

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, FEBRUARY 4, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 10

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

HON. SHERYL M. DELOZIER, member of the House of Representatives, offered the following prayer:

Dear Lord, we gather here today. We ask for Your wisdom and guidance as we work to do the people's business. We are proud to work for those that we represent and ask for You to be with us as we make decisions and help our residents get the services that they need.

We ask that You continue to be with our veterans, past and present, as well as their families, and we thank You for their service and sacrifice for both the Commonwealth and our nation under Your watchful eye. It is because of their dedication that we have the many freedoms we cherish.

Lord, keep us strong to stand for our principles, the people we represent, and the families that support us. Thank You for the guidance to make the right choices, to be fair and open to differing points of view, and help us maintain the level of honor and respect elected offices deserve.

As we look forward to this new year, let us remember those that we have lost and help heal our hearts, and then fill us with Your hope, joy, and thankfulness after such a challenging year. Give us strength to serve our constituents in our utmost ability. In Your name, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, February 3, 2021, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 56, PN 39

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 8516, carrying State Route 271 over the West Branch Susquehanna River, Northern Cambria Borough, Cambria County, as the Sergeant William Stock Memorial Bridge.

TRANSPORTATION.

HB 57, PN 40

By Rep. HENNESSEY

An Act designating a bridge on that portion of State Route 4001 over Crooked Creek, Armstrong Township, Indiana County, as the Sergeant Carl Roof Memorial Bridge.

TRANSPORTATION.

HB 113, PN 386 (Amended)

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic and providing for drivers in organized motorcycle processions; and, in rules of the road in general, further providing for following too closely.

TRANSPORTATION.

HB 124, PN 91

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 8680, carrying State Route 3055 over Stonycreek River in the City of Johnstown, Cambria County, as the City of Johnstown Firefighters Memorial Bridge.

TRANSPORTATION.

HB 125, PN 92

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 1951, carrying State Route 4017 on Wetzel Road, Shaler Township, Allegheny County, as the Commander William J. Schofield, III, Memorial Bridge.

TRANSPORTATION.

HB 140, PN 387 (Amended)

By Rep. HENNESSEY

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

TRANSPORTATION.

HB 148, PN 113

By Rep. HENNESSEY

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. Dorrien Memorial Bridge.

TRANSPORTATION.

HB 149, PN 114

By Rep. HENNESSEY

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.

TRANSPORTATION.

HB 150, PN 115

By Rep. HENNESSEY

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.

TRANSPORTATION.

HB 151, PN 116

By Rep. HENNESSEY

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.

TRANSPORTATION.

HB 152, PN 117

By Rep. HENNESSEY

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.

TRANSPORTATION.

HB 153, PN 118

By Rep. HENNESSEY

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.

TRANSPORTATION.

HB 230, PN 385 (Amended)

By Rep. PEIFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Independent Fiscal Office, further providing for revenue estimates.

FINANCE.

HB 273, PN 244

By Rep. PEIFER

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.

FINANCE.

HB 359, PN 331

By Rep. PEIFER

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, providing for exemption from taxation.

FINANCE.

HB 385, PN 357

By Rep. PEIFER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

FINANCE.

HOUSE BILLS INTRODUCED AND REFERRED

No. 396 By Representatives OWLETT, CAUSER, ZIMMERMAN, RYAN, HAMM, IRVIN, GLEIM and MOUL

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

Referred to Committee on LABOR AND INDUSTRY, February 4, 2021.

No. 397 By Representatives OWLETT, CAUSER, ECKER, RYAN, RAPP, CIRESI, STAATS, KAUFFMAN, GREINER, ZABEL, ROAE, KNOWLES, DUNBAR, SCHLOSSBERG, WARNER, DeLUCA, HILL-EVANS, ROWE, JAMES, HAMM, STRUZZI, WEBSTER, SANKEY, LAWRENCE and PISCIOTTANO

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, further providing for rejection and appeal.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 4, 2021.

No. 398 By Representatives OWLETT, BOBACK, PICKETT, RYAN, ROTHMAN, RAPP, SAYLOR, JAMES, ZIMMERMAN and MOUL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for verification of eligibility.

Referred to Committee on HEALTH, February 4, 2021.

No. 399 By Representative ORTITAY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass.

Referred to Committee on JUDICIARY, February 4, 2021.

No. 400 By Representatives GALLOWAY, ISAACSON, LEE, HILL-EVANS, SANCHEZ, CONKLIN, SCHLOSSBERG, HOWARD, CIRESI, NEILSON, FREEMAN, O'MARA, WEBSTER and WARREN

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for definitions and for powers and duties of the commission; providing for policies and procedures; and establishing the Human Relations Training Fund.

Referred to Committee on LABOR AND INDUSTRY, February 4, 2021.

No. 401 By Representatives GALLOWAY, DELLOSO, McNEILL, SANCHEZ, NEILSON, FREEMAN and WARREN

An Act amending the act of October 13, 2010 (P.L.506, No.72), known as the Construction Workplace Misclassification Act, further providing for independent contractors.

Referred to Committee on LABOR AND INDUSTRY, February 4, 2021.

No. 402 By Representatives GALLOWAY, ISAACSON, HILL-EVANS, BROOKS, SCHLOSSBERG, DRISCOLL, CIRESI, PASHINSKI, WARREN and PISCIOTTANO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

Referred to Committee on FINANCE, February 4, 2021.

No. 403 By Representatives GALLOWAY and SANCHEZ

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for assessment of lands divided by boundary lines.

Referred to Committee on LOCAL GOVERNMENT, February 4, 2021.

No. 404 By Representatives GALLOWAY, HOHENSTEIN, N. NELSON, LEE, HILL-EVANS, SANCHEZ, CONKLIN, SCHLOSSBERG, HOWARD, CIRESI, NEILSON, BRADFORD, O'MARA and SCHWEYER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in children and youth, providing for Statewide children's mental health ombudsman.

Referred to Committee on HUMAN SERVICES, February 4, 2021.

No. 405 By Representatives GALLOWAY, LEE, HILL-EVANS, McNEILL, SANCHEZ, SCHLOSSBERG, PASHINSKI, O'MARA and SCHWEYER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts; and, in magisterial district judges, further providing for jurisdiction and venue.

Referred to Committee on JUDICIARY, February 4, 2021.

No. 407 By Representatives GALLOWAY, N. NELSON, LEE, HILL-EVANS, SAPPEY, SANCHEZ, CONKLIN, SCHLOSSBERG, HOWARD, CIRESI, PASHINSKI, SIMS, NEILSON, DEASY, O'MARA, SCHWEYER, FRANKEL and PISCIOTTANO

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions; in safe schools, establishing the School Student Mental Health Assistance Augmentation Account and providing for deposit of court costs and filing fees into the account; and making an inconsistent repeal.

Referred to Committee on EDUCATION, February 4, 2021.

No. 408 By Representative GALLOWAY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, further providing for the offenses of homicide by vehicle while driving under influence and for aggravated assault by vehicle while driving under the influence.

Referred to Committee on TRANSPORTATION, February 4, 2021.

No. 409 By Representatives GALLOWAY, N. NELSON, LEE, HILL-EVANS, THOMAS, SCHLOSSBERG, DRISCOLL, HOWARD, CIRESI, NEILSON, O'MARA, SCHWEYER, WARREN and PISCIOTTANO

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in mental health: departmental powers and duties, commissioner of mental health, interstate compact, reciprocal agreements and research foundation, providing for mental health care services clearinghouse; and making an editorial change.

Referred to Committee on HUMAN SERVICES, February 4, 2021.

No. 410 By Representatives GALLOWAY, HILL-EVANS, McNEILL, SANCHEZ, NEILSON and CIRESI

An Act providing for the regulation of home construction contracts and for the registration of certain home builders; prohibiting certain acts; providing for the offense of home construction fraud and for penalties; establishing the Home Builder Guaranty Fund; and providing for claims against the fund and for notification of defective or faulty building material or product.

Referred to Committee on CONSUMER AFFAIRS, February 4, 2021.

No. 411 By Representatives D. MILLER, SANCHEZ, FRANKEL, SCHLOSSBERG, HOHENSTEIN, JAMES, HOWARD, HILL-EVANS, KENYATTA, McNEILL, LEE, DELLOSO and PISCIOTTANO

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in uniform construction code, providing for changing stations in places of public accommodation.

Referred to Committee on LABOR AND INDUSTRY, February 4, 2021.

SENATE BILL FOR CONCURRENCE

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

SB 81, PN 59

Referred to Committee on JUDICIARY, February 4, 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,
February 4, 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 the week of Monday, February 22, 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 Senate recesses the week of February 22, 2021, it reconvene the week of Monday, March 15, 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 the week of Monday, March 15, 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.

LEAVES OF ABSENCE

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

The majority whip indicates that there are none.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—202

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
Causer	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	Kaufert	O'Neal	Twardzik
Delloso	Kauffman	Oberlander	Vitali
Delozier	Keefer	Ortitay	Warner
DelRosso	Kenyatta	Otten	Warren
DeLuca	Kerwin	Owlett	Webster
Diamond	Kim	Parker	Wentling
Dowling	Kinthead	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

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

ANNOUNCEMENT BY MS. McCLINTON

The SPEAKER. Moving to announcements, at this time the Chair recognizes Leader McClinton for an announcement relative to the display at the rear of the House commemorating "Black History Month." The lady is in order and may proceed.

Ms. McCLINTON. Thank you, Mr. Speaker.

And good morning, colleagues.

February, as we know— Mr. Speaker, may I please have order on this floor?

The SPEAKER. You may.

The House will please come to order. Members, take your seats. Any conversations, please move them off the back of the House. The folks in the back who are carrying on conversations, please take them off the floor. The gentlelady has an important announcement regarding the display at the rear of the House. The Chair thanks the members.

The lady is in order and may proceed.

Ms. McCLINTON. Thank you, Mr. Speaker.

And good morning, colleagues.

As all of you know, February is Black History Month, and we are so very excited that although the Capitol is not currently open to visitors due to this pandemic that we are all fighting, we have a historical display right here on the floor of the House. I invite all of you in the Pennsylvania House and our dynamic staff to go in the rear of the House to take a look at what is displayed. You will see on the easel some items that show the history of our very own Pennsylvania Legislative Black Caucus. There are 10 posters that are arranged in the back, and they make up an exhibit called "Look Up and Look Out." It shows a thriving African-American neighborhood that existed before the Civil War right here in Harrisburg, blocks from our Capitol. The Eighth Ward was later torn down to make room for the Capitol's park and additional State office buildings, including K. Leroy Irvis' Building. Today's display offers a fascinating look at the historical place where we all work, where the people who used to call it their homes once lived.

I would like to give special recognition and thanks to our colleagues, the leader of the Pennsylvania Legislative Black Caucus, Representative Donna Bullock, and our local leader, who leads us all when we are in this Capitol, Representative Patty Kim. Thank you all for bringing this together.

And the theme for February is "The Black Family." I encourage everyone who uses social media to go to the Pennsylvania Legislative Black Caucus' Facebook or Twitter. You will see interviews from many of our members who have diverse backgrounds and stories to tell. This is an important moment in time because we get an opportunity to reflect on our journeys as African-Americans and members of the diaspora, wherever we may come from or call home here in these United States.

Thank you, Mr. Speaker, and thank you, colleagues.

The SPEAKER. The Chair thanks the lady.

REPORT OF COMMITTEE ON FINANCE

The SPEAKER. Moving to committee announcements, the Chair recognizes the gentleman, Representative Peifer, for a committee announcement.

Mr. PEIFER. Thank you, Mr. Speaker.

The Finance Committee met today. We are now organized and ready to conduct business.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately in the majority caucus room, and there will be a second meeting announced from the floor of the Appropriations Committee later today, but the first meeting will be immediately at the recess, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will have a virtual caucus at 11:30. We will be prepared to be back on the floor at 12:30. 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, Mr. Speaker.

Democrats will caucus at 11:30. Thank you.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Seeing no further announcements, this House will stand in recess until 12:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 157, PN 122 By Rep. SAYLOR

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."

APPROPRIATIONS.

HB 178, PN 146 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 186, PN 154 By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for permit for movement during course of manufacture; and, in powers of department and local authorities, further providing for power of Governor during emergency.

APPROPRIATIONS.

HB 203, PN 239 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 284, PN 282 By Rep. SAYLOR

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents and providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for title to historic property and for powers over certain historic property.

APPROPRIATIONS.

**REPORT OF
COMMITTEE ON COMMITTEES**

The SPEAKER. Turning to reports of committees, coming from the Committee on Committees, a supplemental report.

The following report was read:

COMMITTEE ON COMMITTEES

SUPPLEMENTAL REPORT

In the House of Representatives,
February 4, 2021

Resolved that,

Representative Kenyatta, Philadelphia County, is elected a member of the Finance Committee *vice* Representative Kosierowski resigned.

Respectfully submitted,
Rep. Joanna McClinton
Democratic Leader

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 101, PN 71**, entitled:

An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

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 110, PN 78**, entitled:

An Act amending the act of October 21, 1988 (P.L.1036, No.116), known as the Hardwoods Development Council Act, further providing for Hardwoods Development Council.

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 187, PN 155**, entitled:

An Act amending the act of July 10, 1981 (P.L.234, No.76), known as the Donated Food Limited Liability Act, further providing for donor immunity.

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 326, PN 301**, entitled:

An Act amending Titles 35 (Health and Safety) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in COVID-19 disaster emergency, providing for Pennsylvania National Guard; in the Governor as Commander-in-Chief, further providing for powers of Governor; and, in Pennsylvania National Guard, providing for public health duties.

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

Mr. O'NEAL offered the following amendment No. **A00284**:

Amend Bill, page 1, lines 1 through 6, by striking out all of said lines and inserting
Amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in the Governor as Commander-in-Chief, further providing for active duty for emergency.

Amend Bill, page 1, lines 9 through 19; page 2, lines 1 through 19; by striking out all of said lines on said pages and inserting
Section 1. Section 508 of Title 51 of the Pennsylvania Consolidated Statutes is amended by adding subsections to read:
§ 508. Active duty for emergency.

* * *

(c) Distribution and administration of items for a virus.—Notwithstanding any other provision of law, the Pennsylvania National Guard may, within 45 days of the effective date of this subsection and in conjunction with the Department of Health and the Pennsylvania Emergency Management Agency, develop plans for the establishment and operation in each region of a site for the community distribution and administration of pharmaceuticals, medical equipment and supplies and vaccines for a virus. Administration of the vaccine shall include the inoculation of individuals by members of the Pennsylvania National Guard who possess the required training.

(d) Report.—Notwithstanding any other provision of law, the Governor shall, within 45 days of the effective date of this subsection, establish and submit to the General Assembly a report on the integration of the Pennsylvania National Guard into the Commonwealth's plan for the distribution and administration of any vaccine for COVID-19, including the administration of the vaccine to individuals by members of the Pennsylvania National Guard. The report shall be prepared in consultation with the Secretary of Health, the Director of the Pennsylvania Emergency Management Agency and the Adjutant General of the Pennsylvania National Guard, and shall include the following considerations:

(1) Availability and capacity of medical units of the Pennsylvania National Guard for the administration of any vaccine for COVID-19 to individuals.

(2) Availability and capacity of other units of the Pennsylvania National Guard for supportive missions, including logistics and preparation for community vaccination clinics.

(3) Critical missions of the Pennsylvania National Guard, including the deployment of members to skilled nursing facilities to combat outbreaks of COVID-19.

(4) Current and anticipated allocations of any vaccine for COVID-19 available to the Commonwealth.

(5) Federal guidance on the use of the National Guard for the purposes under this subsection.

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Region." Each region of the Commonwealth, as identified by the Department of Health.

"Virus." A virus or infectious disease, identified by the United States Department of Health and Human Services or the Department of Health. The term includes COVID-19.

Amend Bill, page 2, line 20, by striking out "4" and inserting
2

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative O'Neal.

Mr. O'NEAL. Thank you, Mr. Speaker.

Mr. Speaker, my amendment is a bipartisan amendment, which is the product of discussions we have had over the past several days with the administration, PA Department of Health, PEMA (Pennsylvania Emergency Management Agency), the Acting Adjutant General, and the Department of Military and Veterans Affairs. Specifically, the amendment will do two things: First, it will provide that the Pennsylvania National Guard develop operational plans to provide regional and logistical support for the distribution and administration of the COVID-19 vaccine; and second, it will require that a report be issued to the General Assembly by the administration regarding the integration of the National Guard into the Commonwealth's vaccine distribution plan as well as the mission capabilities of the National Guard. I ask the members for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and, on the amendment, recognizes the gentleman, Chairman Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I, too, want to encourage my colleagues to support this amendment. This was negotiated in a very bipartisan way to try to make this bill better. It does. It alleviated a lot of concerns many of our members had on our side. And I would encourage our members to support this. I will speak further on the bill tomorrow, but this is a good amendment, a bipartisan amendment, to get this thing moving because nothing is more important right now to get these vaccines out there to help our residents so we can get back to a normal life sooner rather than later.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentelady, Representative Boback.

Ms. BOBACK. Thank you, Mr. Speaker.

Mr. Speaker, as the majority chairwoman of the House Veterans Affairs and Emergency Preparedness Committee, I fully support this amendment to HB 326 and I applaud Representative O'Neal for sponsoring this legislation. Our National Guard is a tremendous resource during emergencies, and this amendment helps to codify into law several key provisions that will enable our National Guard and the agencies that they support to be prepared with plans and operational tools that will greatly assist with our State vaccination and pandemic response efforts.

I want to thank Chairman Sainato, our committee members and staffs, and the various departments and the administration for working together on this amendment language. And I ask the members for an affirmative vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair has heard from several members they are having difficulty hearing. I will ask members to please take your seats, move any conversations to the back of the House and off the floor.

At this time the Chair recognizes the gentleman, Representative Webster, on the amendment.

Mr. WEBSTER. Thank you, Mr. Speaker.

Mr. Speaker, yesterday I was the low "nay" vote in the State Government Committee. I want to change that on the record now. I really appreciate the changes made in this amendment. I want to thank my colleague from Washington County for making those adjustments and for his service to our country. And I will be a "yea" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—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	Kaufer	O'Neal	Twardzik
Deloso	Kauffman	Oberlander	Vitali
Delozier	Keefer	Ortitay	Warner
DelRosso	Kenyatta	Otten	Warren
DeLuca	Kerwin	Owlett	Webster
Diamond	Kim	Parker	Wentling

Dowling	Kinthead	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.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 186, PN 154**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for permit for movement during course of manufacture; and, in powers of department and local authorities, further providing for power of Governor during emergency.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman, Representative Pashinski, on final passage.

Mr. PASHINSKI. Thank you very much, Mr. Speaker.

Mr. Speaker, I believe everybody in this hall, this magnificent hall, I believe everybody in this magnificent Capitol, and I personally believe that everybody from the Governor on down appreciates, respects, and is very grateful for our dairy farmers, their families, and for providing us with the finest milk in the nation. And with that, I would say to all of you, make sure because you are a Representative, a legislator, that you are promoting PA Preferred. And if you do not know what that is, Chairman Causser and I will be happy to share that with you. In addition to the fact, keep in mind, PA Preferred, which is our

logo, it is grown in PA, by PA, PA Preferred. I make that point because all of us support our ag community. Our ag industry is one of the bright spots of Pennsylvania and will continue to be.

I also believe – and for those of you that are not listening—

The SPEAKER. The gentleman will please suspend.

The House will please come to order. Members, take your seats. Sergeants at Arms, please clear the aisles. Any conversations, please move them off the back of the House. The gentleman is speaking on final passage on a very important issue and deserves to be heard.

You are in order and may proceed.

Mr. PASHINSKI. Thank you very much, Mr. Speaker.

On a serious note, I truly also sincerely believe that everybody in this House, everybody in the Senate, everybody that represents the people of Pennsylvania, from the Governor on down, is also very concerned about the health, welfare, safety of all our citizens that travel our highways because we are the Keystone State. Millions of people travel through Pennsylvania, and during times of inclement weather that is the focus. The focus is providing for safe highways – safe for our children, grandchildren to be able to go to our great universities and colleges; safe for our family, friends, relatives, people from all over America to travel to some of the most outstanding health institutions in Pennsylvania; to be able to safely transport our goods worth millions and billions of dollars, for without free traversing of our highways none of this could occur.

The point of my presentation to you today is, I would like for you all to think about this because under no circumstances is it ever thought of lightly when a Governor has to make a decision to create a statewide disaster. That is not done by one person. That is a combination of PEMA, Pennsylvania Emergency Management Agency; PennDOT; Pennsylvania State Police; Pennsylvania Turnpike Commission. All of the experts, qualified people, meet, discuss the predictions, and set out early warnings so that all of us would be able to begin to prepare to make alternative plans in case the roads get that bad, that dangerous.

So the decision to make our highways safe has been developed over some time. In the past it was based on a reactive mode, to be ready with extra wreckers, food and water placed all over Pennsylvania, so that when a road had to be closed, there would be wreckers available, there would be food and water. The problem was, that did not prevent the accidents, that did not prevent the road closings. What prevented the road closings was when we eliminate certain vehicles on the highways that have notoriously caused the accidents, that have notoriously and historically caused shutdowns – not of an hour or two, but of 4, 8, 10, 12, as many as 24 hours. When 24 hours elapses or 12 hours and you are stuck in your motor vehicle, you better make sure you have gas to keep you warm in the winter or water or some food. You better hope you are not suffering from a health problem that is preventing you from getting to where you need to go for that care. So the point being, the idea is if we can prevent the accident, then the roads stay open, and when the roads stay open, then people can get to wherever they have to go safely, maybe a little slower but they get there. That is why I bring up the point about the difference between HB 915 and now HB 186.

Let me just share just a few more things with you so you have a better idea of how this bill changed. I give credit to a wonderful gentleman, the former majority chair of the Ag Committee, Chairman Causer, who organized a hearing, and at that hearing we had testify a variety of number of haulers, milk haulers, that shared with us their problems. The information that we received

from that was critical in helping change the way the system was to the way it is now, and it was based upon the fact that our milk haulers have chains. Those chains can be on board, they do not have to be attached as long as they are on board, so that if you do get stuck, we know that those chains will get you out, and also, every one of those milk hauling trucks is equipped with those differentials.

For us guys that go way back in time, we know about positraction, right? So when you were drag racing at the stoplight – yes, definitely – when you were drag racing at that stoplight, you were able to burn rubber and you had two, two black paths from both of your tires. Without positraction, you only have one. What does that matter? It matters everything because now those trucks have more traction and can move that heavy load. So the milk haulers have that. Most tractor-trailers do not and they are the ones that cause most of the problems on our highways. Without a doubt, anybody that was empty – yes, those tractor-trailers definitely were part of the problem. Once they are stopped, no traction can get them going; now you are shutting down the road. So the preventative method was to eliminate those kinds of vehicles so that our PennDOT trucks could maintain the roads, so that our PennDOT trucks could provide the salt and all of the necessary sand, etc., to keep that right lane open, keep that right lane open, keep that traffic moving.

We just experienced a pretty decent snowstorm, did we not? In Wilkes-Barre we got 12 to 14 inches in the city; in the mountain they got 14 to 18 inches. I know in the Poconos they got 36 to 40 inches and, as a result, caused some closing for some considerable time.

So the point that I want to make to you is, after that hearing we then requested a meeting with PennDOT, with PEMA, with our turnpike association, and – whom did I miss? PennDOT? State Police. I missed the State Police. We are all in the room along with the Ag Committees, the ag representatives, and the Governor's representatives, and this discussion took place for over 2 hours. From that hearing and the second meeting of all the emergency agencies, the changes were made to HB 915, and that is why HB 186 is really not necessary.

Do not forget, the loaded truck can get that product, can get that milk to that processor, unless you are at a level 5. In 10 years we have only been at level 5 once. That was during Hurricane Sandy, not even a snow event. So they can get that stuff, they can get that stuff to the producer in 1, 2, and 3. Returning is the problem, is it not, because that tractor is empty? But keep in mind, every milk hauler has alternative routes in order to maintain travel for that milk, that very special product. So they may not be able to use 81, 84, 380, but they will be able to use alternative highways, alternative routes to get back. That allows for enough time so that no milk has to be dumped – and I do believe over the last couple of years there has been no dumping. And as a result, once again, unfortunately, I have to stand in opposition to HB 186.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the prime sponsor, Representative Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, HB 186 last session was HB 915 that passed both chambers of the legislature with overwhelming bipartisan majorities and was, unfortunately, vetoed by the Governor.

It is no secret that dairy farmers across the Commonwealth are struggling. Last session, as the good chairman mentioned, the House Agriculture and Rural Affairs Committee held a hearing

on this topic and heard loud and clear from farmers all across the Commonwealth that the Governor's blanket restrictions on commercial vehicles is a real problem. It really is a failure to recognize that dairy is different. I can tell you with certainty that cows do not stop producing milk because it is snowing, and in fact, you cannot turn the cows off because of bad weather. They are going to keep giving milk.

This is a perishable product, and it is important to point out that farmers do not have excess storage for the milk. They have a bulk tank at the farm. I grew up on a small dairy farm in McKean County; I can tell you that this is problematic for farmers. They cannot store excess milk for a long period of time. It needs to be shipped to the processing facility. And what we have seen over the last couple of years is farmers having to dump milk. When the milk truck cannot get to the farm, the farmer has no choice but to dump the milk, and this is a real hardship for farmers across the Commonwealth.

This is a commonsense piece of legislation that provides a framework to keep our milk production system moving along or flowing by requiring a specific exemption for milk hauling from the farm to the processing plant. It further requires the milk hauler to secure a registration sticker from the Pennsylvania Milk Marketing Board to ensure that they are in fact a licensed milk hauler.

Now, the good chairman, the previous speaker, noted that the administration created a tier system. As a result of last session's HB 915, the administration did make changes to their process. I would say that they are positive changes but they do not go far enough, because under the administration's five-tier system, even in Tier 1, the lowest restrictive tier, you still cannot operate an empty milk truck. Well, you know what, Mr. Speaker? The truck has to start empty somewhere until it gets out to the farm to be loaded. If the truck is unable to be operated on the highways because it starts out empty, then it cannot get out to the farm to collect the milk from the bulk tank.

So there is still a problem with this tier system that the administration has created, and that is exactly why farmers and agriculture organizations all across this Commonwealth support this legislation. In fact, you will see strong support from organizations like the Pennsylvania Farm Bureau who understand that dairy is different.

I ask for your support for HB 186 to help our struggling dairy farmers all across the Commonwealth.

Thank you, Mr. Speaker.

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

Mr. CARROLL. Thank you, Mr. Speaker.

And thank you to the gentleman from McKean County for his steadfast support of our ag industry, and I know he is completely sincere in this effort. And as someone who has stood at this microphone in the past in support of our dairy industry, I stand here today to highlight serious challenges with respect to this bill.

Mr. Speaker, the first thing we must consider when we are thinking about support for dairy farmers is that has to be concurrent with support for the 12.5 million citizens of this State. And, Mr. Speaker, when we have tremendous shutdowns on our interstate as a result of trucks that cannot move, that results in hours and hours and sometimes days of people being trapped on the interstate, as has happened in the past prior to the tier system. Most people in this room, I think, would remember the Valentine's Day storm of 2007 that affected nearly every

interstate in the eastern half of the State, with people being stuck for days at a time on the closed interstates. January 2011, I-78. December 2013, again on I-78. March of 2018, I-83, I-380, I-80 – people stuck for hours and, in some cases, days. And in November of 2018, I-83, I-80, I-81, I-78 – again, people stuck for days, and they were stuck for days because there were empty trucks that could not move, causing trucks queued up behind them, PennDOT plows could not attack the storm, and you had a catastrophe that resulted in the National Guard bringing medicine out to people on the interstate while they were stuck in a snowstorm.

Mr. Speaker, that system that existed prior to the tiers was catastrophic for emergency responders but especially for people that were stuck in these traffic jams. So PennDOT and the State Police and PEMA came up with the tiered system, as the gentleman pointed out, in an effort to try and solve an obvious problem of having people stuck on the interstate in these high-volume storms. And so, as was pointed out, the tier system came into effect, and I would call it the tier system 1.0. And as the gentleman from McKean pointed out, he ran his bill, HB 915, in an effort to try and relax some of the restrictions on the milk haulers, and PennDOT and the State Police came up with tier system 2.0, which, as he has pointed out, allowed the latent milk trucks to be able to go up until Tier 4.

So that gets us to, what happens with the empty milk trucks, as he pointed out? And, Mr. Speaker, I would offer this: If we allow the dairy farmers and the milk haulers to operate consistent with the latent trucks up until Tier 4, we set ourselves up and we set up the farmers for failure because the very trucks that they are trying to get to the processor will be stuck on an interstate behind another truck that could not move because of the snow, not to mention the hundreds of people that will be in the queue with them.

So, Mr. Speaker, we do not have to think about what will happen if this House bill becomes law, because all we have to do is look to see what happened in the past in 2007, 2011, 2013, and so on. Mr. Speaker, the tier system is in response to a catastrophic problem that exhibited multiple times over the course of the last 20 years. Is it perfect? No. But when it snows 30 inches in Pike County, I would offer there is not going to be perfection. There is going to be inconvenience, whether we like it or not.

And so, Mr. Speaker, even in the scenario we had this past weekend where we had the tier system put into place by PEMA and the State Police and PennDOT, the maximum period of time for a Tier 1 shutdown was about 2 days. If we check back to see what the shutdown was during the Valentine's Day storm in 2007, it was far greater than 2 days. Mr. Speaker, there is no perfection when we get 2 feet of snow on I-84, there is no perfection, and there is no way for PennDOT to be able to solve the problem of snow on that interstate if we have disabled tractor-trailers, disabled milk trucks that cannot move.

Mr. Speaker, I will end with this. There was a reference made to the dumping of milk. In my research I am not aware of any instance where a farm had to dump milk as a result of the tiered system. So I think that, Mr. Speaker, any dumping of milk had nothing to do with the tiered system and the highway closure system that is in place by PennDOT.

And I will end by simply saying, the effort with the tier system is to keep everyone safe, not just making sure that milk can get to the processor. The citizens of McKean County and the citizens of Lackawanna and Luzerne deserve to be safe on the interstates

as well. Let us try and do both: Let us deliver the milk safely, and let us get people to their destination safely. Therefore, Mr. Speaker, I ask for a "no" vote on this bill.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Causer, for the second time on final passage.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I have to say that I believe the two prior speakers are sincere in their comments, and I know that they are sincere in their concern about safety on the highways because I think we are all concerned about that.

My issue is, we need to look at the bigger picture. There are situations where we have to consider that dairy, as I said before, is different. The milk has to get to the processing facility, and if it is not, it will be dumped. We heard in our hearings from farmers, from milk haulers, that milk has been dumped in this Commonwealth because of restrictions on milk trucks in the Commonwealth.

The gentleman, the prior speaker, stated that nothing is perfect, but we should aim to do the very best that we can. Farmers are out there doing the best that they can to feed all of us and provide for all of us. We need to do the very best that we can to provide assistance so that they can ship their product to market.

Another point that has been made is that it is important to keep these vehicles off the interstate highways. Some assume that we should automatically push the milk trucks onto secondary highways. I will submit to you that pushing these vehicles off onto secondary highways is not necessarily safer, in fact can cause even more problems. So the safest way to go is to pass this commonsense legislation that enables dairy farmers to get their product safely to market, and I ask for support for the legislation.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The Chair 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—125

Armanini	Gleim	Masser	Ryan
Benninghoff	Gregory	Matzie	Sainato
Bernstine	Greiner	Mehaffie	Sankey
Boback	Grove	Mentzer	Sappey
Bonner	Hamm	Mercuri	Saylor
Borowicz	Harkins	Merski	Schemel
Brooks	Heffley	Metcalfe	Schmitt
Brown, R.	Helm	Metzgar	Schroeder
Burgos	Hennessey	Mihalek	Silvis
Burns	Hershey	Millard	Smith

Causer	Hickernell	Miller, B.	Snyder
Conklin	Irvin	Mizgorski	Sonney
Cook	James	Moul	Staats
Cox	Jones	Mustello	Stambaugh
Culver	Jozwiak	Nelson, E.	Stephens
Davanzo	Kail	O'Neal	Struzzi
Day	Kaufner	Oberlander	Thomas
Delozier	Kauffman	Ortitay	Tomlinson
DelRosso	Keefer	Owlett	Toohil
DeLuca	Kenyatta	Peifer	Topper
Diamond	Kerwin	Pennycuick	Twardzik
Dowling	Klunk	Pickett	Warner
Dunbar	Knowles	Polinchock	Wentling
Ecker	Labs	Puskaric	Wheeland
Emrick	Lawrence	Pyle	White
Farry	Lewis	Quinn	Williams, C.
Fee	Longiotti	Rader	Williams, D.
Flood	Mackenzie, M.	Rapp	Zimmerman
Fritz	Mackenzie, R.	Rigby	
Gaydos	Mako	Roae	Cutler,
Gillen	Maloney	Rothman	Speaker
Gillespie	Marshall	Rowe	

NAYS—77

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

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 157, PN 122**, entitled:

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."

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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
Causar	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	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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 178, PN 146**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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
Causer	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	Kinthead	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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 203, PN 239**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

Armanini	Flynn	Lee	Rapp
Benham	Frankel	Lewis	Rigby
Benninghoff	Freeman	Longiotti	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
Causer	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	Kinthead	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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentlelady, Representative Oberlander, rise?

Ms. OBERLANDER. Mr. Speaker, I have comments to submit for the record for the prime sponsor, Ms. Toohil, on HB 203.

The SPEAKER. The Chair thanks the lady. Those remarks will be spread upon the record. Thank you.

Ms. OBERLANDER (on behalf of Ms. TOOHL) submitted the following remarks for the Legislative Journal:

I am the proud sponsor of HB 203, the Living Donation Protection Act, which prohibits insurance companies from discriminating against people based on their status as an organ donor and provides job-protected leave for individuals who donate organs to save the lives of others.

HB 203 seeks to protect against patient anxiety about the reaction by employers; protect against workplace discrimination; and protect against health insurance discrimination. This legislation will help increase live donations which are preferred over cadaverous donations, which will in turn decrease the waitlist. Last session HB 294 was voted out of the House Insurance Committee and on the House floor unanimously as well as a unanimous vote from the Senate Health and Human Services Committee.

Thank you to the bipartisan committee staff for their hard work getting us here today.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 284, PN 282**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents and providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for title to historic property and for powers over certain historic property.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

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

Fiedler	Kulik	Quinn	
Fitzgerald	Labs	Rabb	Cutler,
Flood	Lawrence	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 2, PN 86**, 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. **LAWRENCE** offered the following amendment No. **A00281**:

Amend Bill, page 3, line 18, by striking out "secretary" and inserting

Secretary

Amend Bill, page 3, line 19, by striking out "commonwealth" and inserting

Commonwealth

Amend Bill, page 4, by inserting after line 19

Section 3. The State Government Committee of the House of Representatives shall have the power to issue subpoenas under the hand and seal of its chair commanding the Secretary of the Commonwealth or other person to appear before it and answer questions relating to the discharge of the Secretary of the Commonwealth's responsibilities under section 2 of this Joint Resolution, which matters shall include compliance with the publication requirements of Article XI, Section 1 of the Constitution of Pennsylvania, and to produce such books, papers, records, accounts, reports, documents and data and information produced and stored by any electronic data processing system as the committee deems necessary. The subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who willfully neglects or refuses to testify before the committee or to produce any books, papers, records, accounts, reports, documents or data and information produced and stored by any electronic data processing system shall be subject to the penalties provided by the laws of the Commonwealth in such case.

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

AMENDMENT WITHDRAWN

The **SPEAKER**. The gentleman indicates he is withdrawing that amendment.

Does the gentleman also wish to withdraw amendment 282? The Chair thanks the gentleman.

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

Mr. **ROZZI** offered the following amendment No. **A00293**:

Amend Bill, page 1, line 1, by inserting after "Proposing" an emergency amendment and other

Amend Bill, page 1, line 2, by inserting after "rights," further providing for courts to be open and suits against the Commonwealth and

Amend Bill, page 1, by inserting between lines 12 and 13

(1) That Section 11 of Article I be amended to read:

§ 11. Courts to be open; suits against the Commonwealth.

(a) All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct.

(b) An individual for whom a statutory limitations period has already expired shall have a period of two years from the time that this subsection becomes effective to commence an action arising from childhood sexual abuse, in such cases as provided by law at the time that this subsection becomes effective.

Amend Bill, page 1, line 13, by striking out "(1)" and inserting (1.1)

Amend Bill, page 2, line 2, by striking out "(1.1)" and inserting (1.2)

Amend Bill, page 3, lines 9 through 30; page 4, lines 1 through 19; by striking out all of said lines on said pages and inserting

Section 2. (a) The General Assembly hereby determines that a major emergency that threatens or is about to threaten this Commonwealth and the safety or welfare of this Commonwealth requires prompt amendment of the Constitution of Pennsylvania by the constitutional amendment under section 1(1).

(b) Upon passage by the General Assembly of the proposed constitutional amendment under section 1(1) by two-thirds of the members elected to each House, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1(a) of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment. The Secretary of the Commonwealth shall submit the proposed constitutional amendment under section 1(1) to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least one month after the proposed constitutional amendment is passed by the General Assembly.

(c) Upon the second passage by the General Assembly of the proposed constitutional amendments under section 1(1.1), (1.2) and (2), the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall:

(1) Submit the proposed constitutional amendment under section 1(1.1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

(1.1) Submit the proposed constitutional amendment under section 1(1.2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

(2) Submit the proposed constitutional amendment under section 1(2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

Section 3. Upon passage by the General Assembly of the proposed constitutional amendments under section 1, the Secretary of the Senate and Chief Clerk of the House of Representatives shall certify the results of the vote to the Secretary of the Commonwealth.

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

AMENDMENT WITHDRAWN

The SPEAKER. The Chair thanks the clerk. The Speaker misread the note. It is amendment 293 and the clerk read the appropriate amendment.

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

Mr. ROZZI. Thank you, Mr. Speaker.

Mr. Speaker, I received a commitment from the majority leader and the Speaker to run this as a stand-alone bill in Representative Gregory's name. In addition, I have personally spoken to the Senate President pro tem who has assured me that he supports the idea of running a stand-alone bill to provide for an emergency constitutional amendment. Mr. Speaker, with those commitments, I am going to withdraw my amendment today. With those commitments, we will be able to pass a stand-alone bill quickly and get this on the May ballot as originally intended.

This was just an absolutely horrible mistake that has been done, and I feel just absolutely horrible for the victims. I feel horrible for Representative Jim Gregory that the work that we put into this for so many years and what has happened. We have to find a remedy because these victims' constitutional rights have been violated, and we need just to fix this problem.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the majority leader rise?

Mr. BENNINGHOFF. Just to confirm the commitment to the gentleman that just spoke, if possible.

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

Mr. BENNINGHOFF. Mr. Speaker, oftentimes we get criticized for not working bipartisanship in this chamber or in politics in general. We are trying to change that culture to the best of our ability. We see that with these two gentleman that had a very painful personal issue and they came before us, brought it, made a lot of great comments, and we passed something. And we are going to continue to do that. But I just wanted to personally say that I have made a commitment that our chamber and our caucus will work with them to get this emergency amendment done, out of our chamber, and over to our sister chamber in the Senate, where I know the pro tem is also supportive, and we will get this done.

Thank you, Mr. Speaker, for that time.

The SPEAKER. The Chair thanks the gentleman.

The Chair appreciates the gentleman withdrawing the amendment.

Now moving—

Ms. McCLINTON. Mr. Speaker?

The SPEAKER. Yes; for what purpose does the Democratic leader rise?

Ms. McCLINTON. Mr. Speaker, I wanted to speak on this.

The SPEAKER. You are in order and may proceed.

Ms. McCLINTON. Thank you.

Mr. Speaker, I am very appreciative to the majority leader, Benninghoff, who has made a commitment to our colleague from the 126th District to move this legislation. It is very important. It is critical. And just like each of you, we are getting e-mails from people all across the Commonwealth who want to be able to access justice after they have been victimized in such a brutal way and too many times in the name of faith.

I look forward to this moving this session, Mr. Speaker, as soon as possible at our next legislative meeting. Thank you.

The SPEAKER. The Chair thanks the lady.

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

Mrs. DAVIDSON offered the following amendment
No. **A00225**:

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

NONE

Amend Bill, page 3, by inserting between lines 8 and 9

(e) In the event a disaster for which a disaster emergency declaration has been issued prevents the General Assembly from convening to perform its duties under subsection (c), the emergency declaration issued by the Governor shall remain in effect and subsection (d) shall not apply until such time the General Assembly can perform its duties.

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

AMENDMENT WITHDRAWN

The SPEAKER. The gentlelady indicates that it has been withdrawn. The Chair thanks the lady.

Does she wish to be recognized?

Mrs. DAVIDSON. Sure.

The SPEAKER. You are in order and may proceed.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

In the interest of what just occurred and moving forward with the Rozzi amendment in a stand-alone bill, I am going to also withdraw this amendment so this can move forward without hesitation.

The SPEAKER. The Chair thanks the lady, and the amendment is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BRADFORD** offered the following amendment No. **A00236**:

Amend Bill, page 3, lines 1 and 2, by striking out all of said lines and inserting

unless:

(1) otherwise extended in whole or part by concurrent resolution of the General Assembly; or

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

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

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

amendment under section 1(2)

Amend Bill, page 3, line 16, by striking out "passage of these proposed constitutional amendments" and inserting

first passage

Amend Bill, page 3, line 17, by striking out "these" and inserting the

Amend Bill, page 3, line 18, by inserting after "amendments" under section 1(1) and (1.1)

Amend Bill, page 4, lines 12 through 19, by striking out all of said lines

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair has been told that that amendment is also withdrawn. The Chair thanks the gentleman.

The Chair now recognizes the gentleman, Representative Bradford, on amendment 233 – is that also? The Chair thanks the gentleman. That amendment is also withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, we will be reconvening tomorrow morning at 9:30. That is earlier than normal. That notice went out via e-mail and officially earlier today. That is so that we can hopefully wrap up our legislative business at a slightly earlier time so that members can begin their journeys home. We will be doing some further housekeeping. It is the intent of the Chair to adjourn until 9:30 tomorrow morning, unless sooner recalled, once all the housekeeping has been completed.

There will be an announcement regarding that second Appropriations meeting. We are merely confirming the room, which will be announced shortly.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Chairman Saylor, for updates on the previously announced committee meeting.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

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

BILLS RECOMMITTED

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

HB 101;
HB 110;
HB 187;
HB 326; and
SB 2.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. This House will stand at ease until we receive the Appropriations Committee report.

The House will please come back to order.

BILL REREPORTED FROM COMMITTEE

SB 109, PN 144 (Amended)

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency finance and tax provisions, further providing for declaration of policy and providing for nontaxability of certain income; in emergency COVID-19 response, establishing the Hospitality Industry Recovery Program, providing for emergency education relief to nonpublic schools and for emergency education relief to educational entities and repealing provisions relating to Pennsylvania Housing Finance Agency; establishing the Rental and Utility Assistance Grant Program; in additional special funds and restricted accounts, providing for Workers' Compensation Security Fund transfer to COVID-19 Response Restricted Account; in 2020-2021 Restrictions on Appropriations for Funds and Accounts, further providing for fund transfers; and making appropriations.

APPROPRIATIONS.

RESOLUTION PASSED OVER

The SPEAKER. Without objection, the remaining resolution on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Speaker is in receipt of a motion made by the gentleman, Representative Eric Nelson, who moves that this House do adjourn until Friday, February 5, 2021, at 9:30 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 2:36 p.m., e.s.t., the House adjourned.