, Chester County; and making a repeal.

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?

(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, Leader Dermody.

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

The following roll call was recorded:

YEAS—170

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

NAYS—32

Bonner	Fritz	Keefe	Roae
Borowicz	Gaydos	Lawrence	Rothman
Cook	Gillen	Maloney	Sankey
Delozier	Gleim	Mentzer	Warner
Diamond	Greiner	Metcalfe	Zimmerman
Dowling	Grove	Metzgar	
Dush	Hershey	Miller, B.	Cutler,
Ecker	Hickernell	Rapp	Speaker
Fee	Kaufer		

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 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 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, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks 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
Deloso	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

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.

SENATE MESSAGE

**HOUSE AMENDMENTS
TO SENATE 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 the Senate amendments to **HB 941, PN 4617**.

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 941, PN 4617

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for medical assistance pharmacy services and providing for prescription drug pricing study.

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

HB 916 RECONSIDERED

The SPEAKER. The Chair is in receipt of a motion to reconsider, submitted by Representatives Oberlander and Benninghoff, the vote by which HB 916 was defeated on the 20th day of November.

On the motion to reconsider, the Chair recognizes Leader Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very simply, I am making a motion to recommit HB 916 to the Rules Committee. Thank you.

The SPEAKER. The gentleman will suspend. The first motion to consider is the reconsideration of the bill. If that were to succeed, the gentleman would be in order to make a motion to recommit to the Rules Committee at that time.

Mr. BENNINGHOFF. Yes, sir. I was excited to keep moving.

I make a motion to reconsider HB 916.

The SPEAKER. The Chair shares the gentleman's enthusiasm and will put the motion to reconsider the vote by which HB 916 was defeated.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

On the motion?

The SPEAKER. The gentleman is in order and may proceed.

Mr. VITALI. I just wanted to remind the members this is a bill that we substantially defeated, overwhelmingly defeated. It was a very odd concurrence of unison between civil Libertarians and gun owners, and I think we made the right decision. We are on the last day of session. I would urge a "no" vote on this reconsideration.

The SPEAKER. The Chair thanks the gentleman.

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

(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, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—106

Barrar	Gillespie	Mehaffie	Rothman
Benninghoff	Gleim	Mentzer	Rowe
Bernstine	Gregory	Metcalfe	Ryan
Boback	Greiner	Metzgar	Sankey
Bonner	Grove	Mihalek	Saylor
Borowicz	Hahn	Millard	Schemel

Brooks	Heffley	Miller, B.	Schmitt
Brown	Helm	Mizgorski	Schroeder
Causer	Hennessey	Moul	Simmons
Cook	Hershey	Murt	Sonney
Cox	Hickernell	Mustello	Staats
Culver	Irvin	Nelson	Stephens
Davanzo	James	O'Neal	Struzzi
Day	Jones	Oberlander	Thomas
Delozier	Kail	Ortitay	Tobash
Diamond	Kaufe	Owlett	Toepel
Dowling	Kauffman	Peifer	Tomlinson
Dunbar	Keefer	Pickett	Toohil
Dush	Keller	Polinchock	Topper
Ecker	Klunk	Puskaric	Warner
Emrick	Knowles	Pyle	Wentling
Everett	Lawrence	Quinn	Wheeland
Farry	Lewis	Rader	White
Fee	Mackenzie	Rapp	Zimmerman
Fritz	Mako	Reese	
Gabler	Marshall	Rigby	Cutler,
Gaydos	Masser	Roae	Speaker

The SPEAKER. The gentleman, Leader Benninghoff, has made a motion to rerefer HB 916 to recommit it to the Rules Committee.

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

The SPEAKER. The Chair recognizes the gentleman, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I ask the members to vote "no" on the motion to recommit to the Rules Committee.

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

(Members proceeded to vote.)

NAYS—96

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

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, Leader Dermody.

Mr. DERMODY. 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
Causer	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	Kaufe	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	

NOT VOTING—0

EXCUSED—0

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

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Leader Benninghoff, for a motion.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

We appreciate the collegiality of our members giving an opportunity to make sure that we have all the information on this, so I would ask the members to recommit HB 916 to the Rules Committee. Thank you.

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
Dellosa	Kinsey	Petrarca	Youngblood
DeLuca	Kirkland	Rabb	Zabel
Dermody			

NOT VOTING—0

EXCUSED—0

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

REPUBLICAN CAUCUS

The SPEAKER. Turning to caucus announcements, the Chair recognizes the gentleman, Representative Reese, for a caucus announcement.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, the House Republicans will have a virtual caucus at 2 p.m. and we intend to return to the floor by 3 p.m.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The Democrats will caucus at 2 p.m.

The SPEAKER. The Chair thanks the gentleman.

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 835, PN 2112**, and **SB 1193, PN 2025**.

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:

SB 835, PN 2112

An Act providing for funding of high-speed broadband service infrastructure deployment in unserved areas of this Commonwealth and for powers and duties of the Commonwealth Financing Authority; establishing the Unserved High-speed Broadband Funding Program Account; making an appropriation; and making a related repeal.

SB 1193, PN 2025

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers, codifying provisions relating to sheriffs and deputy sheriffs; further providing for sheriff training requirement and for Sheriff and Deputy Sheriff Education and Training Account; and making editorial changes and a related repeal.

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

RECESS

The SPEAKER. This House will be in recess until 3 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.; further extended until 4:30 p.m.; further extended until 5 p.m.; further extended until 5:15 p.m.

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members as well as the general public, the remainder of this session has been converted to a virtual session due to continued contact tracing.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander, for corrections to the record.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I do have several corrections to the record. I will start with HB 770. Representative Gillespie was marked as a "yes," and he would like to be marked as a "no."

The next one is HB 21. Representative Mike Jones was recorded as a "yes." He would like to be recorded as a "no."

And the last one is SB 1214. Representative Karen Boback was recorded as a "yes." She would like to be recorded as a "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady. The remarks and corrections will be spread upon the record.

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:

SB 1216, PN 2126

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements, for special provisions applicable to the Keystone Exams, graduation requirements and alternative competency assessment and for Special Education Funding Commission; in certification of teachers, further providing for instructional certificate grade spans and age levels and duties of department and providing for special provisions applicable to 2020-2021 school year; in pupils and attendance, providing for nonpublic school transportation for 2020-2021 school year; in terms and courses of study, further providing for pandemic of 2020; and, in educational tax credits, further providing for limitations.

SB 1241, PN 1936

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.

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

REMARKS BY SPEAKER

The SPEAKER. The Speaker wishes to recognize the service of Representative Thomas Caltagirone. Representative Caltagirone is currently serving his 22d term representing the 127th Legislative District. He is currently the longest-serving Representative. He has served under 9 Pennsylvania Governors and 14 Speakers of the House. He serves currently as the Democratic chairman for the Urban Affairs Committee. Prior to becoming a Representative, Tom was a social worker for Head Start and a teacher for the Reading School District. He currently resides in Reading and has five children. So when the gavel falls at the end of this session, it will conclude his long career.

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1350, PN 2129**, entitled:

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, Legislative and Judicial Departments 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.

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, Chairman Saylor.

Mr. SAYLOR. Mr. Speaker, just for the public's information, this is a budget supplemental bill that covers the last 7 months of the 2020-2021 fiscal year. It fills in all those gaps that we did not do when we did the 5-month budget back in May. It is a great budget that we have worked with the Democrats across the aisle, the Senate, and the Governor, and I want to thank the Governor for his cooperation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative MALONEY be placed on leave. Without objection, the leave will be granted.

CONSIDERATION OF SB 1350 CONTINUED

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. On that question, the Chair recognizes the gentlewoman, Representative Oberlander. The gentlelady is in order, and you may proceed.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Leader Dermody.

The Chair recognizes the gentleman, Leader Dermody, for verification of the voting board.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—104

Barrar	Gaydos	Marshall	Rigby
Benninghoff	Gillen	Masser	Rothman
Boback	Gillespie	McClinton	Sanchez
Bonner	Gleim	Mehaffie	Sankey
Bradford	Goodman	Mentzer	Saylor
Brooks	Gregory	Metzgar	Schmitt
Brown	Greiner	Mihalek	Schroeder
Caltagirone	Grove	Millard	Simmons
Causar	Hahn	Miller, B.	Sonney
Cook	Harris	Mizgorski	Staats
Culver	Heffley	Moul	Stephens
Davanzo	Helm	Murt	Struzzi
Davis, T.	Hennessey	Mustello	Thomas
Day	Hershey	Nelson	Tobash
DeLozier	Hickernell	O'Neal	Toepel
Dermody	Irvin	Oberlander	Tomlinson
Donatucci	James	Ortitay	Toohil
Dowling	Jozwiak	Owlett	Topper
Dunbar	Kail	Peifer	Warner
Ecker	Kaufer	Pickett	Wheeland
Emrick	Keefer	Polinchock	White
Everett	Keller	Pyle	Youngblood
Farry	Klunk	Quinn	Zimmerman
Fee	Kortz	Rader	
Fritz	Lawrence	Readshaw	Cutler,
Gabler	Mackenzie	Reese	Speaker
Galloway	Mako		

NAYS—97

Bernstine	Dush	Kulik	Roae
Bizzarro	Evans	Lee	Roebuck
Borowicz	Fiedler	Lewis	Rowe
Boyle	Fitzgerald	Longietti	Rozzi
Briggs	Flynn	Madden	Ryan
Bullock	Frankel	Malagari	Sainato
Burgos	Freeman	Markosek	Samuelson
Burns	Gainey	Matzie	Sappey
Carroll	Green	McCarter	Schemel
Cephas	Hanbidge	McNeill	Schlossberg
Ciresi	Harkins	Merski	Schweyer
Comitta	Hohenstein	Metcalfe	Shusterman
Conklin	Howard	Miller, D.	Sims
Cox	Innamorato	Mullery	Snyder
Cruz	Isaacson	Mullins	Solomon
Daley	Jones	Neilson	Sturla
Davidson	Kauffman	O'Mara	Ullman
Davis, A.	Kenyatta	Otten	Vitali
Dawkins	Kim	Pashinski	Warren
Deasy	Kinsey	Petrarca	Webster
DeLissio	Kirkland	Puskaric	Wentling
Delloso	Knowles	Rabb	Wheatley
DeLuca	Kosierowski	Rapp	Williams
Diamond	Krueger	Ravenstahl	Zabel
Driscoll			

NOT VOTING—0

EXCUSED—1

Maloney

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 SPEAKER. The House will be at ease while we await the arrival of the Fiscal Code.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2536, PN 4626**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader for a committee announcement.

Mr. BENNINGHOFF. Mr. Speaker, we are going to have a Rules Committee meeting directly behind me on the House floor.

Mr. Speaker, we will actually move out to the outside of the chamber and have our Rules meeting quickly to vote out the Fiscal Code.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate meeting of the Rules Committee outside of the chamber.

The House will be again at ease.

The House will come to order.

BILL ON CONCURRENCE
REPORTED FROM COMMITTEE

HB 2536, PN 4626

By Rep. BENNINGHOFF

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021 restrictions on appropriations for funds and accounts; making related repeals; and making editorial changes.

RULES.

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2536, PN 4626**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021 restrictions on appropriations for funds and accounts; making related repeals; and making editorial changes.

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

The SPEAKER. Moved by the gentleman, the majority leader, that the House concur in the amendments inserted by the Senate.

The Chair now recognizes the majority leader for a brief description of Senate amendments.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

HB 2536, commonly referred to as the Fiscal Code, adds amendments that are necessary pieces of every budget to ensure the money is available for the amounts appropriated under the General Appropriations Act and to describe how those appropriations are to be spent to fulfill our budgetary obligations.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair now recognizes the gentleman from Delaware, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I urge a nonconcurrence vote on HB 2536. Yet again, we refuse to do responsible fiscal policy in funding State government and yet turn to these one-time quick fixes and again the environment gets the short end of the stick.

Mr. Speaker, in this bill we are taking money from important programs. We are taking \$5 million from the Farmland Preservation Program, a program which will hurt farmers and hurt those in the exurbs, suburbs who want to preserve the scenic beauty. We are taking \$17.5 million from the industrial sites cleanup funds. These are grants that go to municipalities for economic development to clean up polluted sites. We are taking \$45.5 million from PENNVEST. These fund very critical water and sewer projects. The rate may be a legality question because we are taking moneys which have their origin in the Federal government for designated purposes.

Mr. Speaker, we are taking \$50 million from the Recycling Fund. There is no surplus in the Recycling Fund. This funds important local programs, salaries for recycling coordinators, recycling trucks, composting programs. Mr. Speaker, this is not the way we ought to be funding State government.

We are taking \$4 million from the Surface Mining and Conservation Reclamation Fund, which helps relandscape lands scarred by mining. We are taking \$30 million from the Underground Storage Tank Indemnification Program. And yet again, we are illegally taking money from the Oil and Gas Lease Fund, \$34 million.

Mr. Speaker, the Pennsylvania Supreme Court in 2017 made it very clear in its holding of *Pennsylvania Environmental Defense Foundation v. Commonwealth* that we cannot use royalties from the Oil and Gas Lease Fund to fund general governmental operations, and that is precisely what we are doing now.

Mr. Speaker, this is irresponsible and it is not something we should do, and I am not going to make apologies for being up here today exercising my constitutional duty as opposed to just rolling over and letting a bad piece of legislation go without comment. Mr. Speaker, I urge a nonconcurrence.

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.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the board.

PARLIAMENTARY INQUIRY

The SPEAKER. The Speaker is in receipt of a communication from a member who indicates – from Representative Frank Farry.

The following communication was read:

Speaker,

As discussed earlier in the week with you and the Parliamentarian, there is language included in HB 2536 that may give rise to a conflict for me because of work done by my law firm and my individual capacity as an attorney.

In light of us not returning to the floor, I ask that you read this into the record and rule on whether I need to be excused from the vote.

Thank you,
Frank Farry
Representative, 142nd District

The SPEAKER. Representative Farry, we have examined the matter very carefully, and although the exact impact the provision in the Fiscal Code may have on you and your firm is not clear, we believe that since there is a potential for a direct pecuniary benefit to you, out of an abundance of caution, you should not vote on this question. Therefore, pursuant to House rule 64, you are excused from voting.

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. On that question, the Chair recognizes the gentlewoman, Representative Oberlander, for vote verification of the board.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—108

Barrar	Gillespie	Mehaffie	Rothman
Benninghoff	Goodman	Mentzer	Sanchez
Bonner	Green	Merski	Sankey
Bradford	Gregory	Metzgar	Saylor
Brooks	Greiner	Mihalek	Schlossberg
Brown	Hahn	Millard	Schmitt
Caltagirone	Harris	Miller, B.	Schroeder
Causar	Heffley	Mizgorski	Simmons
Cook	Helm	Moul	Sonney
Cox	Hennessey	Murt	Staats
Culver	Hershey	Mustello	Stephens
Davanzo	Hickernell	Nelson	Struzzi
Davis, T.	Irvin	O'Neal	Sturla
Day	James	Oberlander	Thomas
Dermody	Jones	Ortitay	Tobash
Donatucci	Jozwiak	Owlett	Toepel
Dowling	Kail	Peifer	Tomlinson
Dunbar	Kaufer	Pickett	Toohil
Dush	Keller	Polinchock	Topper
Ecker	Kim	Puskaric	Warner
Emrick	Klunk	Pyle	Wheeland
Everett	Kortz	Rader	White
Fee	Lawrence	Ravenstahl	Youngblood
Fritz	Mackenzie	Readshaw	Zimmerman
Gabler	Mako	Reese	
Galloway	Marshall	Rigby	Cutler,
Gaydos	Masser	Roebuck	Speaker
Gillen	McClinton		

NAYS—92

Bernstine	DeLuca	Knowles	Rabb
Bizzarro	Diamond	Kosierowski	Rapp
Boback	Driscoll	Krueger	Roae
Borowicz	Evans	Kulik	Rowe
Boyle	Fiedler	Lee	Rozzi
Briggs	Fitzgerald	Lewis	Ryan
Bullock	Flynn	Longietti	Sainato
Burgos	Frankel	Madden	Samuelson
Burns	Freeman	Malagari	Sappey
Carroll	Gainey	Markosek	Schemel
Cephas	Gleim	Matzie	Schweyer
Ciresi	Grove	McCarter	Shusterman
Comitta	Hanbidge	McNeill	Sims
Conklin	Harkins	Metcalfe	Snyder
Cruz	Hohenstein	Miller, D.	Solomon
Daley	Howard	Mullery	Ullman
Davidson	Innamorato	Mullins	Vitali
Davis, A.	Isaacson	Neilson	Warren
Dawkins	Kauffman	O'Mara	Webster
Deasy	Keefer	Otten	Wentling
DeLissio	Kenyatta	Pashinski	Wheatley
Deloso	Kinsey	Petrarca	Williams
Delozier	Kirkland	Quinn	Zabel

NOT VOTING—0

EXCUSED—2

Farry

Maloney

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 2536, PN 4626

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021 restrictions on appropriations for funds and accounts; making related repeals; and making editorial changes.

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

The SPEAKER. For the information of the members who are attending virtually as well as the handful on the floor here today, we do need to keep the desk open to receive one additional bill from the Senate, which will later be signed as well as some housekeeping, but there will be no further votes this afternoon.

The Chair would also like to take the opportunity to once again thank Leader Dermody for making my time and tenure as a leader and a Speaker much more enjoyable, and the Chair hopes to see the gentleman again very soon.

Mr. DERMODY. Likewise, Mr. Speaker. Thank you.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the gentleman, the majority leader.

Mr. BENNINGHOFF. Very briefly, I would also like to take a moment to thank both Chairman Bradford and Chairman Dermody for helping us get through this challenging time of 2020, but we showed the people that we can work in a bipartisan manner to the best of our ability, and to our great staffs and everybody that is here in the support roles, kudos. You guys do not always get the acknowledgement that you should, but we are

internally very grateful for the work that you do on both sides of the aisle, and I think it is nice to be able to end on a positive note.

Frank, in retirement enjoy yourself, keep in touch, but there will not be any Cola. We might have some 7UP around, but do not call me for any Colas. Take care, my friend.

The SPEAKER. The Chair thanks the leader.

STATEMENT BY MR. BRADFORD

The SPEAKER. The Chair also recognizes the gentleman, from Montgomery County, Representative Bradford, under unanimous consent.

Mr. BRADFORD. Thank you, Mr. Speaker.

Real quickly, I just wanted, in the spirit of camaraderie, to also recognize an intemperate remark that I had made several months ago about a good friend of mine, Representative Toepel, who is in the neighboring district. We share many communities together. And while speaking about a bill of hers, I made a comment that I regret deeply. She knows, I apologized at the time, but I also want her to know that I wish her well in retirement. I know many of us think so highly of her, and I want her to know as she goes on that we wish her all the best as well.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and appreciates the well wishes. The Chair will also miss our caucus chair, Representative Toepel, very much and hope she also returns soon.

The Chair will now turn to housekeeping.

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 1509;
HB 1887;
HB 2601;
HB 2615;
HB 2733; and
HB 2832.

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

BILLS TABLED

The SPEAKER. The majority leader moves that the following bills be removed from the active calendar and placed on the tabled calendar:

HB 1509;
HB 1887;
HB 2601;
HB 2615;
HB 2733; and
HB 2832.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2779**, **PN 4382**, entitled:

An Act providing for retaining health care innovations during the COVID-19 pandemic and imposing duties on the Joint State Government Commission.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2779 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 2779 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 2397**, **PN 3546**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for State employees and officers, further defining "enforcement officer"; and providing for installment payments.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2397 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 2397 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 952, PN 2043**, entitled:

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.

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

BILL TABLED

The SPEAKER. The majority leader moves that SB 952 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 952 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 1270, PN 3859**, entitled:

An Act amending the act of December 19, 1990 (P.L.1372, No.212), known as the Early Intervention Services System Act, further providing for title of the act; in general provisions, further providing for legislative findings for early intervention, for definitions, for State interagency agreement, for other duties of State agencies and for council; in Statewide system for provision of early intervention services, further providing for requirements, for program regulations and standards, for

administration by Department of Public Welfare, for administration by Department of Education and for child identification, assessment and tracking system; in miscellaneous provisions, further providing for effective date; and making editorial changes.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1270 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 1270 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 third consideration of **HB 2552, PN 3836**, entitled:

An Act providing for temporary services to aging-out individuals through county agencies; and imposing duties on county agencies and the Department of Human Services.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2552 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 2552 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 third consideration of **HB 1283, PN 1854**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judgments and other liens, further providing for exemption of particular property.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1283 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 1283 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 921, PN 4005**, entitled:

A Resolution recognizing August 19, 2020, as "Aviation Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 921 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 921 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 941, PN 4122**, entitled:

A Resolution urging the Congress of the United States to allocate additional sources of funding to the Federal Highway Trust Fund.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 941 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 941 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 SPEAKER. The House will be at ease, awaiting receipt of a bill to sign.

The House will come to order.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander, for a correction of the record.

Ms. OBERLANDER. Thank you, Mr. Speaker.

On HB 2536 Representative Mike Puskaric was voted in the positive. He would like to be voted in the negative. Thank you.

The SPEAKER. The Chair thanks the lady. Remarks and correction will be spread upon the record.

The House will again be at ease.

The House will come to order.

The Chair recognizes Representative Oberlander for a correction of the record.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I do have a correction for the record. This is on HB 2536, Representative Gary Day voted in the positive. He would like to be voted in the negative. Thank you.

The SPEAKER. The Chair thanks the lady. Her remarks and correction will be spread upon the record.

The House will again be at ease.

The House will come to order.

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 1214, PN 2128**, and **SB 1350, PN 2129**.

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:

SB 1214, PN 2128

An Act authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to grant and convey to the Schuylkill County Municipal Authority an easement from lands of the Commonwealth of Pennsylvania at the State Correctional Institution Mahanoy situate in Mahanoy Township, County of Schuylkill, for the purpose of establishing, utilizing, and maintaining water wells and appurtenances thereto related to potable water production and distribution for the benefit of customers within the authority's service territory; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Allegheny Township, Blair County; authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to take such action with respect to the Commonwealth's real property interests in the site commonly known as Penn's Landing to facilitate the further development plans for the real property; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Highlands Historical Society, certain lands situate in Whitemarsh Township, Montgomery County; authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to Bollinger Enterprises, Inc., certain lands situate in Conewango Township, Warren County; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to L-A Battery, QOZ, LLC land within the bed of the Delaware River within the City of Philadelphia; authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Washington Health System, or its assignee, certain lands and improvements situate partially in the 6th Ward of the City of Washington and partially in South Strabane Township, Washington County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Harry E. Frey, Jr., and Jeffrey L. Frey, a permanent easement over certain lands of the Commonwealth of Pennsylvania at Muncy State Correctional Institution situate in Clinton Township, Lycoming County, for the purpose of ingress and egress to lands which Harry E. Frey, Jr., and Jeffrey L. Frey propose to acquire from Harold James Carpenter and Carlene M. Carpenter; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of West Pittston, Luzerne County; authorizing the release of Project 70 restrictions on certain lands owned by Glen Rock Borough, York County, in return for the development of park and open space lands owned by Glen Rock Borough, York County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Human Services, Inc., certain lands and improvements situate in the Borough of West Chester, Chester County; and making a repeal.

SB 1350, PN 2129

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, Legislative and Judicial Departments 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.

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.

RECESS

The SPEAKER. The House will recess until the call of the Chair.

* * *

After the recess of the House, the following documents were received and are herewith made a part of the House Journal:

REMARKS SUBMITTED FOR THE RECORD

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

In light of the fact that members of the House were unable to have in-person debate on SB 1350 and HB 2536 on November 20, 2020, I wanted to submit my remarks in opposition to these bills.

These bills wrap up our State budget for this fiscal year, but they do not do enough to help the Pennsylvanians struggling through the COVID-19 pandemic, which continues to devastate the Commonwealth. My colleagues had introduced numerous bills that would have directed the remaining 1.3 billion in Federal CARES Act dollars held in reserve to those who are being most impacted by this health crisis – to small business owners, child-care providers, health-care workers, and more. Instead, this budget uses those funds as a one-time fix to cover normal obligations – patching over structural problems that we will continue to face in the future. We are, once again, kicking the can down the road instead of getting serious about finding the new revenue we need.

With the serious issues facing Pennsylvania, the House of Representatives should have been able to have a robust discussion on this budget. Instead, at the last minute on Friday afternoon, House

members were told not to even set foot on the House floor and told to cast our votes remotely, as the rest of session would be held virtually. The reason, of course, was contact tracing for COVID-19 that was taking place in the Capitol. I was not allowed on the floor by House security, yet a spokesperson for the Speaker told a news organization that the Constitution establishes the right of elected House members to be on the House floor. It is disturbing that on an issue as important as the State budget, lawmakers were prevented from debate.

I understand Speaker Cutler took over as Speaker during the COVID-19 pandemic, and navigating this deadly pandemic is not easy. However, as the presiding officer of the Pennsylvania House of Representatives, he is charged by the membership to maintain institutional control of the chamber and provide a safe environment for speech and debate. The failure to control the House floor has deprived me, along with my constituents, our constitutional rights to debate the State budget. To borrow the Washington Post's slogan, "Democracy Dies in Darkness."

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 1094 By Representatives DIAMOND, NELSON, SCHEMEL, ROTHMAN, RYAN, KEEFER, JONES, ROWE, PUSKARIC, GLEIM, COOK, DUSH, BOROWICZ, ZIMMERMAN, METCALFE, MALONEY, MOUL, ROAE, RAPP, COX, KAUFFMAN, DAVANZO, DOWLING, IRVIN, BERNSTINE, LEWIS, GREINER, WARNER, OWLETT, TOBASH, MACKENZIE, METZGAR, SANKEY, KNOWLES, WHEELAND, JOZWIAK, B. MILLER, RIGBY, HICKERNELL, FEE and STAATS

A Resolution declaring the results of Statewide electoral contests in the 2020 general election to be in dispute.

Referred to Committee on STATE GOVERNMENT, November 30, 2020.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2902 By Representatives RABB, GALLOWAY, HILL-EVANS, LEE and WEBSTER

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions and for minimum wages; providing for gratuities; further providing for enforcement and rules and regulations, for penalties and for civil actions; repealing provisions relating to preemption; and providing for taxpayer savings and reinvestment.

Referred to Committee on LABOR AND INDUSTRY, November 30, 2020.

No. 2922 By Representatives RABB, HOHENSTEIN, LONGIETTI, VITALI, SANCHEZ, ISAACSON, KENYATTA, BURGOS, GREEN and LEE

An Act authorizing the Commonwealth of Pennsylvania to join the Agreement Among the States to Elect the President by National Popular Vote; and providing for the form of the agreement.

Referred to Committee on STATE GOVERNMENT, November 30, 2020.

No. 2975 By Representatives RABB, BULLOCK, WHEATLEY, SHUSTERMAN, SANCHEZ, HOWARD, HILL-EVANS, MADDEN, GREEN, KENYATTA, BURGOS and LEE

An Act providing for public reporting of certain information by police organizations; requiring police organizations to develop counseling programs for members; and imposing duties on the Municipal Police Officers Education and Training Commission.

Referred to Committee on JUDICIARY, November 30, 2020.

No. 2976 By Representatives READSHAW, KULIK, GREEN, HARKINS and KORTZ

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions; and providing for anesthesiologist assistants.

Referred to Committee on PROFESSIONAL LICENSURE, November 30, 2020.

No. 2977 By Representatives WARREN, MADDEN, KIM, FREEMAN, HOWARD, DALEY, VITALI, ULLMAN, McNEILL, SHUSTERMAN, NEILSON, CIRESI, SANCHEZ, DEASY, DELLOSO, INNAMORATO and GREEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for civil liability of firearm owner for loss or theft.

Referred to Committee on JUDICIARY, November 30, 2020.

No. 2978 By Representatives RABB, KINSEY, HILL-EVANS, DONATUCCI, FRANKEL, WEBSTER, JOHNSON-HARRELL, FIEDLER, INNAMORATO, OTTEN, LEE, SHUSTERMAN, D. MILLER, MADDEN, DAWKINS, HOHENSTEIN and VITALI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for greenhouse gas emissions tax.

Referred to Committee on FINANCE, November 30, 2020.

No. 2979 By Representatives RABB, FIEDLER and LEE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for scope of chapter.

Referred to Committee on JUDICIARY, November 30, 2020.

COMMUNICATIONS FROM GOVERNOR

VETO OF HOUSE BILLS

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bills had been vetoed by the Governor:

HB 21, PN 4619; HB 1737, PN 4625; HB 1747, PN 2338; and HB 2440, PN 3776.

Said bills having been returned with the following message:

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

November 30, 2020

TO THE HONORABLE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 21, Printer's Number 4619.

This legislation creates a new license for home inspectors regulated by the State Board of Certified Real Estate Appraisers. When determining whether an occupation needs to be regulated, consideration should be given to how to best protect the public from potential harm, and whether there is a more cost-effective and less restrictive manner that achieves this purpose. After decades of expanding professional licensing, there is a national awareness of the need to modernize job licensing to reduce restrictions while protecting consumers and benefiting workers. Over-licensing makes it harder for skilled workers to get into a profession, reducing their career opportunities and lowering their pay, while increasing costs to consumers.

In 2000, the Pennsylvania Home Inspection Law, Act 114 of 2000, was enacted for the purpose of providing a much-needed regulatory framework for home inspectors in Pennsylvania. Act 114 of 2000 requires, in part, home inspectors to be in good standing with a national home inspector association, conduct themselves under an ethical code of conduct, attend continuing professional education classes, generate home inspector reports consistent with standards, maintain liability insurance, and be subject to criminal penalties for violations of the law.

Since 2018, my administration has been committed to occupational licensing reform that will protect the public while reducing barriers to employment. In those two years, working alongside the General Assembly, I have signed into law significant reforms, including acts 41 and 53 of 2020. Instead of creating a new licensure class imposing new barriers to entry for home inspectors, we should evaluate targeted amendments to Act 114 of 2000 to improve the existing framework and appropriately protect Pennsylvanians.

For the reasons set forth above, I must withhold my signature from House Bill 21, Printer's Number 4619.

Sincerely,
Tom Wolf
Governor

* * *

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

November 30, 2020

TO THE HONORABLE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1737, Printer's Number 4625.

This legislation provides broad, overreaching immunity from civil liability during the current pandemic. I support, and provided, protections against liability for emergency and disaster services activities taken by health care practitioners under my May 6, 2020, executive order. However, this bill significantly expands these protections by limiting liability to various entities, including manufacturers, distributors, labelers and users of personal protective equipment, business services and covered providers. Shielding entities from liability in such a broad fashion as provided under this bill invites the potential for carelessness and a disregard for public safety.

Furthermore, COVID-19 immunity protections need to be paired with worker protections, including paid sick leave for employees. Providing immunity for a business that does not rigorously comply with public health orders does not ensure the safety of the public, its employees and is not in the public interest. At a time when the COVID-19 virus is spreading rapidly, we need to be taking measures to ensure compliance with public health orders and improve safety practices. We should not be providing protection for noncompliance or carelessness.

For the reasons set forth above, I must withhold my signature from House Bill 1737, Printer's Number 4625.

Sincerely,
Tom Wolf
Governor

* * *

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

November 25, 2020

TO THE HONORABLE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1747, Printer's Number 2338.

This legislation will limit emergency powers related to firearms during disaster emergencies. While the powers repealed under this legislation were not utilized in response to the COVID-19 disaster emergency, the ongoing pandemic underscores the need for flexibility in the law to deal with unforeseen and unfathomable situations.

Tough choices must be made during a disaster emergency in order to protect the public safety and welfare of the people of Pennsylvania in accordance with the Emergency Management Services Code and our Constitution. Possessing the appropriate tools to protect Pennsylvanians from the various threats posed by disaster emergencies is critical. Even though the specific powers repealed by this bill have not been utilized to respond to the current disaster emergencies, this legislation is an infringement on the authority and responsibility of the executive during a disaster emergency and risks placing our citizens and emergency responders in jeopardy during future responses to disaster emergencies.

For the reasons set forth above, I must withhold my signature from House Bill 1747, Printer's Number 2338.

Sincerely,
Tom Wolf
Governor

* * *

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

November 25, 2020

TO THE HONORABLE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2440, Printer's Number 3776.

We are continuing to confront extraordinary challenges with the COVID-19 pandemic. In the past week, the number of COVID-19-attributable deaths has quadrupled, and the average daily case count is seven times higher than it was two months ago. To help stop the spread of the virus during this critical time, we have instituted new targeted mitigation measures.

Instead of assisting the efforts to control the COVID-19 virus, this bill attempts to unnecessarily carve out shooting ranges, sportsman clubs, hunting facilities, and the firearm industry from any mitigation efforts. This bill represents another meaningless attempt to alter the necessary tools for fighting the pandemic. Instead of focusing on health and safety and mitigation efforts, this bill distracts from the fight against the emergency in front of us.

Lastly, this bill contains constitutional infirmities, as it attempts to take away executive authority which has been granted under the Emergency Management Services Code and our Constitution.

For the reasons set forth above, I must withhold my signature from House Bill 2440, Printer's Number 3776.

Sincerely,
Tom Wolf
Governor

* * *

The House of Representatives recessed on Friday, November 20, 2020, subject to being reconvened at the call of the Speaker of the House. The House was not reconvened, and the session of the General Assembly expired on November 30, 2020, in accordance with Article II, section 2, of the Constitution of Pennsylvania.