

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JANUARY 13, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 4

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)
PRESIDING**

PRAYER

HON. BRETT R. MILLER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.
Please join me as I pray.

Our Father who art in heaven, hallowed be Thy name. We give You the first place today. We give You honor and we acknowledge our great need before You. As King Solomon long ago acknowledged his need and inability to govern such a great people, so do we, and therefore, we plead with You and ask for wisdom. Please grant us wisdom, I pray.

And as we undertake the business of the Commonwealth, I pray, as Your Word has taught us, that we would be quick to hear, slow to speak, and slow to wrath; that we would love one another and prefer one another above ourselves; and that we would do nothing out of selfish ambition or vain conceit but that we would prefer one another above ourselves.

We remember our colleague, Mike Reese, and his family, and we offer a special prayer of grace and comfort to his wife and dear children and all the family members.

And as we begin again, we ask You for wisdom in this day and we pray this in the name of Jesus. 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 Tuesday, January 12, 2021, will be postponed until printed.

WRIT OF SPECIAL ELECTION

The SPEAKER. The Speaker submits for the record a copy of the writ for the special election to be held for the 59th Legislative District on May 18, 2021.

The following writ of special election was submitted:

WRIT OF ELECTION

TO KATHY BOOCKVAR, SECRETARY OF THE COMMONWEALTH; AND TO SEAN KERTES, GINA CERILLI, AND DOUGLAS CHEW, BOARD OF COMMISSIONERS OF WESTMORELAND COUNTY; AND GERALD WALKER, COLLEEN R. DAWSON, AND PAMELA A. TOKAR-ICKES, BOARD OF COMMISSIONERS OF SOMERSET COUNTY.

GREETINGS: WHEREAS, A VACANCY EXISTS IN THE OFFICE OF REPRESENTATIVE OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE FIFTY-NINTH LEGISLATIVE DISTRICT OF THE COUNTIES OF WESTMORELAND, AND SOMERSET CAUSED BY THE DEATH OF MIKE REESE, THE REPRESENTATIVE FROM SAID DISTRICT, ON THE 2ND DAY OF JANUARY, TWO THOUSAND TWENTY-ONE.

NOW, THEREFORE, I, BRYAN CUTLER, SPEAKER OF THE HOUSE OF REPRESENTATIVES BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA, AND BY THE ACT OF ASSEMBLY IN SUCH CASE MADE AND PROVIDED, DO HEREBY COMMAND:

THAT YOU CAUSE AN ELECTION TO BE HELD IN THE SAID COUNTIES OF WESTMORELAND AND SOMERSET, ON THE 18TH DAY OF MAY, TWO THOUSAND TWENTY-ONE TO CHOOSE A PERSON TO REPRESENT SAID LEGISLATIVE DISTRICT IN THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, FOR THE REMAINDER OF THE TERM EXPIRING NOVEMBER THIRTIETH, TWO THOUSAND TWENTY-TWO, AND THAT YOU GIVE DUE AND PUBLIC NOTICE OF SAID ELECTION THROUGHOUT SAID DISTRICT, IN THE FORM AND MANNER DIRECTED BY LAW.

GIVEN UNDER MY HAND AND THE SEAL OF THE HOUSE OF REPRESENTATIVES AT HARRISBURG, PENNSYLVANIA, THIS 12TH DAY OF JANUARY, TWO THOUSAND TWENTY-ONE.

BRYAN D. CUTLER
SPEAKER OF THE HOUSE OF REPRESENTATIVES
(SEAL)
ATTEST:
DAVID L. REDDECLIFF
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 140 By Representatives MALONEY, LONGIETTI, SANCHEZ, SIMS, WHEELAND and D. WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for additional parking regulations.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 141 By Representatives MALONEY, IRVIN, MOUL and ZIMMERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots.

Referred to Committee on LOCAL GOVERNMENT, January 13, 2021.

No. 142 By Representatives ORTITAY, SCHLOSSBERG, RYAN, IRVIN, JAMES, KEEFER, PASHINSKI, GLEIM, GAYDOS, CIRESI and WHEELAND

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in facilities and supplies, further providing for deposits into account.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, January 13, 2021.

No. 143 By Representatives DIAMOND, BERNSTINE, BOROWICZ, BROOKS, SCHLEGEL CULVER, GROVE, HAMM, IRVIN, JAMES, JOZWIAK, KAUFFMAN, PYLE, ROTHMAN, ROWE, RYAN, SAYLOR, SMITH, STAMBAUGH, WHEELAND and CIRESI

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in registration system, further providing for SURE system; in voter registration, further providing for approval of registration applications; in records, further providing for public information lists; and, in changes in records, further providing for removal notices, for transfer of registration and for death of registrant.

Referred to Committee on STATE GOVERNMENT, January 13, 2021.

No. 144 By Representatives SAPPEY, SANCHEZ, OTTEN, A. DAVIS, T. DAVIS, FREEMAN, MILLARD, CIRESI and MADDEN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for valuation of acquired water and wastewater systems; and providing for water ratepayer bill of rights.

Referred to Committee on CONSUMER AFFAIRS, January 13, 2021.

No. 145 By Representatives SAPPEY, GALLOWAY, HOWARD, KINSEY, HILL-EVANS, PISCIOTTANO, D. WILLIAMS, CIRESI, SANCHEZ, DRISCOLL,

PASHINSKI, NEILSON, O'MARA, BRADFORD, ISAACSON, FREEMAN and WEBSTER

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for State Board of Pharmacy.

Referred to Committee on HEALTH, January 13, 2021.

No. 146 By Representatives BERNSTINE, SAINATO, KAUFFMAN, ROTHMAN, MILLARD, PICKETT, STRUZZI, JONES, SCHMITT, BURNS, STEPHENS, KEEFER, RYAN, TOOHIL, DUNBAR, MOUL and HEFFLEY

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for parole power.

Referred to Committee on JUDICIARY, January 13, 2021.

No. 148 By Representatives CAUSER, ARMANINI, BURNS, CONKLIN, COX, DEASY, HENNESSEY, HICKERNELL, HILL-EVANS, IRVIN, JAMES, KNOWLES, LONGIETTI, MILLARD, MOUL, NEILSON, OWLETT, RAPP, RYAN, SAINATO, SCHMITT, SONNEY, STAATS, STRUZZI, WARNER and WHEELAND

An Act designating a bridge, identified as Bridge Key 25488, carrying State Route 1011 over the Mix Creek, Eldred Township, McKean County, as the Sgt. Neil K. Dorriion Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 149 By Representatives CAUSER, BURNS, CONKLIN, COX, HENNESSEY, HILL-EVANS, IRVIN, LEWIS, LONGIETTI, MILLARD, NEILSON, O'MARA, OWLETT, RYAN, SAINATO, SCHMITT, SONNEY, STRUZZI, WARNER and WHEELAND

An Act designating a bridge, identified as Bridge Key 39504, carrying Pennsylvania Route 3004 over the Allegheny River, Roulette Township, Potter County, as the SSG Gerrith Kibbe Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 150 By Representatives BURNS, GUENST, KINSEY, RYAN, COX, LONGIETTI, HILL-EVANS, JOZWIAK, DEASY, FREEMAN, WEBSTER, NEILSON and GALLOWAY

An Act designating a bridge, identified as Bridge Key 8391, on that portion of Pennsylvania Route 53 over Laurel Run, also known as Lost Creek, in Dean Township, Cambria County, as the Seaman 2nd Class Louis J. Benzie WWII Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 151 By Representatives SANCHEZ, BURNS, RYAN, HENNESSEY, GUENST, HILL-EVANS, ROTHMAN, LONGIETTI, N. NELSON, HOWARD, KINSEY, GALLOWAY, COX, STRUZZI, NEILSON, T. DAVIS,

FREEMAN, IRVIN, DEASY, O'MARA, WEBSTER, SCHWEYER and SAINATO

An Act designating the portion of State Route 2038, also known as Fitzwatertown Road, between Jenkintown Road and North Hills Avenue in Upper Dublin Township, Montgomery County, as the CPL Vincent J. Wargo, Jr., U.S.M.C. Memorial Highway.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 152 By Representatives BURNS, GUENST, KINSEY, RYAN, BURGOS, COX, LONGIETTI, HILL-EVANS, JOZWIAK, FREEMAN, WEBSTER, NEILSON and STRUZZI

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

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 153 By Representatives BURNS, HENNESSEY, GUENST, KINSEY, RYAN, BURGOS, SAMUELSON, COX, LONGIETTI, HILL-EVANS, JOZWIAK, NEILSON and GALLOWAY

An Act designating a bridge, identified as Bridge Key 8461, on that portion of U.S. Route 219 over Pennsylvania Route 53, also known as Railroad Street, in Croyle Township, Cambria County, as the Janice Keen-Livingston First Responders' Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 154 By Representatives OWLETT, LAWRENCE, PICKETT, CIRESI, STAATS, JAMES, DEASY, NEILSON, STRUZZI, B. MILLER and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for attendance policy at charter, regional charter and cyber charter schools.

Referred to Committee on EDUCATION, January 13, 2021.

No. 155 By Representatives OWLETT, PICKETT, CAUSER, COX, STAATS, HENNESSEY, RYAN, KAUFFMAN, KINSEY, BURNS, HILL-EVANS, LONGIETTI, MILLARD, JOZWIAK, CONKLIN, NEILSON, O'MARA, STRUZZI, SAINATO and WHEELAND

An Act designating a bridge, identified as Bridge Key 32773, on that portion of U.S. Route 6 over the Tioga River, Mansfield Borough, Tioga County, as the Mansfield Veterans Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 13, 2021.

No. 156 By Representatives OWLETT, KAUFFMAN, STEPHENS, PICKETT, RAPP, SCHLEGEL CULVER and ZIMMERMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for admissibility of certain statements.

Referred to Committee on JUDICIARY, January 13, 2021.

No. 157 By Representatives FEE, SCHMITT, BURGOS, CAUSER, ZIMMERMAN, HICKERNELL, RYAN, JAMES, BROOKS, MENTZER, R. MACKENZIE, NEILSON, WHEELAND and B. MILLER

An Act repealing the act of July 1, 1978 (P.L.584, No.109), entitled "An act establishing an agency to create the linkage necessary for the planning of an economic development system for Pennsylvania, and making an appropriation."

Referred to Committee on LABOR AND INDUSTRY, January 13, 2021.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. For the information of the members, it is the Chair's understanding that the Judiciary Committee is continuing to meet.

Also, for the information of the members, we had indicated yesterday that we had a meeting that was forthcoming regarding the process and the protocol for members wishing to speak in lieu of resolutions. The leaders and I did meet yesterday afternoon. We are finalizing that meeting in a document, which will be distributed to the members shortly, and you can discuss that with your individual leaders or the Parliamentarian's Office or the Speaker's Office once that has been distributed should you have any questions. Additionally, we are working through the resolution process and the rules changes there, and we will keep members updated as needed.

The Chair, as announced previously, had indicated the Judiciary Committee is continuing to meet. They are to continue to do so, but in the interest of getting members to the other commitments they might have here throughout the day, we will proceed to the master roll call.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

The Chair recognizes the majority whip, who indicates the gentleman, Representative MASSER, has asked to be placed on leave. So noted. Without objection, the leave of absence is granted.

The Chair recognizes the minority whip, who indicates that there are no leaves.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

| | | | |
|-------------|-------------|---------------|--------------|
| Armanini | Flynn | Lee | Rigby |
| Benham | Frankel | Lewis | Roae |
| Benninghoff | Freeman | Longietti | Rothman |
| Bernstine | Fritz | Mackenzie, M. | Rowe |
| Bizzarro | Gainey | Mackenzie, R. | Rozzi |
| Boback | Galloway | Madden | Ryan |
| Bonner | Gaydos | Mako | Sainato |
| Borowicz | Gillen | Malagari | Samuelson |
| Boyle | Gillespie | Maloney | Sanchez |
| Bradford | Gleim | Markosek | Sankey |
| Briggs | Gregory | Marshall | Sappery |
| Brooks | Greiner | Matzie | Saylor |
| Brown, A. | Grove | McClinton | Schemel |
| Brown, R. | Guenst | McNeill | Schlossberg |
| Bullock | Guzman | Mehaffie | Schmitt |
| Burgos | Hamm | Mentzer | Schroeder |
| Burns | Hanbidge | Mercuri | Schweyer |
| Carroll | Harkins | Merski | Shusterman |
| Causser | Harris | Metcalfe | Silvis |
| Cephas | Heffley | Metzgar | Sims |
| Ciresi | Helm | Mihalek | Smith |
| Conklin | Hennessey | Millard | Snyder |
| Cook | Herrin | Miller, B. | Solomon |
| Cox | Hershey | Miller, D. | Sonney |
| Cruz | Hickernell | Mizgorski | Staats |
| Culver | Hohenstein | Moul | Stambaugh |
| Daley | Howard | Mullery | Stephens |
| Davanzo | Innamorato | Mullins | Struzzi |
| Davidson | Irvin | Mustello | Sturla |
| Davis, A. | Isaacson | Neilson | Thomas |
| Davis, T. | James | Nelson, E. | Tomlinson |
| Dawkins | Jones | Nelson, N. | Toohil |
| Day | Jozwiak | O'Mara | Topper |
| Deasy | Kail | O'Neal | Twardzik |
| DeLissio | Kaufner | Oberlander | Vitali |
| Delloso | Kauffman | Ortitay | Warner |
| Delozier | Keefer | Otten | Warren |
| DelRosso | Kenyatta | Owlett | Webster |
| DeLuca | Kerwin | Parker | Wentling |
| Diamond | Kim | Pashinski | Wheatley |
| Dowling | Kinthead | Peifer | Wheeland |
| Driscoll | Kinsey | Pennycuik | White |
| Dunbar | Kirkland | Pickett | Williams, C. |
| Ecker | Klunk | Pisciottano | Williams, D. |
| Emrick | Knowles | Polinchock | Young |
| Evans | Kosierowski | Puskaric | Zabel |
| Farry | Krajewski | Pyle | Zimmerman |
| Fee | Krueger | Quinn | |
| Fiedler | Kulik | Rabb | Cutler, |
| Fitzgerald | Labs | Rader | Speaker |
| Flood | Lawrence | Rapp | |

ADDITIONS—0**NOT VOTING—0****EXCUSED—1**

Masser

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

Moving to committee announcements.

**GAMING OVERSIGHT
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentlelady, Representative Helm, for the purposes of a committee announcement.

Ms. HELM. Thank you, Mr. Speaker.

The House Gaming Oversight Committee will conduct a meeting on Monday, January 25, 2021, at 11 a.m., in room 60, East Wing. The purpose of the meeting is to reorganize the House Gaming Oversight Committee and adopt rules for the House Gaming Oversight Committee and any other business that comes before the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Gaming Oversight Committee will meet on January 25 at 11 in room 60, East Wing.

**REPORT OF COMMITTEE ON
CONSUMER AFFAIRS**

The SPEAKER. The Chair recognizes the gentleman, Representative Marshall, for the purposes of a committee announcement.

Mr. MARSHALL. Thank you. Thank you, Mr. Speaker.

I am pleased to report that the House Consumer Affairs Committee has organized and is ready to do business. Thank you.

The SPEAKER. The Chair thanks the gentleman.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair now recognizes the gentleman, Representative Hennessey, for the purposes of a committee announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

The House Transportation Committee will hold its initial meeting today, January 13, in G-50 of the Irvis Office Building soon, at the call of the Chair, but I expect that will probably be within the next 10 or so minutes. I will make another announcement when I have an exact time. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will meet today in G-50 of the Irvis Office Building.

HEALTH COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentlelady, Representative Rapp, for the purposes of a committee announcement.

Ms. RAPP. Thank you, Mr. Speaker.

The House Health Committee will be meeting on the 25th at the call of the Chair, and at this meeting we will be reorganizing and conducting any other business that may come before the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Health Committee will meet on January 25 at the call of the Chair.

REPORT OF COMMITTEE ON STATE GOVERNMENT

The SPEAKER. The Chair recognizes the gentleman from York, Representative Seth Grove, for the purposes of a committee announcement.

Mr. GROVE. Thank you, Mr. Speaker.

The State Government Committee has been reorganized and is ready to do business.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

COMMERCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Representative Roae, for the purposes of a committee announcement.

Mr. ROAE. Thank you, Mr. Speaker.

The Commerce Committee will have a meeting on January 25 at 10 a.m. in 205 Ryan to adopt committee rules and to reorganize. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Commerce Committee will meet on January 25 at 10 a.m. in 205 Ryan.

HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Bucks, Representative Farry, for the purposes of a committee announcement.

Mr. FARRY. Thank you, Mr. Speaker.

On January 25 at the call of the Chair the Human Services Committee will meet to reorganize.

The SPEAKER. The Chair thanks the gentleman.

The Human Services Committee will meet on January 25 at the call of the Chair.

For the information of the members, there will be no further votes today on the floor. Members are free to proceed to their other commitments. We will be keeping the desk open, however, for the receipt of a committee report from the Judiciary Committee whenever that committee is concluded.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes, for the second time, the gentleman, Representative Hennessey, for the committee announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

The Transportation Committee will meet in G-50 Irvis Office Building at 11:25 today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will meet at 11:25 today in G-50 Irvis Office Building.

The House will come back to order.

REPORT OF COMMITTEE ON JUDICIARY

The SPEAKER. The Chair recognizes the gentleman, Chairman Kauffman, for a committee announcement.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

The House Judiciary Committee has met, has reorganized, adopted rules, and is ready to conduct business for the 2021-2022 session.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, the Chair is still waiting for the remaining committee reports, which we will read across the desk, but once again, there are no further votes on the floor today, just further committee action.

The House will be at ease.

The House will please come back to order.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 14, PN 9

By Rep. KAUFFMAN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

JUDICIARY.

HB 38, PN 105

By Rep. KAUFFMAN

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, organizing the Judiciary into representative districts and further providing for residency requirements.

JUDICIARY.

HB 51, PN 123 (Amended)

By Rep. GROVE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, further providing for surplus.

STATE GOVERNMENT.

HB 52, PN 31

By Rep. GROVE

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, providing for Council on State Finances.

STATE GOVERNMENT.

HB 55, PN 34

By Rep. GROVE

A Joint Resolution proposing separate and distinct amendments to the Constitution of Pennsylvania, in declaration of rights, providing for prohibition against denial or abridgment of equality of rights because of race and ethnicity; in legislation, further providing for action on concurrent orders and resolutions; and, in the executive, providing for disaster emergency declaration and management.

STATE GOVERNMENT.

HB 71, PN 47

By Rep. GROVE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations on the Commonwealth.

STATE GOVERNMENT.

HB 104, PN 74

By Rep. GROVE

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for the assessment and reduction of improper payments by Commonwealth agencies.

STATE GOVERNMENT.

HB 108, PN 124 (Amended)

By Rep. GROVE

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for improper payments; and establishing Do-Not-Pay Initiative.

STATE GOVERNMENT.

ADJOURNMENT

The SPEAKER. The Speaker is in receipt of a motion made by Representative Smith, who does so move that this House now adjourn until Monday, January 25, 2021, at 12 m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:33 a.m., e.s.t., the House adjourned.