

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 26, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 6

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

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

Father, as we gather, we praise You for this day and Your purpose for it. Reset our agendas as we sit in Your presence. At this moment we seek Your clarity and Your peace. We pray for wisdom as we enter deliberations affecting the lives of Pennsylvanians; we ask for Your guidance and that we may be able to speak with humility and with kindness. Strengthen our resolve and provide us with the insights we need to meet the needs of our communities. Watch over our constituents; allow us to be attentive in hearing their needs. Watch over our families as You watch over us.

Lord, bring us closer together. Grant us the ability to understand our differences. Show us the light and let us find balance within. Protect us from the dark – from anger, fear, and aggression. Guide us in Your cooperation with each other as we carry out the business of all Pennsylvanians. We ask this in Your name, Lord. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 25, 2021, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 217, PN 183

By Rep. SAYLOR

A Supplement to the act of May 29, 2020 (P.L., No.1A), known as the General Appropriation Act of 2020, further providing for additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021.

APPROPRIATIONS.

HB 218, PN 184

By Rep. SAYLOR

A Supplement to the act of May 29, 2020 (P.L., No.1A), known as the General Appropriation Act of 2020, further providing for additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021.

APPROPRIATIONS.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 24 By Representatives ROAE, GROVE, JAMES, IRVIN, BERNSTINE, ROTHMAN, STAMBAUGH, RAPP, KAUFFMAN, MENTZER, DUNBAR, GLEIM, HAMM, WEBSTER, COOK, WHEELAND, ZIMMERMAN, GILLEN, BONNER, SCHEMEL, SMITH, B. MILLER, PISCIOTTANO and ROWE

A Resolution amending House Rule 14, further providing for members' and employees' expenses.

Referred to Committee on RULES, January 26, 2021.

HOUSE BILLS INTRODUCED AND REFERRED

No. 251 By Representatives OWLETT, MILLARD, PICKETT, BROOKS, MALONEY, ROTHMAN, ROWE, HAMM, LEWIS, ZIMMERMAN, QUINN, HERSHEY and GLEIM

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions and for application.

Referred to Committee on LABOR AND INDUSTRY, January 26, 2021.

No. 252 By Representatives OWLETT, PICKETT, BOBACK, SCHLEGEL CULVER, HILL-EVANS, GREINER, IRVIN, ECKER, JAMES, STAATS, RYAN, SNYDER, STEPHENS, KAUFFMAN, ROTHMAN, CIRESI, SCHLOSSBERG, LONGIETTI, WARNER, R. BROWN, ROWE, ZIMMERMAN, PISCIOTTANO, CONKLIN, HAMM, CAUSER, LEWIS, SAINATO, PASHINSKI, NEILSON, STRUZZI, DEASY, WARREN, GLEIM, MATZIE and MARKOSEK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing a tax credit for a member of a volunteer emergency service organization who purchases fire equipment with personal income.

Referred to Committee on FINANCE, January 26, 2021.

No. 253 By Representatives OWLETT, TOOHL, PICKETT, BOBACK, HILL-EVANS, HOHENSTEIN, RYAN, STEPHENS, KAUFFMAN, ROTHMAN, SCHLOSSBERG, R. BROWN, CIRESI, PASHINSKI, STRUZZI, WARREN and GLEIM

An Act establishing a task force on the opioid abuse epidemic's impact on children and providing for powers and duties of the task force.

Referred to Committee on CHILDREN AND YOUTH, January 26, 2021.

No. 254 By Representatives TOOHL, MILLARD, R. BROWN, HILL-EVANS, KINSEY, WARREN, CIRESI, B. MILLER, ROZZI and HOWARD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in availability of otherwise confidential information, providing for reports on domestic violence by law enforcement agencies.

Referred to Committee on JUDICIARY, January 26, 2021.

No. 255 By Representatives GROVE, RYAN, PICKETT, KAUFFMAN, DUNBAR, KEEFER, SAYLOR, ROWE, MENTZER, MOUL, GLEIM and STAMBAUGH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 emergency liquidity.

Referred to Committee on APPROPRIATIONS, January 26, 2021.

No. 256 By Representative GROVE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for innovation schools.

Referred to Committee on EDUCATION, January 26, 2021.

No. 257 By Representatives GROVE, PYLE, RYAN, ROAE, KAUFFMAN, ROWE, JAMES, OBERLANDER, KEEFER, MOUL, GLEIM and METCALFE

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions and for classification of documents.

Referred to Committee on STATE GOVERNMENT, January 26, 2021.

No. 258 By Representatives GROVE, BOBACK, PYLE, RYAN, STAATS, DIAMOND, KAUFFMAN, DUNBAR, ROWE, JAMES, KEEFER, R. MACKENZIE, B. MILLER, MOUL, M. MACKENZIE and EMRICK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, providing for reduction of school district debt.

Referred to Committee on EDUCATION, January 26, 2021.

No. 259 By Representatives GROVE, JONES, RYAN, STAATS, IRVIN, KAUFFMAN, ROAE, PICKETT, ROWE, JAMES, OWLETT, COOK, ZIMMERMAN, B. MILLER, GAYDOS, MOUL, WHEELAND, GLEIM and METCALFE

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, providing for preliminary provisions, for taxation, for fiscal affairs and for Commonwealth budget procedures; establishing the Joint Revenue Estimation Committee and the Performance-based Incentive Account; and making related repairs.

Referred to Committee on FINANCE, January 26, 2021.

No. 260 By Representatives GROVE, RYAN, STAATS, SAYLOR, MENTZER, MOUL and GLEIM

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, providing for Commonwealth capital improvement plans, for duties of State agencies, for debt limit for capital projects, for prohibition on exceeding debt limit for capital projects and for legislative oversight.

Referred to Committee on FINANCE, January 26, 2021.

No. 261 By Representatives DIAMOND, COX, HAMM, HICKERNELL, JAMES, JONES, KAUFFMAN, METCALFE, B. MILLER, ROWE, RYAN, STAMBAUGH, ZIMMERMAN and KEEFER

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 immunization required and penalty.

Referred to Committee on EDUCATION, January 26, 2021.

No. 262 By Representatives DIAMOND, GLEIM, HAMM, KAUFFMAN, METCALFE, MOUL, ROWE, RYAN, SMITH, ZIMMERMAN and E. NELSON

An Act providing for the right of an employee or prospective employee to refuse to participate in an invasive medical test or vaccination required by an employer.

Referred to Committee on LABOR AND INDUSTRY, January 26, 2021.

No. 263 By Representatives SCHEMEL, MIHALEK, SOLOMON, ISAACSON, ECKER and ZABEL

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, changing and adding provisions relating to selection of justices and judges.

Referred to Committee on JUDICIARY, January 26, 2021.

No. 264 By Representatives HEFFLEY, WHEELAND, STRUZZI and CIRESI

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, adding provisions relating to bidder registration before sale; and, in sale of property, further providing for date of sale, for repurchase by owner, for restrictions on purchases and for sale of property in repository.

Referred to Committee on URBAN AFFAIRS, January 26, 2021.

No. 265 By Representatives JAMES, BOBACK, BRADFORD, R. BROWN, CIRESI, FREEMAN, M. MACKENZIE, R. MACKENZIE, MILLARD, MOUL, NEILSON, N. NELSON, RYAN, SAINATO, STAATS, WARNER, WARREN, WHEELAND and ZIMMERMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for CPR instruction.

Referred to Committee on EDUCATION, January 26, 2021.

No. 266 By Representatives JAMES, R. BROWN, DIAMOND, JOZWIAK, MOUL, NEILSON, SAYLOR, SMITH, STAMBAUGH, WHEELAND and ZIMMERMAN

An Act amending the act of November 23, 2010 (P.L.1083, No.108), known as the Covered Device Recycling Act, in preliminary provisions, further providing for definitions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 26, 2021.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
January 25, 2021

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, February 1, 2021, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, February 1, 2021, unless sooner recalled by the Speaker of the House of Representatives.

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

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

COMMITTEE APPOINTMENTS

The SPEAKER. The Speaker is in receipt of the following communication regarding House Government Oversight Committee appointments for the 2021-2022 legislative sessions.

The following committee appointments were read:

January 26, 2021
House Government Oversight Committee Appointments for the 2021-2022 Legislative Sessions:

The Majority Leader appoints the following Majority Members to the House Government Oversight Committee:

Tarah Toohil, Majority Chair
John Hershey
John Lawrence
Eric Nelson
Todd Stephens

The Democratic Leader appoints the following Minority Members to the House Government Oversight Committee:

Matt Bradford, Minority Chair
Jordan Harris
Dan Miller
Margo Davidson

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence. Are there requests for leaves?

The Chair recognizes the majority whip, who indicates that there are none.

The Chair recognizes the Democratic whip, who indicates that there are none.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—202

Armanini	Flynn	Lee	Rapp
Benham	Frankel	Lewis	Rigby
Benninghoff	Freeman	Longietti	Roae
Bernstine	Fritz	Mackenzie, M.	Rothman
Bizzarro	Gainey	Mackenzie, R.	Rowe
Boback	Galloway	Madden	Rozzi
Bonner	Gaydos	Mako	Ryan
Borowicz	Gillen	Malagari	Sainato
Boyle	Gillespie	Maloney	Samuelson
Bradford	Gleim	Markosek	Sanchez
Briggs	Gregory	Marshall	Sankey
Brooks	Greiner	Masser	Sappery
Brown, A.	Grove	Matzie	Saylor
Brown, R.	Guenst	McClinton	Schemel
Bullock	Guzman	McNeill	Schlossberg
Burgos	Hamm	Mehaffie	Schmitt

Burns	Hanbidge	Mentzer	Schroeder
Carroll	Harkins	Mercuri	Schweyer
Causser	Harris	Merski	Shusterman
Cephas	Heffley	Metcalfe	Silvis
Ciresi	Helm	Metzgar	Sims
Conklin	Hennessey	Mihalek	Smith
Cook	Herrin	Millard	Snyder
Cox	Hershey	Miller, B.	Solomon
Cruz	Hickernell	Miller, D.	Sonney
Culver	Hohenstein	Mizgorski	Staats
Daley	Howard	Moul	Stambaugh
Davanzo	Innamorato	Mullery	Stephens
Davidson	Irvin	Mullins	Struzzi
Davis, A.	Isaacson	Mustello	Sturla
Davis, T.	James	Neilson	Thomas
Dawkins	Jones	Nelson, E.	Tomlinson
Day	Jozwiak	Nelson, N.	Toohil
Deasy	Kail	O'Mara	Topper
DeLissio	Kaufer	O'Neal	Twardzik
Delloso	Kauffman	Oberlander	Vitali
Delozier	Keefer	Ortitay	Warner
DelRosso	Kenyatta	Otten	Warren
DeLuca	Kerwin	Owlett	Webster
Diamond	Kim	Parker	Wentling
Dowling	Kinhead	Pashinski	Wheatley
Driscoll	Kinsey	Peifer	Wheeland
Dunbar	Kirkland	Pennycuik	White
Ecker	Klunk	Pickett	Williams, C.
Emrick	Knowles	Pisciottano	Williams, D.
Evans	Kosierowski	Polinchock	Young
Farry	Krajewski	Puskaric	Zabel
Fee	Krueger	Pyle	Zimmerman
Fiedler	Kulik	Quinn	
Fitzgerald	Labs	Rabb	Cutler,
Flood	Lawrence	Rader	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

Turning to committee and caucus announcements.

REPORT OF COMMITTEE ON PROFESSIONAL LICENSURE

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

Mr. HICKERNELL. Thank you, Mr. Speaker.

I am pleased to report that the Professional Licensure Committee is organized and prepared to do business.

The SPEAKER. The Chair thanks the gentleman.

INSURANCE COMMITTEE MEETING

The SPEAKER. The Chair now recognizes the gentlewoman, Representative Pickett, for a committee announcement.

Ms. PICKETT. Thank you, Mr. Speaker.

The House Insurance Committee will meet at the first break to organize, adopt rules, and consider HB 70, HB 203, and any other business, in room G-50 of the Irvis Building. First break, Insurance Committee, G-50 Irvis Building.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Insurance Committee will meet at the first break in G-50 Irvis.

REPORT OF COMMITTEE ON GAMING OVERSIGHT

The SPEAKER. The Chair recognizes the gentlewoman, Representative Sue Helm, for a committee announcement.

Ms. HELM. Thank you, Mr. Speaker.

The Gaming Oversight Committee has reorganized and we are ready to do business. Thank you.

The SPEAKER. The Chair thanks the lady.

REPORT OF COMMITTEE ON HUMAN SERVICES

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

Mr. FARRY. Thank you, Mr. Speaker.

The Human Services Committee met and reorganized and we are ready to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON HEALTH

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

Ms. RAPP. Thank you, Mr. Speaker.

Yesterday the Health Committee met and reorganized, adopted our rules, and we are now ready to conduct legislative business.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

URBAN AFFAIRS COMMITTEE MEETING

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

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, the Urban Affairs Committee will be meeting in B-31 Main Capitol at the first break for the purpose of reorganization.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Urban Affairs Committee will meet at the first break in B-31 Main Capitol.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Representative Dunbar, for a caucus announcement.

Mr. DUNBAR. Thank you, Mr. Speaker.

House Republicans will have a virtual caucus at 12 o'clock. We will be prepared to come back to the floor at 1 o'clock. Thank you.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Representative Dan Miller, for a caucus announcement.

Mr. D. MILLER. Thank you.

The Democrats will caucus at 12 o'clock virtually.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON APPROPRIATIONS

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

Mr. SAYLOR. Thank you, Mr. Speaker.

There will be no Appropriations Committee meeting today, but I did want to inform the Speaker that the Appropriations Committee met yesterday and organized, and we are prepared to do our work as we move forward in this session.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Seeing no further announcements, this House will stand in recess until 1 o'clock, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 70, PN 46 By Rep. PICKETT

An Act establishing the Flood Insurance Premium Assistance Task Force.

INSURANCE.

HB 162, PN 130 By Rep. PICKETT

An Act prohibiting discrimination in certain insurance policies based on certain drugs.

INSURANCE.

HB 203, PN 239 (Amended) By Rep. PICKETT

An Act providing for living donor protection; and imposing duties on the Department of Health and the Insurance Department.

INSURANCE.

REPORT OF COMMITTEE ON INSURANCE

The SPEAKER. For what purpose does Chair Pickett rise?

Ms. PICKETT. Thank you, Mr. Speaker.

I would like to let you know that the House Insurance Committee has met and organized and is ready to do business. In fact, as you just read, we have unanimously reported out three pieces of legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

HOUSE BILLS INTRODUCED AND REFERRED

No. 267 By Representatives SHUSTERMAN, HILL-EVANS, SANCHEZ, SCHLOSSBERG, KENYATTA, DEASY, GALLOWAY, CIRESI, DALEY, McNEILL, LEE, PARKER, SAMUELSON and FREEMAN

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, further providing for Second Stage Loan Program.

Referred to Committee on COMMERCE, January 26, 2021.

No. 268 By Representatives SHUSTERMAN, HERRIN, WEBSTER and McNEILL

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in ethics standards and financial disclosure, further providing for restricted activities.

Referred to Committee on STATE GOVERNMENT, January 26, 2021.

No. 269 By Representatives SHUSTERMAN, HANBIDGE, CIRESI, DeLUCA, KENYATTA, WEBSTER, O'MARA, WARREN, McNEILL, LEE, FREEMAN and HOWARD

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for definitions, for reporting and for penalties.

Referred to Committee on STATE GOVERNMENT, January 26, 2021.

No. 271 By Representatives SHUSTERMAN, STURLA, SANCHEZ, HANBIDGE, ZABEL, DALEY, HOWARD, FREEMAN, CIRESI, N. NELSON, DEASY, HOHENSTEIN, DRISCOLL, ISAACSON, WEBSTER, SCHWEYER, McCLINTON, WARREN, FRANKEL, McNEILL and BRIGGS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in inchoate crimes, further providing for prohibited offensive weapons; in assault, further providing for discharge of a firearm into an occupied structure; in theft and related offenses, further providing for definitions; in riot, disorderly conduct and related offenses, further providing for prohibiting of paramilitary training; in firearms and other dangerous articles, further providing for definitions,

for persons not to possess, use, manufacture, control, sell or transfer firearms, for firearms not to be carried without a license, for prohibited conduct during emergency, providing for 3-D printed firearms and further providing for sale or transfer of firearms, for firearm sales surcharge, for registration of firearms and for licensing of dealers.

Referred to Committee on JUDICIARY, January 26, 2021.

No. 273 By Representatives PEIFER, FRITZ, GREINER, JAMES, JOZWIAK, MILLARD, MOUL, NEILSON, PICKETT, ROTHMAN, ROWE, RYAN, WARREN and ZIMMERMAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, correcting a scrivener's error relating to credits against tax.

Referred to Committee on FINANCE, January 26, 2021.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 14, PN 9**, entitled:

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.

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

* * *

The House proceeded to second consideration of **HB 108, PN 124**, entitled:

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

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

* * *

The House proceeded to second consideration of **HB 104, PN 74**, entitled:

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

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

Mr. **GROVE** offered the following amendment No. **A00175**:

Amend Bill, page 1, lines 2 and 3, by striking out "and reduction"
Amend Bill, page 1, line 3, by striking out the period after "agencies" and inserting
and for public information on payments and programs of
Commonwealth agencies.

Amend Bill, page 1, line 12, by striking out "and Reduction"
Amend Bill, page 1, line 17, by striking out "AND"
REDUCTION"

Amend Bill, page 2, lines 3 through 6, by striking out "Review of programs and activities of Commonwealth" in line 3 and all of lines 4 through 6 and inserting

Public information on payments and programs of Commonwealth agencies

Amend Bill, page 2, line 30, by striking out all of said line

Amend Bill, page 3, line 7, by inserting after "payments"

on any program which is not required under Federal law

Amend Bill, page 3, line 8, by striking out "10" and inserting

120

Amend Bill, page 3, line 14, by striking out the period after "payments" and inserting

based on each program's total amount of improper payments in dollars and total improper payments as a percentage of each program's total expenditures.

Amend Bill, page 3, line 18, by striking out all of said line and inserting

(3) Discover and report the root causes of improper payments within high-risk programs.

(4) Utilize statistical sampling and extrapolation to calculate an improper payment error rate for high-risk programs.

(5) Adopt a corrective action plan to reduce improper payment error rates to no more than 3% for high-risk programs for the next occurring biennial assessment.

Amend Bill, page 3, line 19, by striking out "a" and inserting an electronic

Amend Bill, page 3, line 22, by striking out "office" and inserting Office of the Inspector General

Amend Bill, page 3, lines 25 and 26, by striking out "The Legislative Budget and Finance Committee."

(6) "

Amend Bill, page 3, lines 27 through 30; pages 4 through 6, lines 1 through 30; page 7, lines 1 through 13; by striking out all of said lines on said pages and inserting

§ 1303. Public information on payments and programs of Commonwealth agencies.

The Office of the Budget shall maintain a publicly accessible Internet website and update the website to inform the public of, at a minimum, all of the following information:

(1) Each Commonwealth agency's biennial improper payment assessments.

(2) Each Commonwealth agency's total improper payments in dollar value and total improper payment error rate.

(3) Each Commonwealth agency's high-risk program, the dollar value of improper payments for each high-risk program and the improper payment error rate percentage for each high-priority program.

(4) Each Commonwealth agency's high-risk program corrective action plan and a summary status of completing the corrective action plan.

(5) The recovery of improper payments for each program in total dollars and by percentage.

Amend Bill, page 7, line 14, by striking out "60" and inserting 120

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

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

Mr. GROVE. Thank you, Mr. Speaker.

This amendment clarifies the underlying legislation, refocuses it to any program that already is not under a Federal improper payment law, and then further requires agencies to do a deeper

dive into what are called high-priority programs that have high rates of improper payments, and extends out the ability of the State agencies to adopt this moving forward to give them time, as this is a large initiative, but it is important to probe the internal controls of the Commonwealth to ensure that we have the best fiscal management in place and reduce any waste in government, Mr. Speaker. I hope my colleagues can join me in supporting this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the prime sponsor, Representative Gaydos.

Ms. GAYDOS. The amendment is agreed to.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

Armanini	Flynn	Lee	Rapp
Benham	Frankel	Lewis	Rigby
Benninghoff	Freeman	Longietti	Roae
Bernstine	Fritz	Mackenzie, M.	Rothman
Bizzarro	Gainey	Mackenzie, R.	Rowe
Boback	Galloway	Madden	Rozzi
Bonner	Gaydos	Mako	Ryan
Borowicz	Gillen	Malagari	Sainato
Boyle	Gillespie	Maloney	Samuelson
Bradford	Gleim	Markosek	Sanchez
Briggs	Gregory	Marshall	Sankey
Brooks	Greiner	Masser	Sappey
Brown, A.	Grove	Matzie	Saylor
Brown, R.	Guenst	McClinton	Schemel
Bullock	Guzman	McNeill	Schlossberg
Burgos	Hamm	Mehaffie	Schmitt
Burns	Hanbidge	Mentzer	Schroeder
Carroll	Harkins	Mercuri	Schweyer
Causser	Harris	Merski	Shusterman
Cephas	Heffley	Metcalfe	Silvis
Ciresi	Helm	Metzgar	Sims
Conklin	Hennessey	Mihalek	Smith
Cook	Herrin	Millard	Snyder
Cox	Hershey	Miller, B.	Solomon
Cruz	Hickernell	Miller, D.	Sonney
Culver	Hohenstein	Mizgorski	Staats
Daley	Howard	Moul	Stambaugh
Davanzo	Innamorato	Mullery	Stephens
Davidson	Irvin	Mullins	Struzzi
Davis, A.	Isaacson	Mustello	Sturla
Davis, T.	James	Neilson	Thomas
Dawkins	Jones	Nelson, E.	Tomlinson
Day	Jozwiak	Nelson, N.	Toohil

Deasy	Kail	O'Mara	Topper
DeLissio	Kaufner	O'Neal	Twardzik
Delloso	Kauffman	Oberlander	Vitali
Delozier	Keefer	Ortitay	Warner
DelRosso	Kenyatta	Otten	Warren
DeLuca	Kerwin	Owlett	Webster
Diamond	Kim	Parker	Wentling
Dowling	Kinhead	Pashinski	Wheatley
Driscoll	Kinsey	Peifer	Wheeland
Dunbar	Kirkland	Pennycuick	White
Ecker	Klunk	Pickett	Williams, C.
Emrick	Knowles	Pisciottano	Williams, D.
Evans	Kosierowski	Polinchock	Young
Farry	Krajewski	Puskaric	Zabel
Fee	Krueger	Pyle	Zimmerman
Fiedler	Kulik	Quinn	
Fitzgerald	Labs	Rabb	Cutler,
Flood	Lawrence	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

Ms. McCLINTON. Mr. Speaker?

The SPEAKER. For what purpose does the leader rise?

Ms. McCLINTON. Mr. Speaker, pursuant to the BMC (Bipartisan Management Committee) agreement, masks are supposed to be worn on the floor of the House, and I have counted over 30 members that currently are unmasked.

The SPEAKER. The Chair thanks the lady.

The Speaker will remind the members in the chambers — obviously, I have a slightly different viewpoint being up front. I have seen members on both sides of the aisle not wearing their masks. I would kindly encourage everybody, for those who are able to do so, to please wear your masks or return to your offices and vote remotely.

Ms. McCLINTON. Mr. Speaker, I did not say whose side of the aisle unmasked people were. I do not see any on my side.

The SPEAKER. The gentlelady will please suspend. Please approach the rostrum.

(Conference held at Speaker's podium.)

The SPEAKER. The Speaker would like to remind the members that there is an exception both for talking at the microphones and eating and drinking. Prior to the beginning of session, I personally observed members on both sides of the aisle not strictly adhering to the policy. I would encourage members to please do so, so that we can expeditiously move the issues that are currently before the House.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 55, PN 34**, entitled:

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.

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

Mr. **PISCIOTTANO** offered the following amendment No. **A00154**:

Amend Bill, page 1, prior passage line, by striking out "J.R. 2020-4" and inserting

NONE

Amend Bill, page 2, by inserting between lines 28 and 29

(c) No disaster emergency declaration issued by the Governor under subsection (a) may:

(1) suspend any rights afforded to citizens to bear arms by this Constitution or the Constitution of the United States, including the right to carry a firearm upon the public streets or upon any public property; or

(2) suspend or limit the sale, dispensing or transportation of firearms.

Amend Bill, page 2, line 29, by striking out "(c)" and inserting (d)

Amend Bill, page 3, line 3, by striking out "(d)" and inserting (e)

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

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

Mr. PISCIOTTANO. Thank you, Mr. Speaker.

Pursuant to Title 18, section 6107, the right to legally open carry a firearm is suspended during an emergency proclamation. Title 35 also gives the Governor the authority to suspend the sale and transportation of firearms during an emergency. This section of law seems plainly unconstitutional based on Article I, section 21, of the Pennsylvania Constitution, which provides that "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned." However, under the current application of Title 18 and Title 35, at any time the Governor declares an emergency – whether it is for a blizzard, a hurricane, a public health emergency, or a violent insurrection – the rights of law-abiding Pennsylvanians are infringed. I would submit that it is in times of emergency when our rights to self-protection are the most valuable and most required. During a natural disaster, parts of the Commonwealth may be inaccessible to law enforcement and prevent the timely assistance. Recent events across the country and in Washington, DC, have shown even more clearly the need to affirm our right to bear arms even during an emergency. The Pennsylvania Constitution should make it clear that the rights endowed by Article I, section 21, continue even during an emergency.

Mr. Speaker, I am new to this body and was not a member during a similar debate last session, so I cannot take full credit for this amendment. HB 1747, of the previous session, sponsored by Representative Dowling, would have accomplished the same goals as this amendment, and specifically stated that Pennsylvanians can open carry, sell, and transport firearms during an emergency declaration. That bill passed this House 127 to 74, and went on to be passed by the Senate but vetoed by the Governor. With this amendment today, we now have a second opportunity to pass these protections into law without the threat of veto. Let us pass this amendment so that we can all go back to our constituents and explain how we stood for the right to bear arms, as so many of us have promised as legislators. Now is an opportunity to walk the walk after talking the talk.

This amendment is supported by the Gun Owners of America and the Pennsylvania Federation of Sportsmen. Please join me in affirming that every Pennsylvanian's right to self-protection is constitutionally protected even during an emergency by voting "yes" on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, the Chair was in receipt of a concern regarding members taking photographs on the floor. That is expressly prohibited by our rules. I would encourage the members to discuss that issue with their leaders.

One of the issues that we must continually overcome here is discussing, in a professional manner, issues such as this that are currently before us. In order to do so, we have to do so in an orderly fashion; that involves complying with both our House rules and Mason's Manual. And the sooner that we can move through the bills and the underlying amendments, the sooner we will be able to move to our offices and continue the work on behalf of the people.

PARLIAMENTARY INQUIRY

The SPEAKER. On the question of the underlying amendment, the Chair recognizes Representative Grove.

Mr. GROVE. Thank you, Mr. Speaker.

Parliamentary inquiry?

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

Mr. GROVE. Thank you, Mr. Speaker.

The underlying bill, HB 55, is a slate of individual constitutional amendments which have been adopted by this body last session. The underlying bill is the exact verbatim wording of that, and today we are dealing with amendments. Mr. Speaker, can you clarify the impact of amending a constitutional amendment on its second passage in front of this body in order to get it to the people as early as possible to be voted upon?

The SPEAKER. Yes. For the information of the members who may not be familiar with the constitutional amendment process, a proposed constitutional amendment needs to pass both legislative bodies in two consecutive sessions prior to going out to a voter referendum after being advertised. For the body of the amendment, I would point the members to the underlying amendment, page 1, lines 1 through 4, where the Legislative Reference Bureau strikes out the prior passage portion and inserts the word "NONE."

Additionally, there is past precedent here, as well as the constitutional requirements, which will be referenced. In 2018 the Speaker, in discussing HB 153, which was on downsizing the General Assembly, he explains: "The next step is that same exact language must pass in this session, because it has to be consecutive sessions..." – at that time it was the '17-'18 session – "to be eligible to go to a referendum by the voters in the Commonwealth of Pennsylvania."

Likewise, in 1998 the Speaker indicated: "It is my understanding, having looked quickly at the memorandum prepared by the Parliamentarian some time ago – pardon me – a memorandum prepared by Legislative Reference Bureau, a copy of which we would be pleased to share with you, that seems to indicate that – and I have not gone through it closely – but it seems to indicate that what would happen is that this would be starting over again. In other words, the amendments would have the effect of doing away with the first run that has already taken place, and this would be a brand-new amendment to be considered anew. It would be treated that way."

Representative Gordner then asked: "Mr. Speaker, even though in this case you are not actually amending the portion of the bill that deals with that constitutional amendment; you are just adding an additional constitutional amendment to it?"

The Speaker indicated: "That appears to be the advice that this office has received."

The past precedents of the House would reset the concurrent or – excuse me – the consecutive passage requirement that is outlined in the Constitution by adopting an amendment into the bill.

Mr. GROVE. Thank you, Mr. Speaker, for that clarification. On the amendment?

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

Mr. GROVE. As my colleague has stated, there is wide bipartisan support for this underlying amendment. I agree with the gentleman. I fully support it. I fully support all of our citizens' rights to bear arms as articulated in both the Federal and the State Constitutions.

Unfortunately, Mr. Speaker, by adoption of this, it will delay the importance of these three underlying constitutional amendments to get to the voters as soon as possible this May. We are on a tight timeframe. Mr. Speaker, I do not think citizens should wait in order to vote on important issues like ensuring there is race and ethnicity as a prerequisite within our articles of, articles of rights, our Bill of Rights, enshrined in our Constitution. Mr. Speaker, I think it is imperative that our voters have a vote this May to ensure that we can rightsize our emergency declarations to bring them in line with our sister States and ensure that there are checks and balances enshrined by our Founders both in the U.S. and the State Constitutions.

I look forward to working with the prime sponsor of this amendment to get it introduced as a stand-alone bill and move it through the process, because I think it is critically important and I think the members of this body say it is critically important that we ensure that your Second Amendment rights are protected during emergency declarations, particularly ones that have been lasting over – I think the opioid declaration has been multiple years, Mr. Speaker.

But unfortunately, I am going to ask my members for a "no" vote, a "no" vote to make sure that these important questions get to the people as soon as possible to make sure they have a say and they have a vote and they have a determination as to what is in their Constitution, and moving forward, how we handle emergency declarations in the future.

Mr. Speaker, I thank you for the time.

The SPEAKER. The Chair thanks the gentleman.

For the information of the new members, it is tradition that we allow the prime sponsor of the amendment to speak last, immediately prior to both floor leaders. We do our best to honor that tradition in terms of recognizing speakers and try to adhere to that.

Seeing no other speakers seeking recognition, at this time the Chair will recognize the gentleman, Representative Pisciotano, for the second time on the amendment.

Mr. PISCIOTTANO. Thank you, Mr. Speaker.

The gentleman from York County makes awesome points, but we have a vehicle right now to enshrine the Second Amendment rights in the Constitution. This is an opportunity that we do not get very frequently in this House and in this body. Let us get it done. Let us vote "yes" on this amendment. We have done the talk the talk, let us walk the walk. Thank you.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very briefly, to our members and to members of the entire House, thank you for this good debate. It is good to see some bipartisan ideology here. As majority leader, I will be more than glad to make that opportunity, and I also would encourage, on the insistence of our chairman, to have the gentleman introduce this, reintroduce it as a stand-alone bill, put it through the committee process, allow us to discuss it and debate it, bring it to the floor, and we would be glad to pass that. But today we know the importance of this emergency declaration constitutional amendment, and we would like to get it passed as it was passed previously, and as, you know, we are required to pass it verbatim from before. And the goal is to do that in an expedient and efficient manner, and therefore, we would ask the members to vote "no" on this amendment, and we can talk about that at a later date in the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—17

Bizzarro	Harkins	Markosek	Pashinski
Burns	Kosierowski	Merski	Pisciottano
Carroll	Kulik	Metzgar	Sainato
DeLuca	Longietti	Mullery	Snyder
Flynn			

NAYS—185

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

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BRADFORD** offered the following amendment No. **A00163**:

Amend Bill, page 1, prior passage line, by striking out "J.R. 2020-4" and inserting

NONE

Amend Bill, page 2, line 30, by inserting after "unless"

:

(1)

Amend Bill, page 3, line 2, by striking out the period after "Assembly" and inserting

:
or

(2) the Secretary of the Budget certifies that the expiration of the disaster emergency declaration would result in the loss or delay of receipt of Federal funds.

On the question,

Will the House agree to the amendment?

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

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise to offer this amendment because, as we know, in the height of this pandemic, it is only because of the use of Federal funds that the Commonwealth has been able to continue to pay its bills. Those Federal funds, in many cases, would be jeopardized if we were to pass this without this amendment. This amendment simply says that unless loss or delay of Federal funds is at stake, the Budget Secretary would need to make such a verification in order for such a disaster declaration not to proceed. This is a prudent step to make sure that, just in the last year, \$1.9 billion of Federal support is not jeopardized.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair now recognizes Leader Benninghoff, on the amendment.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I again appreciate the efforts of my good friend, Representative Bradford, but at this juncture and time, we need to get this constitutional amendment done as is in mirror of what it was done in the last session, and therefore, I would ask for the members, both Republican and Democrat, to vote "no" to this amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman, Representative Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

The SPEAKER. The gentleman certainly may interrogate the maker of the amendment.

I would simply remind all members, particularly the new ones, that interrogation is for the purpose of only asking questions that you do not know the answer to.

Mr. MULLERY. Thank you, Mr. Speaker.

Mr. Speaker, last session, when this amendment was offered, we were informed by the gentleman from Lancaster that we had a note from President Trump indicating that there was no need for this type of amendment because he had personally guaranteed there would be no loss of Federal funds. My question is, do you have a note from President Biden indicating that we will not lose any Federal funds if we do not include this amendment?

Mr. BRADFORD. I do not have such a note from the current President.

Mr. MULLERY. Thank you, Mr. Speaker.

No further questions.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Bradford, for the second time on the amendment.

Mr. BRADFORD. Thank you.

Just to follow up on the interrogation, I think it is important, and I know the good Republican leader wants to see this speedily get in front of the voters, but I think we need to be mindful of the role of the State emergency operations plan. If we do not have one in effect – because we will not have an emergency declaration – Pennsylvania will almost certainly risk Federal dollars that we desperately need to pay for vaccines, to pay for our, continue to, frankly, pay for our entire budget. I understand the gentleman may have a political timeline, but we also have a very real fiscal timeline, and we have huge fiscal challenges in front of us. We need this amendment to make sure that we do not foolishly step into it, because while it may make good politics, it makes very bad political sense and financial sense for the Commonwealth to turn our back on billions of dollars of Federal assistance when we so desperately need it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Leader Benninghoff on the amendment.

Mr. BENNINGHOFF. I would encourage the members to remember that this declaration basically is saying that all we want is that the General Assembly would have to vote on a concurrent resolution to support extension of the disaster declaration. So it does not mean there is not going to be one there; it just means you, who have been elected by your local people, will have a voice in that and be able to execute it appropriately. Therefore, I would ask the members to vote "no" on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—90

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Boyle	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Flynn	Kulik	Sainato
Brown, A.	Frankel	Lee	Samuelson
Bullock	Freeman	Longietti	Sanchez
Burgos	Gainey	Madden	Sappey
Burns	Galloway	Malagari	Schlossberg
Carroll	Guent	Markosek	Schweyer

Cephas	Guzman	Matzie	Shusterman
Ciresi	Hanbidge	McClinton	Sims
Conklin	Harkins	McNeill	Snyder
Cruz	Harris	Merski	Solomon
Daley	Herrin	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Vitali
Davis, A.	Howard	Mullins	Warren
Davis, T.	Innamorato	Neilson	Webster
Dawkins	Isaacson	Nelson, N.	Wheatley
Deasy	Kenyatta	O'Mara	Williams, D.
DeLissio	Kim	Otten	Young
Deloso	Kinkead	Parker	Zabel
DeLuca	Kinsey		

NAYS—112

Armanini	Gregory	Mehaffie	Rowe
Benninghoff	Greiner	Mentzer	Ryan
Bernstine	Grove	Mercuri	Sankey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder
Brown, R.	Hershey	Miller, B.	Silvis
Causer	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Nelson, E.	Stambaugh
Davanzo	Jozwiak	O'Neal	Stephens
Day	Kail	Oberlander	Struzzi
DeLozier	Kaufner	Ortitay	Thomas
DeRosso	Kauffman	Owlett	Tomlinson
Diamond	Keefer	Peifer	Toohil
Dowling	Kerwin	Pennycuick	Topper
Dunbar	Klunk	Pickett	Twardzik
Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Pyle	Wheeland
Fee	Lewis	Quinn	White
Flood	Mackenzie, M.	Rader	Williams, C.
Fritz	Mackenzie, R.	Rapp	Zimmerman
Gaydos	Mako	Rigby	
Gillen	Maloney	Roae	Cutler, Speaker
Gillespie	Marshall	Rothman	
Gleim	Masser		

NOT VOTING—0

EXCUSED—0

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

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

Mrs. DAVIDSON offered the following amendment
No. A00170:

Amend Bill, page 1, prior passage line, by striking out "J.R. 2020-4" and inserting

NONE

Amend Bill, page 1, line 4, by striking out "because of race and ethnicity"

Amend Bill, page 1, line 16, by striking out "because of race and ethnicity"

Amend Bill, page 1, line 18; page 2, line 1; by striking out "race" in line 18 on page 1 and all of line 1 on page 2 and inserting race, ethnicity, color, familial status, religious creed, ancestry, age, sexual orientation, gender identity or expression or national origin

of the individual or because of the use of a service or support animal due to the individual's disability.

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

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

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I want to thank the majority party for allowing this debate today on this very, very important issue. For some in this room, the Constitution itself – the U.S. Constitution and the Pennsylvania Constitution – is sacrosanct, and for others in this room, it is the Holy Scripture, the Bible. For so many of us, the words that are spoken are the most important words by which we live. When it comes to Scripture, the Word tells us to love thy neighbor, and it also tells us to love thy neighbor as ourselves. The United States Constitution, as well as the Pennsylvania Constitution, refers to "We the People."

Neither one of those are defined, but let me just help us to understand what both the Scripture meant as well as the Constitution when we refer to "thy neighbor" and when we refer to "We the People." In the Scripture, Jesus defined the "neighbor" as the one that would help the person that was wounded on the Damascus Road without ever asking a question about their race, ethnicity, or any other matter. The neighbor was the one that would help regardless of who the person was. In the Constitution, when we refer to "We the People," the document does not say, unless that person is Black or Brown. The document does not say, unless that person is Jewish or Muslim. It does not say, unless that person happens to be in love with somebody of the same gender. It does not ask if it is male or female. The neighbor did not ask that question either. The neighbor just lent a hand in a sense of humanity.

E pluribus unum – out of many we are one. So I am asking today that we honor the Constitution and we honor the Holy Scripture that many of us believe in. When we say "We the People," we actually talk about all the people, including those with disabilities, including those from other countries, including everyone.

The great National Youth Poet Laureate Amanda Gorman said that the document is aspirational. Today in this chamber, Mr. Speaker, we have the opportunity to live up to an aspiration and to vote to extend the "neighbor" clause in the Scripture and the "We the People" clause in the Constitution to every single member of the Commonwealth of Pennsylvania, and I urge you, from the bottom of my heart, to do so.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes Representative Benham on the amendment.

Ms. BENHAM. As a member of the LGBTQ community and a woman with a disability, I am concerned as to why we need to enshrine the rights of some marginalized groups but not others. To live in a State where I can be denied opportunity and freedom simply because of who I am is no longer tolerable. We must ensure rights of access for individuals with disabilities and those who use service dogs; we must fight for nondiscrimination protections for LGBTQ people; and yes, we ought to ensure that individuals in our Commonwealth are not discriminated against on the basis of race or ethnicity. But if we are not here to defend the rights of every Pennsylvanian, then I must emphatically say,

Mr. Speaker, then why are we wasting our time and taxpayer money on this drivel?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise today to support this amendment. This amendment has been a long time coming. I have been introducing legislation to amend the Pennsylvania Human Relations Act since the day I walked in the door of the legislature – it is more than 20 years – and today we finally have an opportunity to vote to join 22 other States that provide civil rights protections for people on the basis of sexual orientation and gender identity and expression. It is about time. Every other State in the Northeast corridor of this country has these civil rights protections. Seventy percent or more of Pennsylvanians support these civil rights protections.

The Supreme Court, in the *Bostock* decision last year, affirmed employment nondiscrimination on the basis of sexual orientation and gender identity and expression. It does not go far enough, but it was a significant statement following the *Obergefell* decision on marriage equality. The country is moving on. From the Supreme Court to States doing these nondiscrimination statutes providing equal status for our LGBTQ friends, family, and community members – our constituents. It is about time we take this opportunity to do the same here in Pennsylvania.

So I want to thank Representative Davidson for her bringing this to the floor and for the opportunity to have this discussion. It is about time. It is long overdue. Please vote "yes." Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair now recognizes the gentleman, Representative Sims, on the amendment.

Mr. SIMS. Thank you, Mr. Speaker.

I have wondered for years what it would be like to finally have this opportunity, to finally have this chance to ask all of you, my colleagues, to make this long overdue update, to make this small change that will have such a huge impact on people that I love. Over the years I had sort of come to expect that despite the nearly two decades of planning that have gone into this nondiscrimination legislation, despite the coalition building and all of the planning, that LGBTQ nondiscrimination was going to sort of randomly just pop up one day on the floor, like it has now, unexpectedly, maybe fortuitously. And listen, I understand that this is a complicated bill and a complicated time, and actually, I think to some extent that is obviously by design. But we are complicated people, and I am hoping that it is something that we can see past. Despite knowing that this was going to come out, I still find myself very emotional by the task ahead of me today, by standing in front of all of you and asking for this in the way that I need to do. But it is so important that we get this right.

Mr. Speaker, I have spent the bulk of my entire life working towards equality and working on diversity. Like so many of you in this room, I know the pain and the consequences of not being among the people with power whenever that power mattered. I cannot speak directly to the experiences that women face every day when dealing with men who think that they are lesser; I cannot speak to the experiences that my colleagues of color face every single day dealing with people who would question them, who question their basic humanity because of their race; and I cannot know firsthand what some of you in this room know, what it is like to have an able-bodied person deny you success, deny you access because you are differently abled. But I have spent my entire life in the United States of America as an out gay

man, and diversity is not just my history, it is my heritage. I have confronted that heritage, I have learned from it, I have been hurt by it, and I have been profoundly and forever informed by that heritage.

And yet, Mr. Speaker, in this room, at this moment, when I look out at 200 people, 200 friends that the Constitution says are on equal elected footing with me, it says that you are my peers, and yet I know that not to be true – not under the law and not in the Commonwealth of Pennsylvania. Despite the title we share, despite the hallways that we walk together, the committees that we serve on, despite all of the collaboration in this room, you are not my peers; you are my superiors. You are my superiors at home, you are my superiors at work, you are my superiors in boardrooms, you are my superiors in hospitals, you are even my superiors on our deathbed. We are not peers. You are my superiors. And so as my superiors, I am not asking that you do this, I am begging you. I am begging you. I beg you to see within yourselves, within your families, the people that you care about the most on this sacred planet, see within them the fear and the trauma and the injustice that is the daily lived experience for countless thousands of LGBTQ people right here, right in our own home, right here in the Commonwealth of Pennsylvania. And I do not want you just to look at me or to the other several out LGBTQ members in this room, because we are not enough.

Just as your experiences are limited by your heritage and your community but your representation is not, so too is our heritage limited by our experience but my community is not. The LGBTQ communities of Pennsylvania are bright and vibrant and inclusive, and many are people for whom yesterday's definitions of "love" and of "life" simply do not hold true anymore, but our definitions do not have to. LGBTQ people are proud Pennsylvanians, they are hardworking Americans, they are loving family members. And while sometimes they may not look like you or like me or anybody else in this room, they are deserving of our better angels, because the discrimination they face is deadly and it is daily.

Barney Frank, my favorite out member of Congress, said that if you do not have a seat at the table, you are probably on the menu. LGBTQ people like me and my friends and my family members are on the menu in Pennsylvania because it is legal. At work we are denied jobs, we are denied promotions, we are denied leadership opportunities and advancement. At home we are denied housing, rentals, home loans, and security. In the community we are denied access to health care, to insurance, and to safety.

The sad truth is that the harm that is legally allowed to happen to us is followed closely by the harms that we commit against ourselves when all options run out. Without protections from abuse and from discrimination, without any place to turn, we so often turn on ourselves. LGBTQ Pennsylvanians suffer from greater rates of depression, stress, isolation, avoidance, and self-harm. But LGBTQ youth bear the worst of the brunt with a suicide rate nearly twice that of their heterosexual classmates.

But it does not have to be this way, and that is why I beg you. The data, the real, hard science behind discrimination tells us that when it is followed by support, when it is followed by contrition, that real change can happen. Suicide rates drop, bullying drops, discrimination drops. Helping to fix these wrongs creates so much goodness; it creates so much right. Mr. Speaker, when people are supported, when we are protected, we stop just surviving and we begin to thrive. We lift up each other, we lift up others, we lift up our communities.

Mr. Speaker, Harvey Milk once said that "It takes no compromising to give people their rights. It takes no money to respect the individual. It takes no survey to remove repressions." I would add that it just takes courage and it takes compassion.

Mr. Speaker, may I have some silence, please?

The SPEAKER. The gentleman will please suspend.

The House will please come to order.

The gentleman is discussing an important issue and has the right to be heard. I ask all members to please take your seats. Move any conversations off the back of the House into the anteroom.

The gentleman is in order and may proceed.

Mr. SIMS. Thank you, Mr. Speaker.

This afternoon I have shared quotes from a few of my favorite LGBTQ heroes, like Barney Frank and Harvey Milk, and I think about their heroics often. I think about their leadership and how special they were and how much they have had an impact on me and my life and my loved ones and my communities. But I also think about how special any of us can be, in any given moment, how heroic we can be in a singular moment, a moment that history makes, a moment like this right now, and I am reminded again that we are not peers, and that the real heroes here, the real heroes in this moment might be all of you.

This year, this term, we will vote on budgets, we will vote on bridge namings, honorifics, and resolutions, and some of those votes will impact dozens of people greatly, and others will have just subtle, almost immeasurable impacts on all 13 million people in the Commonwealth of Pennsylvania. But I promise you, my colleagues, my colleagues, I promise you with every fiber of my being that this vote will not just impact the hundreds of thousands of friends and neighbors and constituents and loved ones who are LGBTQ, but it will also impact each and every strong, proud, confident, secure, straight ally and supporter of justice and equality, both in this room, across the Commonwealth, and across the nation. Despite all of the amazing history to get here, all of the heroes that paved the way, all the voices that were needed to propel this civil rights issue forward, right now, in this moment, you are all the most important chapter in this history. In this room is Harvey Milk, in this room are Edie Windsor and James Baldwin, but also in this room are the gentlemen and gentleladies of Washington County, of Butler County, of Elk County, and of Potter County, and this is your story and we are your family also, which is why I beg you.

Ben Franklin, the first Speaker of this great body, said, "Be civil to all; sociable to many; familiar with few; friend to one; and enemy to none." We are in this complicated and amazing experiment together, and you are the most powerful people in the Commonwealth, in the most important moment in the history of the Commonwealth and all of its LGBTQ people, and in this moment, I beg you to do the right thing. Please support this amendment.

Thank you, Mr. Speaker.

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

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

I had not planned on speaking today, but I realize I have a small, but important, message. I am a straight, White, cisgender, middle-aged guy. I have only one role, and that is to be an ally. And I will say to all of my straight, White, cisgender, younger and middle-aged White guys, that we have to stand up and be allies. My message comes from my child. They are a member of the LGBTQ community, and they are one of the bravest people

that I know because they have chosen to live their own life by their own terms and to identify themselves to the world and to walk out into the world as truly and honestly as anyone ever could or should.

And so when I vote "yes," I will be voting "yes" for my child. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I have a brief parliamentary inquiry.

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

Mr. STEPHENS. Am I correct that if we were to adopt this amendment, in order for the Constitution to be amended, the next session of the General Assembly would have to then go ahead and adopt this amendment in its entirety as we amended it, if that makes any sense. Is that right?

The SPEAKER. The gentleman is correct.

We had reviewed some of the parliamentary history previously on the request of the chairman, but I will direct it specifically to this amendment as well.

The prior explanation, which was for the first amendment we considered, would also apply here. If you look at the actual amendment – you do not have to take my word for it; you can look at the LRB (Legislative Reference Bureau), because they strike out, in lines 1 through 3, the prior passage line and insert "NONE." So yes, it would reset the clock.

And then there are the two precedents, one from 2018 and one from 1998, that indicate that that has been the past precedents of the House as well. So it would have to pass this session, and then again next session, prior to heading to the voter referendum.

Mr. STEPHENS. So then the earliest this could be adopted would be 2023. Is that right?

The SPEAKER. Yes.

Mr. STEPHENS. And by adopting this amendment today, we would be delaying the opportunity for the voters of Pennsylvania to consider the underlying constitutional amendment regarding the Governor's emergency powers. Is that right as well?

The SPEAKER. That is correct.

Mr. STEPHENS. Until 2023?

The SPEAKER. That is correct.

Mr. STEPHENS. On the amendment, Mr. Speaker?

The SPEAKER. The gentleman is in order and may proceed on the amendment.

Mr. STEPHENS. Thank you.

I want the record to be clear: I am fully supportive of the protections that we should provide under Pennsylvania law for the protected classes delineated in this amendment. There is no question in my mind that we ought to provide those protections. The issue that we need to decide is whether we want to delay the adjustment to the emergency powers that the Governor currently enjoys until 2023 in order to do so. And the fact, is we do not have to. We can consider a separate resolution to adopt this as a constitutional amendment, or we could consider a bill to enshrine this in our statutes, which, frankly, would be much faster, because a bill could be on the Governor's desk, you know, within a few weeks for sure, rather than delaying this until 2023.

So for that reason, Mr. Speaker, I rise to oppose this particular amendment, but not because I oppose the substance of the amendment, but just the vehicle to which it is being attached and the mechanism for which it is being proposed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Leader Benninghoff, on the amendment.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

And to all the members that have spoken on this amendment, I commend you for your professional and heartfelt delivery, and I think it is healthy for all of us to hear those different perspectives, and it is one of the reasons that makes this chamber so interesting and fun to work in, because of people from all over the Commonwealth.

I think the last speaker eloquently laid out the fact that, while well intended and good initiatives and ideas, at this current time, at this juncture, trying to apply it to this particular constitutional amendment is not appropriate, and unfortunately, I need to ask the members to not support this amendment at this time.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—90

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Boyle	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Flynn	Kulik	Sainato
Brown, A.	Frankel	Lee	Samuelson
Bullock	Freeman	Longietti	Sanchez
Burgos	Gainey	Madden	Sappey
Burns	Galloway	Malagari	Schlossberg
Carroll	Guenst	Markosek	Schweyer
Cephas	Guzman	Matzie	Shusterman
Ciresi	Hanbidge	McClinton	Sims
Conklin	Harkins	McNeill	Snyder
Cruz	Harris	Merski	Solomon
Daley	Herrin	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Vitali
Davis, A.	Howard	Mullins	Warren
Davis, T.	Innamorato	Neilson	Webster
Dawkins	Isaacson	Nelson, N.	Wheatley
Deasy	Kenyatta	O'Mara	Williams, D.
DeLissio	Kim	Otten	Young
Delloso	Kinthead	Parker	Zabel
DeLuca	Kinsey		

NAYS—112

Armanini	Gregory	Mehaffie	Rowe
Benninghoff	Greiner	Mentzer	Ryan
Bernstine	Grove	Mercuri	Sankey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder
Brown, R.	Hershey	Miller, B.	Silvis
Causar	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Nelson, E.	Stambaugh
Davanzo	Jozwiak	O'Neal	Stephens
Day	Kail	Oberlander	Struzzi
Delozier	Kaufer	Ortitay	Thomas
DelRosso	Kauffman	Owlett	Tomlinson
Diamond	Keefer	Peifer	Toohil
Dowling	Kerwin	Pennycuik	Topper
Dunbar	Klunk	Pickett	Twardzik
Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Pyle	Wheeland
Fee	Lewis	Quinn	White
Flood	Mackenzie, M.	Rader	Williams, C.
Fritz	Mackenzie, R.	Rapp	Zimmerman
Gaydos	Mako	Rigby	
Gillen	Maloney	Roae	Cutler,
Gillespie	Marshall	Rothman	Speaker
Gleim	Masser		

NOT VOTING—0

EXCUSED—0

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

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

MOTION TO TABLE

The SPEAKER. Prior to agreeing to the bill, the Democratic leader has requested to be recognized.

Ms. McCLINTON. Mr. Speaker, I rise to make a motion.

The SPEAKER. The lady is in order and may state your motion.

Ms. McCLINTON. I move that HB 55 be laid on the table.

The SPEAKER. Leader McClinton has placed the motion of laying HB 55 before the House.

For the information of the members – we will be doing this a lot at the beginning of session, explaining what the proper procedures and the rules are – this motion is only debatable by the floor leaders and the maker of the motion and the prime sponsor of the bill.

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

The SPEAKER. The lady is in order, and you may proceed.

Ms. McCLINTON. Mr. Speaker, artificially terminating a disaster emergency in 21 days, regardless of the circumstances, will be disastrous for the entire Commonwealth of Pennsylvania. While my friends across the aisle are arguing that legislatively

we can extend the declaration if need be, what will we do if the disaster emergency prevents the General Assembly from meeting? What if the next virus makes it so that members cannot meet in person even to adopt temporary rules to provide for remote voting? What if the next disaster makes it so that we cannot travel to the Capitol, that it is impossible? It is important to remember that we do not have a continuity-of-government plan here in the Pennsylvania General Assembly. If we cannot meet in Harrisburg and have not previously adopted temporary rules to allow for remote voting, the General Assembly will simply shut down.

So what would that mean for our neighbors across the Commonwealth? It would mean that the emergency declaration would end. That comes with numerous consequences. First of all, it means the loss of billions – with a "b" – billions of dollars in Federal funds that are tied to an emergency declaration. While it is true that the Feds do not require an active emergency declaration, in its absence, they do require a State Emergency Operations Plan. Unfortunately, however, Pennsylvania law requires an emergency declaration to take effect, so without an emergency declaration, Pennsylvania cannot have an Emergency Operations Plan and would not qualify for Federal funding.

Additionally, when we consider the current COVID disaster, without a disaster declaration, nursing students can no longer administer vaccines; pharmacists can no longer administer vaccines without an order from a licensed prescriber; the Board of Medicine would not be able to extend license renewal dates for in-State and out-of-State practitioners; the board would not be able to quickly bring back retired medical professionals; long-term care facilities would no longer be able to use military and Department of Defense personnel to supplement staff; procurement of supplies to deal with the pandemic would all be delayed.

When considering the disaster declaration for the opioid crisis, emergency medical services would no longer be able to leave naloxone behind at the scene of an overdose; community organizations would no longer be able to send naloxone to requesters by mail; birth certificate fees and other barriers would no longer be waived for those seeking treatment; the ability to bring together multiple State agencies to share data, strategize, and act collectively would be in danger.

While I understand that my colleagues have not always been happy with the administration's response to this COVID crisis, we cannot throw away such an important tool for the health and welfare of our Commonwealth to gain political points anywhere. As such, Mr. Speaker, I move that we lay HB 55 on the table to give us the time, first, to create a continuity-of-government plan.

To that end, I am introducing a resolution creating a task force of emergency remote voting that will consist of the majority leader and myself, the minority leader, the Parliamentarian, the Chief Clerk, the Director of LDPC (Legislative Data Processing Center), and the Director of LRB. This nonpartisan task force will be charged with creating an emergency remote-voting contingency plan for the House of Representatives. A cosponsorship memo will be circulating, and I hope all 202 of my colleagues will join me in preparing for future unthinkable disasters.

Additionally, by laying HB 55 on the table, we will have time to figure out how to define the General Assembly's role in an emergency situation without simply throwing everything out and leaving our State in a dire situation. It will give us the time to study and fully understand the impact of this proposal and what

it would have on our ability to continue to respond to the COVID crisis and how much Federal funding we would lose and how it would impact our ability to receive and deliver vaccines. It would give us more time to ensure that this bill does not unintentionally cause more lives to be lost to the opioid crisis.

I urge my colleagues to join me in voting to lay HB 55 on the table.

Thank you, Mr. Speaker.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

And again, it is good to have some good, well-felt debate and discussions on these issues. I would respectfully remind the members that in the House, when rules are not adopted, the previous session's rules govern the day, as we did from November 30 until we adopted the rules on January 5. In addition to that, I believe Federal law prohibits the holding of those fundings, according to my Appropriations chairman.

Additionally, if you look at the legislation, there is nothing that precludes us from extending the disaster declaration after we adopt this constitutional amendment. That is the purpose. The difference is whether that decision will be made up by 1 Pennsylvanian or 253 duly elected by the citizenry to represent them.

And last but not least, the concern and the fears that we would not be able to meet or function or organize committees or whatever else may be of concern that the legislature may not be able to execute, I would remind you that we have been doing this throughout the pandemic, and at the request of my good friend, the minority leader, with the adoption of the rules, we have also agreed to extending the ability for you, as members, to be able to debate remotely – not only in committee meetings, but eventually here on the House floor. We have continued to provide opportunities to work in this beautiful, ornate, older building, but yet still take advantage of today's technology and provide the service to the people. We will continue to do that, and none of that is precluded through this emergency declaration, and I would urge you to please stay with us on it, support this, because at the end of the day, we want to get this before the voters and let the public, the citizens – your friends, family, and neighbors – have a say at how long disaster declarations are going to go by working through you, the General Assembly. Very simply, it is only asking that the General Assembly have a voice in those decisions beyond 21 days, and everything else can continue as is.

I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Leader McClinton for the second time, on the motion.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, we find ourselves pretty fortunate that we were able to get here in March of 2020 and change rules and be able to accommodate a new pandemic. What I am saying is, we do not know what the next disaster is. We do not know if we will be able to get in our cars and get on the turnpike and be able to make further necessary changes for our voices to be heard, and that being said, we should not rush to send such an important measure to the voters when we understand that we do not have a Department of Health in this Pennsylvania General Assembly. We are not relying on anything except the same information that our Executive – and only 1 is elected every 4 years, not 253 – that 1 Executive should be able to declare an emergency as often as needed to protect 13 million people across the Commonwealth.

The SPEAKER. The Chair thanks the lady.

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS–90

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Boyle	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Flynn	Kulik	Sainato
Brown, A.	Frankel	Lee	Samuelson
Bullock	Freeman	Longietti	Sanchez
Burgos	Gainey	Madden	Sappay
Burns	Galloway	Malagari	Schlossberg
Carroll	Guenst	Markosek	Schweyer
Cephas	Guzman	Matzie	Shusterman
Ciresi	Hanbidge	McClinton	Sims
Conklin	Harkins	McNeill	Snyder
Cruz	Harris	Merski	Solomon
Daley	Herrin	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Vitali
Davis, A.	Howard	Mullins	Warren
Davis, T.	Innamorato	Neilson	Webster
Dawkins	Isaacson	Nelson, N.	Wheatley
Deasy	Kenyatta	O'Mara	Williams, D.
DeLissio	Kim	Otten	Young
Delloso	Kinkead	Parker	Zabel
DeLuca	Kinsey		

NAYS–112

Armanini	Gregory	Mehaffie	Rowe
Benninghoff	Greiner	Mentzer	Ryan
Bernstine	Grove	Mercuri	Sankey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder
Brown, R.	Hershey	Miller, B.	Silvis
Causar	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Nelson, E.	Stambaugh
Davanzo	Jozwiak	O'Neal	Stephens
Day	Kail	Oberlander	Struzzi
Delozier	Kaufman	Ortitay	Thomas
DelRosso	Kauffman	Owlett	Tomlinson
Diamond	Keefer	Peifer	Toohil
Dowling	Kerwin	Pennycuick	Topper
Dunbar	Klunk	Pickett	Twardzik
Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Pyle	Wheeland
Fee	Lewis	Quinn	White
Flood	Mackenzie, M.	Rader	Williams, C.
Fritz	Mackenzie, R.	Rapp	Zimmerman

Gaydos	Mako	Rigby	
Gillen	Maloney	Roae	Cutler,
Gillespie	Marshall	Rothman	Speaker
Gleim	Masser		

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 agree to the bill on second consideration?
Bill was agreed to.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has been asked to announce that all of the freshmen, please stay here. All the freshmen, new members, stay here for approximately 15 minutes after session. There will be a brief introductory period for the Clerk's staff and to familiarize you with the operations of the floor.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. Additionally, the Chair at this time would like to recognize Chairman Gillespie for a committee announcement.

Mr. GILLESPIE. Thank you, Mr. Speaker.

At the completion of session, there will be an immediate meeting of the House Game and Fisheries Committee in room 205, Ryan Office Building, for the purpose of reorganizing the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the completion of session, there will be an immediate Game and Fisheries Committee meeting in room 205, Ryan Office Building.

REPORT OF COMMITTEE ON LIQUOR CONTROL

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

Mr. JOZWIAK. Thank you, Mr. Speaker.

On behalf of Chairman Pyle, the House Liquor Control Committee has met and is organized and is ready to do the people's business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON URBAN AFFAIRS

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

Mr. KNOWLES. Thank you, Mr. Speaker.
Mr. Speaker, for the record, the Urban Affairs Committee has organized and is prepared to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON AGING AND OLDER ADULT SERVICES

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

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to announce that the Aging and Older Adult Services Committee has organized, and we are ready to do business.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, there will be no further votes this afternoon. We will do a little bit of housekeeping and then continue with freshman orientation upon the adjournment of session.

BILLS RECOMMENDED

The SPEAKER. The majority leader moves that the following bills be recommended to the Committee on Appropriations:

HB 14;
HB 55;
HB 104; and
HB 108.

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

BILLS REMOVED FROM TABLE

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

HB 11;
HB 12;
HB 16;
HB 217; and
HB 218.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair is in receipt of a motion, made by Representative Hamm, that this House do now adjourn until Wednesday, January 27, 2021, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:47 p.m., e.s.t., the House adjourned.