

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

THURSDAY, JUNE 10, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 35

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)  
PRESIDING**

#### PRAYER

HON. JOSEPH C. HOHENSTEIN, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Today we will just take a moment as friends, Quakers, the founding religion of Pennsylvania, do before meetings for business and where business is conducted, like this one. We traditionally sit in silence, worship for about 5 minutes. I am not going to make people take 5 minutes, but we will sit and worship, reflect on the light of God in yourself and that of God in others, and then we will begin.

#### 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, June 9, 2021, will be postponed until printed.

To the good gentleman, Representative Hohenstein, I appreciate him opening our session this morning. As he and I have shared privately, my own family has Quaker roots here in the Commonwealth, first immigrating to Bucks County when we were still a colony. So I appreciate the gentleman's prayer this morning as we began.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1591** By Representatives KNOWLES, FREEMAN, JAMES, MOUL and SAPPEY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers, classification of counties, further providing for ascertainment, certification and effect of change of class; and making related repairs.

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

**No. 1592** By Representatives SAPPEY, JAMES, MOUL, KNOWLES and FREEMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in general provisions, providing for certain transmittals and submissions to governmental bodies.

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

**No. 1593** By Representatives BULLOCK, N. NELSON, KRAJEWSKI, SANCHEZ, MADDEN, T. DAVIS, PARKER, HILL-EVANS, McNEILL, INNAMORATO and KENYATTA

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in creation of leases, statute of frauds and mortgaging of leaseholds, providing for criminal background.

Referred to Committee on CONSUMER AFFAIRS, June 10, 2021.

**No. 1594** By Representatives TOMLINSON, SANKEY, THOMAS, MILLARD, TOPPER, SCHROEDER, FARRY, STAATS, POLINCHOCK, KAIL, MOUL, BURNS, QUINN, DELOZIER and NEILSON

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for disclosure of information by online marketplaces to inform customers.

Referred to Committee on CONSUMER AFFAIRS, June 10, 2021.

**No. 1595** By Representatives CIRESI, D. WILLIAMS, HILL-EVANS, SANCHEZ, SAMUELSON, HANBIDGE, SCHLOSSBERG, MALAGARI, DRISCOLL, PASHINSKI, SIMS, WEBSTER, GUZMAN, DEASY, HOHENSTEIN, GUENST, O'MARA and LEWIS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in reimbursements by Commonwealth and between school districts, further providing for student-weighted basic education funding and for special education payments to school districts.

Referred to Committee on EDUCATION, June 10, 2021.

**No. 1596** By Representatives WHEELAND, STAATS, R. MACKENZIE, COOK, CAUSER, BERNSTINE, KAUFFMAN, BOROWICZ, M. MACKENZIE, RYAN, DIAMOND, OWLETT, HAMM, ROTHMAN, ROWE, MILLARD, METCALFE and COX

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for qualifications of electors.

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

### SENATE BILLS FOR CONCURRENCE

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

#### **SB 486, PN 515**

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

#### **SB 516, PN 802**

Referred to Committee on JUDICIARY, June 10, 2021.

#### **SB 554, PN 875**

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

#### **SB 618, PN 876**

Referred to Committee on HEALTH, June 10, 2021.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 854, PN 1752**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### WRIT OF SPECIAL ELECTION

The SPEAKER. The Speaker submits for the record a copy of the writ for the special election to be held for the 113th Legislative District on November 2, 2021.

The following writ of special election was submitted:

#### WRIT OF ELECTION

TO VERONICA DEGRAFFENREID, ACTING SECRETARY OF THE COMMONWEALTH, AND TO JERRY NOTARIANNI, DEBI DOMENICK, ESQ., AND CHRIS CHERMAK, CONSTITUTING THE BOARD OF ELECTIONS OF LACKAWANNA COUNTY.

GREETINGS: WHEREAS, A VACANCY EXISTS IN THE OFFICE OF REPRESENTATIVE OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE ONE HUNDRED AND THIRTEENTH LEGISLATIVE DISTRICT OF THE COUNTY OF LACKAWANNA, CAUSED BY THE RESIGNATION OF MARTY FLYNN, THE REPRESENTATIVE FROM SAID DISTRICT, ON THE 9<sup>TH</sup> DAY OF JUNE, TWO THOUSAND TWENTY-ONE.

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

THAT YOU CAUSE AN ELECTION TO BE HELD IN THE SAID COUNTY OF LACKAWANNA, ON THE 2<sup>ND</sup> DAY OF NOVEMBER, TWO THOUSAND TWENTY-ONE TO CHOOSE A PERSON TO REPRESENT SAID LEGISLATIVE DISTRICT IN THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, FOR THE REMAINDER OF THE TERM EXPIRING NOVEMBER 30<sup>TH</sup>, TWO THOUSAND TWENTY-TWO, AND THAT YOU GIVE DUE AND PUBLIC NOTICE OF SAID ELECTION THROUGHOUT SAID DISTRICT, IN THE FORM AND MANNER DIRECTED BY LAW.

GIVEN UNDER MY HAND AND THE SEAL OF THE HOUSE OF REPRESENTATIVES AT HARRISBURG, PENNSYLVANIA, THIS 10<sup>TH</sup> DAY OF JUNE, TWO THOUSAND TWENTY-ONE.

BRYAN D. CUTLER  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ATTEST:  
BROOKE WHEELER  
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. The House will temporarily be at ease while we await the arrival of additional members.

The House will please return to order.

### LEAVES OF ABSENCE

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

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

The Democratic whip also indicates that there are none. The Chair thanks the gentleman.

### MASTER ROLL CALL

The SPEAKER. Without further ado, the Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

#### PRESENT—202

Armanini	Frankel	Lewis	Rigby
Benham	Freeman	Longietti	Roae
Benninghoff	Fritz	Mackenzie, M.	Rossi
Bernstine	Gainey	Mackenzie, R.	Rothman
Bizzarro	Galloway	Madden	Rowe
Boback	Gaydos	Major	Rozzi

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

### RULES COMMITTEE MEETING

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

We will have a Rules Committee meeting in the majority caucus room at 11:30.

The SPEAKER. The Chair thanks the gentleman.

The Rules Committee will meet in the majority caucus room at 11:30.

### SENATE MESSAGE

#### AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HR 106, PN 1753**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. This House will stand at ease while the Rules Committee meets.

The House will please return to order.

#### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 854, PN 1752**

By Rep. BENNINGHOFF

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 record retention and for temporary regulatory flexibility authority.

RULES.

#### RESOLUTION ON CONCURRENCE REPORTED FROM COMMITTEE

**HR 106, PN 1753**

By Rep. BENNINGHOFF

A Concurrent Resolution terminating the March 6, 2020, proclamation of disaster emergency, as amended and renewed, issued under the hand and seal of the Governor, Thomas Westerman Wolf.

RULES.

#### SUPPLEMENTAL CALENDAR A

#### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 854, PN 1752**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 record retention and for temporary regulatory flexibility authority.

On the question,

Will the House concur in Senate amendments?

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

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.  
 HB 854 was amended by the Senate yesterday to provide for COVID-19 record retention for temporary regulatory flexibilities for waivers implemented in the response of COVID-19. I ask for an affirmative vote by the entire Assembly. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—202

Armanini	Frankel	Lewis	Rigby
Benham	Freeman	Longietti	Roae
Benninghoff	Fritz	Mackenzie, M.	Rossi
Bernstine	Gainey	Mackenzie, R.	Rothman
Bizzarro	Galloway	Madden	Rowe
Boback	Gaydos	Major	Rozzi
Bonner	Gillen	Mako	Ryan
Borowicz	Gillespie	Malagari	Sainato
Boyle	Gleim	Maloney	Samuelson
Bradford	Gregory	Markosek	Sanchez
Briggs	Greiner	Marshall	Sankey
Brooks	Grove	Masser	Sappey
Brown, A.	Guenst	Matzie	Saylor
Brown, R.	Guzman	McClinton	Schemel
Bullock	Hamm	McNeill	Schlossberg
Burgos	Hanbidge	Mehaffie	Schmitt
Burns	Harkins	Mentzer	Schroeder
Carroll	Harris	Mercuri	Schweyer
Causser	Heffley	Merski	Shusterman
Cephas	Helm	Metcalfe	Silvis
Ciresi	Hennessey	Metzgar	Sims
Conklin	Herrin	Mihalek	Smith
Cook	Hershey	Millard	Snyder
Cox	Hickernell	Miller, B.	Solomon
Cruz	Hohenstein	Miller, D.	Sonney
Culver	Howard	Mizgorski	Staats
Daley	Innamorato	Moul	Stambaugh
Davanzo	Irvin	Mullery	Stephens
Davidson	Isaacson	Mullins	Struzzi
Davis, A.	James	Mustello	Sturla
Davis, T.	Jones	Neilson	Thomas
Dawkins	Jozwiak	Nelson, E.	Tomlinson
Day	Kail	Nelson, N.	Toohil
Deasy	Kaufner	O'Mara	Topper
DeLissio	Kauffman	O'Neal	Twardzik
Delloso	Keefer	Oberlander	Vitali
Delozier	Kenyatta	Ortitay	Warner
DelRosso	Kerwin	Otten	Warren
DeLuca	Kim	Owlett	Webster
Diamond	Kinhead	Parker	Wentling
Dowling	Kinsey	Pashinski	Wheatley
Driscoll	Kirkland	Peifer	Wheeland

Dunbar	Klunk	Pennycuick	White
Ecker	Knowles	Pickett	Williams, C.
Emrick	Kosierowski	Pisciottano	Williams, D.
Evans	Krajewski	Polinchock	Young
Farry	Krueger	Puskaric	Zabel
Fee	Kulik	Quinn	Zimmerman
Fiedler	Labs	Rabb	
Fitzgerald	Lawrence	Rader	Cutler,
Flood	Lee	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

**RESOLUTION ON CONCURRENCE  
 IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HR 106, PN 1753**, entitled:

A Concurrent Resolution terminating the March 6, 2020, proclamation of disaster emergency, as amended and renewed, issued under the hand and seal of the Governor, Thomas Westerman Wolf.

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

The SPEAKER. Moved by the gentleman, Leader Benninghoff, that the House concur in the amendments inserted by the Senate.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

HR 106 was amended by the Senate. It basically amends the concurrent resolution to include an immediate effective date, and we would ask for support by the House. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Bradford, on concurrence.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise in opposition of HR 106. A lot of us over the years have been given the admonition to be careful because sometimes the dog that chases the car catches the car, and the majority today, in spectacular fashion, has caught the car because I have got to tell you, when I heard we were going to terminate the emergency declaration, that made some sense to me because God knows the majority party has been trying to do it for months and thanks to the use of vaccinations, we are now in a position where the light is not only at the end of the tunnel but Pennsylvanians are returning to normal.

And with the passage of HB 854, as we just did, all of the regulations that the Governor suspended as part of the termination have all been extended. Every single regulation, all of the so-called tyranny has been taken away – no, no, no, it has been extended – 4 months, 4 months we extended – all of it was extended by a unanimous vote, Democrats and Republicans alike.

Maybe that is an argument for democracy and the legislative process, maybe, or maybe it is an argument that it was the right thing to do. But I am not here to talk about HB 854 because I would wonder with the passage of HB 854, maybe, maybe this, this is not even necessary to extend the resolution. So I said, then why do we have to extend the resolution? Why does the administration suggest that we need to keep the disaster declaration in place? Well, let me tell you why. Because sometimes the dog catches the car, and in this case the collateral damage could be SNAP (Supplemental Nutrition Assistance Program), it could be assistance for those in need, it could be unemployment benefits that we are getting from the Federal government, it could be the disaster funding we are continuing to get from the Federal government, because, see, the reality is, if you do not have a disaster declaration, as was admitted in the Senate last night by the Senate Republican majority, all of these benefits become in dispute. In fact, it is not clear, and I do not think the majority leader can give you any assurance that what we do today does not endanger these Federal benefits.

See, the raising rhetoric of the last few months has overtaken the reality. You have already, by legislative action 5 minutes ago, extended every one of these regulations that were suspended. You did that, a majority unanimously. What happened to tyranny, Mr. Speaker? That should be worth a round of applause. That was responsible leadership, which has been missing for the better part of a year in this building.

No, but now we need to do a little bit of politic theater – political theater at the cost of SNAP benefits for those who need them, unemployment money for our trust fund that is endangered, and badly needed disaster funding. Yes, it is the height of irresponsibility but irresponsibility checked by a little bit of political theater. So go on, patriots, be proud of yourselves.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Diamond, on HR 106.

The Chair would like to take this opportunity to remind members that it is not appropriate on either side to yell from the floor of the House or to engage in other activity such as applause or catcalls in order to try to disrupt the orderly debate of our chamber. That is the standard that as members we will all strive for.

The gentleman, Representative Diamond, is in order and you may proceed.

Mr. DIAMOND. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 106 as amended by the Senate, and I believe, although other speakers may want to paint a different picture, here is the real picture: Pennsylvania will exit this disaster emergency a freer and more open Commonwealth than we entered it. We are going to be better off than we were on March 5, 2020, the day before this disaster emergency started, after it, and that is the beauty of this. This is the exit strategy that we need for Pennsylvania.

We are not suspending any regulations here. We are continuing suspension of regulations, which we all fight for all the time. We all believe our lives are too regulated by big government. And while the previous speaker mentioned the word "tyranny" and acted as if it was a phantom, here is the real tyranny. The real tyranny is when you close down businesses with only hours' notice. The real tyranny is when you close down bars and restaurants with only hours' notice. That is what an affirmative vote on HR 106 will end. We will not have that sort

of decision again. But on the outside of this, on the exit of this, we are also not going to give people only hours' notice that they have to hustle and look around and go, well, wait, how do I adapt? That is not the way good government works.

So yes, we are ending the part of this disaster emergency that was tyranny, which is unilateral authority in hasty manner without reason or rationale. We are ending that. We are giving folks time to adapt to the changes that are coming, and we are giving ourselves time to legislate into permanence those things which we think were good. And look, there were good things that happened in this. I enjoy the opportunities I got to save some time by participating in telemedicine. I really did enjoy that. I would like to keep that permanent. Whether we can do that or not here in this chamber is not – you know, remains to be seen. I hope we can. But this is what we are doing in conjunction with the bill we just passed unanimously; we are giving time to adjust, not just for the people back home but for us here.

Mr. Speaker, I would like to offer a humongous thanks to our staff here who has worked hard on it; to the staff over in the Senate, especially the staff of the Senate majority leader's office who worked tirelessly on this for the last couple of days; and I would like to thank the Governor and his administration for their commentary in illustrating what the problems are with just taking these suspended regulations away immediately as we might do with a complete, you know, termination of everything. So in combination with HB 854, this resolution passing it and ending that tyranny is the right way to go.

Mr. Speaker, I have often lived by the phrase "When you're dealt lemons, you make lemonade." That is exactly what we have come here to do today. That is what we will do by voting affirmative on this today, and we have done it in unison with the administration, and as you can see by some of the votes on the last bill, in unison with our friends across the aisle. I believe this should usher in a new spirit of unity here in Pennsylvania that we all work together to make Pennsylvania a better place to live, work, and play.

Thank you, Mr. Speaker. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Rothman, on HR 106.

Mr. ROTHMAN. Thank you, Mr. Speaker.

You know, there is a story during the Constitutional Convention and the ratifying of the convention, a socialite in Philadelphia, a woman by the name – I think a Mrs. Parker approached the former Speaker of this body, Dr. Benjamin Franklin, as he walked out the door, and she said, "Dr. Franklin, do we have a republic or do we have a monarchy?" And Dr. Franklin, Benjamin Franklin, famously said, "We have a republic if you can keep it."

Often we have heard, especially in this last election, mistakenly cries about democracy. Now, we have a democracy in the United States. We are one person, one vote, but we live in a republic where we elect leaders to represent our constituents. And you have heard me talk about self-government.

Mr. Speaker, when the people of Pennsylvania voted in May on the constitutional amendment, they were voting against a monarchy, they were voting against one person, one man making decisions that affect their lives. HR 106 ends that. It ends the emergency declaration, but what it does is it continues the suspension of regulations that also have been found over the last year and half, why do we need these regulations, as the previous speaker spoke?

So I urge my colleagues to vote for HR 106, and to remember the words of the Speaker, Dr. Ben Franklin, that this is a republic if we can keep it. Thank you.

**THE SPEAKER PRO TEMPORE  
(TINA PICKETT) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Topper on HR 106.

Mr. TOPPER. Thank you, Madam Speaker.

I rise in support of HR 106. I think that as we talk about, use phrases like "political theater," we need to remember back throughout this past year. It has been extremely difficult. It has been difficult on our kids who were not afforded some of the opportunities that really help to shape a childhood. We have to think back to some of our businesses that were not able to conduct business and therefore pay their employees. We have to remember those who were forced into an unemployment system that simply was not capable of handling that kind of surge. We think back to our district offices, everyone, on both sides of the aisle, that dealt with constituents who were hurting in ways that we could have never imagined. And so I do not believe there is any part of this that is political theater.

There are some things that happened throughout this that the administration enacted via fiat that are things that all of us like, those of us on both sides of the aisle. But it was still the process. It was still the idea of finding out in a press conference what the new law of the land would be for that week. And I know that tensions were high in this room many times throughout that process, but I can honestly say that at no point did I ever consider it political theater, certainly not for my constituents and certainly not for me.

What we have to remember is that this is about process. What we are able to do on the last vote was truly the legislative process. There was debate. There were both chambers being involved and there was the administration being involved as well, willing to sign such a document. And moving forward, I believe that we can work in that manner to ensure that the best public policy for Pennsylvania is enacted the way it should. And even though there will be things, I am sure, moving forward that I would like to see that will not get done and things that I would not like to see that will get done, that is part of the process, that is why we are here, and I would ask for a "yes" vote on HR 106 as we move forward now in the process that was designed by our Founders in the Constitution.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Bradford. Thank you, sir.

The Chair then recognizes the Representative, Mr. Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

The gentleman that spoke immediately prior, I think, was absolutely correct. It has been a long, long time as we have managed the issues that have been before us.

Many people did not get a break for weeks in the early days of the pandemic, our front-line workers, individuals here in this chamber working on issues so that we could pass legislation collaboratively with the Governor. And I think back to an editorial that I wrote at the beginning of this session. I said, what does it take to tackle our problems? It is two things: we follow the Constitution, and it takes good people and good leadership.

That is important. That has not changed through the 16 months that we have worked through this.

But what does it mean here today as we are about to vote on the resolution, having successfully passed some of the administrative changes previously? I, for one, disagree with the tag line of "political theater." I recognize that it might make for a good video clip, but it is just not truthful because political theater, in my mind, would not have an impact. What we did here as a body had a very real impact.

For example, last session, I think we would all agree it was a difficult session. I started out in the role of majority leader and we managed one of the most aggressive legislative calendars here collaboratively, together, to pass nearly 650 bills, nearly 200 of which made it to the Governor's desk. So how did those bills pass? Well, you would think, if it were all for show, it would be straight party line, straight party line, straight party line. Not true – 96 percent of the bills had bipartisan support. I would like to say that again – 96 percent of the bills had bipartisan support, including the bills that passed during the pandemic to modify some of the Governor's actions and orders – bipartisan, together. Sixty-four percent of our bills passed unanimously, which means we agree nearly two-thirds of the time on how to solve problems and handle issues. That is important, because that is not necessarily the narrative that you might see in the media.

So what are the issues that we tackled unanimously? Well, the very first thing that we all agreed on was that we could operate remotely. That was a rules change. What else did we collaborate on? Well, we worked on the School Code changes so that students could still learn in what was a very difficult environment. We worked for our health-care workers and PPE (personal protective equipment). We made changes to our labor laws to ensure that the Federal moneys could get out to the workers who needed them. There were certainly challenges through the department's computer system that desperately needed updated, but nevertheless, we here in this chamber worked together.

That does not mean that we always agree. I think that is also a fair statement. You see, because with words like "political theater" and trying to change the history of what actually occurred, I think it sends the wrong message to our constituents. The reality is, we did work together, we did not always agree, but we still found solutions. That is what we are here for. It takes following the Constitution and it takes good people to lead.

So what does this effectively do? It does terminate the emergency as it currently exists. But what will remain in its place? I would go back to one of the first bills that we passed here in this chamber that ultimately was vetoed early on regarding a task force, a task force that was interbranch and bipartisan to manage this. Why? Why did we believe that needed done? Because when you have somebody operating or a department operating in a silo, the truth is you may not collect all the information.

Some of the early business closures, what was determined to be an essential business or life-sustaining business, there were some discrepancies but we would expect that. We would expect there to be some mistakes early on in how things were categorized or how things could be solved. That is normal. What is not normal is not working together. So we proposed doing a task force so that everybody would be in the room, all the information could be considered, and good decisions could be made. That did not happen. That bill was vetoed.

Now, thankfully, it did eventually happen on the vaccines. Through the leadership of this chamber, with strong support from multiple members here, we said let us do a vaccine task force. Pre-task force, I believe we were ranked 44th in the country; over 40 percent of our vaccines were not in arms. We now have consistently ranked in the top 9 in our country; our senior citizen population, I believe, is in the high 96- or 97-percent vaccination rate. That is a huge success. How did that happen? I will tell you how it happened. We worked with the Governor to find solutions. That is what our constituents expect.

So I, for one, wish it had happened a lot sooner. I wish the task force had been formed sooner. I wish that more of the information had been gathered. I wish more of the information had been shared. But I think it still takes good people to keep leading.

We demonstrated, now probably close to 10 or 15 minutes ago, what that looks like. We said there are some regulations because the reality is with telemedicine people schedule their appointments months in advance. So if that were to suddenly end today, I personally think it is unfair to ask a cancer patient to reschedule if they already had an expectation.

So what was the solution? We extended the regulations for a period of time. We as a deliberative body get to decide if we wish to address them legislatively going forward. And we have got several weeks between now and when that happens. Because every time that you manage through a crisis, you collect new information and you make decisions. The fundamental difference – and this is important – the old model was one person with limited inputs making those decisions. We are a diverse body. We recognize that. We have diverse viewpoints. We represent different areas and different industries. All of our constituents deserve to have a voice in that process. That is what this is about, and we are demonstrating it by not only passing this but the prior bill where we worked unanimously to find solutions. And I sincerely hope that we will continue to see good leadership as we solve the other problems that still need solved or may not have even occurred yet. But we as a body need to work together and we must do that through a deliberative process that includes the voices of everyone.

Thank you, Madam Speaker. Please vote "yes."

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Bradford on HR 106.

Mr. BRADFORD. Thank you, Madam Speaker.

Will the maker of the resolution stand for brief interrogation?

### THE SPEAKER (BRYAN CUTLER) PRESIDING

The SPEAKER. The gentleman indicates he will. You are in order and may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker.

I would just ask the good majority leader, does the resolution in front of us suspend the current public health declaration?

Mr. BENNINGHOFF. It is my understanding it does not.

Mr. BRADFORD. It is my understanding that the mitigation efforts that were previously noted, including a mask mandate and the closure of businesses, which were discussed at length by both the last two speakers, were the result of the public health declaration. Is it not true then that neither of those mitigation efforts are impacted at all by the actions we are taking here today?

Mr. BENNINGHOFF. Today we are addressing the Governor's emergency declaration. We can address some of the Secretary's actions in the future.

Mr. BRADFORD. So for clarity, we heard much about the small business impacts as a result of the mitigation efforts. Those mitigation efforts are a result of the public health declaration order that is not affected by the resolution in front of this democratically elected body.

Mr. BENNINGHOFF. Those were gubernatorial orders. Whatever resolutions were suspended, they will be continued under this.

Mr. BRADFORD. And that would include the ability for this or any other Governor to have a business closure order or a mask mandate. Is that accurate, Mr. Leader?

Mr. BENNINGHOFF. Mr. Speaker, I think the gentleman has been asking questions he knows the answers to, respectfully.

Mr. BRADFORD. Yes.

The SPEAKER. The gentleman will please suspend. I believe the leader has answered that question twice now. If you wish to speak on the resolution, you made proceed.

Mr. BRADFORD. I will concede the gentleman's point because a minute ago I believe the accusation of political theater was raised by a few, and I believe political theater has just been demonstrated. See, through interrogation what is obvious is this does not change one thing. And this was called the exit strategy, an interesting military term.

I would argue we have had many great victories and some horrible setbacks and great human loss that we should never forget. Well over a half a million dead Americans, over 25,000 dead Pennsylvanians, which too often are not mentioned in the history of this. And yet some today proclaim victory, which is about as disingenuous on May 7 declaring victory in Europe, about a day early and not quite about a block short of the Reichstag, or maybe they were in the Enola Gay on August 14 and not August 15, because again, it is a little early to proclaim the history of COVID. No, this is disingenuous political theater.

This is not about the public health declaration, and the leader tried very hard not to answer that because while I heard about the economic carnage, and it is brutal and it is heartbreaking and it was bipartisan and it was Democrat and it was Republican and it was city and it was rural and it was suburban, but it was not as a result of the declaration that we vote on today. The resolution we vote on today merely endangers SNAP benefits, unemployment benefits, and disaster funding.

Let us be clear, this caucus, 100 percent, recognizes the will of the electorate because much like Ben Franklin who said a republic if you can keep it, as the gentleman from Cumberland recognizes, when an election is done in this body, some of us in some parts of this caucus recognize the finality of the words of the people. No audit, no insanity, no letters to take voters and put their votes aside and disenfranchise them.

Mr. BENNINGHOFF. Respectfully—

Mr. BRADFORD. No, that is not what we do—

The SPEAKER. The gentleman will suspend.

Mr. BRADFORD. We follow the will of the people—

The SPEAKER. The gentleman will please suspend. You have strayed a little bit afield of the underlying resolution, HR 106—

Mr. HARRIS. Mr. Speaker?

The SPEAKER. The gentleman will suspend. You are not yet in order.

I would urge the gentleman to please stay on topic.

**POINT OF ORDER**

The SPEAKER. For what purpose does the gentleman, Representative Harris, rise?

Mr. HARRIS. Point of order.

The SPEAKER. You may state your point of order. You are in order.

Mr. HARRIS. Respectfully, Mr. Speaker, we just heard a dissertation of what you did when you were majority leader. We heard a dissertation of how many bills passed, how many bills passed unanimously, how many bills passed—

The SPEAKER. The gentleman will please suspend. I have not yet heard a point of order.

Mr. HARRIS. My point of order is, there was latitude given to talk about the last 2 to 3 years. I would ask that the good gentleman be given some latitude just like you were given latitude just 5 minutes ago.

The SPEAKER. A point of order has been raised. The good gentleman does have latitude to discuss within the bounds of HR 106. All the items that were covered previously by all the speakers were contained to the pandemic, not elections or other outside political activity. I would encourage the gentleman to proceed with that in consideration.

Mr. BRADFORD. And I apologize to the good Speaker. He must have been confusing elections. I was talking about the amendment to the Constitution just passed. I do not know which election he was talking about.

The SPEAKER. The gentleman will please suspend. The gentleman will please approach the rostrum.

The House will be at ease.

(Conference held at Speaker's podium.)

The SPEAKER. The House will return to order.

The Chair appreciates the conversation with the gentleman, and you may proceed.

Mr. BRADFORD. No, and I respect the admonition of the Speaker. The last year has been tiring for all, and we should bring facts and sincerity and a realization of what has happened over the last year. We have lost too many Pennsylvanians and lost sight of what is really important. Rhetoric has overcome reality, and frankly, we have an obligation to vote down this resolution because there are still those who need SNAP funding and unemployment benefits and disaster funding, and the answer cannot be questioned honestly whether they will continue if this resolution is terminated because I believe you already heard the interrogation.

And again, I respect the Speaker much and I respect his words of his recitation of the last year and a half, and I am not going to go through it one by one because I think it would be needlessly inflammatory. But some of us will remember zoos and dog groomers in April and will remember what this really looked like. And they will not forget because the history will be recorded, and everyone knows the history of the last year on both sides.

So maybe this is an exit strategy. Maybe this is a victory. And we want to thank the doctors and nurses who are putting vaccinations in people's arms who have worked tirelessly to get us to this day. They are the real heroes. I am not sure this chamber has played a very important role in the victory that we will jointly celebrate in the weeks and days to come as normalcy begins to reign here in Pennsylvania. I am not sure this resolution is the end

of anything, but hopefully this discussion offers us an opportunity to bring a little civility and kindness where it is necessary.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and the compliment that the gentleman had regarding the Speaker.

The Chair recognizes the gentleman, Representative Boyle, on the resolution.

Mr. BOYLE. Thank you, Mr. Speaker.

Emergency declarations are remarkably undemocratic powers. I defended the emergency powers time and time again last year, but I believe that I defended them with good reason. We had a fast-developing unknown virus going through our communities. Now we have a handle on it. We have a vaccine. And we cannot lose the thought that we are Americans who are committed to the democratic principles that our Founding Fathers put forth at Constitutional Hall in 1776. Power consolidated in the Executive through emergency powers for an extended period of time is a threat to democracy in the long run. Vote "yes" on this resolution.

The SPEAKER. The Chair thanks the gentleman.

Seeing no other members seeking recognition, the Chair will now turn to the leaders, and the gentleman, Representative Harris, is in order and may proceed.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, let me first start by thanking the men and women all across the Commonwealth of Pennsylvania who did not get to stay home during this pandemic. Let me thank all of those front-line workers. Let me thank all of those medical professionals. Let me take a personal aside to thank the medical professionals down at Pennsylvania Hospital that legitimately helped save my life when I had COVID-19. Mr. Speaker, let me thank all of our first responders and let me thank all of our educators who over this last year have had to deal with extreme circumstances like never before.

But, Mr. Speaker, let us be clear, while we thank all of those folks, what we are here doing today is a resolution that ends nothing. We just passed a bill that continues the waivers. This resolution ends nothing. And while we are here on a Thursday, a day we are typically not in session, what we are doing is voting on a resolution that does absolutely nothing.

But let me tell you what we are not doing. We talk about those front-line workers, but what we are not doing is talking about the money that we could be sending to them through the American Rescue Plan. Mr. Speaker, we are talking about the first responders, but what we are not doing is providing the resources to them that we could be sending to them through the Pennsylvania Rescue Plan. Mr. Speaker, what we are not doing today is sending money to those businesses that folks continue to use and their comments that we could be doing today instead of doing a resolution that does absolutely nothing.

Mr. Speaker, I was out in western Pennsylvania not too long ago during the pandemic, and I noticed something that I never knew. I was sitting in an office of a particular member and I was trying to text somebody. I have got an iPhone, so anybody with an iPhone, you know we hate to see green pop up, you like the blue bubbles. Well, the green started to pop up while I was in Greene County. You know why it popped up, Mr. Speaker? Because out in Greene County they would rather us talk about broadband and funding broadband than having us talk about a resolution that is not going to do anything. Think about all of those children, Mr. Speaker, during this pandemic who had to



find a local McDonald's, a local Dunkin' Donuts that had Internet access so that they could sit in the parking lot and try to get their schoolwork done because they do not have Internet in their house.

Mr. Speaker, if we are going to be here on a Thursday, which I am more than willing to do, how about we talk about those things. How about we talk about actually rescuing Pennsylvania and Pennsylvanians. All I want to know, Mr. Speaker, is, at some point in time will we stop talking about the businesses and start helping the businesses? Will we stop talking about the front-line workers and start helping the front-line workers? Will we stop talking about those who do not have broadband and start actually helping them with broadband instead of bringing us here to do resolutions that I know, that many of us know, and that hopefully we can explain to the voters so that they know, do absolutely nothing. You can call it what you want, and I do not even care what the vote is today, Mr. Speaker, because at the end of the day, we all have got to go home and we all understand that we were here on a Thursday where we could have talked about a whole lot of things but we talked about a resolution that does absolutely nothing.

Thank you, Mr. Speaker.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I appreciate all the conversations before that, and you know I would like to get up here and give an amazing speech that would just ring your bell the whole way you drove home, but I am not going to. But I do think there is a little merit to wondering, at least on my part, why people would spend so much time and energy dialoguing on something they say is nothing. How do you talk so much about something that is nothing? It has to be something. It is like people I know that deny God but they spend a lot of time and energy denying that there is a God. So be it.

So I will spare you all of my eloquent thoughts in my head because, frankly, the speech that needed to be given has been. On election day the voters spoke, they expressed their wishes, and they expressed for those individuals elected by them in a democratic republic to come to Harrisburg and do what we are doing today and affirm their speech. Democrats, Republicans, and Independents alike, end this disaster declaration and end it today.

Please join me collectively, as we did on the last bill, and the people of Pennsylvania in voting "yes" to HR 106.

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. The gentleman waives off.

The Chair will recognize the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

Now the Chair will recognize 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—121

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

#### NAYS—81

Benham	Driscoll	Kinkead	Pashinski
Bizzarro	Evans	Kinsey	Pisciottano
Bradford	Fiedler	Kirkland	Rabb
Briggs	Fitzgerald	Kosierowski	Rozzi
Brown, A.	Frankel	Krajewski	Samuelson
Bullock	Freeman	Krueger	Sanchez
Burgos	Gainey	Lee	Sappay
Carroll	Galloway	Madden	Schlossberg
Cephas	Guenst	Malagari	Schweyer
Ciresi	Guzman	Markosek	Shusterman
Conklin	Hanbidge	McClinton	Sims
Cruz	Harkins	McNeill	Solomon
Daley	Harris	Merski	Sturla
Davidson	Herrin	Miller, D.	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
Delloso	Kim	Parker	Zabel
DeLuca			

#### NOT VOTING—0

#### EXCUSED—0

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 854, PN 1752**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for COVID-19 record retention and for temporary regulatory flexibility authority.

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

**CONCURRENT RESOLUTION  
SIGNED BY SPEAKER**

Resolution numbered and entitled, the same being correct, the title was publicly read as follows:

**HR 106, PN 1753**

A Concurrent Resolution terminating the March 6, 2020, proclamation of disaster emergency, as amended and renewed, issued under the hand and seal of the Governor, Thomas Westerman Wolf.

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

The SPEAKER. For the information of the members, there will be no further votes today.

**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 a motion made by the gentleman, Representative Mackenzie, that moves that this House do now adjourn until Monday, June 14, 2021, at 12 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 12:28 p.m., e.d.t., the House adjourned.