

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MAY 24, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 29

HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.d.t.

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

HON. MATTHEW D. DOWLING, member of the House of Representatives, offered the following prayer:

My friends and colleagues, please come together and bow your heads as your individual faith backgrounds allow.

Today I share with you a piece of scripture from Ecclesiastes:

"For everything there is a season, a time for every activity under heaven. A time to be born and a time to die. A time to plant and a time to harvest. A time to kill and a time to heal. A time to tear down and a time to build up. A time to cry and a time to laugh. A time to grieve and a time to dance. A time to scatter stones and a time to gather stones. A time to embrace and a time to turn away. A time to search and a time to quit searching. A time to keep and a time to throw away. A time to tear and a time to mend. A time to be quiet and a time to speak. A time to love and a time to hate. A time for war and a time for peace."

My God, ever present, allow this to be for us a time to serve. A time to care, a time to share. A time to humble our hearts, a time to strengthen our resolve to do what is right and just. A time to speak boldly of our beliefs, a time to listen to those whose opinions are different from our own. A time to lead, and a time to follow. A time to show pride in our Commonwealth and our country, and a time to know that our Commonwealth and country can be bolder, nobler, kinder, and stronger.

Father God, be with us as we walk through these hallowed halls. Be with us, hear the cry of Your people, and translate their voices so we may better understand. Be forever with those who are of service to the Commonwealth – pray for our families back at home. For You are the God of all times and the God of all seasons, and we rightfully give honor and praise to 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, May 5, 2021, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1091, PN 1125

By Rep. HENNESSEY

An Act designating the entire portion of US Route 20 in Pennsylvania, beginning at the Pennsylvania-Ohio State Line and ending at the Pennsylvania-New York State Line, as the Pennsylvania Medal of Honor Highway.

TRANSPORTATION.

HB 1107, PN 1146

By Rep. HENNESSEY

An Act designating the Faxon Interchange of Interstate 180 at Northway Road in Loysock Township, Lycoming County, as the Sgts. Thomas Woodruff, Sr., and Hamilton Woodruff Memorial Interchange.

TRANSPORTATION.

HB 1224, PN 1289

By Rep. HENNESSEY

An Act designating a portion of Pennsylvania Route 104, from the southern border of the Borough of Middleburg to the northern border of the Borough of Middleburg, Snyder County, as the Chief of Police Tony M. Jordan Memorial Highway.

TRANSPORTATION.

HB 1227, PN 1292

By Rep. HENNESSEY

An Act designating the interchange of Interstate 276, also known as the Pennsylvania Turnpike, with Pennsylvania Route 611, known as Exit 343, and the Willow Grove Interchange in Upper Moreland Township, Montgomery County, as the Senator Stewart J. Greenleaf Memorial Interchange.

TRANSPORTATION.

HB 1248, PN 1317

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in lighting equipment, further providing for general lighting requirements; and, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

TRANSPORTATION.

HB 1304, PN 1396

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 48382, on that portion of S.R. 4021 over the Stonycreek River, Hooversville Borough, Somerset County, as the Private First Class Howard Hahn Memorial Bridge.

TRANSPORTATION.

HB 1307, PN 1399

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for vehicles exempt from registration.

TRANSPORTATION.

HB 1312, PN 1404

By Rep. HENNESSEY

An Act designating the bridge, identified as Bridge Key 4142, carrying State Route 1001 over the Dunning Creek in the Borough of Bedford, Bedford County, as the CPL William Glen Imler Memorial Bridge.

TRANSPORTATION.

HB 1390, PN 1506

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 37590, carrying Pennsylvania Route 425 over Fishing Creek, Chanceford Township, York County, as the PFC James Joseph Criswell Memorial Bridge.

TRANSPORTATION.

SB 114, PN 114

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, repealing provisions relating to snow and ice dislodged or falling from moving vehicle and providing for snow and ice.

TRANSPORTATION.

SB 282, PN 266

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 8661, carrying State Route 3039 over Hinckston Run in Jackson Township, Cambria County, as the Sgt. Harry Lewis Amigh Memorial Bridge.

TRANSPORTATION.

SB 445, PN 636

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for contributions for breast cancer research.

TRANSPORTATION.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 37 By Representatives STURLA, ROZZI, D. WILLIAMS, FREEMAN, HILL-EVANS, McNEILL, KINSEY, SAMUELSON, HERRIN, SANCHEZ, DELLOSO, WEBSTER, DeLISSIO, CIRESI and DEASY

A Resolution amending House Rule 50, further providing for public hearings.

Referred to Committee on RULES, May 17, 2021.

No. 40 By Representatives STURLA, SANCHEZ, HOWARD, WEBSTER, DEASY and NEILSON

A Resolution amending House Rule 45, further providing for powers and duties of standing committees and subcommittees.

Referred to Committee on RULES, May 17, 2021.

No. 41 By Representatives SHUSTERMAN, HILL-EVANS, SANCHEZ, N. NELSON, ISAACSON, McNEILL, KINSEY, CIRESI, WEBSTER, LEE and INNAMORATO

A Resolution amending the Rules of the House of Representatives to provide for priority bills.

Referred to Committee on RULES, May 17, 2021.

No. 98 By Representatives JOZWIAK, WHITE, PICKETT, BOBACK, MILLARD, HILL-EVANS, KAUFFMAN, SAINATO, HARKINS, ZABEL, KNOWLES, METZGAR, BROOKS, McNEILL, COOK, T. DAVIS, COX, ROZZI, SCHMITT, JAMES, RYAN, PEIFER, POLINCHOCK, SCHLEGEL CULVER, DAVANZO, MENTZER, R. MACKENZIE, SAYLOR, PENNYCUICK, MARSHALL, DRISCOLL, ZIMMERMAN, MOUL, CIRESI, THOMAS, HAMM, STEPHENS, SMITH, DELLOSO, DeLUCA, LONGIETTI, OBERLANDER, CAUSER and STRUZZI

A Resolution honoring the lives and service of peace officers who lost their lives in the line of duty in the year 2020 and extending condolences to their families and friends.

Referred to Committee on JUDICIARY, May 7, 2021.

No. 99 By Representatives KNOWLES, KERWIN and TWARDZIK

A Resolution appointing and empowering the Judiciary Committee to conduct an investigation.

Referred to Committee on JUDICIARY, May 7, 2021.

No. 100 By Representatives WEBSTER, FREEMAN, N. NELSON, SANCHEZ, DELLOSO, SCHLOSSBERG, HOHENSTEIN, WARREN, MALAGARI and CIRESI

A Resolution directing the Joint State Government Commission to conduct a study on the current utilization of poll workers, polling places, voting compartments and voting machines to determine the best course of action in order to minimize the time investment required to vote and ensure that the average time required to vote does not promote inequities based on geography, economic status, race, gender or other relevant factors.

Referred to Committee on STATE GOVERNMENT, May 10, 2021.

No. 101 By Representatives PARKER, HILL-EVANS, SCHLOSSBERG, HOHENSTEIN and SANCHEZ

A Resolution directing the Legislative Budget and Finance Committee to study, analyze and report on the relationship between the use of social media and gun violence in this Commonwealth.

Referred to Committee on JUDICIARY, May 17, 2021.

No. 102 By Representatives KENYATTA, STURLA, HILL-EVANS, N. NELSON, SCHLOSSBERG, SAMUELSON, SHUSTERMAN and SANCHEZ

A Concurrent Resolution urging the Congress of the United States to admit Washington, DC, as the 51st state of the United States of America.

Referred to Committee on STATE GOVERNMENT, May 17, 2021.

No. 103 By Representatives RYAN, PENNYCUICK, HAMM, HILL-EVANS, JAMES, MOUL, DAVANZO, STAATS, DELLOSO, DeLUCA, SCHLEGEL CULVER and GUENST

A Resolution beseeching the Congress of the United States to pass H.R.1656, the Treatment and Relief through Emerging and Accessible Therapy for PTSD Act.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 20, 2021.

HOUSE BILLS INTRODUCED AND REFERRED

No. 193 By Representatives HANBIDGE, HILL-EVANS, KINSEY, DALEY, KENYATTA, SCHLOSSBERG, D. WILLIAMS, GUENST, SANCHEZ, FREEMAN, HOHENSTEIN, GALLOWAY, CIRESI, HOWARD, WEBSTER, SIMS, MALAGARI, DEASY and ROZZI

An Act establishing the COVID-19 Childcare for Essential Workers Grant Program to provide grants to essential workers to be used for childcare during the COVID-19 disaster emergency; imposing duties on the Department of Community and Economic Development; and providing for a transfer of Federal money.

Referred to Committee on CHILDREN AND YOUTH, May 7, 2021.

No. 194 By Representatives HANBIDGE, HILL-EVANS, KINSEY, DALEY, KENYATTA, SCHLOSSBERG, D. WILLIAMS, GUENST, SANCHEZ, FREEMAN, SCHWEYER, HOHENSTEIN, GALLOWAY, FRANKEL, CIRESI, HOWARD, WEBSTER, SIMS, MALAGARI, ROZZI and DEASY

An Act establishing the COVID-19 Child Care Grant Program; providing for duties of the Department of Community and Economic Development; and making an appropriation.

Referred to Committee on CHILDREN AND YOUTH, May 7, 2021.

No. 508 By Representatives COX, CAUSER, DAVANZO, DIAMOND, ECKER, GREGORY, HAMM, HELM, HERSHEY, IRVIN, KAUFFMAN, KLUNK, R. MACKENZIE, MALONEY, MENTZER, MILLARD, MOUL, E. NELSON, OWLETT, RYAN, SAYLOR, ZIMMERMAN, GLEIM, BOROWICZ and GILLEN

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, establishing the Back-to-Work Bonus Program; and making an appropriation.

Referred to Committee on LABOR AND INDUSTRY, May 19, 2021.

No. 659 By Representatives BERNSTINE, MALONEY, GREGORY, BOROWICZ, ROWE, DIAMOND, SCHMITT, STRUZZI, HAMM, METCALFE, GROVE, COOK, SMITH, DUNBAR, ECKER, ZIMMERMAN, CAUSER, KAUFFMAN, IRVIN, STAMBAUGH, ORTITAY, PICKETT, SANKEY, GREINER, FRITZ, ARMANINI, KERWIN, LEWIS, COX, PUSKARIC, PENNYCUICK, WARNER, JONES, KEEFER, DAVANZO, SNYDER, O'NEAL, GLEIM, E. NELSON, KAIL, KLUNK, MUSTELLO, HICKERNELL, DOWLING, MARSHALL, TOPPER, RYAN, GILLEN, GAYDOS, LEWIS DELROSSO, MIHALEK, SCHEMEL, OBERLANDER, MARKOSEK, OWLETT, SAYLOR, FLOOD, SAINATO, WHEELAND, HERSHEY, WENTLING, HEFFLEY, RAPP, PEIFER, MILLARD, KNOWLES, RIGBY and BONNER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to firearms not to be carried without a license, providing for license not required, repealing provisions relating to carrying firearms on public streets or public property in Philadelphia, providing for sportsman's firearm permit, further providing for licenses and repealing provisions relating to proof of license and exception.

Referred to Committee on JUDICIARY, May 17, 2021.

No. 1047 By Representatives D. MILLER, RABB, BENHAM, FRANKEL, SCHLOSSBERG, KINSEY, McNEILL, D. WILLIAMS, O'MARA, FREEMAN, HILL-EVANS, A. DAVIS, DELLOSO, INNAMORATO, PISCOTTANO, HOWARD, HOHENSTEIN, HARKINS, SANCHEZ, ISAACSON, WEBSTER, SIMS, DeLUCA, McCLINTON, WARREN, NEILSON, N. NELSON, KRUEGER, KENYATTA, DEASY, CIRESI and LEE

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, in unfair practices, further providing for prohibitions.

Referred to Committee on LABOR AND INDUSTRY, May 14, 2021.

No. 1200 By Representatives THOMAS, D. MILLER, BOBACK, A. DAVIS, T. DAVIS, DEASY, DRISCOLL, FARRY, FRANKEL, GALLOWAY, HARKINS, HERRIN, HILL-EVANS, HOHENSTEIN, INNAMORATO, ISAACSON, KIM, LEE, LEWIS DELROSSO, MARSHALL, McNEILL, MERSKI, MOUL, O'MARA, OTTEN, POLINCHOCK, ROZZI,

SANCHEZ, SCHLOSSBERG, SHUSTERMAN, SIMS, STEPHENS, TOMLINSON, TOOHIL, WARREN, WEBSTER and ZABEL

An Act establishing the Pennsylvania Family and Medical Leave Insurance Program and the Family and Medical Leave Insurance Fund; conferring powers and imposing duties on the Department of Labor and Industry; and imposing penalties.

Referred to Committee on LABOR AND INDUSTRY, May 10, 2021.

No. 1322 By Representatives STURLA, MERSKI and SANCHEZ

An Act authorizing counties to impose sales and use taxes; providing for the levying, assessment and collection of taxes and for the powers and duties of the Department of Community and Economic Development, the Department of Revenue and the State Treasurer; and establishing the County Sales and Use Tax Fund.

Referred to Committee on LOCAL GOVERNMENT, May 6, 2021.

No. 1324 By Representatives STURLA, SANCHEZ, N. NELSON, A. DAVIS, SCHLOSSBERG, FRANKEL, HILL-EVANS, CIRESI, WEBSTER, SIMS, McCLINTON and MADDEN

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in tenement buildings and multiple dwelling premises, providing for lead testing requirements.

Referred to Committee on CONSUMER AFFAIRS, May 6, 2021.

No. 1327 By Representatives D. MILLER, MARKOSEK, DELLOSO, SCHLOSSBERG, SANCHEZ, KRAJEWSKI, MERSKI, BURGOS, KINSEY, FREEMAN, A. DAVIS, HOHENSTEIN, FRANKEL, HILL-EVANS, LEE, NEILSON, WARREN, DEASY, RABB, DeLUCA, KINKEAD, PISCIOTTANO and CIRESI

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in general provisions relating to business corporations, providing for eligibility for receipt of State resources.

Referred to Committee on LABOR AND INDUSTRY, May 6, 2021.

No. 1328 By Representatives GREINER, BROOKS, PISCIOTTANO, ZIMMERMAN, SMITH, SANCHEZ, DUNBAR, GROVE, JAMES, PEIFER, MENTZER, RYAN, WHEELAND and GILLEN

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for general powers of the board, for requirements for issuance of certificate, for peer review and for unlawful acts.

Referred to Committee on PROFESSIONAL LICENSURE, May 6, 2021.

No. 1338 By Representatives SIMS, SANCHEZ, DELLOSO, KINSEY, DAVIDSON, HILL-EVANS, LEE, MADDEN, KINKEAD, PISCIOTTANO, BULLOCK and N. NELSON

An Act establishing the Automated Decision Systems Task Force.

Referred to Committee on STATE GOVERNMENT, May 6, 2021.

No. 1343 By Representatives ZIMMERMAN, STURLA, BROOKS, HERSHEY, FREEMAN, MILLARD, SMITH, PICKETT, CIRESI, RYAN, HOWARD, SAYLOR, WEBSTER, JAMES, PASHINSKI, STEPHENS, PENNYCUICK, BOBACK, McNEILL, HAMM, COOK, GILLEN, IRVIN, TOOHIL, GUENST, ROZZI, DIAMOND, R. MACKENZIE, BENHAM, D. MILLER, KULIK, KAUFFMAN and M. MACKENZIE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for health services and for vision screening and examinations, providing for eye health examinations and further providing for examinations by examiners of own choice.

Referred to Committee on EDUCATION, May 14, 2021.

No. 1345 By Representatives GLEIM, RYAN, O'NEAL, ROWE, MALONEY, STAMBAUGH, LEWIS, ZIMMERMAN, MOUL, KEEFER and JOZWIAK

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in tax claim bureau, further providing for system of accounting and distribution; in lien of taxes, filing of tax returns and adjudication, further providing for taxes, a first lien; and making inconsistent repeals.

Referred to Committee on FINANCE, May 6, 2021.

No. 1346 By Representatives O'NEAL, RYAN, GLEIM, ROWE, MALONEY, STAMBAUGH, LEWIS, ZIMMERMAN, MOUL, KEEFER and JOZWIAK

An Act amending the act of October 11, 1984 (P.L.876, No.171), known as the Second Class City Treasurer's Sale and Collection Act, in procedure prior to treasurer's sale, further providing for lien of claims; and making inconsistent repeals.

Referred to Committee on FINANCE, May 6, 2021.

No. 1347 By Representatives ROWE, RYAN, GLEIM, O'NEAL, MALONEY, STAMBAUGH, LEWIS, ZIMMERMAN, MOUL, KEEFER and JOZWIAK

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, further providing for tax liens and for municipal claims; and making inconsistent repeals.

Referred to Committee on FINANCE, May 6, 2021.

No. 1350 By Representatives JAMES, MOUL, KNOWLES, FREEMAN and SAPPEY

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in powers and duties of elected officials, further providing for surcharge by auditors; in powers, duties

and rights of appointed officers and employees, further providing for borough manager created by ordinance and election, for powers and duties, for other offices not incompatible and for organization of commission; and, in taxation and finance, further providing for preparation of budget.

Referred to Committee on LOCAL GOVERNMENT, May 7, 2021.

No. 1351 By Representatives KNOWLES, JAMES, MOUL, FREEMAN and SAPPEY

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for surcharge by auditors; and, in township manager, further providing for township manager and appointment, removal, powers and duties and compensation and bond.

Referred to Committee on LOCAL GOVERNMENT, May 7, 2021.

No. 1352 By Representatives JOZWIAK, R. MACKENZIE, SANCHEZ, BROOKS, HENNESSEY, THOMAS and NEILSON

An Act establishing the Advisory Council on PANDAS and PANS; and providing for the duties of the Advisory Council on PANDAS and PANS.

Referred to Committee on HEALTH, May 7, 2021.

No. 1353 By Representatives INNAMORATO, GALLOWAY, HILL-EVANS, CIRESI, SCHLOSSBERG, DeLUCA, ZABEL, DALEY, SANCHEZ, HOHENSTEIN, SIMS, KIRKLAND, OTTEN, FIEDLER, LEE, ISAACSON, RABB, SHUSTERMAN, MADDEN, KRAJEWSKI, KINKEAD, WEBSTER, VITALI, MULLINS, McNEILL, HERRIN, N. NELSON and PISCIOTTANO

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in applications and permits; further providing for permit and license application requirements; and making an inconsistent repeal.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2021.

No. 1354 By Representatives INNAMORATO, GALLOWAY, HILL-EVANS, CIRESI, SCHLOSSBERG, DeLUCA, ZABEL, DALEY, SANCHEZ, HOHENSTEIN, SIMS, KIRKLAND, OTTEN, FIEDLER, LEE, ISAACSON, RABB, SHUSTERMAN, WEBSTER, MADDEN, KRAJEWSKI, KINKEAD, GUENST, VITALI, MULLINS, McNEILL, HERRIN, N. NELSON and PISCIOTTANO

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for relationship to solid waste and surface mining.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2021.

No. 1355 By Representatives INNAMORATO, MADDEN, HOHENSTEIN, HILL-EVANS, WEBSTER, ISAACSON, GALLOWAY, KENYATTA, RABB, SCHLOSSBERG, DALEY, SANCHEZ, SIMS, McNEILL, OTTEN, FIEDLER, LEE, WARREN, BENHAM, FRANKEL, KINKEAD, GUENST, KRAJEWSKI, KINSEY, SHUSTERMAN, VITALI, N. NELSON, T. DAVIS and PISCIOTTANO

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in residual waste, further providing for disposal, processing and storage of residual waste and providing for exempt special wastes; and making an editorial change.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2021.

No. 1356 By Representatives DAY, BRIGGS, BURGOS, DALEY, T. DAVIS, FREEMAN, HENNESSEY, HILL-EVANS, M. MACKENZIE, R. MACKENZIE, POLINCHOCK, RYAN, SANCHEZ, SHUSTERMAN, STAATS, STEPHENS and WEBSTER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in medical assistance, providing for reimbursement to guardians of older adults.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 7, 2021.

No. 1357 By Representatives MAKO, BERNSTINE, MILLARD and BURGOS

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for definitions and for publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation; in depositions and witnesses, further providing for confidential communications involving law enforcement officers and for confidential communications to peer support members; in juvenile matters, further providing for inspection of court files and records; in particular rights and immunities, further providing for immunity of State parole officers and for immunity of program administrators and supervisors; in post-trial matters, further providing for postconviction DNA testing; in sentencing, further providing for mandatory period of probation for certain sexual offenders, for disposition of persons found guilty but mentally ill, for information required upon commitment and subsequent disposition, for judicial power to release inmates, for transfer of inmates in need of medical treatment, for applicability, for registry, for initial registration, for duty to inform, for enforcement, for assessments, for verification by sexual offenders and Pennsylvania State Police, for administration, for global positioning system technology, for immunity for good faith conduct, for Pennsylvania State Police, for duties of probation and parole officials, for board, for annual performance audit, for applicability, for registration, for registration procedures and applicability, for assessments, for administration, for global positioning system technology, for immunity for good faith conduct, for duties of Pennsylvania State Police, for duties of Pennsylvania Board of Probation and Parole, for board and for annual performance audit; in other criminal provisions, further providing for supervisory relationship to offenders; in preliminary provisions, further providing for definitions; in general administration, providing for powers of peace officers; in community corrections centers and community corrections facilities, further providing for definitions, for department, for offenders who may be housed, for authority of Commonwealth employees, for authority of chairman and for escape and

providing for certain offenders residing in group-based homes and for reporting; in Pennsylvania Board of Probation and Parole, further providing for definitions, for operation of parole system generally, for Pennsylvania Parole Board, for board chairperson, for board action, for meetings and for offices, repealing provisions relating to district directors, to district office employees, to disciplinary action and to certain offenders residing in group-based homes, further providing for general powers of board and for specific powers of board involving parolees, repealing provisions relating to probation services, further providing for sentencing court to transmit records to board, for general criteria for parole by court, for right of access to inmates, for parole power, for violation of terms of parole, for parole procedure, for victim statements, testimony and participation in hearing, for general rules and special regulations and for early parole of inmates subject to Federal removal order and repealing provisions relating to definitions, to status as peace officers and to supervisory relationship to offenders; providing for supervision of offenders and for agents; in county probation officers' firearm education and training, further providing for definitions; in Interstate Compacts, further providing for Interstate Compact for the Supervision of Adult Offenders application fee, for deputization and for supervision of persons paroled by other states; conferring powers and imposing duties on the Department of Corrections; providing for the transfer of functions, powers and duties of the Pennsylvania Board of Probation and Parole and for appropriations for the Office of Victim Advocate; and making editorial changes.

Referred to Committee on JUDICIARY, May 7, 2021.

No. 1358 By Representatives ROTHMAN, MILLARD, JAMES, WHEELAND and ROWE

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

Referred to Committee on TRANSPORTATION, May 7, 2021.

No. 1359 By Representatives ROTHMAN, KINSEY, HILL-EVANS, THOMAS, MENTZER, DRISCOLL, KAIL, POLINCHOCK, CAUSER, OWLETT, STEPHENS, RADER, GAYDOS, FLOOD, WHEELAND, SANKEY, HELM, GILLESPIE, FRITZ, R. MACKENZIE, ROZZI, FARRY, KAUFER, LONGIETTI, T. DAVIS, HARKINS, WARNER, SHUSTERMAN, LEWIS DELROSSO, BOBACK, ECKER, O'NEAL, JOZWIAK, BROOKS, SNYDER and GILLEN

An Act establishing the Health Care Heroes and Public Health Preparedness Program and the Health Care Heroes and Public Health Preparedness Account to award grants to hospitals impacted by the COVID-19 pandemic; providing for administration of the program and for reporting requirements; and making an appropriation.

Referred to Committee on APPROPRIATIONS, May 7, 2021.

No. 1360 By Representatives HOHENSTEIN, D. MILLER, BURGOS, GUZMAN, HILL-EVANS, SANCHEZ, SCHLOSSBERG, N. NELSON, DELLOSO, PASHINSKI, D. WILLIAMS, HOWARD, FREEMAN, McCLINTON, O'MARA, SCHWEYER, ISAACSON and CIRESI

An Act amending the act of June 23, 1978 (P.L.537, No.93), known as the Seasonal Farm Labor Act, in preliminary provisions, further providing for short title, for declaration of intent and for definitions; in wages and hours, further providing for minimum wages, for piece rates, for employment of minors, for discrimination on account of sex prohibited, for records required and notice to workers, for wage payment

and for hours of labor and providing for minimum guaranteed period of employment; in regulations and inspections, further providing for rules and regulations, for inspections and entry, for permit to operate a seasonal farm labor camp, for enforcement orders, for civil remedies and for drinking water and toilet facilities and providing for food service and cooking facilities, for cooperative agreements with Federal and State agencies, for medical services and for posting of information concerning housing; in access and entry, further providing for tenancy rights, for interference prohibited and for privilege persons and providing for privacy rights of tenants; in registration of farm labor contractors, further providing for annual registration required, for qualifications of registrants, for agents exempt from registration and employment agencies, for farm labor contractors and agents and prohibited activities and for Secretary of Labor and Industry and powers and duties; in construction, repeals, penalties and effective date, further providing for criminal penalties and providing for retaliation prohibited, for private right of action and for civil penalties and enforcement orders; and making an editorial change.

Referred to Committee on LABOR AND INDUSTRY, May 7, 2021.

No. 1361 By Representatives BULLOCK, LEE, KINSEY, HILL-EVANS, SCHLOSSBERG, WHEATLEY, HOHENSTEIN, KRAJEWSKI, SANCHEZ, PARKER, WARREN, SIMS, A. DAVIS and SHUSTERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for registration and certificate of title required; in lighting equipment, further providing for general lighting requirements; in other required equipment, further providing for exhaust systems, mufflers and noise control and windshield obstructions and wipers; and, in inspection of vehicles, further providing for operation of vehicle without official certificate of inspection.

Referred to Committee on TRANSPORTATION, May 7, 2021.

No. 1362 By Representatives KENYATTA, LEWIS, SANCHEZ, MERSKI, PARKER, SOLOMON, A. DAVIS, SCHLOSSBERG, GALLOWAY, WEBSTER, PISCIOTTANO, SAMUELSON, FITZGERALD, D. WILLIAMS, MADDEN, HOWARD and BURGOS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, providing for Cybersecurity Coordination Board.

Referred to Committee on COMMERCE, May 7, 2021.

No. 1363 By Representatives KENYATTA, O'MARA, GALLOWAY, HILL-EVANS, FRANKEL, McNEILL, KOSIEROWSKI, A. DAVIS, KINSEY, SHUSTERMAN, DELLOSO, SAMUELSON, SCHLOSSBERG, SANCHEZ, HOHENSTEIN, CIRESI, CONKLIN, SIMS, McCLINTON, STURLA, LEE, HERRIN, GAINNEY, MADDEN, WEBSTER, T. DAVIS, DALEY and N. NELSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in miscellaneous provisions relating to institutions of higher education, establishing the Hunger-Free Campus Grant Program and the Hunger-Free Campus Grant Fund.

Referred to Committee on EDUCATION, May 7, 2021.

No. 1364 By Representatives OTTEN, SANCHEZ, D. WILLIAMS, SCHLOSSBERG, HOHENSTEIN, FIEDLER, KRAJEWSKI, SIMS, FREEMAN, WEBSTER and GUENST

An Act establishing the Pipeline Early Detection and Warning Board in the Department of Community and Economic Development; establishing the Pipeline Early Detection and Warning System Fund; providing for grants to municipalities; and imposing a fee.

Referred to Committee on CONSUMER AFFAIRS, May 17, 2021.

No. 1365 By Representatives WEBSTER, McNEILL, SANCHEZ, DELLOSO, CIRESI, SCHLOSSBERG, HOHENSTEIN, ROZZI, DRISCOLL, MALAGARI, HOWARD and MERSKI

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefit amount.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 10, 2021.

No. 1366 By Representatives KLUNK, R. BROWN, KAUFFMAN, KNOWLES, MILLARD, PICKETT, RYAN, SCHEMEL and STEPHENS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adopting the Uniform Family Law Arbitration Act.

Referred to Committee on JUDICIARY, May 10, 2021.

No. 1367 By Representatives FREEMAN, JAMES, MOUL, KNOWLES and SAPPEY

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, in city administrator, further providing for appointment of city administrator, for employment agreement, for residency and elective city office and for powers and duties; and, in accounts and finances, further providing for powers and duties of chief fiscal officer.

Referred to Committee on LOCAL GOVERNMENT, May 10, 2021.

No. 1368 By Representatives THOMAS, CIRESI, HILL-EVANS, HOHENSTEIN, NEILSON, POLINCHOCK, STEPHENS, WARREN and ZIMMERMAN

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for on-exchange insurers.

Referred to Committee on INSURANCE, May 10, 2021.

No. 1369 By Representatives QUINN, SOLOMON, SCHLOSSBERG, SMITH, ARMANINI, SCHWEYER, STEPHENS, ROZZI, SAPPEY, GUENST and STRUZZI

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in qualifications of electors, further providing for qualifications of electors at primaries; in party organization, further providing for only enrolled electors to vote at primaries or hold party offices; in nomination of candidates, further

providing for candidates to be nominated and party officers to be elected at primaries and providing for procedure for unenrolled electors to cast primary ballots; and, in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges.

Referred to Committee on STATE GOVERNMENT, May 10, 2021.

No. 1376 By Representatives QUINN, HERRIN, FREEMAN, FRANKEL, D. WILLIAMS, KULIK, KINSEY, SMITH, CONKLIN, HILL-EVANS, POLINCHOCK, T. DAVIS, STURLA, NEILSON, HOHENSTEIN, ARMANINI, WEBSTER and INNAMORATO

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in voting procedures, providing for assistance for certain qualified electors.

Referred to Committee on STATE GOVERNMENT, May 10, 2021.

No. 1377 By Representatives BOBACK, ZABEL, GALLOWAY, ROWE, MILLARD, BROOKS, LEE, MOUL, NEILSON, KEEFER, ISAACSON, INNAMORATO, PISCIOTTANO, SANCHEZ, McNEILL, HANBIDGE, SHUSTERMAN, COX, T. DAVIS, O'MARA, HELM, BIZZARRO, SOLOMON, DELLOSO, SAYLOR, WEBSTER, STRUZZI, HOWARD, OTTEN, HILL-EVANS, ROAE, HENNESSEY, HEFFLEY, FRITZ and JAMES

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, in preliminary provisions, further providing for definitions; and, in keystone opportunity zones, providing for limitation on benefits and for zone relocation and further providing for qualified businesses.

Referred to Committee on COMMERCE, May 10, 2021.

No. 1378 By Representatives PISCIOTTANO, MILLARD, T. DAVIS, MARKOSEK, SAINATO, NEILSON, KINSEY, BURNS, A. DAVIS, STAATS, FREEMAN and DeLUCA

An Act designating a portion of State Route 2040, also known as Lebanon Church Road, between Pennsylvania Route 885 in West Mifflin Borough and Pennsylvania Route 51 in Pleasant Hills Borough, Allegheny County, as the Richard D. Olasz Memorial Highway.

Referred to Committee on TRANSPORTATION, May 10, 2021.

No. 1379 By Representatives PISCIOTTANO, MILLARD, LONGIETTI, NEILSON, KINSEY, BURNS, A. DAVIS, STAATS and FREEMAN

An Act designating a portion of State Route 2044, also known as Brierly Lane, between Homestead-Duquesne Road and Interboro Avenue in West Mifflin Borough, Allegheny County, as the Regis L. Stephenson Memorial Highway.

Referred to Committee on TRANSPORTATION, May 10, 2021.

No. 1380 By Representatives PISCIOTTANO, MIHALEK, ROTHMAN, N. NELSON, BOBACK, SANCHEZ, ROWE, WEBSTER, A. DAVIS, CIRESI, THOMAS, MILLARD and DRISCOLL

An Act providing for COVID-19 vaccine personal information privacy; and imposing penalties.

Referred to Committee on HEALTH, May 10, 2021.

No. 1381 By Representatives LEE, WHEATLEY, FRANKEL, RABB, KRAJEWSKI, ISAACSON, SIMS, HOHENSTEIN, MADDEN, KINKEAD and INNAMORATO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in public indecency, further providing for the offense of prostitution and related offenses.

Referred to Committee on JUDICIARY, May 10, 2021.

No. 1382 By Representatives SIMS, McNEILL and LEE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for paper and plastic bag usage and for fee; and providing a penalty.

Referred to Committee on FINANCE, May 11, 2021.

No. 1383 By Representatives MAKO, PICKETT, FEE, ZIMMERMAN, HILL-EVANS, MILLARD, R. MACKENZIE, HAMM, KENYATTA, COX, WHEELAND, ROZZI, NEILSON, KEEFER and MOUL

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for definitions; and repealing provisions relating to booth rental prohibited.

Referred to Committee on PROFESSIONAL LICENSURE, May 11, 2021.

No. 1384 By Representatives KENYATTA, BENHAM, FRANKEL, HOHENSTEIN, LEE, SCHLOSSBERG, HILL-EVANS, SANCHEZ, GALLOWAY, KINSEY, N. NELSON, HANBIDGE, O'MARA, A. DAVIS, CIRESI, WEBSTER, SCHWEYER, ISAACSON, DALEY, SIMS, BURGOS, D. WILLIAMS, MADDEN, GUENST, McNEILL, STURLA, DAVIDSON, RABB, THOMAS, McCLINTON, HERRIN, GAINNEY and CONKLIN

An Act providing for the use of a lesbian, gay, bisexual, transgender and queer identifier in all Commonwealth agency or entity blanks, forms, documents and applications.

Referred to Committee on STATE GOVERNMENT, May 11, 2021.

No. 1385 By Representatives BOBACK, HELM, MILLARD, KINSEY, WARNER and NEILSON

An Act designating the entire length of State Route 4010 in North Branch Township, Wyoming County, as the Joyce Maureen Steele Memorial Highway.

Referred to Committee on TRANSPORTATION, May 11, 2021.

No. 1386 By Representatives BOBACK, RYAN, HELM, ROTHMAN, POLINCHOCK, STAATS, JONES, NEILSON and CIRESI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions and for exclusions from tax.

Referred to Committee on FINANCE, May 11, 2021.

No. 1387 By Representatives E. NELSON, PICKETT, R. MACKENZIE, DAVANZO, KEEFER, B. MILLER, WHEELAND, RYAN and SILVIS

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in Uninsured Employers Guaranty Fund, further providing for claim petition.

Referred to Committee on LABOR AND INDUSTRY, May 14, 2021.

No. 1388 By Representatives GAYDOS, HILL-EVANS, THOMAS, POLINCHOCK, ZIMMERMAN, MASSER and MIHALEK

An Act providing for advanced manufacturing facilities and infrastructures through business partnerships with State-related institutions; establishing the Advanced Manufacturing Initiative Fund and the Advanced Manufacturing Venture Loan Program; and imposing powers and duties on the Department of Community and Economic Development and the Pennsylvania Economic Development Financing Authority.

Referred to Committee on COMMERCE, May 14, 2021.

No. 1389 By Representatives SAINATO, BOBACK, PISCIOTTANO, HILL-EVANS, KULIK, SANCHEZ, JAMES, SCHLOSSBERG, POLINCHOCK, GUENST, LONGIETTI, DELLOSO, WEBSTER, NEILSON, O'MARA, KINSEY, DEASY, JOZWIAK, GILLEN and CIRESI

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for Veterans' Trust Fund.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 14, 2021.

No. 1390 By Representatives SAYLOR, GILLESPIE, GROVE, HILL-EVANS, JONES, KLUNK, BURNS, CAUSER, COX, DAVANZO, GREINER, HEFFLEY, HICKERNELL, HOWARD, LONGIETTI, ROTHMAN, RYAN, SCHMITT, SONNEY, MOUL and NEILSON

An Act designating a bridge, identified as Bridge Key 37590, carrying Pennsylvania Route 425 over Fishing Creek, Chanceford Township, York County, as the PFC James Joseph Criswell Memorial Bridge.

Referred to Committee on TRANSPORTATION, May 14, 2021.

No. 1391 By Representatives SAYLOR, R. BROWN, HELM, KEEFER, LEWIS DELROSSO, MILLARD, MOUL, PICKETT, ROTHMAN, RYAN, WHEELAND and ZIMMERMAN

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, providing for hearing and deciding cases involving dissolution of marriage, custody, child support, spousal support, alimony, equitable division of marital property and related family law matters.

Referred to Committee on JUDICIARY, May 14, 2021.

No. 1392 By Representatives SAYLOR, R. BROWN, HELM, KEEFER, LEWIS DELROSSO, MILLARD, MOUL, PICKETT, ROTHMAN, RYAN, WHEELAND and ZIMMERMAN

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for procedures in domestic relations and litigation; repealing provisions relating to hearing by master, jury trial, mediation programs, fees and costs, review of programs, existing programs and consolidation of proceedings; conferring powers and duties on the unified judicial system, the Secretary of the Commonwealth and the Legislative Reference Bureau; establishing the Family Justice Account; and making editorial changes.

Referred to Committee on JUDICIARY, May 14, 2021.

No. 1393 By Representatives STRUZZI, HILL-EVANS, POLINCHOCK, SMITH, CIRESI, ROWE and D. MILLER

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions.

Referred to Committee on JUDICIARY, May 14, 2021.

No. 1394 By Representatives QUINN, HILL-EVANS, GUENST, ROZZI, SCHLOSSBERG, FARRY, CIRESI, HERRIN, WEBSTER, SCHROEDER, STEPHENS, POLINCHOCK, THOMAS and MILLARD

An Act providing for alternative energy portfolio standards.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 20, 2021.

No. 1395 By Representatives QUINN, SANCHEZ, HILL-EVANS, STAMBAUGH, R. BROWN, B. MILLER and KEEFER

An Act providing for property owner's bill of rights statement.

Referred to Committee on LOCAL GOVERNMENT, May 17, 2021.

No. 1396 By Representatives QUINN, HERRIN, ZABEL, FREEMAN, MILLARD, HILL-EVANS, MALAGARI, WEBSTER, THOMAS, SIMS, MADDEN, ROZZI, SAPPEY, CONKLIN, CIRESI and R. BROWN

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for definitions and for interconnection standards for customer-generator facilities; and providing for community solar generating systems.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 14, 2021.

No. 1397 By Representatives QUINN, SAPPEY and BURGOS

An Act amending the act of November 29, 2006 (P.L.1435, No.156), known as the Public Utility Confidential Security Information Disclosure Protection Act, further providing for procedures for submitting, challenging and protecting confidential security information, for applicability to other law and for prohibition.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1398 By Representatives QUINN, HILL-EVANS, ROZZI, NEILSON, WEBSTER and CIRESI

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for energy efficiency and conservation program.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1399 By Representatives D. MILLER, FREEMAN, N. NELSON, McNEILL, HOHENSTEIN, HILL-EVANS, SCHLOSSBERG, LEE, SOLOMON, A. DAVIS, DELLOSO, GUENST, SANCHEZ, SIMS and HOWARD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in selection and retention of judicial officers, further providing for content of course of instruction and examination and for continuing education requirement.

Referred to Committee on JUDICIARY, May 17, 2021.

No. 1400 By Representatives QUINN, HILL-EVANS, R. BROWN, FREEMAN, WEBSTER, CIRESI and HOHENSTEIN

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, providing for an impact fee for natural gas and oil pipelines; establishing the Pipeline Impact Fund; and imposing powers and duties on the Pennsylvania Public Utility Commission.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 14, 2021.

No. 1401 By Representatives QUINN and WEBSTER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, providing for information regarding transmission of hazardous liquids near school buildings.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1402 By Representatives QUINN and WEBSTER

An Act amending the act of December 22, 2011 (P.L.586, No.127), known as the Gas and Hazardous Liquids Pipelines Act, in pipeline operators, providing for approval of construction or development of pipelines.

Referred to Committee on CONSUMER AFFAIRS, May 17, 2021.

No. 1403 By Representatives QUINN and WEBSTER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in powers and duties of commission, providing for pipeline siting review.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1404 By Representatives QUINN and WEBSTER

An Act amending the act of December 22, 2011 (P.L.586, No.127), known as the Gas and Hazardous Liquids Pipelines Act, in pipeline operators, providing for inspection before resumption of operations.

Referred to Committee on CONSUMER AFFAIRS, May 17, 2021.

No. 1405 By Representatives QUINN and WEBSTER

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

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1406 By Representatives QUINN and WEBSTER

An Act amending the act of December 22, 2011 (P.L.586, No.127), known as the Gas and Hazardous Liquids Pipelines Act, in pipeline operators, providing for public risk assessments.

Referred to Committee on CONSUMER AFFAIRS, May 17, 2021.

No. 1407 By Representatives QUINN and WEBSTER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, providing for pipeline emergency management information.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1408 By Representatives QUINN, SAPPEY, CIRESI, FREEMAN, GUENST and HOHENSTEIN

An Act establishing the Pipeline Safety and Communication Board and providing for its powers and duties; and making a related repeal.

Referred to Committee on CONSUMER AFFAIRS, May 17, 2021.

No. 1409 By Representatives QUINN, HILL-EVANS, FREEMAN, GUENST and HOHENSTEIN

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in corporate powers, duties and safeguards, further providing for additional powers of certain public utility corporations.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1410 By Representatives FEE, SMITH, BROOKS, PICKETT, DIAMOND, WHEELAND, JAMES, RYAN, HICKERNELL, ZIMMERMAN, MENTZER, JONES, B. MILLER, MILLARD, KEEFER, HERRIN, GILLEN, SCHLOSSBERG, A. DAVIS and MULLINS

An Act establishing the Weigh Station Preclearance Program; providing for criteria for preclearance system and devices and for data access.

Referred to Committee on TRANSPORTATION, May 14, 2021.

No. 1411 By Representatives SAPPEY, BRIGGS, PASHINSKI, McNEILL, SANCHEZ, FREEMAN, DELLOSO, HOWARD, HERRIN, ISAACSON, OTTEN and ROWE

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in bees, providing for requirements of registration and for notification of pesticide application.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 14, 2021.

No. 1412 By Representatives ROZZI, HILL-EVANS, KINSEY, SANCHEZ, MERSKI, SIMS, PISCIOTTANO and GUZMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for COVID-19 school employee bonus.

Referred to Committee on LABOR AND INDUSTRY, May 14, 2021.

No. 1413 By Representatives ISAACSON, KRAJEWSKI, LEE, HOHENSTEIN, CIRESI, HILL-EVANS, PISCIOTTANO, SANCHEZ, SCHLOSSBERG, WEBSTER and NEILSON

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, providing for maximum contaminant levels.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 14, 2021.

No. 1414 By Representatives ISAACSON, KRAJEWSKI, LEE, HOHENSTEIN, CIRESI, DELLOSO, HILL-EVANS, SANCHEZ, SCHLOSSBERG, WEBSTER and GUZMAN

An Act amending the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, in preliminary provisions, further providing for definitions and providing for disaster emergency declaration and for testing requirement, duty to report and public access; in powers and duties, further providing for powers and duties of department; and, in liability and settlement procedures, further providing for responsible person.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 14, 2021.

No. 1415 By Representatives SIMS, DALEY, SCHLOSSBERG, HILL-EVANS, HOHENSTEIN, ISAACSON, SANCHEZ, BURGOS, MADDEN, FIEDLER, ROZZI, LEE, SCHWEYER, KENYATTA, INNAMORATO, O'MARA, BRIGGS and CONKLIN

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 LGBTQ+ history instruction.

Referred to Committee on EDUCATION, May 14, 2021.

No. 1417 By Representatives MUSTELLO and WHEELAND

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for applications for hotel, restaurant and club liquor licenses and for application for distributors', importing distributors' and retail dispensers' licenses.

Referred to Committee on LIQUOR CONTROL, May 14, 2021.

No. 1418 By Representatives CIRESI, HANBIDGE, D. WILLIAMS, SANCHEZ, HILL-EVANS, GUENST, McNEILL, FREEMAN, MADDEN, DeLUCA, NEILSON, SAMUELSON, DEASY, MERSKI, WEBSTER, DRISCOLL, PISCIOTTANO, KEEFER, WARREN, KINKEAD and GILLEN

An Act prohibiting fees for early termination of certain contracts upon death; providing for waiver of applicable fees; and imposing civil penalties.

Referred to Committee on CONSUMER AFFAIRS, May 14, 2021.

No. 1420 By Representatives THOMAS, FARRY, MIHALEK, SCHLOSSBERG, R. BROWN, DRISCOLL, FREEMAN, HILL-EVANS, LABS, McNEILL, N. NELSON, POLINCHOCK, SAMUELSON, SAPPEY, SCHROEDER, STEPHENS and TOMLINSON

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in general powers and duties of the Department of Public Welfare, providing for COVID-19 mental health public awareness campaign.

Referred to Committee on HUMAN SERVICES, May 14, 2021.

No. 1421 By Representatives THOMAS, BOBACK, FARRY, FREEMAN, HILL-EVANS, HOHENSTEIN, JAMES, KERWIN, LABS, MILLARD, PENNYCUICK, POLINCHOCK, SCHROEDER, TOMLINSON and WEBSTER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, further providing for burial details for veterans.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 14, 2021.

No. 1422 By Representatives WHEATLEY, ROZZI, N. NELSON, SCHLOSSBERG, SANCHEZ, KINSEY, DRISCOLL, KENYATTA, DEASY and SIMS

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; and, in corporate net income tax, further providing for definitions.

Referred to Committee on FINANCE, May 14, 2021.

No. 1423 By Representatives WHEATLEY and KINSEY

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, requiring drug screening for candidates for certain elective public offices; and, in penalties, further providing for refusal to permit inspection of papers, for false signatures and statements in nomination petitions and papers and for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression.

Referred to Committee on STATE GOVERNMENT, May 14, 2021.

No. 1424 By Representatives WHEATLEY, FRANKEL, N. NELSON, SCHLOSSBERG, ZABEL, SANCHEZ, KINSEY, HOHENSTEIN, HILL-EVANS, CIRESI, HOWARD, PARKER, D. WILLIAMS, WEBSTER, SIMS, McCLINTON, WARREN, LEE and MADDEN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in election districts and polling places, providing for population of congressional and State legislative districts.

Referred to Committee on STATE GOVERNMENT, May 14, 2021.

No. 1425 By Representatives WHEATLEY, A. DAVIS, SANCHEZ, HARKINS and D. WILLIAMS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, providing for waiver of nomination petition and affidavit requirements.

Referred to Committee on STATE GOVERNMENT, May 14, 2021.

No. 1426 By Representatives WHEATLEY, MADDEN, HILL-EVANS, SANCHEZ, T. DAVIS, KINSEY, FREEMAN, GALLOWAY, SCHLOSSBERG, PARKER, WEBSTER, A. DAVIS, DRISCOLL, CIRESI, KENYATTA and SIMS

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

Referred to Committee on FINANCE, May 14, 2021.

No. 1427 By Representatives BOBACK, SAINATO, PICKETT, HAMM, HELM, HILL-EVANS, RYAN, LONGIETTI, SCHLEGEL CULVER, MENTZER, DRISCOLL, CIRESI and GILLEN

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Veterans' Organizations, further providing for grants to veterans' service officer programs.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 14, 2021.

No. 1428 By Representatives MASSER, SCHLEGEL CULVER, DAY, KLUNK, PICKETT, RYAN, DAVANZO, HILL-EVANS, LEWIS DELROSSO, BROOKS, R. BROWN, THOMAS, MILLARD, HEFFLEY, FEE, NEILSON, T. DAVIS and GLEIM

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, adding provisions relating to patient care monitoring.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 17, 2021.

No. 1429 By Representatives SCHLEGEL CULVER, MASSER, DAY, KLUNK, PICKETT, RYAN, DAVANZO, HILL-EVANS, LEWIS DELROSSO, BROOKS, R. BROWN, THOMAS, MILLARD, FEE, NEILSON and T. DAVIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, providing for the offense of financial exploitation of an older adult or care-dependent person.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 17, 2021.

No. 1430 By Representatives DAY, MASSER, SCHLEGEL CULVER, KLUNK, PICKETT, RYAN, DAVANZO, HILL-EVANS, LEWIS DELROSSO, BROOKS, R. BROWN, THOMAS, MILLARD, HEFFLEY, FEE, NEILSON and T. DAVIS

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, providing for immunity for financial advisors, for private right of action and for financial crimes surcharge; establishing the Older Adult Financial Exploitation Trust Fund; and conferring powers and imposing duties on the Department of Aging.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 17, 2021.

No. 1431 By Representatives KLUNK, MASSER, SCHLEGEL CULVER, DAY, PICKETT, RYAN, DAVANZO, LEWIS DELROSSO, BROOKS, R. BROWN, JAMES, THOMAS, MILLARD, FEE, NEILSON, T. DAVIS and GLEIM

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of abuse of care-dependent person.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 17, 2021.

No. 1432 By Representatives CIRESI, TOMLINSON, SANCHEZ, A. DAVIS, STURLA, LEWIS DELROSSO, SILVIS, MALAGARI, DELLOSO, D. WILLIAMS, GALLOWAY, PISCOTTANO, NEILSON, BRIGGS, POLINCHOCK and DALEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in entertainment production tax credit, further providing for heading of article, for scope of article, for definitions, for credit for qualified film production expenses, for film production tax credits, for carryover, carryback and assignment of credit, for determination of Pennsylvania production expenses, for limitations, for reissuance of film production tax credits, for film production tax credit districts, for penalty, for pass-through entity and for report to General Assembly.

Referred to Committee on FINANCE, May 14, 2021.

No. 1433 By Representatives MERSKI, BURGOS, SANCHEZ, HARKINS, DRISCOLL and CIRESI

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

Referred to Committee on GAME AND FISHERIES, May 17, 2021.

No. 1434 By Representatives MERSKI, BURGOS, SANCHEZ, HARKINS, DRISCOLL, SAINATO and CIRESI

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

Referred to Committee on GAME AND FISHERIES, May 17, 2021.

No. 1435 By Representatives MERSKI, BURGOS, SANCHEZ, HARKINS, DRISCOLL and CIRESI

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for health care workers.

Referred to Committee on GAME AND FISHERIES, May 17, 2021.

No. 1436 By Representatives MERSKI, BURGOS, SANCHEZ, HARKINS, DRISCOLL, SAINATO and CIRESI

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for first responders.

Referred to Committee on GAME AND FISHERIES, May 17, 2021.

No. 1437 By Representatives MERSKI, LONGIETTI, SCHLOSSBERG, SANCHEZ, FREEMAN, HILL-EVANS, DELLOSO, HOWARD, MILLARD, DRISCOLL, SIMS, SCHWEYER, NEILSON, SAINATO, DEASY and CIRESI

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

Referred to Committee on FINANCE, May 17, 2021.

No. 1438 By Representatives MERSKI, SANCHEZ, MARKOSEK, KULIK, FREEMAN, HARKINS, LONGIETTI, SCHLOSSBERG, GALLOWAY, CIRESI, DRISCOLL, ROWE and O'MARA

An Act establishing the COVID-19 Community Fitness Related Business Grant Program and the COVID-19 Community Fitness-Related Business Grant Fund.

Referred to Committee on COMMERCE, May 17, 2021.

No. 1439 By Representatives METCALFE, BERNSTINE, COOK, COX, DAVANZO, DIAMOND, GREINER, HAMM, HELM, JAMES, JONES, JOZWIAK, KAUFFMAN, KEEFER, KERWIN, M. MACKENZIE, MALONEY, MERCURI, MOUL,

MUSTELLO, PENNYCUICK, ROWE, RYAN, SANKEY, SMITH, WARNER and ZIMMERMAN

An Act prohibiting vaccination, isolation and quarantine mandates, vaccination without consent and vaccination mandates by business entities and ticket issuers; and imposing penalties.

Referred to Committee on HEALTH, May 17, 2021.

No. 1440 By Representatives MILLARD, NEILSON, DeLUCA, PICKETT, RADER, SCHWEYER, JAMES, FRITZ, KAUFER, WHEELAND and BIZZARRO

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions and for State Board of Medicine; providing for medical imaging professionals, radiation therapists, radiologist assistants and related fields; repealing provisions relating to radiologic procedures and education and training required; and making related and inconsistent repeals.

Referred to Committee on PROFESSIONAL LICENSURE, May 17, 2021.

No. 1441 By Representatives STURLA, T. DAVIS, KENYATTA, WEBSTER and SCHWEYER

An Act amending the act of August 24, 1951 (P.L.1304, No.315), known as the Local Health Administration Law, further providing for authorization of county departments of health and for dissolution of and withdrawal from county departments of health.

Referred to Committee on HEALTH, May 20, 2021.

No. 1442 By Representatives DeLUCA and McNEILL

An Act providing for benefits in cases of an individual who is eligible for two or more pensions.

Referred to Committee on STATE GOVERNMENT, May 17, 2021.

No. 1443 By Representatives HERSHEY, COX, KLUNK, ROZZI, SNYDER, STEPHENS and ZIMMERMAN

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, providing for advertisements for laboratory tests.

Referred to Committee on HEALTH, May 20, 2021.

No. 1444 By Representatives FRANKEL, INNAMORATO, ISAACSON, KINSEY, HILL-EVANS, SCHLOSSBERG, SANCHEZ, A. DAVIS, GALLOWAY, BRADFORD, ROZZI, McNEILL, McCLINTON, DELLOSO, HANBIDGE, SCHWEYER, HERRIN, KINKEAD, DALEY, HOHENSTEIN, T. DAVIS, FITZGERALD, CEPHAS, STURLA, HOWARD and SHUSTERMAN

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

Referred to Committee on HEALTH, May 20, 2021.

No. 1445 By Representatives CAUSER, BOBACK, BROOKS, CIRESI, SCHLEGEL CULVER, FARRY, GAYDOS, GILLESPIE, HAMM, HELM, KNOWLES, LEWIS DELROSSO, M. MACKENZIE, MOUL, PICKETT, ROTHMAN, ROWE, SMITH, STRUZZI, THOMAS, TWARDZIK, WARNER and ZIMMERMAN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in additional special funds and restricted accounts, providing for COVID-19 response transfers for assistance to the Commonwealth's emergency medical services.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 20, 2021.

No. 1446 By Representatives SONNEY, BOBACK, BROOKS, R. BROWN, CIRESI, T. DAVIS, DEASY, GUENST, HARKINS, LONGIETTI, MOUL, N. NELSON, PICKETT and STAATS

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, providing for extended special education enrollment due to COVID-19.

Referred to Committee on EDUCATION, May 20, 2021.

No. 1447 By Representatives SONNEY, CIRESI, DAVANZO, JONES, MARSHALL, MILLARD, MOUL, PICKETT, ROWE, RYAN, SAYLOR and ZIMMERMAN

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for official plans.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 21, 2021.

No. 1448 By Representatives SONNEY, CAUSER, CIRESI, FARRY, INNAMORATO, ISAACSON, PICKETT and RYAN

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in additional coverages, further providing for the definition of "employee."

Referred to Committee on LABOR AND INDUSTRY, May 20, 2021.

No. 1449 By Representatives SONNEY, BROOKS, CIRESI, DAVANZO, HILL-EVANS, JAMES, MILLARD, NEILSON, ROWE and THOMAS

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in quarantines, dogs at large, confinement, further providing for seizure and detention of dogs and costs and destruction of dogs.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 20, 2021.

No. 1450 By Representatives SONNEY, CIRESI, HEFFLEY, JAMES, KAUFFMAN, MARSHALL, McNEILL, MOUL, NEILSON, PICKETT, ROWE and STAMBAUGH

An Act amending the act of January 14, 1952 (1951 P.L.1898, No.522), known as the Funeral Director Law, further providing for conduct of business by individuals and partnerships.

Referred to Committee on PROFESSIONAL LICENSURE, May 21, 2021.

No. 1451 By Representatives WHEELAND, RYAN, GILLESPIE, HAMM, HILL-EVANS, KAUFFMAN, OBERLANDER, ORTITAY, M. MACKENZIE, SCHWEYER, SNYDER, ZIMMERMAN, GILLEN, STRUZZI and McNEILL

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for title of act; and adding provisions relating to coroners.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 21, 2021.

No. 1452 By Representative CUTLER

An Act amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, providing for flexibility in emergency publication of the Pennsylvania Bulletin: in Uniform Electronic Legal Material Act, further providing for definitions; and, in codification and publication of documents, further providing for preliminary publication in Pennsylvania Bulletin.

Referred to Committee on STATE GOVERNMENT, May 20, 2021.

No. 1453 By Representatives CRUZ, HILL-EVANS, KINSEY, SANCHEZ, HANBIDGE and ROZZI

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for compassionate assisted dignified death; and imposing penalties.

Referred to Committee on JUDICIARY, May 21, 2021.

No. 1454 By Representatives CRUZ, KINSEY, PARKER, HOWARD, SANCHEZ, NEILSON, DRISCOLL and DELLOSO

An Act amending the act of December 1, 2004 (P.L.1766, No.227), entitled "An act authorizing cities of the first class that have adopted a home rule charter to enforce ordinances, rules and regulations prohibiting dumping or disposal of waste, trash or debris," further providing for enforcement of trash laws.

Referred to Committee on URBAN AFFAIRS, May 21, 2021.

No. 1455 By Representatives CRUZ, KINSEY, BOBACK, SCHLOSSBERG, HILL-EVANS, HOWARD, SANCHEZ, LEE, LONGIETTI, McNEILL and GILLEN

An Act providing for cytomegalovirus education and newborn screening.

Referred to Committee on HEALTH, May 20, 2021.

No. 1456 By Representatives OWLETT, PICKETT, HAMM, SNYDER, CAUSER, RYAN, OBERLANDER, TOPPER, HERSHEY, IRVIN, RAPP, MILLARD, JAMES, STRUZZI and SMITH

An Act providing for the reopening of travel sites operated by the Department of Transportation.

Referred to Committee on TRANSPORTATION, May 20, 2021.

No. 1457 By Representatives TOPPER, SCHLEGEL CULVER, ECKER, FREEMAN, HERSHEY, JOZWIAK, MILLARD, NEILSON, ROAE, ROWE, SANCHEZ and WHEELAND

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in agency response, providing for vexatious requester.

Referred to Committee on STATE GOVERNMENT, May 20, 2021.

No. 1458 By Representatives T. DAVIS, SANCHEZ, HILL-EVANS, D. WILLIAMS, DRISCOLL, ROZZI, GALLOWAY, CIRESI, CONKLIN, GUENST and SHUSTERMAN

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in administration, further providing for office and for powers and duties of victim advocate.

Referred to Committee on JUDICIARY, May 20, 2021.

No. 1459 By Representatives T. DAVIS, DRISCOLL, ROZZI, GALLOWAY, CIRESI, ZIMMERMAN, O'MARA, DALEY, FREEMAN, GUENST and SHUSTERMAN

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in seller disclosures, further providing for disclosure form.

Referred to Committee on LOCAL GOVERNMENT, May 21, 2021.

No. 1460 By Representatives T. DAVIS, SANCHEZ, GUENST, HILL-EVANS, HOWARD, O'MARA, SCHWEYER, NEILSON, CIRESI, HENNESSEY, SHUSTERMAN and LEE

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 Internet safety education curriculum.

Referred to Committee on EDUCATION, May 20, 2021.

No. 1461 By Representatives T. DAVIS, SANCHEZ, HILL-EVANS, SAMUELSON, SCHWEYER, McNEILL, DRISCOLL, ROZZI, GALLOWAY, PISCIOTTANO, KINKEAD, FREEMAN, INNAMORATO, HENNESSEY, D. WILLIAMS and HOWARD

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for proof of claim.

Referred to Committee on FINANCE, May 20, 2021.

No. 1462 By Representatives T. DAVIS, SCHLOSSBERG, HERRIN, GUENST, HILL-EVANS, R. BROWN, SCHWEYER, CIRESI, ROZZI, GALLOWAY, SCHLEGEL

CULVER, ZIMMERMAN, O'MARA, MALAGARI, FITZGERALD, SHUSTERMAN and FREEMAN

An Act imposing a duty on municipalities to provide notification to property owners of changes to special flood hazard area maps of the Federal Emergency Management Agency.

Referred to Committee on LOCAL GOVERNMENT, May 21, 2021.

No. 1463 By Representatives LONGIETTI, A. DAVIS, DEASY, DELLOSO, FREEMAN, HARKINS, HILL-EVANS, HOWARD, ISAACSON, KINSEY, McCLINTON, MERSKI, NEILSON, SANCHEZ, SCHLOSSBERG, SIMS and WARREN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, repealing and adding provisions relating to minimum salaries for teachers.

Referred to Committee on LABOR AND INDUSTRY, May 21, 2021.

No. 1464 By Representatives MALAGARI, SANCHEZ, SAYLOR, KENYATTA, CIRESI, D. WILLIAMS, DAVANZO, HENNESSEY, MULLINS, BERNSTINE, HELM, A. BROWN, ROWE, HILL-EVANS, O'MARA, TOMLINSON, DALEY, STURLA, PISCIOTTANO, THOMAS and QUINN

An Act providing for crematory regulation.

Referred to Committee on PROFESSIONAL LICENSURE, May 21, 2021.

No. 1473 By Representatives STAATS, RYAN, KAUFFMAN, SAYLOR, B. MILLER, JAMES, JONES, ROWE, ZIMMERMAN, HERSHEY, GILLEN, MASSER, ZABEL, LEWIS, PICKETT, RADER, PENNYCUICK, BROOKS and JOZWIAK

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, providing for mandate waiver program.

Referred to Committee on EDUCATION, May 21, 2021.

No. 1474 By Representatives BENHAM, HERRIN, BULLOCK and DEASY

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for issuance, transfer or extension of hotel, restaurant and club liquor licenses, for limiting number of retail licenses to be issued in each county and for rights of municipalities preserved.

Referred to Committee on LIQUOR CONTROL, May 21, 2021.

No. 1475 By Representatives KRAJEWSKI, ROZZI, GUZMAN, BURGOS, KINSEY, D. WILLIAMS, FREEMAN, ISAACSON, DELLOSO, T. DAVIS, LEE, SANCHEZ, FIEDLER, MERSKI, CIRESI, N. NELSON, SIMS, FRANKEL, YOUNG, MADDEN, SHUSTERMAN, KINKEAD, BULLOCK and STURLA

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in records, providing for records, disclosure for case management, further providing for records, fees for copies and providing for records, age to obtain copies.

Referred to Committee on HEALTH, May 21, 2021.

No. 1476 By Representatives RYAN, WHEELAND, HAMM, STAMBAUGH, MILLARD, ECKER, GROVE, KAUFFMAN, BOBACK, MOUL, JONES, METCALFE, CAUSER, KERWIN, SAYLOR, KEEFER, ARMANINI, B. MILLER and GILLEN

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in conduct of elections, providing for voting system performance audit.

Referred to Committee on STATE GOVERNMENT, May 21, 2021.

No. 1477 By Representatives RYAN, STAMBAUGH, KAUFFMAN, METCALFE, HAMM, GLEIM, COX, GREINER, MOUL, KEEFER, ZIMMERMAN, WHEELAND, MILLARD, SAYLOR, WARNER, ARMANINI, GILLEN and B. MILLER

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in conduct of elections, providing for voting system audits.

Referred to Committee on STATE GOVERNMENT, May 21, 2021.

No. 1478 By Representatives HEFFLEY, BERNSTINE, DIAMOND, DOWLING, GILLEN, GREGORY, GREINER, GROVE, HAMM, HELM, JAMES, KAUFFMAN, KERWIN, KNOWLES, M. MACKENZIE, E. NELSON, OWLETT, PICKETT, RADER, RYAN, SMITH, STAATS, BOROWICZ and ROWE

An Act prohibiting COVID-19 vaccine information on identification cards and proof of receipt of COVID-19 vaccine; and providing for civil cause of action.

Referred to Committee on HEALTH, May 24, 2021.

No. 1500 By Representatives KLUNK, RAPP, BERNSTINE, BOROWICZ, DIAMOND, ECKER, FEE, FRITZ, GILLEN, GLEIM, GREINER, GROVE, HAMM, HEFFLEY, HERSHEY, HICKERNELL, JAMES, JONES, KAIL, KAUFFMAN, KERWIN, KNOWLES, KULIK, LEWIS DELROSSO, MERCURI, METCALFE, B. MILLER, MIZGORSKI, MOUL, E. NELSON, O'NEAL, OBERLANDER, ORTITAY, OWLETT, PENNYCUICK, PICKETT, ROAE, ROTHMAN, ROWE, RYAN, SANKEY, SAYLOR, SCHEMEL, SCHMITT, STAATS, STAMBAUGH, TOMLINSON, TOPPER, TWARDZIK, WENTLING, ZIMMERMAN, HELM, SMITH, DAVANZO, DAY, MARSHALL, COX, STRUZZI, FLOOD, GREGORY, IRVIN, CAUSER, BONNER and WARNER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions, for medical consultation and judgment and for reporting.

Referred to Committee on HEALTH, May 19, 2021.

SENATE BILLS FOR CONCURRENCE

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

SB 115, PN 473

Referred to Committee on PROFESSIONAL LICENSURE, May 14, 2021.

SB 147, PN 685

Referred to Committee on LABOR AND INDUSTRY, May 14, 2021.

SB 156, PN 734

Referred to Committee on HEALTH, May 17, 2021.

SB 251, PN 275

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 14, 2021.

SB 274, PN 256

Referred to Committee on STATE GOVERNMENT, May 14, 2021.

SB 323, PN 301

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 14, 2021.

SB 432, PN 617

Referred to Committee on COMMERCE, May 14, 2021.

SB 445, PN 636

Referred to Committee on TRANSPORTATION, May 14, 2021.

SB 664, PN 753

Referred to Committee on EDUCATION, May 17, 2021.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 124, PN 1324**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 26, PN 14**, and **HB 56, PN 39**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 26, PN 14

An Act designating a bridge, identified as Bridge Key 43976, on that portion of State Route 1010 over Chatham Run, Pine Creek Township, Clinton County, as the Tech. Corporal Lee R. Phillips Memorial Bridge.

HB 56, PN 39

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.

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

**COMMUNICATION FROM
INDEPENDENT FISCAL OFFICE**

The SPEAKER. The Speaker acknowledges receipt of a letter from the Independent Fiscal Office regarding a request for an actuarial note for SB 423, PN 427.

(Copy of communication is on file with the Journal clerk.)

**COMMUNICATION FROM
DEPARTMENT OF LABOR AND INDUSTRY**

The SPEAKER. The Speaker submits for the record the Pennsylvania Workers' Compensation Advisory Council's Annual Report from the Pennsylvania Department of Labor and Industry.

(Copy of communication is on file with the Journal clerk.)

**COMMUNICATION FROM
HUMAN RELATIONS COMMISSION**

The SPEAKER. The Speaker also submits for the record the 2020 Annual Report from the Pennsylvania Human Relations Commission.

(Copy of communication is on file with the Journal clerk.)

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence.

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

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

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—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longiatti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappery
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causar	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	Kaufer	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinkead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuik	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker wishes to inform the members that the House Archives will have an open house for their new exhibit "Let's Play Ball," a look at sports through the Pennsylvania House of Representatives, on Tuesday, May 25, from 9:30 to 4 in the Archives, 628 Irvis Office Building. Featured in the exhibit are former members who played professional sports or had an association with a sports team. Also highlighted are nationally known athletes who have visited the House through the years. Come and learn about some connections members had with hockey, football, boxing, baseball, and more.

Turning to committee announcements.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, the majority leader, for a Rules Committee announcement.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

There will be an immediate Rules Committee meeting following the recess of the floor in the majority caucus room, sir. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate Rules Committee meeting following the recess of the floor in the majority caucus room.

HEALTH COMMITTEE MEETING

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

Ms. RAPP. Thank you, Mr. Speaker.

There will be a meeting of the Health Committee immediately at the break in G-50 Irvis, and we will be considering two bills.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

There will be a meeting of the Health Committee immediately at the break in G-50 Irvis.

APPROPRIATIONS COMMITTEE MEETING

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

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

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately after the Rules Committee 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 caucus at 1 o'clock in the majority caucus room, as well as virtually. We will be prepared to be back on the floor at 2 o'clock; that is 1 o'clock in the majority caucus room.

Thank you, Mr. Speaker.

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 virtually at 1 o'clock.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. This House will stand in recess until 2 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 358, PN 364 By Rep. SAYLOR

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, further providing for agreements with institutions of higher education; and, in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements.

APPROPRIATIONS.

HB 1010, PN 1453 By Rep. SAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for proposal of amendments by the General Assembly and their adoption.

APPROPRIATIONS.

HB 1013, PN 1052 By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements.

APPROPRIATIONS.

HB 1264, PN 1454

By Rep. SAYLOR

An Act regarding the past, present and future response of this Commonwealth to the COVID-19 pandemic; providing for COVID-19 vaccine personal information privacy; and imposing penalties.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 124, PN 1324

By Rep. BENNINGHOFF

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.

RULES.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND Tabled**

HB 164, PN 132

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, providing for burial benefits.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 941, PN 949

By Rep. BOBACK

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for residency of students.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 995, PN 1011

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, establishing the Veterans' Outreach and Support Network Program.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1024, PN 1596 (Amended)

By Rep. RAPP

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in program, further providing for lawful use of medical marijuana; in practitioners, further providing for duration; in patients, further providing for caregivers; in medical marijuana organizations, further providing for permits and for relocation; in medical marijuana controls, further providing for grower/processor and for laboratory; in dispensaries, further providing for dispensing to patients and caregivers and for facility requirements; and, in miscellaneous provisions, further providing for applicability.

HEALTH.

HB 1055, PN 1089

By Rep. BOBACK

An Act amending the act of April 8, 1868 (P.L.73, No.37), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," further providing for confidentiality of records.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1057, PN 1091

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for State Veterans' Commission.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1220, PN 1286

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' pensions and benefits, further providing for blind veteran's pension and for amputee and paralyzed veteran's pension.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1348, PN 1442

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for Department of Human Services.

APPROPRIATIONS.

HB 1389, PN 1505

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for Veterans' Trust Fund.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1421, PN 1528

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, further providing for burial details for veterans.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1427, PN 1534

By Rep. BOBACK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Veterans' Organizations, further providing for grants to veterans' service officer programs.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

SB 155, PN 227

By Rep. BOBACK

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in Pennsylvania Military Community Enhancement Commission, further providing for establishment and membership.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

SB 425, PN 616

By Rep. RAPP

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in medical professional liability, further providing for informed consent.

HEALTH.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 96, PN 1391

By Rep. BOBACK

A Concurrent Resolution urging the Secretary of the Navy to designate Philadelphia and both banks of the Delaware River as the site of the main celebration of the 250th birthdays of the United States Navy and the United States Marine Corps in October and November 2025.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 103, PN 1580

By Rep. BOBACK

A Resolution beseeching the Congress of the United States to pass H.R.1656, the Treatment and Relief through Emerging and Accessible Therapy for PTSD Act.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 246, PN 214**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for evidence and defenses to human trafficking.

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 580, PN 543**, entitled:

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

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 753, PN 741**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of dealing in infant children.

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 843, PN 827**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for consideration of criminal conviction.

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 1096, PN 1128**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for civil causes of action.

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 1130, PN 1178**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offenses and tier system.

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 1147, PN 1202**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offender treatment.

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 406, PN 1372**, 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 compensation, further providing for qualifications required to secure compensation.

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

Mr. **MULLERY** offered the following amendment No. **A00939**:

Amend Bill, page 2, line 7, by striking out "June" and inserting July

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

The SPEAKER. On that question, the Chair will recognize the gentleman, Representative Mullery, but first the House will please come to order. Members, please take your seats. We are now at a consideration of amendment 939 on HB 406.

The gentleman is in order and may proceed.

Mr. MULLERY. Thank you, Mr. Speaker.

This is a very simple amendment. It just changes the effective and implementation date to July 8. As the bill is written, the implementation date would be June 8, which is the day that BenMod (benefits modernization) goes live. We anticipate there could be several glitches with the new computer system and we want to give the department and all of our constituents 30 days to allow them to properly respond to any issues that may arise.

There is a Senate bill with an implementation date of June 30, and also I think it is important for the members to know, at today's Labor and Industry Committee hearing, the Secretary indicated that they anticipate work search going active on July 18, so our constituents would be required to start looking on July 11. So we are just looking for some time to make sure that the new computer system works itself through all the glitches before we add another component to it.

Thank you, Mr. Speaker.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

It has been a long 14 months trying to deal with this issue, and frankly, I would ask the members to be a "no" vote on this. My understanding is that the certification of work search is already included in the new system, and Act 9 of 2020 expired on January 1. The department has had months to be working on this plan. How much longer do we need to be doing this?

I would ask the members for a "no" vote so we can get moving forward, get this economy opened and people back to work.

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 gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The Chair now 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—87

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

NAYS—114

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

Flood	Longietti	Rader	Williams, C.
Fritz	Mackenzie, M.	Rapp	Zimmerman
Gaydos	Mackenzie, R.	Rigby	
Gillen	Mako	Roae	Cutler,
Gillespie	Maloney	Rothman	Speaker

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?

The SPEAKER. It is the Chair's understanding that the gentleman is going to withdraw amendment 940. The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **HB 1154, PN 1421**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions and repealing provisions related to prepared beverages and mixed drinks for off-premises consumption during disaster emergency.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 939, PN 1419**, entitled:

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 establishing the Independent Office of the Repealer and providing for its power and duties.

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 from Delaware County, Representative Vitali. It appears the gentleman waives off.

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
gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The Chair now recognizes the gentlewoman, Representative
Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—111

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

NAYS—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	Sappery
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		

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.

**STATE SYSTEM OF HIGHER EDUCATION
PROPERTY REQUEST NO. 1, RESOLUTION A**

Mr. BENNINGHOFF called up for consideration **SSHER 1,
Resolution A**, entitled:

In the House of Representatives
April 19, 2021

Resolved, That State System of Higher Education Property Request
No. 1 of 2021, transmitted by the State System of Higher Education
under the Public School Code of 1949 to the General Assembly under
date of April 16, 2021, and introduced April 19, 2021, which is
incorporated herein by reference, be approved.

On the question,
Will the House adopt State System of Higher Education
Property Request No. 1, Resolution A?

(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—201

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

Carroll	Harkins	Mercuri	Shusterman
Causar	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	Kaufer	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinthead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuik	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—0

A majority of the members elected to the House having voted in the affirmative on State System of Higher Education Property Request No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and the State System of Higher Education accordingly.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1144**, **PN 1199**, entitled:

An Act relating to conventional wells and the development of oil, gas and coal; imposing powers and duties on the Department of Environmental Protection; and providing for preliminary provisions, for general requirements, for underground gas storage, for enforcement and remedies, for related funds, parties and activities and for miscellaneous provisions.

On the question,

Will the House agree to the bill on second consideration?

Mr. **VITALI** offered the following amendment No. **A00943**:

Amend Bill, page 1, lines 1 through 6, by striking out all of said lines and inserting
Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, providing for conventional development and for annual fees; and making an editorial change.

Amend Bill, page 1, lines 7 through 16; page 2, lines 1 through 30; page 3, lines 1 through 15; by striking out all of said lines on said pages

Amend Bill, page 3, lines 18 through 30; pages 4 through 67, lines 1 through 30; page 68, lines 1 through 14; by striking out all of said lines on said pages and inserting

Section 1. The heading of Chapter 32 of Title 58 of the Pennsylvania Consolidated Statutes is amended to read:

CHAPTER 32

UNCONVENTIONAL DEVELOPMENT

Section 2. Title 58 is amended by adding chapters to read:

CHAPTER 36

CONVENTIONAL DEVELOPMENT

Subchapter

A. Preliminary Provisions

B. General Requirements

C. Enforcement and Remedies

D. Miscellaneous Provisions

SUBCHAPTER A

PRELIMINARY PROVISIONS

Sec.

3601. Scope of chapter.

3602. Declaration of purpose of chapter.

3603. Definitions.

§ 3601. Scope of chapter.

This chapter relates to conventional oil and gas development.

§ 3602. Declaration of purpose of chapter.

The purposes of this chapter are to:

(1) Permit optimal development of oil and gas resources of this Commonwealth consistent with the property rights of owners of the oil and gas resources and the protection of the health, safety, environment and the property rights of Pennsylvania citizens.

(2) Protect the safety of personnel and facilities employed in coal mining or exploration, development, storage and production of natural gas or oil.

(3) Protect the safety and property rights of persons residing in areas where mining, exploration, development, storage or production occurs.

(4) Protect the natural resources, environmental rights and values secured by the Constitution of Pennsylvania.

§ 3603. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Abandoned well." Any of the following:

(1) A well:

(i) that has not been used to produce, extract or inject any gas, petroleum or other liquid within the preceding 12 months;

(ii) for which equipment necessary for production, extraction or injection has been removed; or

(iii) considered dry and not equipped for production within 60 days after drilling, re-drilling or deepening.

(2) The term does not include wells granted inactive status.

"Additive." A hydraulic fracturing chemical.

"Alteration." An operation which changes the physical characteristics of a well bore, including stimulation or removing, repairing or changing the casing. For the purpose of this chapter only, the term does not include:

(1) Repairing or replacing of the casing if the activity does not affect the depth or diameter of the well bore, the use or purpose of the well does not change and the activity complies with regulations promulgated under this chapter, except that this exclusion does not apply:

(i) to production casings in coal areas when the

production casings are also the coal protection casings;
or

(ii) when the method of repairing or replacing the casing would affect the coal protection casing.

(2) Stimulation of a well.

"Bridge." An obstruction placed in a well at any depth.

"Building." An occupied structure with walls and roof within which persons live or customarily work.

"Casing." A string or strings of pipe commonly placed in wells drilled for natural gas or petroleum.

"Cement" or "cement grout." Any of the following:

(1) Hydraulic cement properly mixed with water only.

(2) A mixture of materials adequate for bonding or sealing of well bores as approved by regulations promulgated under this chapter.

"Certified mail." Any verifiable means of paper document delivery that confirms receipt of the document by the intended recipient or the attempt to deliver the document to the proper address for the intended recipient.

"Chemical." Any element, chemical compound or mixture of elements or compounds that has its own specific name or identity, such as a chemical abstract service number.

"Coal mine." Operations in a coal seam, which include the excavated and abandoned portions as well as the places actually being worked, all underground workings and shafts, slopes, tunnels and other ways and openings and all shafts, slopes, tunnels and other openings in the course of being sunk or driven, together with all roads and facilities connected with them below the surface.

"Coal operator." A person who proposes or has a permit to operate or operates a coal mine either as owner or lessee.

"Completion of a well." The date after treatment, if any, that the well is properly equipped for production of oil or gas, or, if the well is dry, the date that the well is abandoned.

"Conventional well." A bore hole drilled or being drilled for the purpose of or to be used for construction of a well regulated under this chapter that is not an unconventional well, irrespective of technology or design. The term includes:

(1) A well drilled to produce oil.

(2) A well drilled to produce natural gas from formations other than shale formations.

(3) A well drilled to produce natural gas from shale formations located above the base of the Elk Group or its stratigraphic equivalent.

(4) A well drilled to produce natural gas from shale formations located below the base of the Elk Group where natural gas can be produced at economic flow rates or in economic volumes without the use of vertical or nonvertical well bores stimulated by hydraulic fracture treatments or multilateral well bores or other techniques to expose more of the formation to the well bore.

(5) Irrespective of formation, a well drilled for collateral purposes, such as monitoring, geologic logging, secondary and tertiary recovery or disposal injection.

"Council." The Pennsylvania Grade Crude Development Advisory Council.

"Department." The Department of Environmental Protection of the Commonwealth.

"Drilling." The drilling or redrilling of a well or the deepening of an existing well.

"Fresh groundwater." Water in that portion of the generally recognized hydrologic cycle which occupies the pore spaces and fractures of saturated subsurface materials.

"Gas." Any of the following:

(1) A fluid, combustible or noncombustible, which is produced in a natural state from the earth and maintains a gaseous or rarified state at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA.

(2) Any manufactured gas, by-product gas or mixture of

gases or natural gas liquids.

"Home or consumptive use well." A conventional well producing natural gas solely for consumptive use by the permitted or registered operator of the well.

"Hydraulic fracturing chemical." Any chemical substance or combination of substances, including any chemicals and proppants, that is intentionally added to a base fluid for purposes of preparing a stimulation fluid for use in hydraulic fracturing.

"Inactivate." To shut off the vertical movement of gas in a gas storage well by means of a temporary plug or other suitable device or by injecting bentonitic mud or other equally nonporous material into the well.

"Linear foot." A unit of measurement in a straight line on a horizontal plane.

"Noncoal area." An area where there are no workable coal seams.

"Notice." For the purpose of providing nonrequired notice to the department, includes notice provided by telephone, email or other available electronic means, unless a specific form of, or location for, notice is required by this act, regulations promulgated thereunder or otherwise established by the department.

"Oil." Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA, also referred to as petroleum.

"Operating coal mine." The portion of a workable coal seam which is covered by an underground mining permit issued by the department. Coal mines that have already been projected and platted for which a technically complete mine permit application has been filed with the department shall also meet this definition.

"Operating well." A well that is not plugged and abandoned.

"Operator." A well operator.

"Orphan well." A well abandoned prior to April 18, 1985, that has not been affected or operated by the present owner or operator and from which the present owner, operator or lessee has received no economic benefit other than as a landowner or recipient of a royalty interest from the well.

"Outside coal boundaries." When used in conjunction with the term "operating coal mine," the boundaries of the coal acreage assigned to the coal mine under an underground mine permit issued by the department.

"Owner." A person who owns, manages, leases, controls or possesses a well or coal property. The term does not apply to orphan wells, except where the department determines a prior owner or operator benefited from the well as provided in section 3620(a) (relating to plugging requirements).

"Person." An individual, association, partnership, corporation, political subdivision or agency of the Federal Government, State government or other legal entity.

"Petroleum." Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA, also referred to as oil.

"Pillar." A solid block of coal surrounded by either active mine workings or a mined-out area.

"Plat." A map, drawing or print accurately drawn to scale showing the proposed or existing location of a well or wells.

"Retreat mining." Removal of coal pillars, ribs and stumps remaining after development mining has been completed in that section of a coal mine.

"Secretary." The Secretary of Environmental Protection of the Commonwealth.

"Storage operator." A person who operates or proposes to operate a storage reservoir as an owner or lessee.

"Storage reservoir." That portion of a subsurface geological stratum into which gas is or may be injected for storage purposes or to test suitability of the stratum for storage.

"Unconventional formation." A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at

economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

"Unconventional well." A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

"Water purveyor." Any of the following:

(1) The owner or operator of a public water system as defined in section 3 of the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act.

(2) Any person subject to the act of June 24, 1939 (P.L.842, No.365), referred to as the Water Rights Law.

"Well." A bore hole drilled or being drilled for the purpose of or to be used for producing, extracting or injecting gas, petroleum or another liquid related to oil or gas production or storage, including brine disposal, but excluding a bore hole drilled to produce potable water. The term does not include a bore hole drilled or being drilled for the purpose of or to be used for:

(1) Systems of monitoring, producing or extracting gas from solid waste disposal facilities, if the bore hole is a well subject to the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, which does not penetrate a workable coal seam.

(2) Degasifying coal seams, if the bore hole is:

(i) used to vent methane to the outside atmosphere from an operating coal mine; regulated as part of the mining permit under the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, and the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act; and drilled by the operator of the operating coal mine for the purpose of increased safety; or

(ii) used to vent methane to the outside atmosphere under a federally funded or State-funded abandoned mine reclamation project.

"Well control emergency." An incident during drilling, operation, workover or completion that, as determined by the department, poses a threat to public health, welfare or safety, including a loss of circulation fluids, kick, casing failure, blowout, fire and explosion.

"Well control specialist." Any person trained to respond to a well control emergency with a current certification from a well control course accredited by the International Association of Drilling Contractors or other organization approved by the department.

"Well operator." Any of the following:

(1) The person designated as operator or well operator on the permit application or well registration.

(2) If a permit or well registration was not issued, a person who locates, drills, operates, alters or plugs a well or reconditions a well with the purpose of production from the well.

(3) If a well is used in connection with underground storage of gas, a storage operator.

"Well site." The areas occupied by equipment or facilities necessary for or incidental to drilling, completion, production or plugging a well, including auxiliary pads, staging areas, access roads and tank batteries.

"Wetland." Areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and which normally support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

"Workable coal seams." The term includes:

(1) A coal seam in fact being mined in the area in question under this chapter by underground methods.

(2) A coal seam which is:

(i) laterally extensive and one of either of the potential Washington, Waynesburg, Sewickley,

Redstone, Pittsburgh, U. Freeport, L. Freeport, U. Kittanning, M. Kittanning, L. Kittanning, Clarion, Brookville or Mercer bituminous coal seams;

(ii) at least 28 inches thick; and

(iii) deeper than 100 feet from the ground surface.

(3) A coal seam which is, in the judgment of the department, otherwise reasonably expected to be mined by underground methods.

SUBCHAPTER B GENERAL REQUIREMENTS

Sec.

3611. Well permits.

3612. Permit objections.

3613. Well identification.

3614. Inactive status.

3615. Well location restrictions.

3616. Well site restoration.

3617. Protection of fresh groundwater and casing requirements.

3618. Protection of water supplies.

3618.1. Notification to public drinking water systems.

3619. Use of safety devices.

3619.1. Well control emergency response.

3620. Plugging requirements.

3621. Alternative methods.

3622. Well reporting requirements.

3623. Notification and effect of well transfer.

3624. Coal operator responsibilities.

3625. Bonding.

§ 3611. Well permits.

(a) Permit required.—No person shall construct a well site, drill or alter a well, except for alterations which satisfy the requirements of subsection (j), without having first obtained a well permit under subsections (b), (c), (d) and (e), or operate an abandoned or orphan well unless in compliance with subsection (l). A copy of the permit shall be kept at the well site during preparation and construction of the well site or access road during drilling or alteration of the well. No person shall be required to obtain a permit to redrill a nonproducing well if the redrilling:

(1) has been evaluated and approved as part of an order from the department authorizing cleaning out and plugging or replugging a nonproducing well under section 13(c) of the act of December 18, 1984 (P.L.1069, No.214), known as the Coal and Gas Resource Coordination Act; and

(2) is incidental to a plugging or replugging operation and the well is plugged within 15 days of redrilling.

(b) Plat.—

(1) The permit application shall be accompanied by a complete and accurate plat prepared by a person trained in the preparation of plats on forms furnished by the department, showing the political subdivision and county in which the tract of land upon which the well to be drilled, operated or altered is located; the name of the surface landowner of record and lessor; the name of all surface landowners and water purveyors whose water supplies are within 1,000 feet of the proposed well location; the name of the owner of record or operator of all known underlying workable coal seams; the acreage in the tract to be drilled; the proposed location of the well determined by plat, courses and distances of the location from two or more permanent identifiable points or landmarks on the tract boundary corners; the proposed angle and direction of the well if the well is to be deviated substantially from a vertical course; the number or other identification to be given the well; the workable coal seams underlying the tract of land upon which the well is to be drilled or altered and which shall be cased off under section 3617 (relating to protection of fresh groundwater and casing requirements); and any other information needed by the department to administer this chapter.

(2) The applicant shall forward by certified mail a copy of the plat to the surface landowner; the municipality in which the tract of land upon which the well to be drilled is located; all surface landowners and water purveyors, whose water supplies are within 1,000 feet of the proposed well location; the owner and lessee of any workable coal seams; and each coal operator required to be identified on the well permit application.

(b.1) Notification.—The applicant shall submit proof of notification with the well permit application. Notification of surface owners shall be performed by sending notice to those persons to whom the tax notices for the surface property are sent, as indicated in the assessment books in the county in which the property is located. Notification of surface landowners or water purveyors shall be on forms, and in a manner prescribed by the department, sufficient to identify the rights afforded those persons under section 3618 (relating to protection of water supplies) and to advise them of the advantages of taking their own predrilling or prealteration survey.

(b.2) Approval.—If the applicant submits to the department written approval of the proposed well location by the surface landowner and the coal operator, lessee or owner of any workable coal underlying the proposed well location and no objections are raised by the department within 15 days of filing, or if no approval has been submitted and no objections are made to the proposed well location within 15 days from receipt of notice by the department, the surface landowner or any coal operator, lessee or owner, the written approval shall be filed and become a permanent record of the well location, subject to inspection at any time by any interested person. The application form to operate an abandoned or orphan well shall provide notification to the applicant of its responsibilities to plug the well upon abandonment.

(c) Applicants.—If the applicant for a well permit is a corporation, partnership or person that is not a resident of this Commonwealth, the applicant shall designate the name and address of an agent for the operator who shall be the attorney-in-fact for the operator and who shall be a resident of this Commonwealth upon whom notices, orders or other communications issued under this chapter may be served and upon whom process may be served. Each well operator required to designate an agent under this section shall, within five days after termination of the designation, notify the department of the termination and designate a new agent.

(d) Permit fee.—In addition to any annual fee under Chapter 37, each application for a well permit shall be accompanied by a permit fee, established by the Environmental Quality Board.

(e) Issuance of permit.—The department shall issue a permit within 45 days of submission of a permit application unless the department denies the permit application for one or more of the reasons set forth in subsection (e.1), except that the department shall have the right to extend the period for 15 days for cause shown upon notification to the applicant of the reasons for the extension. The department may impose permit terms and conditions necessary to assure compliance with this chapter or other laws administered by the department.

(e.1) Denial of permit.—The department may deny a permit for any of the following reasons:

(1) The well site for which a permit is requested is in violation of any of this chapter or issuance of the permit would result in a violation of this chapter or other applicable law.

(2) The permit application is incomplete.

(3) Unresolved objections to the well location by the coal mine owner or operator remain.

(4) The requirements of section 3625 (relating to bonding) have not been met.

(5) The department finds that the applicant, or any parent or subsidiary corporation of the applicant, is in continuing violation of this chapter, any other statute administered by the department, any regulation promulgated under this chapter or a statute administered by the department or any plan approval, permit or order of the department, unless the violation is being corrected to the satisfaction of the department. The right of the

department to deny a permit under this paragraph shall not take effect until the department has taken a final action on the violations and:

(i) the applicant has not appealed the final action in accordance with the act of July 13, 1988 (P.L.530, No.94), known as the Environmental Hearing Board Act;

or
(ii) if an appeal has been filed, no supersedeas has been issued.

(6) The applicant failed to pay the fee or file a report under section 2303(c) (relating to administration), unless an appeal is pending. The commission shall notify the department of any applicant who has failed to pay the fee or file a report and who does not have an appeal pending.

(f) Drilling.—

(1) Upon issuance of a permit, the well operator may drill, operate or alter at the exact location shown on the plat after providing the department, the surface landowner and the local political subdivision in which the well is to be located 24 hours' notice of the date that drilling will commence. Notification to the department must be provided electronically. If there is a break in drilling of 30 days or more, the well operator shall notify the department at least 24 hours prior to the resumption of drilling.

(2) Prior to drilling each additional project well, the well operator shall notify the department and provide reasonable notice of the date on which drilling will commence.

(3) Whenever, before or during the drilling of a well not within the boundaries of an operating coal mine, the well operator encounters conditions of a nature which renders drilling of the bore hole or a portion thereof impossible, or more hazardous than usual, the well operator, upon verbal notice to the department, may immediately plug all or part of the bore hole, if drilling has occurred, and commence a new bore hole not more than 50 feet from the old bore hole if the location of the new bore hole does not violate section 3615 (relating to well location restrictions) and, in the case of a well subject to the act of July 25, 1961 (P.L.825, No.359), known as the Oil and Gas Conservation Law, if the new location complies with existing laws, regulations and spacing orders and the new bore hole is at least 330 feet from the nearest lease boundary.

(4) If drilling occurred at the original well bore, within 10 days of commencement of the new bore hole, the well operator shall file with the department a written notice of intention to plug, a well record, a completion report, a plugging certificate for the original bore hole and an amended plat for the new bore hole.

(5) The well operator shall forward a copy of the amended plat to the surface landowner identified on the well permit application within ten days of commencement of the new well bore.

(g) Labeling.—The well operator shall install the permit number issued by the department in a legible, visible and permanent manner on the well upon completion.

(h) Expiration.—Well permits issued for drilling wells under this chapter shall expire three years after issuance unless operations for drilling the well are commenced within the period and pursued with due diligence or unless the permit is renewed in accordance with regulations of the department. If drilling is commenced during the permit term, the well permit shall remain in force until the well is plugged in accordance with section 3620 (relating to plugging requirements) or the permit is revoked. A drilling permit issued prior to April 18, 1985, for a well which is an operating well on April 18, 1985, shall remain in force as a well permit until the well is plugged in accordance with section 3620.

(i) Exceptions.—The Environmental Quality Board may establish by regulation certain categories of alterations of permitted or registered wells for which permitting requirements of this section shall not apply. A well operator or owner who proposes to conduct the alteration

activity shall first obtain a permit or registration modification from the department. The Environmental Quality Board shall promulgate regulations as to the requirements for modifications.

(j) No transfer permitted.—No permit issued under this section or registration issued under section 3613 (relating to well registration and identification) may be transferred without prior approval of the department. A request for approval of a transfer shall be on the forms, and in the manner, prescribed by the department. Transfer of a well requires a bond for the well and the well site on forms prescribed by the department in an amount sufficient to plug the well and restore the well site as determined by the department. A bond filed with a transfer request for a home use well shall be payable to the Commonwealth and conditioned on the operator's faithful performance of all water supply replacement, restoration and plugging requirements of this chapter. The department shall approve or deny a transfer request within 45 days of receipt of a complete and accurate application. The department may deny a request only for reasons set forth in subsection (e.1)(1), (4) and (5) or if the well is abandoned. Approval of a transfer request shall permanently transfer responsibility to plug the well under section 3620 to the recipient of the transferred permit or registration.

(k) Regulations.—The Environmental Quality Board may establish by regulation requirements for the permitting and operation of abandoned or orphan wells. A person who proposes to conduct abandoned or orphan well operations shall first obtain a permit to operate an abandoned or orphan well.

§ 3612. Permit objections.

(a) General rule.—If a well referred to in section 3611(b) (relating to well permits) will be located on a tract whose surface is owned by a person other than the well operator, the surface landowner affected shall be notified of the intent to drill and may file objections, in accordance with section 3651 (relating to conferences), based on the assertion that the well location violates section 3615 (relating to well location restrictions) or that information in the application is untrue in any material respect, within 15 days of the receipt by the surface owner of the plat under section 3611(b). Receipt of notice by the surface owner shall be presumed to have occurred 15 days from the date of the certified mailing when the well operator submits a copy of the certified mail receipt sent to the surface owner and an affidavit certifying that the address of the surface owner to which notice was sent is the same as the address listed in the assessment books in the county where the property is located. If no objection is filed or none is raised by the department within 15 days after receipt of the plat by the surface landowner or if written approval by the surface landowner is filed with the department and no objection is raised by the department within 15 days of filing, the department shall proceed to issue or deny the permit.

(b) Special circumstances.—If a well referred to in section 3611(b) will penetrate within the outside coal boundaries of an operating coal mine or a coal mine already projected and platted but not yet being operated, or within 1,000 linear feet beyond those boundaries, and, in the opinion of the coal owner or operator, the well or a pillar of coal about the well will unduly interfere with or endanger the mine, the coal owner or operator affected may file objections under section 3651 to the proposed location within 15 days of the receipt by the coal operator of the plat under section 3611(b). If possible, an alternative location at which the proposed well could be drilled to overcome the objections shall be indicated. If no objection to the proposed location is filed or if none is raised by the department within 15 days after receipt of the plat by the coal operator or owner or if written approval by the coal operator or owner of the location is filed with the department and no objection is raised by the department within 15 days of filing, the department shall proceed to issue or deny the permit.

(c) Procedure upon objection.—If an objection is filed by a coal operator or owner or made by the department, the department shall fix a time and place for a conference under section 3651 not more than ten days from the date of service of the objection to allow the parties to consider the objection and attempt to agree on a location. If they fail to agree, the department, by an appropriate order, shall determine a

location on the tract of land as near to the original location as possible where, in the judgment of the department, the well can be safely drilled without unduly interfering with or endangering the mine as defined in subsection (b). The new location agreed upon by the parties or determined by the department shall be indicated on the plat on file with the department and become a permanent record upon which the department shall proceed to issue or deny the permit.

(d) Survey.—Within 120 days after commencement of drilling operations, the coal operator shall accurately locate the well by a closed survey on the same datum as the mine workings or coal boundaries are mapped, file the results of the survey with the department and forward a copy by certified mail to the well operator.

§ 3613. Well identification.

(a) General rule.—Each person who owns or operates a well in existence prior to the effective date of this section, which has not been registered with the department and for which no drilling permit has been issued by the department, shall apply to adopt the well using forms developed by the department. No fee shall be charged for well adoption unless the well must also be altered in accordance with section 3611 (relating to well permits) prior to operation.

(b) Orphaned and abandoned wells.—A well owner, well operator or other person discovering an abandoned well on property purchased or leased by the well owner, well operator or other person shall identify it to the department within 60 days of discovery. A well owner or well operator shall advise the department that it is seeking classification of the well as an orphan well or abandoned well. The classification request or identification notice shall include any available information relating to the well's operating and ownership interests. No fee shall be required for identification.

(c) Area of review.—An operator shall undertake reasonable diligence to avoid inadvertent communication with abandoned, orphan, plugged, active and inactive wells during hydraulic fracturing by conducting an area of review survey consisting of the following:

(1) Review of records and reports.

(2) Field investigation.

(3) Monitoring of orphan and abandoned wells that could be potentially impacted by hydraulic fracturing.

(d) Notice.—An operator shall provide notice to the department as soon as practicable if a well undergoing hydraulic fracturing communicates with any abandoned, orphan, plugged, active or inactive well in a manner that has the potential to cause an adverse environmental, public health or safety impact. In coal areas when the affected well is within an active mine or 2,000 linear feet or less from an active mine, the coal operator shall also be notified as soon as practicable.

(e) Remedial actions.—An operator inadvertently communicating with any abandoned, orphan, plugged, active or inactive well shall implement remedial actions necessary to prevent pollution and protect the environment, public health and safety. Remedial actions may include but are not limited to cessation of hydraulic fracturing and plugging.

(f) Permit.—A person who proposes to operate an orphan or abandoned well affected by hydraulic fracturing operations shall first obtain a permit to adopt and operate the well in accordance with subsection (a) if the well complies with the spacing requirements in coal areas under the act of December 18, 1984 (P.L.1069, No.214), known as the Coal and Gas Resource Coordination Act, or for wells subject to the act of July 25, 1961 (P.L.825, No.359), known as the Oil and Gas Conservation Law.

(g) Regulations.—The Environmental Quality Board shall have the authority to adopt regulations regarding the area of review provisions in subsections (c), (d) and (e).

§ 3614. Inactive status.

(a) General rule.—Within 60 days of receipt of an application for inactive status, the department may grant inactive status for a period of five years for a permitted or registered well, if the following requirements are met:

(1) the condition of the well is sufficient to prevent

damage to the producing zone or contamination of fresh water or other natural resources or surface leakage of any substance;

(2) the condition of the well is sufficient to stop the vertical flow of fluids or gas within the well bore and is adequate to protect freshwater aquifers, unless the department determines the well poses a threat to the health and safety of persons or property or to the environment;

(3) the operator anticipates construction of a pipeline or future use of the well for primary or enhanced recovery, gas storage, approved disposal or other appropriate uses related to oil and gas well production; and

(4) the well to be granted inactive status is bonded in an amount sufficient to plug the well and restore the well site as determined by the department. The bond required by this paragraph shall be in addition to the bond required by section 3625 (relating to bonding). A bond filed with an inactive status application shall be payable to the Commonwealth and conditioned on the operator's faithful performance of all water supply replacement, restoration and plugging requirements of this chapter.

(b) Inactive status.—If the department has not made a final determination on an application for inactive status within 60 days, the well will be considered inactive for purposes of compliance with the reporting requirements in this act until the department makes a final determination on the application for inactive status.

(c) Monitoring.—The owner or operator of a well granted inactive status shall be responsible for monitoring the mechanical integrity of the well to ensure that the requirements of subsection (a)(1) and (2) are met. The owner or operator of a well granted inactive status shall submit a report on an annual basis to the department in a manner and form as provided by the department that demonstrates that the well complies with subsection (a)(1), (2) and (3). The owner or operator of a well granted inactive status under subsection (a) shall immediately notify the department when the well no longer meets the requirements of subsection (a) and plug the well in accordance with section 3620 (relating to plugging requirements) or repaint the well in order to meet the requirements of subsection (a)(1) and (2).

(d) Return to active status.—An inactive status well under subsection (a) or (b) shall be plugged in accordance with section 3620 or returned to active status within five years of the date inactive status commenced, unless the owner or operator applies for an extension of inactive status which may be granted once for up to five years if the department determines that the owner or operator has demonstrated an ability to continue meeting the requirements of this section and the owner or operator certifies that the well will be of future use within a reasonable period of time. An owner or operator who has been granted inactive status for a well which is returned to active status prior to expiration of the five-year period set forth in subsection (a) shall notify the department that the well has been returned to active status and shall not be permitted to apply for another automatic five-year period of inactive status for the well. The owner or operator may make application to return the well to inactive status, and the application may be approved on a year-to-year basis if the department determines that the owner or operator has demonstrated an ability to continue meeting the requirements of this section and the owner or operator certifies that the well will be of future use within a reasonable period of time. The department shall approve or deny an application to extend a period of inactive status or to return a well to inactive status within 60 days of receipt of the application, and the application shall not be unreasonably denied. If the department has not completed its review of the application within 60 days, the inactive status shall continue until the department has made a determination on the request. An owner or operator may in no circumstances extend the total period of inactive status for a well beyond 10 years. If the department denies an application to extend the period of inactive status or to return a well to inactive status, a well owner or operator aggrieved by the denial shall have the right to appeal the denial to the Environmental Hearing Board within 30 days of receipt of the denial. Upon cause shown by a well

owner or operator, the board may grant a supersedeas under section 4 of the act of July 13, 1988 (P.L.530, No.94), known as the Environmental Hearing Board Act, so that the well in question may retain inactive status during the period of the appeal.

(e) Revocation of inactive status.—The department may revoke inactive status and order immediate plugging of a well if the well is in violation of this chapter or rules or regulations promulgated under this chapter or if the owner or operator demonstrates inability to perform obligations under this chapter or becomes financially insolvent, or upon receipt by the department of notice of bankruptcy proceedings by the permittee.

§ 3615. Well location restrictions.

(a) General rule.—Wells may not be drilled within 200 feet measured horizontally from the vertical well bore to a building or water well, existing when the copy of the plat is mailed as required by section 3611(b) (relating to well permits) without written consent of the owner of the building or water well. If consent is not obtained and the distance restriction would deprive the owner of the oil and gas rights of the right to produce or share in the oil or gas underlying the surface tract, the well operator shall be granted a variance from the distance restriction upon submission of a plan identifying the additional measures, facilities or practices as prescribed by the department to be employed during well site construction, drilling and operations. The variance shall include additional terms and conditions required by the department to ensure safety and protection of affected persons and property, including insurance, bonding, indemnification and technical requirements. Notwithstanding section 3611(e), if a variance request has been submitted, the department may extend its permit review period for up to 15 days upon notification to the applicant of the reasons for the extension.

(b) Limitation.—

(1) No well site may be prepared or well drilled within 100 feet from the vertical well bore or 100 feet from the edge of the well site, whichever is greater, measured horizontally from any solid blue lined stream, spring or body of water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geological Survey or within 100 feet of any wetlands greater than one acre in size.

(2) The department may waive the distance restrictions upon submission of a plan identifying additional measures, facilities or practices to be employed during well site construction, drilling and operations necessary to protect the waters of this Commonwealth. The waiver, if granted, shall include additional terms and conditions required by the department necessary to protect the waters of this Commonwealth. Notwithstanding section 3611(e), if a waiver request has been submitted, the department may extend its permit review period for up to 15 days upon notification to the applicant of the reasons for the extension.

(c) Impact.—On making a determination on a well permit, the department shall consider the impact of the proposed well on public resources, including, but not limited to:

(1) Publicly owned parks, forests, game lands and wildlife areas.

(2) National or State scenic rivers.

(3) National natural landmarks.

(4) Habitats of rare and endangered flora and fauna and species of special concern.

(5) Historical and archaeological sites listed on the Federal or State list of historic places.

(6) Sources used for public drinking supplies in accordance with subsection (b).

(d) Regulation criteria.—The Environmental Quality Board shall develop by regulation criteria:

(1) For the department to utilize for conditioning a well permit based on its impact to the public resources identified under subsection (c) and for ensuring optimal development of oil and gas resources and respecting property rights of oil and gas

owners.

(2) For appeal to the Environmental Hearing Board of a permit containing conditions imposed by the department. The regulations shall also provide that the department has the burden of proving that the conditions were necessary to protect against a probable harmful impact of the public resources.

(e) Floodplains.—

(1) No well site may be prepared or well drilled within any floodplain if the well site will have:

(i) a pit or impoundment containing drilling cuttings, flowback water, produced water or hazardous materials, chemicals or wastes within the floodplain; or

(ii) a tank containing hazardous materials, chemicals, condensate, wastes, flowback or produced water within the floodway.

(2) A well site shall not be eligible for a floodplain restriction waiver if the well site will have a tank containing condensate, flowback or produced water within the flood fringe unless all the tanks have adequate floodproofing in accordance with the National Flood Insurance Program standards and accepted engineering practices.

(3) The department may waive restrictions upon submission of a plan that shall identify the additional measures, facilities or practices to be employed during well site construction, drilling and operations. The waiver, if granted, shall impose permit conditions necessary to protect the waters of this Commonwealth.

(4) Best practices as determined by the department to ensure the protection of the waters of this Commonwealth must be utilized for the storage and handling of all water, chemicals, fuels, hazardous materials or solid waste on a well site located in a floodplain. The department may request that the well site operator submit a plan for the storage and handling of the materials for approval by the department and may impose conditions or amend permits to include permit conditions as are necessary to protect the environment, public health and safety.

(5) Unless otherwise specified by the department, the boundary of the floodplain shall be as indicated on maps and flood insurance studies provided by the Federal Emergency Management Agency. In an area where no Federal Emergency Management Agency maps or studies have defined the boundary of the 100-year frequency floodplain, absent evidence to the contrary, the floodplain shall extend from:

(i) any perennial stream up to 100 feet horizontally from the top of the bank of the perennial stream; or

(ii) from any intermittent stream up to 50 feet horizontally from the top of the bank of the intermittent stream.

(f) Applicability.—

(1) This section shall not apply to a well proposed to be drilled on an existing well site for which at least one well permit has been issued prior to the effective date of this section.

(2) Nothing in this section shall alter or abridge the terms of any contract, mortgage or other agreement entered into prior to the effective date of this section.

§ 3616. Well site restoration.

(a) General rule.—Each oil or gas well owner or operator shall restore the land surface within the area disturbed in siting, drilling, completing, producing and plugging the well. Restoration includes, but is not limited to, reclamation of the land affected to preconstruction contours so that it closely resembles the general surface configuration of the land prior to construction activities, if known, and blends into and complements the drainage pattern of the surrounding terrain, and can support the land uses that existed prior to the applicable oil and gas operations and to the extent practicable based on current land conditions.

(b) Plan.—During and after earthmoving or soil disturbing

activities, including, but not limited to, activities related to siting, drilling, completing, producing and plugging the well, erosion and sedimentation control and storm water management measures shall be implemented in accordance with a plan prepared in accordance with the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law.

(c) Pits, drilling supplies and equipment.—Within nine months after completion of drilling of a well or expiration of the well permit, the owner or operator shall restore the well site and remove or fill all pits used to contain produced fluids or industrial wastes and remove all drilling supplies and equipment not needed for production. Drilling supplies and equipment not needed for production may be stored on the well site if express written consent of the surface landowner is obtained so long as such storage and any remaining disturbed areas that are not included in a restoration plan, and other remaining impervious surfaces, comply with all requirements in The Clean Streams Law.

(d) Items related to production or storage.—Within nine months after plugging a well, the owner or operator shall remove all production or storage facilities, supplies and equipment and restore the well site.

(e) Clean Streams Law.—Restoration activities required by this chapter or in regulations promulgated under this chapter shall also comply with all applicable provisions of The Clean Streams Law.

(f) Violation of chapter.—Failure to restore the well site as required in this chapter or regulations promulgated under this chapter constitutes a violation of this chapter.

(g) Extension.—

(1) The restoration period may be extended by the department for an additional period of time not to exceed two years upon demonstration by the well owner or operator that:

(i) the extension will result in less earth disturbance, increased water reuse or more efficient development of the resources; or

(ii) site restoration cannot be achieved due to adverse weather conditions or a lack of essential fuel, equipment or labor.

(2) The demonstration under paragraph (1) shall do all of the following:

(i) Include a site restoration plan that shall provide for:

(A) the timely removal or fill of all pits used to contain produced fluids or industrial wastes;

(B) the removal of all drilling supplies and equipment not needed for production;

(C) the stabilization of the well site that shall include interim postconstruction storm water management best management practices; or

(D) other measures to be employed to minimize accelerated erosion and sedimentation in accordance with The Clean Streams Law.

(ii) Provide for returning the portions of the site not occupied by production facilities or equipment consistent with subsection (a).

(3) The department may condition an extension under this subsection as is necessary in accordance with The Clean Streams Law.

§ 3617. Protection of fresh groundwater and casing requirements.

(a) General rule.—To aid in protection of fresh groundwater, well operators shall control and dispose of brines produced from the drilling, alteration or operation of an oil or gas well in a manner consistent with the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, or any regulation promulgated under The Clean Streams Law.

(b) Casing.—To prevent migration of gas or fluids into sources of fresh groundwater and pollution or diminution of fresh groundwater, a string or strings of casing shall be run and permanently cemented in each well drilled through the fresh water-bearing strata to a depth and

in a manner prescribed by regulation by the department. The regulation shall be consistent with practices that have proven to be protective in regional areas and consider the use of alternative cement formulations and casing materials to protect the casing from corrosion, lithologic and physical conditions of the surrounding well bore.

(c) Noncoal areas.—In noncoal areas, the surface casing may be employed as production casing for oil or gas production, provided:

(1) The operator pumps a volume of cement equal to or greater than 120% of the calculated annular space.

(2) The operator circulates cement using the displacement method.

(3) The location of cement within the annular space, as determined by logging, and the function of the casing string satisfy the requirements of subsection (b) and other regulations prescribed by the department. To achieve sufficient cement coverage in the annular space, the operator may install a cement basket immediately above the depth of an anticipated lost circulation zone and fill the annular space by pumping from the surface if a casing and cementing plan detailing the procedure is approved by the department.

(d) Procedure when coal has been removed.—If a well is drilled at a location where coal has been removed from one or more coal seams, the well shall be drilled and cased to prevent migration of gas or fluids into the seam from which coal has been removed in a manner prescribed by regulation of the department. The department and the coal operator, owner or lessee shall be given at least 72 hours' notice prior to commencement of work protecting the mine.

(e) Procedure when coal has not been removed.—If a well is drilled at a location where the coal seam has not been removed, the casing shall be installed and permanently cemented in a manner prescribed by regulation to exclude gas or fluids from the coal seam, except gas or fluids found naturally in the seam itself, and to enable monitoring the integrity of the production casing.
§ 3618. Protection of water supplies.

(a) General rule.—In addition to the requirements of subsection (c.1), a well operator who affects a public or private water supply by pollution or diminution shall restore or replace the affected supply with an alternate source of water adequate in quantity or quality for the purposes served by the supply. The department shall ensure that the quality of a restored or replaced water supply meets the standards established under the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, or is comparable to the quality of the water supply before it was affected by the operator if that water supply exceeded those standards. The Environmental Quality Board shall promulgate regulations necessary to meet the requirements of this subsection.

(b) Pollution or diminution of water supply.—A landowner or water purveyor suffering pollution or diminution of a water supply as a result of the drilling, alteration or operation of an oil or gas well may so notify the department and request that an investigation be conducted. Within ten days of notification, the department shall investigate the claim and make a determination within 45 days following notification. If the department finds that the pollution or diminution was caused by drilling, alteration or operation activities or if it presumes the well operator responsible for pollution under subsection (c), the department shall issue orders to the well operator necessary to assure compliance with subsection (a), including orders requiring temporary replacement of a water supply where it is determined that pollution or diminution may be of limited duration.

(b.1) (Reserved).

(b.2) Telephone number.—The department shall establish a single Statewide toll-free telephone number that persons may use to report cases of water contamination which may be associated with the development of oil and gas resources. The Statewide toll-free telephone number shall be provided in a conspicuous manner in the notification required under section 3611(b) (relating to well permits) and on the department's Internet website.

(b.3) Responses.—The department shall develop appropriate

administrative responses to calls received on the Statewide toll-free telephone number for water contamination.

(b.4) Website.—The department shall publish, on its Internet website, lists of confirmed cases of subterranean water supply contamination that result from hydraulic fracturing.

(b.5) Facility operation qualifications.—The department shall ensure that a facility which seeks a National Pollutant Discharge Elimination System permit for the purposes of treating and discharging wastewater originating from oil and gas activities into waters of this Commonwealth is operated by a competent and qualified individual.

(c) Presumption.—Unless rebutted by a defense established in subsection (d), it shall be presumed that a well operator is responsible for pollution of a water supply if:

(1) the water supply is within 1,000 feet of an oil or gas well; and

(2) the pollution occurred within six months after completion of drilling or alteration of the oil or gas well.

(c.1) Requirement.—If the affected water supply is within the rebuttable presumption area as provided in subsection (c) and the rebuttable presumption applies, the operator shall provide a temporary water supply if the water user is without a readily available alternative source of water. The temporary water supply provided under this subsection shall be adequate in quantity and quality for the purposes served by the supply.

(d) Defenses.—To rebut the presumption established under subsection (c), a well operator must affirmatively prove any of the following:

(1) the pollution existed prior to the drilling or alteration activity as determined by a predrilling or prealteration survey;

(2) the landowner or water purveyor refused to allow the operator access to conduct a predrilling or prealteration survey;

(3) the water supply is not within 1,000 feet of the well;

(4) the pollution occurred more than six months after completion of drilling or alteration activities; and

(5) the pollution occurred as the result of a cause other than the drilling or alteration activity.

(e) Independent certified laboratory.—An operator electing to preserve a defense under subsection (d)(1) or (2) shall retain an independent certified laboratory to conduct a predrilling or prealteration survey of the water supply. A copy of survey results shall be submitted to the department and the landowner or water purveyor in the manner prescribed by the department.

(f) Other remedies preserved.—Nothing in this section shall prevent a landowner or water purveyor claiming pollution or diminution of a water supply from seeking any other remedy at law or in equity.

§ 3619. Use of safety devices.

Any person engaged in drilling an oil or gas well shall equip it with casings of sufficient strength, and other safety devices as are necessary, in the manner prescribed by regulation of the department, and shall use every effort and endeavor effectively to prevent blowouts, explosions and fires.

§ 3619.1. Well control emergency response.

(a) Contracts.—The department may enter into contracts with well control specialists in order to provide adequate emergency response services in the event of a well control emergency. The department shall make available, upon request by a county, information relating to contracts with well control specialists.

(b) Civil immunity.—Except as set forth in subsection (c), a well control specialist with which the department has entered into a contract under subsection (a) shall be immune from civil liability for actions taken in good faith to carry out its contractual obligations.

(c) Nonapplicability.—Subsection (b) shall not apply to damage arising from any of the following:

(1) Breach of the contract under subsection (a).

(2) An intentional tort.

(3) Gross negligence.

§ 3620. Plugging requirements.

(a) General rule.—Conventional wells shall be plugged in accordance with this act. Prior to abandoning a well, the owner or operator shall plug it in the manner prescribed by regulation of the department to stop vertical flow of fluids or gas within the well bore, unless the department has determined that the flow is an acceptable artesian flow of freshwater, the well is on inactive status or it has been approved by the department as an orphan well. If the department determines that a prior owner or operator received economic benefit, other than economic benefit derived only as a landowner or from a royalty interest, after April 18, 1979, from an orphan well or an unregistered well, the owner or operator shall be responsible for plugging the well. In the case of a gas well penetrating a workable coal seam which was drilled prior to January 30, 1956, or which was permitted after that date but not plugged in accordance with this chapter, if the owner or operator or a coal operator or an agent proposes to plug the well to allow mining through it, the gas well shall be cleaned to a depth of at least 200 feet below the coal seam through which mining is proposed and, unless impracticable, to a point 200 feet below the deepest mineable coal seam. The gas well shall be plugged from that depth in accordance with the regulations of the department.

(b) Areas underlain by coal.—Prior to the plugging and abandonment of a well in an area underlain by a workable coal seam, the well operator or owner shall notify the department and the coal operator, lessee or owner and submit a plat showing the location of the well and fixing the date and time plugging will commence, which shall be not less than three working days, nor more than 30 days, after the notice is received, to permit representatives of the persons notified to be present at the plugging. Notice and the right to be present may be waived by the department and the coal operator, lessee or owner, but waiver by the coal operator, lessee or owner shall be in writing and a copy shall be attached to the notice of abandonment filed with the department under this section. Whether or not representatives attend, if the well operator has fully complied with this section, the well operator may proceed, at the time fixed, to plug the well in the manner prescribed by regulation of the department. When plugging has been completed, a certificate shall be prepared and signed, on a form to be furnished by the department, by two experienced and qualified people who participated in the work setting forth the time and manner in which the well was plugged. One copy of the certificate shall be mailed to each coal operator, lessee or owner to whom notice was given by certified mail and another shall be mailed to the department.

(c) Abandoned wells.—Prior to abandonment of a well, except an uncompleted bore hole plugged immediately upon suspension of drilling in an area not underlain by a workable coal seam, the well operator shall notify the department of the intention to plug and abandon the well and submit a plat showing the location of the well and fixing the date and time at which plugging will commence, which shall be not less than three working days, nor more than 30 days, after the notice is received, to permit a department representative to be present at the plugging. The notice or waiting period may be verbally waived by the department. In noncoal areas where more than one well has been drilled as part of the same development project and the wells are now to be plugged, the department shall be given three working days' notice prior to plugging the first well of the project, subject to waiver of notice described in subsection (b). In the plugging of subsequent wells, no additional notice shall be required if plugging on the project is continuous. If plugging of subsequent wells is delayed for any reason, notice shall be given to the department of continuation of the project. Whether or not a representative attends, if the well operator has fully complied with this section, the well operator may proceed, at the time fixed, to plug the well in the manner prescribed by regulation of the department. When plugging has been completed, a certificate shall be prepared, on a form to be furnished by the department, by two experienced and qualified people who participated in the work setting forth the time and manner in which the well was plugged. A copy of the certificate shall be mailed to the department.

(d) Wells abandoned upon completion of drilling.—If a well is to be abandoned immediately after completion of drilling, the well

operator shall give at least 24 hours' notice, confirmed by certified mail, to the department and to the coal operator, lessee or owner, if any, fixing the date and time when plugging will commence. Notice and the right to be present may be waived by the department and the coal operator, lessee or owner, if any. Whether or not representatives of the department or coal operator, lessee or owner, if any, attend, if the well operator has fully complied with the requirements of this section, the well operator may proceed, at the time fixed, to plug the well in the manner provided by regulation of the department. The well operator shall prepare the certificate of plugging and mail copies of the same as provided in subsection (b).

(e) Orphan and abandoned wells.—If a well is an orphan well or abandoned without plugging or if a well is in operation but not registered, the department may enter upon the well site and plug the well and sell equipment, casing and pipe at the site which may have been used in production of the well in order to recover the costs of plugging. The department shall make an effort to determine ownership of a well which is in operation but has not been registered and provide written notice to the owner of pending action under this subsection. If the department cannot determine ownership within 30 days, it may proceed under this subsection. Costs of plugging shall have priority over all liens on equipment, casing and pipe, and the sale shall be free and clear of those liens to the extent that the cost of plugging exceeds the sale price. If the amount obtained for casing and pipe salvaged at the site is inadequate to pay for plugging, the owner or operator of the abandoned or unregistered well shall be liable for the additional costs.

(f) Environmental Good Samaritans.—A person undertaking the plugging of an orphan well or abandoned well without a responsible owner or operator with approval from the department under 27 Pa.C.S. Ch. 81 (relating to good samaritan), including by way of a grant or payment from the Commonwealth Financing Authority, shall not be subject to the notice requirements of 27 Pa.C.S. § 8105(b) (relating to eligibility and project inventory) provided that the surface landowner is notified and grants access to the well. Notice to the department and the surface landowner shall be provided on forms developed by the department. When plugging has been completed, a certificate shall be prepared and signed on a form to be furnished by the department by two experienced and qualified individuals who participated in the work and set forth the time and manner in which the well was plugged. A copy of the certificate shall be provided to the department.

(g) Persons who voluntarily plug an orphan or abandoned well in accordance with this section.—

(1) Persons who voluntarily plug an orphan well or abandoned well without a responsible owner or operator may either:

(i) Apply to the Commonwealth Financing Authority, on forms developed by the Commonwealth Financing Authority, for a payment per well plugged payable from the Marcellus Legacy Fund established under section 2315 (relating to Statewide initiatives) according to the following schedule:

(A) \$10,000 for each well 2,000 feet or less below ground surface.

(B) \$20,000 for each well between 2,001 and 3,000 feet below ground surface.

(C) \$30,000 for each well greater than 3,000 feet below ground surface.

(ii) Be credited for each plugged well in the form of a permit-fee waiver for any succeeding conventional well permit application.

(2) Persons who voluntarily plug an orphan well or abandoned well without a responsible owner or operator and receive payment under this section shall not be disqualified from liability protections under 27 Pa.C.S. Ch. 81.

(h) Notification.—With respect to the owner of a workable coal seam, if any, notification shall be accomplished under this section by sending notice to the persons to whom tax notices for the workable coal seams are sent, as indicated in the assessment books, if available, or as

indicated in the records of the recorder of deeds office in the county in which such seams are located. If certified mail or notification is returned undeliverable, the applicant shall include a completed affidavit attesting to the attempted delivery, which shall satisfy the notification requirements under this section.

(i) Definition.—For purposes of this section, the term "owner" does not include the owner or possessor of surface real property, on which an abandoned well is located, who did not participate or incur costs in and had no right of control over the drilling or extraction operation of the abandoned well.

§ 3621. Alternative methods.

A well operator may request permission to use a method or material other than those required by this chapter and applicable regulations for casing, plugging or equipping a well in an application to the department which describes the proposed alternative in reasonable detail and indicates the manner in which it will accomplish the goals of this chapter. Notice of filing of the application shall be given by the well operator by certified mail to any affected coal operators, who may, within 15 days after the notice, file objections to the proposed alternative method or material. If no timely objections are filed or raised by the department, the department shall determine whether to allow use of the proposed alternative method or material.

§ 3622. Well reporting requirements.

(a) General rule.—Each well operator shall file with the department, on a form provided by the department, an annual report specifying the amount of production, on the most well-specific basis available, along with the status of each well, except that in subsequent years only changes in status must be reported. Except for home use wells, wells producing less than 50 mcf per year or 10 barrels of oil per year shall be evaluated for future utility by the operator and the results of this evaluation shall be included in the production report. The department may require a well to be plugged if the operator does not demonstrate that the well has adequate future utility. The Commonwealth may utilize reported information in enforcement proceedings, in making designations or determinations under section 1927-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, or in aggregate form for statistical purposes.

(b) Collection of data.—

(1) Well operators shall maintain a record of each well drilled or altered.

(2) A record containing the information required by the department shall be filed within 30 days after drilling of a well.

(3) Within 30 days after completion of the well, when the well is capable of production, a completion report containing any additional required information shall be filed and shall be maintained by the department.

(4) The well operator shall, within 90 days of completion or recompletion of drilling, submit a copy of any electrical, radioactive or other standard industry logs which have been run.

(5) Upon request by the department within one year, the well operator shall file a copy of drill stem test charts, formation water analysis, porosity, permeability or fluid saturation measurements, core analysis and lithologic log or sample description or other similar data as compiled. No information shall be required unless the well operator had it compiled in the ordinary course of business, and interpretation of data under this paragraph is not required to be filed.

(b.1) Report contents.—

(1) The completion report shall contain the operator's stimulation record. The stimulation record shall include all of the following:

(i) A descriptive list of the chemical additives in the stimulation fluids, including any acid, biocide, breaker, brine, corrosion inhibitor, crosslinker, demulsifier, friction reducer, gel, iron control, oxygen scavenger, Ph adjusting agent, proppant, scale inhibitor

and surfactant.

(ii) The trade name, vendor and a brief descriptor of the intended use or function of each chemical additive in the stimulation fluid.

(iii) A list of the chemicals intentionally added to the stimulation fluid, by name and chemical abstract service number.

(iv) The maximum concentration, in percent by mass, of each chemical intentionally added to the stimulation fluid.

(v) The total volume of the base fluid.

(vi) The pump rates and pressure used in the well.

(vii) The total volume of recycled water used.

(2) The well record shall identify whether methane was encountered in other than a target formation.

(b.2) Trade secret or confidential proprietary information.—When an operator submits its stimulation record under subsection (b.1), the operator may designate specific portions of the stimulation record as containing a trade secret or confidential proprietary information. The department shall prevent disclosure of a designated trade secret or confidential proprietary information to the extent permitted by the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or other applicable State law.

(c) Drill cuttings and core samples.—Upon notification by the department prior to commencement of drilling, the well operator shall collect any additional data specified by the department, including representative drill cuttings and samples from cores taken and any other geological information that the operator reasonably can compile. Interpretation of the data is not required to be filed.

(d) Retention and filing.—Data required under subsection (b)(5) and drill cuttings required under subsection (c) shall be retained by the well operator and filed with the department no more than three years after completion of the well. Upon request, the department shall extend the deadline up to five years from the date of completion of the well. The department shall be entitled to utilize information collected under this subsection in enforcement proceedings, in making designations or determinations under section 1927-A of The Administrative Code of 1929 and in aggregate form for statistical purposes.

§ 3623. Notification and effect of well transfer.

The owner or operator of a well shall notify the department in writing within 30 days, in a form directed by regulation, of sale, assignment, transfer, conveyance or exchange by or to the owner of the well. A transfer shall not relieve the well owner or operator of an obligation accrued under this chapter, nor shall it relieve the owner or operator of an obligation to plug the well until the requirements of section 3625 (relating to bonding) have been met, at which time the transferring owner or operator shall be relieved from all obligations under this chapter, including the obligation to plug the well.

§ 3624. Coal operator responsibilities.

(a) General rule.—

(1) At any time prior to removing coal or other underground material or extending the workings in a coal mine within 500 feet of an oil or gas well of which the coal operator has knowledge or an approved well location of which the coal operator has knowledge, the coal operator shall forward, by certified mail, to or file with the well operator and the department a copy of the relevant part of the coal operator's maps and plans which it is presently required by law to prepare and file with the department, showing the pillar which the coal operator proposes to leave in place around each oil or gas well in the projected workings.

(2) Following the filing of maps and plans, the coal operator may proceed with mining operations in the manner projected on the maps and plans, but the coal operator shall not remove any coal or cut any passageway within 150 feet of a well or approved well location until written approval has been granted as provided in this section.

(3) If, in the opinion of the well operator or the department, the plan indicates that the pillar proposed to be left around a well or approved well location is inadequate to protect either the integrity of the well or the public health and safety, the well operator affected shall attempt to agree with the coal operator upon a suitable pillar, subject to the approval of the department, but, failing to agree, the well operator may, within 10 days from receipt of the plan, file objections in accordance with section 3651 (relating to conferences) to the proposed plan indicating the size of the pillar to be left with respect to each well.

(4) If no objections are filed within the 10-day period or if none are raised by the department, the department shall grant approval to the coal operator reciting the following:

(i) The filing of the maps or plans.

(ii) That no objections have been made to the plan.

(iii) That the pillar proposed to be left for each well is approved in the manner as projected.

(b) Objections.—

(1) If objections are filed by a well operator or are raised by the department, the department shall direct that a conference be held in accordance with section 3651 within 10 days of the filing of the objections.

(2) At the conference the coal operator and the person who has filed the objections shall attempt to agree upon a proposed plan showing the pillar to be left around each well, which will satisfy the objections and be approved by the department, and if the plan is agreed upon, the department shall grant approval to the coal operator reciting the filing of the plan and that the pillar to be left for each well is approved as agreed upon.

(3) If no plan showing the pillar to be left with respect to each well can be agreed upon at the conference, the department shall, by an appropriate order, determine the pillar to be left with respect to the well.

(4) In a proceeding under this section, the department shall follow as nearly as possible the original plan filed by the coal operator. The department shall not require the coal operator to leave a pillar in excess of 100 feet in radius, except that, if it is established that unusual conditions exist requiring the leaving of a larger pillar, the department may require a pillar up to but not exceeding 150 feet in radius.

(5) The pillar to be left with respect to each well as determined by the department shall be shown on the maps or plans on file with the department as provided in subsection (a) and the department shall approve the pillar to be left for each well.

(c) Pillars of reduced size.—Application may be made at any time to the department by a coal operator to leave a pillar of less size than that shown on the plan filed by the operator or approved or determined by the department under the provisions of this section. If an application is filed, the department may, following the procedure prescribed in this section, by an appropriate order, determine a different plan showing a pillar of less size with respect to all wells covered by the application and shall grant approval for the pillar to be left with respect to each well.

(d) Violation.—No coal operator shall, without the written approval of the department after notice and opportunity for hearing as prescribed in this section, remove any coal or cut any passageway so as to leave a pillar of less size with respect to an oil or gas well than that approved by the department under this chapter.

(e) Construction.—Nothing in this chapter shall be construed to require a well operator to pay for a coal pillar required by law to be left around a well drilled prior to April 18, 1985. A requirement for a coal operator to leave a pillar of coal of a certain size around a well drilled after April 18, 1985, shall not in any way affect the rights which the coal operator would have had prior to April 18, 1985, to obtain

payment for the coal, nor any duty or right which the well operator or land owner may have had prior to April 18, 1985, to pay for or not to pay for the coal.

(f) Mining through plugged wells.—A coal operator who intends to mine through a plugged oil or gas well must file a plan to completely remove a pillar from around the well in accordance with subsection (a). This plan shall be subject to the requirements of this section. No coal operator may mine through a plugged oil or gas well of which the coal operator has knowledge until written approval has been granted by the department in accordance with this section.

(g) Establishment of conditions.—The Bureau of Deep Mine Safety in the department shall have the authority to establish the conditions under which the department may approve a coal operator's plan to mine through a plugged oil or gas well.

§ 3625. Bonding.

(a) General rule.—The following shall apply:

(1) Upon filing an application for a well permit and before continuing to operate any oil or gas well, the owner or operator thereof shall file with the department a bond for the well and the well site on a form to be prescribed and furnished by the department. Any bond filed with an application for a well permit or any bond filed with the department for a well in existence on or after the effective date of this act shall be payable to the Commonwealth and conditioned that the operator shall comply with the requirements of this act, the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, and the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act. The department may require additional bond amounts for the well and well site should such as increase be determined by the department to be necessary to meet the requirements of this act. The amount of the bond required shall be in an amount determined by the secretary based upon the total estimated cost of the Commonwealth of completing well plugging activities according to the permit granted to the well and well site and such measures as are necessary to prevent adverse effects upon the environment. The bond amount shall reflect the additional cost to the Commonwealth which may be entailed by being required to bring personnel and equipment to the site. All permits shall be bonded for at least \$30,000.

(2) The minimum bond amount required by this chapter may be adjusted by the Environmental Quality Board to reflect the projected costs to the Commonwealth of performing well plugging.

(3) Liability under the bond shall continue until the well has been properly plugged in accordance with this chapter and for a period of one year after filing of the certificate of plugging with the department. Each bond shall be executed by the operator and a corporate surety licensed to do business in this Commonwealth and approved by the secretary. In lieu of a corporate surety, the operator may deposit with the department:

(i) cash;

(ii) certificates of deposit or automatically renewable irrevocable letters of credit, from financial institutions chartered or authorized to do business in this Commonwealth and regulated and examined by the Commonwealth or a Federal agency, which may be terminated at the end of a term only upon 90 days' prior written notice by the financial institution to the permittee and the department;

(iii) negotiable bonds of the United States Government or the Commonwealth, the Pennsylvania Turnpike Commission, the General State Authority, the State Public School Building Authority or any

municipality within the Commonwealth; or

(iv) United States Treasury Bonds issued at a discount without a regular schedule of interest payments to maturity, otherwise known as Zero Coupon Bonds, having a maturity date of not more than ten years after the date of purchase and at the maturity date having a value of not less than the applicable amount under paragraph (1). The cash deposit, certificate of deposit, amount of the irrevocable letter of credit or market value of the securities shall be equal at least to the sum of the bond.

(4) The secretary shall, upon receipt of a deposit of cash, letters of credit or negotiable bonds, immediately place the same with the State Treasurer, whose duty it shall be to receive and hold the same in the name of the Commonwealth, in trust, for the purpose for which the deposit is made.

(5) The State Treasurer shall at all times be responsible for custody and safekeeping of deposits. The operator making the deposit shall be entitled from time to time to demand and receive from the State Treasurer, on the written order of the secretary, the whole or any portion of collateral deposited, upon depositing with the State Treasurer, in lieu of that collateral, other collateral of classes specified in this section having a market value at least equal to the sum of the bond, and also to demand, receive and recover the interest and income from the negotiable bonds as they become due and payable.

(6) If negotiable bonds on deposit under this subsection mature or are called, the State Treasurer, at the request of the owner of the bonds, shall convert them into other negotiable bonds, of classes specified in this section, designated by the owner.

(7) If notice of intent to terminate a letter of credit is given, the department shall give the operator 30 days' written notice to replace the letter of credit with other acceptable bond guarantees as provided in this section. If the owner or operator fails to timely replace the letter of credit, the department shall draw upon and convert the letter of credit into cash and hold it as a collateral bond guarantee.

(b) Release.—No bond shall be fully released until the requirements of subsection (a) and section 3623 (relating to notification and effect of well transfer) have been fully met. Upon release of bonds and collateral under this section, the State Treasurer shall immediately return to the owner the specified amount of cash or securities.

(c) Noncompliance.—If a well owner or operator fails or refuses to comply with subsection (a), regulations promulgated under this chapter or conditions of a permit relating to this chapter, the department may declare the bond forfeited and shall certify the same to the Attorney General, who shall proceed to enforce and collect the full amount of the bond and, if the well owner or operator has deposited cash or securities as collateral in lieu of a corporate surety, the department shall declare the collateral forfeited and direct the State Treasurer to pay the full amount of the funds into the Well Plugging Restricted Revenue Account or to sell the security to the extent forfeited and pay the proceeds into the Well Plugging Restricted Revenue Account. If a corporate surety or financial institution fails to pay a forfeited bond promptly and in full, the corporate surety or financial institution shall be disqualified from writing further bonds under this chapter or any other environmental law administered by the department. A person aggrieved by reason of forfeiting the bond or converting collateral, as provided in this section, shall have a right to appeal to the Environmental Hearing Board in the manner provided by law. Upon forfeiture of a blanket bond for a violation occurring at one or more well sites, the person whose bond is forfeited shall, within ten days of the forfeiture, submit a replacement bond to cover all other wells of which the person is an owner or operator. Failure to submit the replacement bond constitutes a violation of this section as to each of the wells owned or operated by the person.

(d) Reservation of remedies.—All remedies for violations of this

chapter, regulations adopted under this chapter and conditions of permits are expressly preserved. Nothing in this section shall be construed as an exclusive penalty or remedy for violations of law. No action taken under this section shall waive or impair any other remedy or penalty provided in law.

(e) Change of law.—Owners or operators who have failed to meet the requirements of this section prior to August 1, 1992, shall not be required to make payments under this section on a retroactive basis as a condition of obtaining a permit under this chapter, nor shall the failure be deemed a violation of this chapter.

(f) Definition.—As used in this section, the term "well site" means areas occupied by all equipment or facilities necessary for or incidental to drilling, production or plugging a well.

SUBCHAPTER C

ENFORCEMENT AND REMEDIES

Sec.

3651. Conferences.

3652. Public nuisances.

3653. Enforcement orders.

3654. Restraining violations.

3654.1. Well control emergency response cost recovery.

3655. Penalties.

3656. Civil penalties.

3657. Existing rights and remedies preserved and cumulative remedies authorized.

3658. Inspection and production of materials, witnesses, depositions and rights of entry.

3659. Unlawful conduct.

3660. Collection of fines and penalties.

3661. Third-party liability.

3662. Inspection reports.

§ 3651. Conferences.

(a) General rule.—The department or any person having a direct interest in a matter subject to this chapter may, at any time, request that a conference be held to discuss and attempt to resolve by mutual agreement a matter arising under this chapter. Unless otherwise provided, conferences shall be held within 90 days after a request is received by the department, and notice shall be given by the department to all interested parties. A representative of the department shall attend the conference and the department may make recommendations. An agreement reached at a conference shall be consistent with this chapter and, if approved by the department, it shall be reduced to writing and shall be effective, unless reviewed and rejected by the department within ten days after the conference. The record of an agreement approved by the department shall be kept on file by the department and copies shall be furnished to the parties. The scheduling of a conference shall have no effect on the department's authority to issue orders to compel compliance with this chapter.

(b) Notification.—When a coal operator is to be notified of a proceeding under this section, the department simultaneously shall send a copy of the notice to the collective bargaining representative of employees of the coal operator.

§ 3652. Public nuisances.

A violation of section 3617 (relating to protection of fresh groundwater and casing requirements), 3618 (relating to protection of water supplies), 3619 (relating to use of safety devices) or 3620 (relating to plugging requirements), or a regulation, order, term or condition of a permit relating to any of those sections constitutes a public nuisance.

§ 3653. Enforcement orders.

(a) General rule.—Except as modified by subsections (b), (c) and (d), the department may issue orders necessary to aid in enforcement of this chapter. An order issued under this chapter shall take effect upon notice, unless the order specifies otherwise. The power of the department to issue an order under this chapter is in addition to any other remedy available to the department under this chapter or under any other law.

(b) Suspension and revocation.—

(1) The department may suspend or revoke a well permit or well registration for any well:

(i) in continuing violation of any of the following:

(A) This chapter.

(B) The act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law.

(C) The act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act.

(D) Any other statute administered by the department.

(ii) the likely result of a violation is an unsafe operation or environmental damage.

(2) A suspension order of the department shall automatically terminate if the violation upon which it is based is corrected by the operator to the satisfaction of the department in order to bring the well into compliance with this chapter.

(c) Written notice.—Prior to suspension or revocation of a well permit or registration, the department shall serve written notice on the well operator or its agent, stating specifically the statutory provision, regulation or other reason relied upon, along with factual circumstances surrounding the alleged violation. If the department suspends or revokes the permit or registration, the department may order the operator to cap the well if the likely result of the violation is an unsafe operation or environmental damage.

(d) Immediate orders.—An order of the department requiring immediate cessation of drilling operations shall be effective only if authorized by the secretary or a designee.

(e) Grievances.—A person aggrieved by a department order issued under this section shall have the right, within 30 days of receipt of the notice, to appeal to the Environmental Hearing Board. § 3654. Restraining violations.

(a) General rule.—In addition to any other remedy provided in this chapter, the department may institute a suit in equity in the name of the Commonwealth for an injunction to restrain a violation of this chapter or rules, regulations, standards or orders adopted or issued under this chapter and to restrain the maintenance or threat of a public nuisance. Upon motion of the Commonwealth, the court shall issue a prohibitory or mandatory preliminary injunction if it finds that the defendant is engaging in unlawful conduct, as defined by this chapter, or conduct causing immediate and irreparable harm to the public. The Commonwealth shall not be required to furnish bond or other security in connection with the proceeding. In addition to an injunction, the court in equity may level civil penalties as specified in section 3656 (relating to civil penalties).

(b) District attorney.—In addition to other remedies in this chapter, upon relation of the district attorney of a county affected or upon relation of the solicitor of a municipality affected, an action in equity may be brought in a court of competent jurisdiction for an injunction to restrain a violation of this chapter or rules and regulations promulgated under this chapter or to restrain a public nuisance or detriment to health.

(c) Concurrent penalties.—Penalties and remedies under this chapter shall be deemed concurrent. Existence or exercise of one remedy shall not prevent the department from exercising another remedy at law or in equity.

(d) Jurisdiction.—Actions under this section may be filed in the appropriate court of common pleas or in Commonwealth Court, and those courts are hereby granted jurisdiction to hear actions under this section.

§ 3654.1. Well control emergency response cost recovery.

A person liable for a well control emergency is responsible for all response costs incurred by the department for well control specialists to respond to the well control emergency. In an action before a court of competent jurisdiction, the department may recover all its response costs, including the cost of regaining control of the well, controlling the perimeter of the well site, preparing water sprays,

establishing trenches or dikes to capture runoff fluids and providing the resources and equipment needs for the incident.

§ 3655. Penalties.

(a) General violation.—A person violating a provision of this chapter commits a summary offense and, upon conviction, shall be sentenced to pay a fine of not more than \$500 or to imprisonment of not more than 90 days, or both. Each day during which the violation continues is a separate and distinct offense.

(b) Willful violation.—A person willfully violating a provision of this chapter or an order of the department issued under this chapter commits a misdemeanor and, upon conviction, shall be sentenced to pay a fine of not more than \$5,000 or to imprisonment of not more than one year, or both. Each day during which the violation continues is a separate and distinct offense.

(c) Authority.—The department may institute a prosecution against any person or municipality for a violation of this chapter. § 3656. Civil penalties.

In addition to other remedies available at law or in equity for a violation of this chapter, a regulation of the department, a departmental order or a permit condition, the department, may assess a civil penalty regardless of whether the violation was willful. The penalty shall not exceed \$25,000 plus \$1,000 for each day during which the violation continues. In determining whether to assess a penalty or the amount of the penalty, the department shall consider willfulness of the violation, damage or injury to natural resources of this Commonwealth or their uses, endangerment of safety of others, the cost of remedying the harm, savings resulting to the violator as a result of the violation, whether the operator voluntarily plugged an orphaned or abandoned well and any other relevant factor. When the department proposes to assess a civil penalty, it shall notify the person of the proposed amount of the penalty. The person charged with the penalty must, within 30 days of notification, pay the proposed penalty in full or file an appeal of the assessment with the Environmental Hearing Board. Failure to comply with the time period under this section shall result in a waiver of all legal rights to contest the violation or the amount of the penalty. The civil penalty shall be payable to the Commonwealth and collectible in any manner provided at law for collection of debts. If a violator neglects or refuses to pay the penalty after demand, the amount, together with interest and costs that may accrue, shall become a lien in favor of the Commonwealth on the real and personal property of the violator, but only after the lien has been entered and docketed of record by the prothonotary of the county where the property is situated. The department may transmit to the prothonotaries of the various counties certified copies of all liens. It shall be the duty of each prothonotary to enter and docket the liens of record in the prothonotary's office and index them as judgments are indexed, without requiring payment of costs as a condition precedent to entry.

§ 3657. Existing rights and remedies preserved and cumulative remedies authorized.

Nothing in this chapter stops the Commonwealth or a district attorney from proceeding in a court of law or in equity to abate pollution forbidden under this chapter or a nuisance under existing law. It is hereby declared to be the purpose of this chapter to provide additional and cumulative remedies to control activities related to drilling for or production of oil and gas in this Commonwealth, and nothing contained in this chapter abridges or alters rights of action or remedies existing, or which existed previously, in equity or under common or statutory law, criminal or civil. Neither this chapter, the grant of a permit under this chapter nor an act done by virtue of this chapter stops the Commonwealth, in exercising rights under common or decisional law or in equity, from suppressing a nuisance, abating pollution or enforcing common law or statutory rights. No court of this Commonwealth with jurisdiction to abate public or private nuisances shall be deprived of jurisdiction in an action to abate a private or public nuisance instituted by any person on grounds that the nuisance constitutes air or water pollution.

§ 3658. Inspection and production of materials, witnesses, depositions and rights of entry.

(a) General rule.—The department may make inspections, conduct tests or sampling or examine books, papers and records pertinent to a matter under investigation under this chapter to determine compliance with this chapter. For this purpose, the duly authorized agents and employees of the department may at all reasonable times enter and examine any involved property, facility, operation or activity.

(b) Access.—The owner, operator or other person in charge of a property, facility, operation or activity under this chapter, upon presentation of proper identification and purpose either for inspection or to remediate or otherwise respond to a well control emergency, by agents or employees of the department, shall provide free and unrestricted entry and access. Upon refusal, the agent or employee may obtain a search warrant or other suitable order authorizing entry and inspection, remediation or response. It shall be sufficient to justify issuance of a search warrant authorizing examination and inspection if:

(1) there is probable cause to believe that the object of the investigation is subject to regulation under this chapter; and

(2) access, examination or inspection is necessary to enforce the provisions of this chapter.

(c) Witnesses.—In any part of this Commonwealth, the department may subpoena witnesses, administer oaths, examine witnesses, take testimony and compel production of books, records, maps, plats, papers, documents and other writings pertinent to proceedings or investigations conducted by the department under this chapter. Upon refusal to obey a subpoena by any person and on application of the department, a court may enforce a subpoena in contempt proceedings. Fees for serving a subpoena shall be the same as those paid to sheriffs for similar services.

(d) Deposition.—The department or a party to a proceeding before the department may cause the deposition of a witness who resides in or outside of this Commonwealth to be taken in the manner prescribed by law for taking depositions in civil actions.

(e) Witness fee.—Witnesses summoned before the department shall be paid the same fees as are paid to witnesses in courts of record of general jurisdiction. Witnesses whose depositions are taken under this chapter, and the officers taking those depositions, shall be entitled to the same fees as those paid for like services in court.

(f) Purchasers.—Upon request, a purchaser of oil or gas shall provide the department information necessary to determine ownership of facilities from which the purchaser obtained oil or gas. The information shall be kept confidential for a period of five years, and the department may utilize it in enforcement proceedings. The department may request information under this section only when a well does not comply with section 3611(h) (relating to well permits).

§ 3659. Unlawful conduct.

It shall be unlawful for any person to:

(1) Drill, alter, operate or utilize an oil or gas well without a permit or registration from the department as required by this chapter or in violation of rules or regulations adopted under this chapter, orders of the department or a term or condition of a permit issued by the department.

(2) Conduct an activity related to drilling for or production of oil and gas:

(i) contrary to this chapter, rules or regulations adopted under this chapter, an order of the department or a term or condition of a permit issued by the department; or

(ii) in any manner as to create a public nuisance or adversely affect public health, safety, welfare or the environment.

(3) Refuse, obstruct, delay or threaten an agent or employee of the department acting in the course of lawful performance of a duty under this chapter, including, but not limited to, entry and inspection.

(4) Attempt to obtain a permit or identify a well as an orphan well by misrepresentation or failure to disclose all relevant facts.

(5) Cause abandonment of a well by removal of casing

or equipment necessary for production without plugging the well in the manner prescribed under section 3620 (relating to plugging requirements), except that the owner or operator of a well may temporarily remove casing or equipment necessary for production, but only if it is part of the normal course of production activities.

§ 3660. Collection of fines and penalties.

Fines and penalties shall be collectible in a manner provided by law for collection of debts. If a person liable to pay a penalty neglects or refuses to pay after demand, the amount, together with interest and costs that may accrue, shall be a judgment in favor of the Commonwealth on the person's property, but only after the judgment has been entered and docketed of record by the prothonotary of the county where the property is situated. The department may transmit to prothonotaries of the various counties certified copies of all judgments, and it shall be the duty of each prothonotary to enter and docket them of record in the prothonotary's office and index them as judgments are indexed, without requiring payment of costs as a condition precedent to entry.

§ 3661. Third-party liability.

If a person other than a well operator renders a service or product to a well or well site, that person is jointly and severally liable with the well owner or operator for violations of this chapter arising out of and caused by the person's actions at the well or well site, in accordance with State law.

§ 3662. Inspection reports.

The department shall post inspection reports on its publicly accessible Internet website. The inspection reports shall include:

(1) The nature and description of violations.

(2) The operator's written response to the violation, if available.

(3) The status of the violation.

(4) The remedial steps taken by the operator or the department to address the violation.

SUBCHAPTER D

MISCELLANEOUS PROVISIONS

3671. Well plugging funds.

3672. (Reserved).

3673. Effect on department authority.

3673.1. Relationship to solid waste and surface mining.

3673.2. Relationship to the coal and gas resource coordination.

3673.3. Local ordinances.

3674. Regulations.

§ 3671. Well plugging funds.

(a) Appropriation.—Fines and civil penalties collected under this chapter shall be deposited into the Abandoned Well Plugging Fund. Permit fees collected under this chapter shall be appropriated to the department to carry out the purposes of this chapter.

(b) Surcharge.—To aid in indemnifying the Commonwealth for the cost of plugging abandoned wells, a \$50 surcharge shall be added to the permit fee established by the department under section 3611 (relating to well permits) for new wells. Money collected as a result of the surcharge shall be paid into the Abandoned Well Plugging Fund and expended by the department to plug abandoned wells threatening the health and safety of persons or property or pollution of waters of this Commonwealth.

(c) Orphan Well Plugging Fund.—The following shall apply:

(1) A \$100 surcharge for wells to be drilled for oil production and a \$200 surcharge for wells to be drilled for gas production are added to the permit fee established by the department under section 3611 for new wells. The surcharges shall be placed in the Orphan Well Plugging Fund and expended by the department to plug orphan wells. If an operator rehabilitates a well abandoned by another operator or an orphan well, the permit fee and the surcharge for the well shall be waived.

(2) The department shall study its experience in implementing this section and shall report its findings to the

Governor and the General Assembly by one year after promulgation. The report shall contain information relating to the balance of the fund, number of wells plugged, number of identified wells eligible for plugging and recommendations as to alternative funding mechanisms.

(d) Supplements to funds.—The Abandoned and Orphan Well Plugging Funds may be supplemented by appropriations from the Federal Government, the General Assembly or State or local government or from any private source.

§ 3672. (Reserved).

§ 3673. Effect on department authority.

This chapter does not affect, limit or impair any right or authority of the department under the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law; the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act; the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act; or the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act.

§ 3673.1. Relationship to solid waste and surface mining.

(a) General rule.—The obligation to obtain a permit and post a bond under Articles III and V of the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, and to provide public notice under section 1905-A(b)(1)(v) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, for any pit, impoundment, method or facility employed for the disposal, processing or storage of residual wastes generated by the drilling of an oil or gas well or from the production of wells which is located on the well site, shall be considered to have been satisfied if the owner or operator of the well meets the following conditions:

(1) the well is permitted under the requirements of section 3611 (relating to well permits) or registered under section 3613 (relating to well registration and identification);

(2) the owner or operator has satisfied the financial security requirements of section 3625 (relating to bonding) by obtaining a surety or collateral bond for the well and well site; and

(3) the owner or operator maintains compliance with this chapter and applicable regulations of the Environmental Quality Board.

(b) Noncoal surface mining.—Obligations under the act of December 19, 1984 (P.L.1093, No.219), known as the Noncoal Surface Mining Conservation and Reclamation Act, or a regulation promulgated under the Noncoal Surface Mining Conservation and Reclamation Act, for any borrow area where minerals are extracted solely for the purpose of oil and gas well development, including access road construction, shall be considered to have been satisfied if the owner or operator of the well meets the conditions imposed under subsection (a)(1) and (2) and maintains compliance with this chapter and applicable regulations of the Environmental Quality Board.

(c) Solid Waste Management Act.—This section does not diminish or otherwise affect duties or obligations of an owner or operator under the Solid Waste Management Act. This section does not apply to waste classified as hazardous waste under the Solid Waste Management Act or the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 90 Stat. 2795, 42 U.S.C. § 6901 et seq.).

(d) Definition.—As used in this section, the term "well site" means areas occupied by all equipment or facilities necessary for or incidental to drilling, production or plugging a well.

§ 3673.2. Relationship to the Coal and Gas Resource Coordination Act.

(a) Applicability.—The requirements under section 5 of the act of December 18, 1984 (P.L.1069, No.214), known as the Coal and Gas Resource Coordination Act, for the issuance of a permit under the former act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, shall apply to this act.

(b) Construction.—Nothing in this act shall be construed to change, repeal or otherwise affect the provisions of the Coal and Gas Resource Coordination Act.

§ 3673.3. Local ordinances.

Except with respect to local ordinances adopted pursuant to the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, and the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act, all local ordinances purporting to regulate conventional oil and gas operations regulated by this act are hereby superseded. No local ordinance adopted pursuant to the Pennsylvania Municipalities Planning Code or Flood Plain Management Act shall contain provisions which impose conditions, requirements or limitations on the same features of oil and gas operations regulated by this act or that accomplish the same purposes as set forth in this act. The Commonwealth, by this section, preempts and supersedes the regulation of conventional oil and gas operations as herein defined.

§ 3674. Regulations.

The Environmental Quality Board shall promulgate regulations to implement this chapter.

CHAPTER 37 ANNUAL FEE

Sec.

3701. Annual fee.

§ 3701. Annual fee.

The Environmental Quality Board shall establish annual fees for all wells that have not been granted inactive status or are plugged and abandoned. These fees shall bear a reasonable relationship to the costs of the Department of Environmental Protection associated with administering Chapters 32 (relating to development) and 36 (relating to conventional development).

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Delaware County, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

What this amendment is, essentially, is crafted by the Department of Environmental Protection to try to effectuate an agreement in longstanding negotiations between the conventional drillers and the department with regard to regulating the conventional – as distinguished from the unconventional – industry the department recognizes—

The SPEAKER. The gentleman will please suspend.

Members, please move all conversations off the back of the House. The gentleman is describing his amendment and deserves to be heard.

The Chair thanks the gentleman. You are in order and may proceed.

Mr. VITALI. The department recognizes that the conventional industry is significantly different than the unconventional industry and believes that the conventional industry is entitled to its own set of regulations, and that is what this amendment attempts to do. Mr. Speaker, HB 1144 as drafted contains a number of provisions that are detrimental to the public health and the environment, and this amendment addresses those concerns.

First and foremost, right now a driller, a conventional driller, if he damages water supplies – public water supplies or the well of any homeowner – in the course of his drilling, he has to replace it either to what it was before he damaged it or to safe drinking water standards, whichever is greater. This, the Causer bill, lowers that. The DEP amendment would bring that up to the higher of those two standards, thus protecting water supply.

A second thing this amendment would do would be to keep current law consistent in not allowing the spread of untreated, and the key word is "untreated" brine as a dust suppressant. Right now under current law, brine, untreated brine, which contains radioactive elements, cannot be spread on roadways. Currently underway, there is a Penn State study that examines the dangerousness of this activity. This bill would allow the spreading of brine. The DEP amendment would remove that and keep the status quo until this issue can be fully studied, which is being done now.

Mr. Speaker, right now under current law, under Act 13, if you as a driller spill more than 5 gallons of brine, you have to report it. This will increase that to 630 gallons before you have to report. That is too much. This amendment would bring it back to Act 13 standards. There are also provisions with regard to – in this amendment – having greater protection to the DEP in issuing permits to protect public resources, like scenic rivers and parks and historical sites. The Causer bill does not offer that protection.

And then finally, this amendment, the DEP amendment would prevent conventional drillers from evading erosion and sediment permitting requirements.

I offered this amendment at the request of DEP because the Causer bill as currently drafted is not protective of public health and the environment. We will probably be voting on that bill tomorrow.

AMENDMENT WITHDRAWN

Mr. VITALI. The DEP has asked me to withdraw this amendment because they have noted in a final review some serious omissions, and for that reason I am withdrawing it.

The SPEAKER. The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **HB 231, PN 195**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of unlawful contact with minor.

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

Mr. **ZABEL** offered the following amendment No. **A00735**:

Amend Bill, page 1, line 2, by inserting after "Statutes," in public indecency, further providing for the offense of obscene and other sexual materials and performances; and,
Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Sections 5903(e)(3) and 6318(a) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:
§ 5903. Obscene and other sexual materials and performances.

* * *

(e) Definitions.—As used in subsections (c) and (d) of this section:

* * *

(3) "Sexual conduct" means acts of masturbation, [homosexuality,] sexual intercourse, sexual bestiality or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

* * *

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

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

Mr. ZABEL. Thank you, Mr. Speaker.

Mr. Speaker, recently one of the municipalities that I represent, Upper Darby Township, completed the process of putting all of their ordinances online, and when that happened, a few of my constituents went online and they were going through the ordinances and they found something that was really disturbing. In its ordinance on the subject of obscenity, for decades – decades – Upper Darby had classified homosexuality as "inherently obscene." To be clear, it was the depiction of homosexuality itself that was designated as obscene, not the depiction of sexual conduct, not anything illicit or pornographic, but the very existence of homosexuality itself was designated as obscene.

Now, as you would expect, that discovery was appalling to the people of Upper Darby and to my constituents, and to Upper Darby's credit, their government took action. They immediately removed homosexuality from its definition of "obscene" in the obscenity statute, recognizing that love is love and sexual orientation is most certainly not obscene.

Which brings us to today. I learned that our own statewide obscenity statute says the same exact thing. It has the same exact homophobic language, language that does not reflect the values of this Commonwealth. Right now our obscenity law as it is written – giving a teenager a book that has a gay character in it could be construed as a crime under the obscenity statute. That is how it is written right now. That is cruel, that is discriminatory, and most importantly, Mr. Speaker, it is not who we are.

So, Mr. Speaker, my amendment proposes a very simple fix. It removes one word from our obscenity statute. It preserves the intent and the effect of the obscenity statute. Specifically, it protects against the dissemination of lurid material that is deemed suitable only for adults, but it does it without stigmatizing and attacking a significant portion of our population solely based on whom they love.

Please, let us move Pennsylvania's obscenity law out of the Dark Ages. Please vote "yes" for this amendment. Thank you.

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

Mr. KAUFFMAN. Thank you, Mr. Speaker.

HB 231 amends section 6318 of the Crimes Code. This amendment substantively amends a different crime altogether, section 5903 of the Crimes Code. We should not be making that kind of substantive change via amendment of only a loosely related bill. Furthermore, there are numerous statutes in current law referencing homosexuality as a form of sexual conduct. If a change of this kind should be made, it should be carefully made to all related sections and made all definitions at once.

AMENDMENT TABLED

Mr. KAUFFMAN. So for that purpose, Mr. Speaker, I want to make a motion.

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

Mr. KAUFFMAN. Mr. Speaker, I move to table the amendment to HB 231, amendment A00735.

The SPEAKER. The gentleman, Representative Kauffman, has made a motion to lay on the table the amendment, 735.

On the question,

Will the House agree to the motion?

The SPEAKER. For the information of the members, according to rule 59, "A motion to lay on the table is debatable" only "by the Majority Leader, the Minority Leader, the maker of the motion, the maker of the amendment under consideration and the prime sponsor of the bill under consideration."

The gentleman, Representative Zabel, is recognized to speak on the motion.

Mr. ZABEL. Thank you, Mr. Speaker.

Mr. Speaker, just to address the single concern that was raised by the maker of the motion, this bill that we are considering today amends section 6318 of the Crimes Code, and that goes to unlawful contact with a minor. One of the ways that unlawful contact with a minor occurs – and this is specifically spelled out in the statute – is through a violation of the obscenity statute, 5903. So 5903, Mr. Speaker, is expressly incorporated into section 6318. That is what my amendment addresses. It addresses one of the elements of 5903. In other words, it addresses one of the elements of 6318. It could not be more directly related to the crime, it could not be more germane, it could not be more on point, and frankly, Mr. Speaker, we have gone through and we have found this is the instance, this is the only instance in the Crimes Code where homosexuality is singled out as inherently obscene.

It is entirely appropriate for us to deal with this here. This amendment preserves the effect of the statute and is directly relevant to it. I ask you for a "no" vote on the tabling of this amendment. Thank you.

The SPEAKER. The House has before it a motion to table, made by the gentleman, Representative Kauffman, to table the amendment, A00735.

Those in favor of tabling the amendment will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

The SPEAKER. On that question, 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 and recognizes the gentleman, Leader Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board is correct for the majority party.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—111

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

NAYS—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	Sappery
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	Kinhead	Parker	Zabel
DeLuca	Kinsey		

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

MOTION TO TABLE

The SPEAKER. The Chair now recognizes the gentleman, Representative Harris, for the purposes of making a motion.

Mr. HARRIS. Thank you, Mr. Speaker.

I would like to make a motion to table HB 231.

The SPEAKER. The gentleman, Representative Harris, has made a motion to table the underlying bill, HB 231. The gentleman's motion is in order.

On the question,

Will the House agree to the motion?

The SPEAKER. You may proceed on the motion.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the last amendment was voted to be tabled. We believe that this amendment is vital to this legislation. There is no time like the present to deal with this issue and so I am making the motion to table this bill to give folks an opportunity to work together so that we can finally address this issue that is before us.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes the gentleman, Leader Benninghoff, on the motion to table HB 231.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I would ask the members to not vote to table this and remind them that at the beginning of session this year, we distinctively changed our own House rules that allowed us to table an amendment that may have some concerns or questions by any of the members on either side of the aisle and still allow a bill to proceed. This is an instance where that can happen; therefore, the amendment still stays alive in its spirit and can be reintroduced as a bill and debated and discussed on its merits at a later date. I would ask the members to stay with that and vote "no" to table this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of tabling HB 231 will vote "yes"; those opposed will vote "no."

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

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	Sapprey
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	Kinhead	Parker	Zabel
DeLuca	Kinsey		

NAYS—111

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

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.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 124, PN 1324**, entitled:

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.

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

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

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

The gentleman, Representative Rigby, is in order, and you may proceed.

Mr. RIGBY. Thank you, Mr. Speaker.

The amendments made in the Senate would recognize any future firefighter that may perish in the line of duty. It would also then be recognized and added to this memorial bridge for the city of Johnstown firefighters. Thank you. I would encourage a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—201

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

Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
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	Kaufer	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	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	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 358, PN 364**, entitled:

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, further providing for agreements with institutions of higher education; and, in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements.

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—182

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

NAYS—19

Benham	Evans	Innamorato	Krueger
Cephas	Fiedler	Isaacson	Lee
Daley	Gainey	Kenyatta	Rabb
Deasy	Hohenstein	Kirkland	Sims
Delloso	Howard	Krajewski	

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 1013, PN 1052**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and graduation requirements.

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 gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato

Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappay
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
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	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinkead	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	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

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 1010, PN 1453**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for proposal of amendments by the General Assembly and their adoption.

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—113

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

NAYS—88

Benham	Driscoll	Kinsey	Pashinski
Bizzarro	Evans	Kirkland	Pisciottano
Boyle	Fiedler	Kosierowski	Rabb
Bradford	Fitzgerald	Krajewski	Rozzi
Briggs	Flynn	Krueger	Sainato
Brown, A.	Frankel	Kulik	Samuelson
Bullock	Freeman	Lee	Sanchez
Burgos	Gainey	Longietti	Sappay
Carroll	Galloway	Madden	Schlossberg
Cephas	Guenst	Malagari	Schweyer
Ciresi	Guzman	Markosek	Shusterman
Conklin	Hanbidge	Matzie	Sims
Cruz	Harkins	McClinton	Snyder
Daley	Harris	McNeill	Solomon
Davidson	Herrin	Merski	Sturla
Davis, A.	Hohenstein	Miller, D.	Vitali
Davis, T.	Howard	Mullins	Warren
Dawkins	Innamorato	Neilson	Webster

Deasy	Isaacson	Nelson, N.	Wheatley
DeLissio	Kenyatta	O'Mara	Williams, D.
Deloso	Kim	Otten	Young
DeLuca	Kinkead	Parker	Zabel

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 1264, PN 1454**, entitled:

An Act regarding the past, present and future response of this Commonwealth to the COVID-19 pandemic; providing for COVID-19 vaccine personal information privacy; and imposing penalties.

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 gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—115

Armanini	Gregory	Masser	Rothman
Benninghoff	Greiner	Matzie	Rowe
Bernstine	Grove	Mehaffie	Ryan
Boback	Hamm	Mentzer	Sankey
Bonner	Heffley	Mercuri	Saylor
Borowicz	Helm	Metcalfe	Schemel
Brooks	Hennessey	Metzgar	Schmitt
Brown, R.	Hershey	Mihalek	Schroeder
Burns	Hickernell	Millard	Silvis
Causser	Irvin	Miller, B.	Smith
Cook	James	Mizgorski	Sonney
Cox	Jones	Moul	Staats

Culver	Jozwiak	Mustello	Stambaugh
Davanzo	Kail	Nelson, E.	Stephens
Day	Kaufer	O'Neal	Struzzi
DeLozier	Kauffman	Oberlander	Thomas
DelRosso	Keefer	Ortitay	Tomlinson
Diamond	Kerwin	Owlett	Toohil
Dowling	Klunk	Peifer	Topper
Dunbar	Knowles	Pennyquick	Twardzik
Ecker	Kulik	Pickett	Warner
Emrick	Labs	Pisciottano	Wentling
Farry	Lawrence	Polinchock	Wheeland
Fee	Lewis	Puskaric	White
Flood	Mackenzie, M.	Quinn	Williams, C.
Fritz	Mackenzie, R.	Rader	Zimmerman
Gaydos	Mako	Rapp	
Gillen	Maloney	Rigby	Cutler,
Gillespie	Marshall	Roae	Speaker
Glein			

NAYS—86

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

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.

BILL SIGNED BY SPEAKER

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

HB 124, PN 1324

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.

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

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 106 By Representative BENNINGHOFF

A Concurrent Resolution extending in part and terminating in part the March 6, 2020, proclamation of disaster emergency, as amended and renewed, issued under the hand and seal of the Governor, Thomas Westerman Wolf.

Referred to Committee on STATE GOVERNMENT, May 24, 2021.

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. GROVE. Thank you, Mr. Speaker.

I just want to announce that the House State Government Committee will be holding a voting meeting tomorrow, Tuesday, May 25, 2021, at 10:30 a.m., room B-31. The committee will be taking up HB 117, HR 106, SB 106, and any further business before the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The House State Government Committee will be holding a voting meeting on Tuesday, May 25, 2021, at 10:30 a.m., in room B-31.

For the information of the members, there will be no further votes on the floor today; however, we will keep the desk open to do some housekeeping.

BILLS RECOMMITTED

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

HB 231;
HB 246;
HB 406;
HB 580;
HB 753;
HB 843;
HB 1096;
HB 1130;
HB 1144;
HB 1147; and
HB 1154.

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 141;
HB 221;
HB 490;
HB 996;
HB 1122;
HB 1169;
HB 1184; and
HB 1213.

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

HUMAN SERVICES COMMITTEE MEETING

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

Mr. FARRY. Thank you, Mr. Speaker.

Just for the information of the members, as a reminder, there will be a call-of-the-Chair committee meeting for the Human Services Committee. It will be held in room 515, Irvis Office Building, at the call of the Chair tomorrow. We will be undertaking HBs 404, 409, 1420, and SB 108.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a call-of-the-Chair committee meeting for the Human Services Committee. It will be held in room 515, Irvis Office Building, at the call of the Chair tomorrow.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Speaker is in receipt of motion made by the gentleman, Representative Mullery, that this House do now adjourn until Tuesday, May 25, 2021, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:15 p.m., e.d.t., the House adjourned.