

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 23, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 41

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)
PRESIDING**

PRAYER

HON. JOE KERWIN, member of the House of Representatives, offered the following prayer:

Please bow your heads and join me in a moment of prayer.

Dear Heavenly Father, we humbly implore You to impart Your loving guidance and Your wisdom upon this great legislative body as we forge ahead together with the business of this Commonwealth. Together we pray that You will give us the courage and the intellect to carry out the work of the constituents who have so entrusted us with great and immeasurable responsibilities. God, let us live the values that You have taught us as we seek to govern justly and reflect the will of our constituents who have placed so much faith in each and every one of us. Give us the fortitude to be steadfast advocates of personal liberty and freedom.

Heavenly Father, watch over not only the members of this body, but all of those who serve the public and all the citizens of this good Commonwealth and these United States. Finally, Heavenly Father, we pray for You to keep our military personnel, both at home and abroad, as well as our first responders, safe from any danger that they may face in the line of duty.

In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 22, 2021, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 1280, PN 1899 (Amended) By Rep. RAPP

An Act amending the act of October 24, 2018 (P.L.719, No.112), known as the Patient Test Result Information Act, further providing for definitions, for test results and for duties of Department of Health.

HEALTH.

HB 1443, PN 1900 (Amended) By Rep. RAPP

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.

HEALTH.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 118 By Representative CUTLER

A Resolution amending Rule 14 of the General Operating Rules of the House of Representatives, further providing for members' and employees' expenses.

Referred to Committee on RULES, June 23, 2021.

HOUSE BILLS INTRODUCED AND REFERRED

No. 900 By Representatives RABB, POLINCHOCK, SANCHEZ, PARKER, HILL-EVANS, McNEILL, LEE, MALAGARI, BRIGGS, O'MARA, ROWE and SCHWEYER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for definitions; and, in driving after imbibing alcohol or utilizing drugs, further providing for driving under influence of alcohol or controlled substance and for authorized use not a defense.

Referred to Committee on TRANSPORTATION, June 23, 2021.

No. 901 By Representatives RABB, N. NELSON, HILL-EVANS, KRAJEWSKI, MALAGARI, BURGOS, McNEILL, SANCHEZ, SCHLOSSBERG, KENYATTA, SIMS and OTTEN

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in miscellaneous provisions, providing for tenant protections.

Referred to Committee on CONSUMER AFFAIRS, June 23, 2021.

No. 902 By Representatives RABB, N. NELSON, HILL-EVANS, MERSKI, KINSEY, BENHAM, MALAGARI, BURGOS, McNEILL, SANCHEZ, SCHLOSSBERG, KENYATTA, CIRESI, SIMS and OTTEN

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in miscellaneous provisions, further providing for protections for patients and caregivers.

Referred to Committee on LABOR AND INDUSTRY, June 23, 2021.

No. 903 By Representatives RABB, LEE, N. NELSON, ROZZI, HILL-EVANS, KINSEY, KRAJEWSKI, MALAGARI, BURGOS, SANCHEZ, SCHLOSSBERG, KENYATTA, CIRESI and SIMS

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in miscellaneous provisions, providing for commercial tenant protections.

Referred to Committee on CONSUMER AFFAIRS, June 23, 2021.

No. 1656 By Representatives INNAMORATO, KENYATTA, DELLOSO, LEE, KRAJEWSKI, PARKER, MADDEN, SANCHEZ, GALLOWAY, SIMS, A. DAVIS, OTTEN, DEASY and SHUSTERMAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in special situs for local sales tax, providing for situs for online sales.

Referred to Committee on FINANCE, June 23, 2021.

No. 1675 By Representatives SCHROEDER, BERNSTINE, BOBACK, SCHLEGEL CULVER, FARRY, HENNESSEY, HILL-EVANS, LEWIS DELROSSO, ROTHMAN, STEPHENS and TOPPER

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in aviation development, establishing the Unmanned Aircraft Innovation Program and the Unmanned Aircraft Innovation Fund.

Referred to Committee on TRANSPORTATION, June 23, 2021.

No. 1676 By Representatives BURNS, HARKINS, T. DAVIS, HILL-EVANS, GUENST, ROZZI, DELLOSO and ROWE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Budget Stabilization Reserve Fund, further providing for funding.

Referred to Committee on APPROPRIATIONS, June 23, 2021.

No. 1677 By Representatives A. DAVIS, SANCHEZ, HILL-EVANS, SCHLOSSBERG, KINSEY, CEPHAS, YOUNG, KINKEAD, N. NELSON, INNAMORATO, HOHENSTEIN, A. BROWN, LEE, DELLOSO, GUENST, TOOHL and SHUSTERMAN

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in general provisions relating to consumer credit, providing for grieving parent temporary payment deferral; and establishing the Grieving Parent Temporary Debt Relief Advisory Board.

Referred to Committee on COMMERCE, June 23, 2021.

No. 1678 By Representatives A. DAVIS, SANCHEZ, A. BROWN, GUENST, N. NELSON, DELLOSO, HOHENSTEIN, TOOHL, SHUSTERMAN and CEPHAS

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in general provisions relating to consumer credit, establishing the Grieving Parent Temporary Debt Relief Grant Program and the Grieving Parent Temporary Debt Relief Fund; and making an appropriation.

Referred to Committee on COMMERCE, June 23, 2021.

No. 1679 By Representative PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in automobile insurance issuance, renewal, cancellation and refusal, providing for policy changes.

Referred to Committee on INSURANCE, June 23, 2021.

No. 1680 By Representative PICKETT

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, providing for policy changes.

Referred to Committee on INSURANCE, June 23, 2021.

No. 1681 By Representatives HENNESSEY, WHEELAND, SCHLEGEL CULVER, MILLARD and BOBACK

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, in preliminary provisions, further providing for legislative policy and for definitions; in administration, further providing for duties of department and area agencies on aging, providing for duties of financial institutions and fiduciaries, further providing for reporting and protection from retaliation and immunity, repealing provisions relating to investigations of reports of need for protective services and to provision of services and access to records and persons, providing for receipt and investigation of reports and for provision of protective services, repealing provisions relating to immunity from civil and criminal liability and to confidentiality of records, further providing for involuntary intervention by emergency court order, repealing provisions relating to individual rights, to financial obligations and liabilities and payments, to regulations and enforcement and to funds for payment of administration of chapter and providing for confidentiality of records, for rights of older adults and for electronic records; in criminal history for employees, repealing provisions relating to definitions, to information relating to prospective facility personnel and to grounds for denying employment, providing for criminal history and repealing provisions relating to regulations, to violations, to provisional employees for limited periods, to State Police and to applicability; in reporting suspected abuse by

employees, repealing provisions relating to reports to department and coroner, to investigation, to restrictions on employees, to confidentiality of and access to confidential reports and to penalties, providing for penalties, repealing provisions relating to immunity, providing for immunity from civil and criminal liability and for funding and further providing for regulations.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 23, 2021.

No. 1682 By Representatives DELOZIER and JOZWIAK

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

Referred to Committee on LABOR AND INDUSTRY, June 23, 2021.

SENATE BILLS FOR CONCURRENCE

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

SB 208, PN 177

Referred to Committee on LOCAL GOVERNMENT, June 23, 2021.

SB 305, PN 371

Referred to Committee on JUDICIARY, June 23, 2021.

SB 419, PN 932

Referred to Committee on TRANSPORTATION, June 23, 2021.

SB 668, PN 756

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 23, 2021.

SB 769, PN 898

Referred to Committee on CONSUMER AFFAIRS, June 23, 2021.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 664, PN 1047**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 434, PN 877**.

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 664, PN 1047

An Act amending Titles 53 (Municipalities Generally) and 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in preemptions, providing for businesses operated by minors; and, in general provisions relating to planned communities, providing for businesses operated by minors.

SB 434, PN 877

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, providing for milk sell by date and best by date labeling.

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

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who indicates the gentleman, Representative MALONEY, would like to be placed on leave for the day. Without objection, the leave is so granted.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

Armanini	Frankel	Lewis	Roae
Benham	Freeman	Longietti	Rossi
Benninghoff	Fritz	Mackenzie, M.	Rothman
Bernstine	Gainey	Mackenzie, R.	Rowe
Bizzarro	Galloway	Madden	Rozzi
Boback	Gaydos	Major	Ryan
Bonner	Gillen	Mako	Sainato
Borowicz	Gillespie	Malagari	Samuelson
Boyle	Gleim	Markosek	Sanchez

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Maloney

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

GUESTS INTRODUCED

The SPEAKER. Turning to visitor recognition.

Located in the gallery, the Chair is pleased to welcome Representative Mercuri's district office staff member, Avery Skiviat. With her are interns Ethan David and Abigail Birch. Abigail attends John Carroll University and is majoring in political science, and Ethan attends Grove City College and is majoring in communications and Biblical and religious studies. Welcome.

Also located in the gallery, the Chair is pleased to welcome Wendy Freed, who is the secretary/treasurer of the Montgomery County Farm Bureau. With her is her daughter, Sara, and in-laws

Bonnie and John Freed. They are the guests of Representative Malagari. Welcome.

Located to the left of the rostrum, the Chair is pleased to welcome Representative Malagari's father, Richard Malagari. Welcome to the hall of the House.

Also, back to the gallery, located there, the Chair is pleased to welcome Andrew Devitt, who is interning with Representative Grove. Andrew attends Penn State University. Welcome, Andrew.

Additionally in the gallery, the Chair is pleased to welcome Alex Myers, who is not only the guest but the son of Representative Guenst. Welcome, and happy birthday.

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER. Turning to committee announcements. The Chair recognizes the gentleman, Representative Metcalfe, for a committee announcement.

Mr. METCALFE. Thank you, Mr. Speaker.

Expeditious as always. Efficient and expeditious. I appreciate it.

Mr. Speaker, the House Environmental Resources and Energy Committee will hold a voting meeting immediately at the break today in room 60, East Wing, to consider HB 604, as well as any other business that may be brought before the committee. So that is a voting meeting, 60 East Wing, for the ERE Committee, considering HB 604 and any other business.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman as well as the compliment.

The Environmental Resources and Energy Committee will meet immediately at the break in 60 East Wing.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes the gentleman, Representative Topper, for both a Rules and Approps Committee announcement.

Mr. TOPPER. Thank you, Mr. Speaker.

There will be a meeting of the House Rules Committee at 11:20, and that will be immediately followed in the majority caucus room by a meeting with the House Appropriations Committee. Rules Committee at 11:20 in the majority caucus room, followed by a meeting of the House Appropriations Committee. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Rules Committee will meet at 11:20 in the majority caucus room. The Appropriations Committee will meet immediately following the Rules Committee in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. And we will now turn to caucus announcements. The Chair recognizes the gentleman, Representative Dunbar, for a caucus announcement.

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will caucus at 12 o'clock in the majority caucus room as well as virtually, and we will be prepared to be back on the floor at 1:30; that is 12 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 good gentleman, Representative Freeman, for a caucus announcement.

Mr. FREEMAN. Thank you, Mr. Speaker.

On behalf of our caucus chairman, Representative Dan Miller, he is announcing a caucus for 12 o'clock, and we would be prepared to come back onto the floor at 1:30. So caucus at 12 o'clock.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. This House will stand in recess until 1:30 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:34 p.m.; further extended until 3:03 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEES

HB 1003, PN 1036 By Rep. BENNINGHOFF

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

RULES.

HB 1232, PN 1712 By Rep. BENNINGHOFF

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in fees, further providing for annual hauling permits; and, in size, weight and load, further providing for conditions of permits and security for damages and providing for permit for movement of agricultural liming material, agricultural seed or fertilizer.

RULES.

HB 1255, PN 1329 By Rep. BENNINGHOFF

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for real estate appraisals.

RULES.

HB 1302, PN 1826

By Rep. SAYLOR

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 powers and duties of the department.

APPROPRIATIONS.

HB 1497, PN 1828

By Rep. BENNINGHOFF

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 renewal of licenses and temporary provisions for licensees in armed service and for rights of municipalities preserved.

RULES.

HB 1591, PN 1754

By Rep. BENNINGHOFF

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 repeals.

RULES.

SB 618, PN 945

By Rep. SAYLOR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for vaccinations and for disease prevention and control.

APPROPRIATIONS.

SB 664, PN 940

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 pupils and attendance, providing for extended special education enrollment due to COVID-19; and, in terms and courses of study, providing for optional year of education due to COVID-19.

APPROPRIATIONS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 604, PN 1907 (Amended)

By Rep. METCALFE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for environmental permits and plan approvals; making related repeals; and abrogating regulations.

ENVIRONMENTAL RESOURCES AND ENERGY.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1683 By Representatives TOPPER and BERNSTINE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Control Board, further providing for general powers of board.

Referred to Committee on LIQUOR CONTROL, June 23, 2021.

No. 1685 By Representatives TOPPER, GLEIM, HAMM, JAMES, PICKETT, RYAN, SMITH and THOMAS

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 transfer of attendance records to another school entity or nonpublic school; in charter schools, further providing for definitions, for powers of charter schools, for charter school requirements, for powers of board of trustees, for establishment of charter school, for contents of application, for term and form of charter, providing for amendments and further providing for State Charter School Appeal Board, for facilities, for enrollment, for multiple charter school organizations, for cyber charter school requirements and prohibitions, for school district and intermediate unit responsibilities, for establishment of cyber charter school and for cyber charter school application; and, in reimbursements by Commonwealth and between school districts, further providing for Commonwealth reimbursements for charter schools and cyber charter schools.

Referred to Committee on EDUCATION, June 23, 2021.

No. 1686 By Representatives THOMAS and FARRY

An Act providing for process for petition for refund of tax overpayment, for form of petition for refund of tax overpayment, for submission of petition for refund of tax overpayment, for refund of tax overpayment, for time period for refund of tax overpayment and for jurisdiction; and imposing penalties.

Referred to Committee on FINANCE, June 23, 2021.

No. 1688 By Representatives MULLINS, SANCHEZ, SCHLOSSBERG, FREEMAN, HILL-EVANS, CIRESI, PASHINSKI, NEILSON, R. BROWN and RABB

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in charter schools, providing for a costing-out study.

Referred to Committee on EDUCATION, June 23, 2021.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1377, PN 1820**, entitled:

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 keystone opportunity zones, providing for zone relocation.

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

Mrs. **DAVIS** offered the following amendment No. **A01898**:

Amend Bill, page 1, line 15, by inserting after "relocation" and further providing for qualified businesses

Amend Bill, page 5, by inserting between lines 13 and 14

Section 2. Section 307(a) of the act is amended and the section is amended by adding subsections to read:

Section 307. Qualified businesses.

(a) Qualifications.—In order to qualify each year for a tax

exemption, deduction, abatement or credit under this act, a business shall own or lease real property in a subzone, improvement subzone or expansion subzone from which the business actively conducts a trade, profession or business. The qualified business shall receive certification from the department that the business is located and is in the active conduct of a trade, profession or business, within the subzone, improvement subzone or expansion subzone. The business shall obtain annual renewal of the certification from the department to continue to qualify under this section. The certification form shall include, but not be limited to, all of the following:

- (1) The type and duration of the zone designation.
- (2) The number of jobs created.
- (3) The number of jobs retained.
- (4) The amount of capital investment.

(4.1) Evidence of compliance with the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act.

(5) Any other information, conditions or requirements reasonably required by the department.

* * *

(c) Compliance with prevailing wage.—The following shall apply:

(1) All construction, reconstruction, demolition, alteration and repair work other than maintenance work performed within a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone under this act shall be done in accordance with the Pennsylvania Prevailing Wage Act. For purposes of this section, maintenance work means the repair of an existing facility when the size, type or extent of the facility is not changed or increased.

(2) It shall be the duty of every qualified political subdivision to determine from the secretary the prevailing minimum wage rates which shall be paid by the contractor to workers on a project undertaken in a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone on an annual basis. Reference to the prevailing minimum wage rates shall be published on the qualified political subdivision's publicly accessible website and mailed to every business that applies under this chapter.

(3) Every qualified business shall keep an accurate record showing the name of each contractor or subcontractor employed by the qualified business in connection with construction work in a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone and a copy of a notice signed by each contractor or subcontractor that the work was required to comply with the prevailing wage advertised by the qualified political subdivision. The record shall be preserved for two years from date of payment. The record shall be open at all reasonable hours to the inspection of the qualified political subdivision and the secretary.

(4) In addition to enforcement authorized under the Pennsylvania Prevailing Wage Act, if, after notice and hearing, the Department of Labor and Industry determines that the qualified business intentionally failed to pay or intentionally caused another to fail to pay prevailing wage rates or benefit rates as provided under section 11(h) of the Pennsylvania Prevailing Wage Act for work covered under this subsection or ratified any intentional failure by any contractors or subcontractors of the qualified business, the qualified business shall be required to refund 100% of the amount of the tax exemptions received by the qualified business for the first fiscal year for which tax exemptions are received, in the case of initial construction, or the fiscal year in which the intentional noncompliance occurred as determined by the Department of Labor and Industry.

(d) Definitions.—As used in this section, "secretary" means the

Secretary of Labor and Industry or the secretary's duly authorized deputy or representative.

Section 3. The addition of section 307(c) shall apply to contracts entered into on or after the effective date of this section.

Amend Bill, page 5, line 14, by striking out "2" and inserting 4

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

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

Mrs. DAVIS. Thank you, Mr. Speaker.

My amendment adds language to the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone, and Keystone Opportunity Improvement Zone Act to make it clear that prevailing wage should be a requirement for the contractors and businesses to receive the contracts as part of the KOZ program. As you may all know, taxpayer dollars are involved. The Department of Labor and Industry, through the Bureau of Labor Law Compliance, determines prevailing wage rates for the construction industry and enforces the rates and classifications under heavy highway and building construction projects of a certain threshold. The same standards should be set and followed for all State programs in which the qualified applicants are directly advanced through State and local tax benefits, including those from the KOZ program.

I have every intention of working towards and fighting to get prevailing wage language in the KOZ Act. This is a matter of fairness.

AMENDMENT WITHDRAWN

Mrs. DAVIS. Thank you, Mr. Speaker, and I will withdraw my amendment.

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

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

* * *

The House proceeded to second consideration of **SB 484**, **PN 500**, entitled:

An Act amending the act of November 24, 2015 (P.L.232, No.64), known as the Pennsylvania Long-term Care Council Act, further providing for Pennsylvania Long-term Care Council.

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

* * *

The House proceeded to second consideration of **SB 115**, **PN 473**, entitled:

An Act making the Commonwealth of Pennsylvania a party to the Nurse Licensure Compact; and providing for the form of the compact.

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

Mrs. **KOSIEROWSKI** offered the following amendment
No. **A01555**:

Amend Bill, page 30, by inserting between lines 4 and 5
Section 5. Nursing staff report.

(a) General rule.—A hospital shall compile a daily report on each patient care unit and shift containing the following information:

(1) The number of each of the following types of staff per four-hour time period providing direct patient care:

- (i) Registered nurses.
- (ii) Licensed practical nurses.
- (iii) Certified nursing assistants.
- (iv) Unlicensed personnel.

(2) The relative number of patients to each of the following types of staff:

- (i) Registered nurses.
- (ii) Licensed practical nurses.
- (iii) Certified nursing assistants.
- (iv) Unlicensed personnel.

(3) The current direct care nurse staffing schedule and assignment roster.

(4) The availability, by number of hours on the shift, that a unit clerk or unit secretary is available exclusively for the specified patient care unit.

(5) Whether patients requiring scheduled or emergency respiratory treatments have had treatments that were administered by a respiratory therapist or the direct care nursing staff of the unit.

(6) Percentage of temporary or agency nurses who are employed by an outside entity included in the shift staff.

(7) The methods used by the hospital for determining and adjusting staffing levels.

(8) The registered nurse, licensed practical nurse and certified nursing assistant turnover rate for the previous month.

(9) The number and types of complaints under the act of June 10, 2009 (P.L.1, No.1), known as the Preventable Serious Adverse Events Act, filed with the hospital concerning patient care for the previous month.

(b) Reporting method.—The reports required under subsection (a) shall be compiled as follows:

(1) For each patient care unit, a hospital shall count the number of patients and direct care nursing staff based on hours worked for each category of direct care nursing staff, excluding other licensed health care professionals, one hour before the end of each shift.

(2) For each emergency department, a hospital shall count the number of patients registered during the four-hour shift and the number of direct care nursing staff based on hours worked for each category of direct care nursing staff, excluding other licensed health care professionals, one hour before the end of each shift.

(3) For each postanesthesia care unit, a hospital shall count the number of patients that were in the postanesthesia care unit during the shift and the number of direct care nursing staff, based on hours worked for each category of direct care nursing staff, excluding other licensed health care professionals, one hour before the end of each shift.

(4) For each mother and baby unit, a hospital shall report direct care nursing staff hours under the obstetrics unit, not the newborn nursery. A mother and baby should each be reported as a separate patient.

(5) For each psychiatric and behavioral unit, licensed mental health counselors, activity therapists and recreational therapists providing direct patient care shall be considered as licensed practical nurses. Staffing hours for unlicensed mental

health technicians or other unlicensed personnel will be included as unlicensed personnel hours.

(6) Graduate nurses who participate in an internship program shall not be included in determining the relative number of patients to direct care nursing staff, except orientee or graduate nurse hours shall be included when the graduate nurse has completed the designated time-defined orientation and reaches the point where the graduate nurse is considered part of the staff matrix, the graduate nurse's work hours are charged to the unit and the graduate nurse is replaced if the nurse calls in sick.

(7) When a direct care nurse works beyond the nurse's shift into the next shift, the actual hours should be included in the daily posting forms for all shifts that the nurse worked.

(8) Hospital management and support staff who do not provide direct patient care may not be included in the daily reporting forms.

(9) Sitters, including registered nurses acting as sitters, will be considered unlicensed assistant personnel only if they provide other direct patient care in addition to observation. Sitters providing only companion service may not be included in the actual hours worked for unlicensed assistant personnel.

(10) When overflow beds are used for patients, the patients shall be included in the daily report of the patient care unit where the patient is receiving care.

(11) The staff relative number reporting shall be to one decimal point. If a hospital patient care unit does not have a direct care nursing staff for a particular category, a zero should be entered on the report for that staff category.

Section 6. Report posting.

(a) General rule.—A hospital shall post the report required under section 5 as follows:

(1) The report, with respect to each shift, shall be posted no later than one hour after the beginning of the next shift.

(2) The report shall be prominently displayed in a location visible to the public on the patient unit.

(3) The report shall be easily readable in its posted form.

(b) Submission to department.—A hospital shall submit the reports required under section 5 for the previous month to the Department of Health of the Commonwealth no later than the 15th day of each month.

(c) Retention of records.—Reports and records required to be compiled under section 5(a) shall be retained by the hospital for a period of five years and be posted on the hospital's publicly accessible Internet website.

(d) Divisions and subsidiaries.—If a hospital is a division or subsidiary of another entity that owns or operates another hospital or related organizations, the reports under section 5 shall be for the specific division or subsidiary and not for another entity.

Section 7. Whistleblower protection.

(a) General rule.—A hospital shall not discriminate, retaliate, intimidate, threaten or punish an employee with respect to compensation or the terms, conditions or privileges of employment when the employee in good faith, individually or in conjunction with another person, does any of the following:

(1) Discloses to a nursing staff supervisor or manager, private accreditation organization, nurse's collective bargaining agent or regulatory agency, an activity, policy or practice of a hospital that violates this act or other law or rule or that the employee believes poses a risk to the health, safety or welfare of a patient or the public.

(2) Initiates, cooperates or otherwise participates in an investigation or proceeding brought by a regulatory agency or private accreditation body concerning matters covered by this act or a law or rule that the employee reasonably believes poses a risk to the health, safety or welfare of a patient or the public.

(3) Objects or refuses to participate in an activity, policy or practice of a hospital that violates this act or a law or rule the department or a reasonable person would believe poses a risk to the health, safety and welfare of a patient or the public.

(4) Participates in a committee or peer review process or files a report of complaint that discusses allegations of unsafe, dangerous or potentially dangerous care within a hospital.

(b) Employee good faith.—An employee is presumed to act in good faith if the employee reasonably believes the following:

(1) The information reported or disclosed is true.

(2) A staffing violation has occurred or may occur.

(c) Notice to hospital.—

(1) The protection under subsection (a) shall not apply to an employee unless the employee gives written notice to a direct nursing supervisor or direct nursing manager of the activity, policy, practice or violation that the employee believes poses a risk to the health of a patient or the public and provides the manager a reasonable opportunity to correct the problem.

(2) The direct nursing supervisor or direct nursing manager shall respond in writing to the employee within seven days to acknowledge that the notice was received. The direct nursing supervisor or direct nursing manager shall provide written notice of an action taken within a reasonable time of receiving the employee's notice.

(d) Forms.—The Department of Health of the Commonwealth shall develop standardized reporting forms to be used in all hospitals for reporting under this section.

Section 8. Quarterly reports.

(a) General rule.—The Department of Health of the Commonwealth shall produce a quarterly report for each hospital that shows the average direct care nurse staffing levels for each unit for a three-month period as follows:

(1) Relative number of patients to staff for each type of patient care unit.

(2) Turnover rate for direct care nursing staff.

(3) Percentage of contractual direct care nursing staff utilized.

(4) Daily numbers of direct care nursing staff and patients in the emergency department.

(5) Daily number of nonregistered nurse health care practitioners.

(b) Posting.—The quarterly reports produced under subsection (a) shall be made available to the public on the same publicly accessible Internet website as the quality control measures reporting for health care facilities. The Department of Health of the Commonwealth shall post quarterly reports January 31, April 30, July 31 and October 31 of each year. The data in the quarterly reports must cover a period ending not earlier than one month prior to submission of the report.

Section 9. Monitoring.

The Department of Health of the Commonwealth shall be responsible for monitoring the reports from all hospitals in this Commonwealth for variances between periods and to compare the reports to the reported quality control measures to determine if there are correlations or deficiencies in the quality control measures.

Section 10. Compliance by hospitals.

The Department of Health of the Commonwealth shall be responsible for ensuring compliance with this act as a condition of licensure under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, and shall enforce compliance in accordance with the provisions of the Health Care Facilities Act.

Amend Bill, page 30, line 5, by striking out "5" and inserting

11

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentlewoman, Representative Kosierowski.

Mrs. KOSIEROWSKI. Thank you, Mr. Speaker.

Today I rise to offer amendment 01555. Mr. Speaker, this past year we all witnessed the importance of a strong and reliable health-care system, and the true strength of our health-care system is the professionals actually providing the care to the patients. COVID-19 did not create the staffing crisis in health care, but like so many other things, the virus tore away the facade and showed us just how deep the crisis affects all of us.

As we recover, we must make sure our health-care professionals recover. We must make sure an industry that is one-sixth of our economy and literally means life or death to everyone can thrive today and in the future. Now is the time to implement solutions to support these professionals who are among the most trusted allies – our nurses. They showed up in the face of incredible hardship and stood up for their patients and their families. Now we must show up for them.

Our nurses are urging us to join 34 other States in the Nurse Licensure Compact. But the requests of our nurses do not stop there. Out of concern for the quality and consistency of patient care, we have also been asked to advance safe staffing levels and responsible reporting here in Pennsylvania. That is why today I am offering this amendment to implement public reporting of hospital staffing. Under this amendment, a hospital will be required to issue daily reports for each patient care unit, including staff-to-patient ratios. This reporting would be monitored by the Department of Health and be made available to the public. These measures will help Pennsylvania improve patient safety, save lives, and help keep our health-care professionals on the job taking care of us and our loved ones.

Please join me in supporting this amendment which will take major steps forward in building transparency for patients, advancing safe staffing levels in Pennsylvania, ensuring quality care at the bedside for patients, and protecting our health-care workers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

GERMANENESS QUESTIONED

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to offer a motion, specifically to motion that amendment A01555 is not germane to the underlying bill.

The SPEAKER. The gentleman, Representative Lawrence, has raised the question of whether amendment A01555 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

For the information of the members, on the motion of germaneness – because I realize it is not one that is routinely encountered on a daily basis – members may only be recognized one time to speak on the motion.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On the question, the Chair recognizes the gentleman, Representative Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, SB 115 would add Pennsylvania to the national Nurse Licensure Compact. This amendment proposes to add significant language that is not part of the national compact. And I do not dispute the importance of the issues brought forward by the maker of the amendment, but frankly, they would be better addressed in a separate piece of legislation, and I would ask for an affirmative vote on the motion that it is not germane.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlewoman, Representative Kosierowski, on the motion.

Mrs. KOSIEROWSKI. Thank you, Mr. Speaker.

I believe the amendment is relevant to the bill because it is truly just about transparency and staffing, ratio staffing for the nurse compact law.

Yes, thank you, Mr. Speaker.

The SPEAKER. Very good. I just wanted to confirm that you had concluded your remarks. The Chair thanks the lady and recognizes the gentlewoman, Leader McClinton, on the motion.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is germane to the bill because it deals with the practice of nursing. Both the underlying bill along with the amendment are dealing with the same identical subject, which is the practice of nursing, so therefore, it is in fact germane, and I am asking that the Chair would rule accordingly.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I rise in support of the Lawrence motion – excuse me, the gentleman from Chester County on the nongermane. Generally, this type of amendment would not be part of a compact for interstate compacts. It is certainly, potentially, appropriate to have a stand-alone bill of this nature, and I would request that the members support the Lawrence motion.

The SPEAKER. The Chair thanks the lady.

For the information of the members, those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

(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—93

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

NAYS—108

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

NOT VOTING—0

EXCUSED—1

Maloney

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

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1003, PN 1036**, entitled:

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

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 1255, PN 1329**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for real estate appraisals.

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

The SPEAKER. It is the Chair's understanding that the gentleman, Representative Briggs, has withdrawn his amendment. 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 1591, PN 1754**, entitled:

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 repeals.

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 1232, PN 1712**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in fees, further providing for annual hauling permits; and, in size, weight and load, further providing for conditions of permits and security for damages and providing for permit for movement of agricultural liming material, agricultural seed or fertilizer.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 69, PN 45**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 664, PN 940**, entitled:

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; and, in terms and courses of study, providing for optional year of education due to COVID-19.

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

Mr. **BENNINGHOFF** offered the following amendment No. **A01997**:

Amend Bill, page 2, line 14, by striking out "(a)" and inserting (b)

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

The **SPEAKER**. For the information of the members, this is a technical amendment on third consideration, and the question is, will the House agree to the amendment?

On that question, the Chair— The gentleman waives off.

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

(Members proceeded to vote.)

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

Ms. **OBERLANDER**. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. **HARRIS**. Thank you, Mr. Speaker.
The electronic board is accurate.
The **SPEAKER**. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Maloney

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

On the question,
Will the House agree to the bill on third consideration as amended?

Bill as amended 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, Leader Benninghoff, on final passage.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Real briefly, SB 664, obviously sponsored by Senator Corman, amends the School Code to empower parents and guardians and students to make the best decisions for their child. As we know, last year was a challenge. A parent or guardian of a 21-year-old special education student who is aging out of the system, to be able to continue to attend the school year for that next year. After these students missed so much of their specialized education due to COVID-19, these disruptions are difficult, and this bill would help these individuals and their families make the best decision for them now and in their future, and I would ask all members to please support this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Ciresi, on final passage.

Mr. CIRESI. Thank you, Mr. Speaker.

Mr. Speaker, I want to take a minute and thank the maker of this bill, and I want to thank the Republican leader for talking about how important it is for parents to make a decision.

In my district, we have suffered immensely from COVID in some of our schools, and especially in those underfunded districts like the Pottstown community school district, where they are almost \$13 million a year underfunded. And through this, they did not have the right equipment to be able to give their students to be able to go to school all year long, where they had no computers because they are not funded properly.

I want us to remember as we stand here today that we need to fund these schools so when we do have an issue like this again, we do not have to go through the issue of the pandemic, not having enough equipment, and these underfunded school districts do not have to suffer. The parents need to have this opportunity to decide whether they should send their kids the extra year of school, but without the proper funding for this, we are also going to put these school districts in peril. And we need to make sure, as we go through this budget process, that we are able to do this.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Topper, on final passage.

Mr. TOPPER. Thank you, Mr. Speaker.

And I appreciate my good friend, the gentleman from Montgomery's concern. I will remind all the members that, you know, this is a one-year thing, and we are about to receive a 1- to 2-year infusion of a great deal of Federal dollars, some of which, 20 percent is designated to learning loss. And so I believe, Mr. Speaker, that that will also help as we allow these parents the opportunity to look at their children and decide for themselves if

they feel that an extra year of education at that particular grade is a worthwhile endeavor. And I would ask for a "yes" vote on SB 664.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Shusterman, on final passage.

Ms. SHUSTERMAN. Thank you, Mr. Speaker.

I also want to commend the maker of the bill for including our students with intellectual disabilities to make sure that they can repeat a year. This is critical because a lot of them, the pandemic, they experienced different challenges than our mainstream students.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Davis, T.	Jones	Nelson, E.	Tomlinson
Dawkins	Jozwiak	Nelson, N.	Toohil
Day	Kail	O'Mara	Topper
Deasy	Kaufer	O'Neal	Twardzik
DeLissio	Kauffman	Oberlander	Vitali
Delloso	Keefer	Ortitay	Warner
Delozier	Kenyatta	Otten	Warren
DelRosso	Kerwin	Owlett	Webster
DeLuca	Kim	Parker	Wentling
Diamond	Kinhead	Pashinski	Wheatley
Dowling	Kinsey	Peifer	Wheeland
Driscoll	Kirkland	Pennycuick	White
Dunbar	Klunk	Pickett	Williams, C.
Ecker	Knowles	Pisciottano	Williams, D.
Emrick	Kosierowski	Polinchock	Young
Evans	Krajewski	Puskaric	Zabel
Farry	Krueger	Quinn	Zimmerman
Fee	Kulik	Rabb	
Fiedler	Labs	Rader	Cutler,
Fitzgerald	Lawrence	Rapp	Speaker
Flood	Lee	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—1

Maloney

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 1302, PN 1826**, entitled:

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 powers and duties of the department.

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

(Bill analysis was read.)

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

The Chair recognizes the gentleman from Delaware County, Representative Vitali, on final passage.
Mr. VITALI. Thank you, Mr. Speaker.

Some background on this bill, I wanted to let the members know that the DEP (Department of Environmental Protection) is neutral on this bill. They formerly were opposed and they switched to neutral. They note that this really involves a Federal law that is enforced by the EPA (Environmental Protection Agency) and the DEP really has nothing to do with it. The underlying bill would require the DEP to give notice of

noncompliance to the local municipalities. DEP generally does that in any case, and generally these notices are for paperwork violations relating to the Toxic Substances Act. The concern here is it just creates more paperwork for a DEP staff that is already overworked and it might detract from other things.

So no environmental groups have weighed in against it. It is not the biggest issue in the world, but DEP is neutral.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady 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—199

Armanini	Frankel	Lewis	Rigby
Benham	Freeman	Longiatti	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	Markosek	Samuelson
Bradford	Gregory	Marshall	Sanchez
Briggs	Greiner	Masser	Sankey
Brooks	Grove	Matzie	Sapprey
Brown, A.	Guent	McClinton	Saylor
Brown, R.	Guzman	McNeill	Schemel
Bullock	Hamm	Mehaffie	Schlossberg
Burgos	Hanbidge	Mentzer	Schmitt
Burns	Harkins	Mercuri	Schroeder
Carroll	Harris	Merski	Schweyer
Causer	Heffley	Metcalfe	Shusterman
Cephas	Helm	Metzgar	Silvis
Ciresi	Hennessey	Mihalek	Sims
Conklin	Herrin	Millard	Smith
Cook	Hershey	Miller, B.	Snyder
Cox	Hickernell	Miller, D.	Solomon
Cruz	Hohenstein	Mizgorski	Sonney
Culver	Howard	Moul	Staats
Daley	Innamorato	Mullery	Stambaugh
Davanzo	Irvin	Mullins	Stephens
Davidson	James	Mustello	Struzzi
Davis, A.	Jones	Neilson	Sturla
Davis, T.	Jozwiak	Nelson, E.	Thomas
Dawkins	Kail	Nelson, N.	Tomlinson
Day	Kaufer	O'Mara	Toohil
Deasy	Kauffman	O'Neal	Topper
DeLissio	Keefer	Oberlander	Twardzik
Delloso	Kenyatta	Ortitay	Warner
Delozier	Kerwin	Otten	Warren
DelRosso	Kim	Owlett	Webster
DeLuca	Kinhead	Parker	Wentling

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

NAYS-2

Isaacson Vitali

NOT VOTING-0

EXCUSED-1

Maloney

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

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 636, PN 593, entitled:

An Act designating the interchange located on I-279 at Camp Horne Road in Ohio Township, Allegheny County, as the Scott F. Hirsh Memorial Interchange.

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?

And on that question, the Chair recognizes the gentleman, Representative Pisciottano.

Mr. PISCIOTTANO. Thank you, Mr. Speaker.

Today I would like to ask your support of HB 636, which would rename the Camp Horne Road Interchange on Interstate 279 in Allegheny County to the Scott F. Hirsh Interchange. This effort began under my predecessor in honor of Scott, a constituent of the 38th Legislative District who was struck and killed by a distracted driver in 2017 as he was changing a tire on his camper. He was killed despite pulling off onto the shoulder of the roadway and using road flares and caution signs. He did everything right but still lost his life.

In late April of this year, Act 105 went into effect, which requires drivers to take proactive steps when approaching or passing a disabled vehicle. It also established a new point system

for a move over violation and doubles the fines for a summary offense.

Scott was a registered nurse, someone who worked daily to save lives. By renaming this interchange in honor of Scott and his family, I hope it will serve as a reminder to drivers to please move over and slow down when approaching a vehicle, and hopefully save many lives. I ask for your support of this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring, Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Diamond	Kinhead	Pashinski	Wheatley
Dowling	Kinsey	Peifer	Wheeland
Driscoll	Kirkland	Pennycuick	White
Dunbar	Klunk	Pickett	Williams, C.
Ecker	Knowles	Pisciottano	Williams, D.
Emrick	Kosierowski	Polinchock	Young
Evans	Krajewski	Puskaric	Zabel
Farry	Krueger	Quinn	Zimmerman
Fee	Kulik	Rabb	
Fiedler	Labs	Rader	Cutler,
Fitzgerald	Lawrence	Rapp	Speaker
Flood	Lee	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—1

Maloney

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 SPEAKER. The Speaker would also like to congratulate the member for what I believe was his first bill.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 618, PN 945**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for vaccinations and for disease prevention and control.

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 good gentleman, Representative Frankel, on final passage.

Mr. FRANKEL. Thank you, Mr. Speaker.

Most of my Republican colleagues yesterday voted to hamstring those institutions dedicated to caring for people – county nursing homes, veterans homes, prisons, people with intellectual disabilities. Our memories must be very short, because it was not very long ago that we had tractor-trailers lined up by many of these facilities and hospitals, across this State and across this country, piled up with corpses, coffins, due to the pandemic.

If this bill goes into effect, people cared for by the Commonwealth will be the least protected people in the Commonwealth. That is because this bill is not about vaccinations; it is about public health and it is about honesty for the sake of the vulnerable. None of the entities I mentioned, including nursing homes and county jails, require everyone to be vaccinated to enter and they never will. We have plenty of existing vaccination requirements – for measles in elementary schools, for meningitis in college, for flu in long-term care facilities. All of them give the options for people to opt out. What they do require is for people to tell the truth about the choice that they made. After all, the current rules for this chamber, where most of us stand maskless, are that you must wear a mask unless you are fully vaccinated. And so we take it on faith that all the people who are going maskless are fully vaccinated. I am trusting that is true.

But if I were immunocompromised – a cancer patient, an organ transplant recipient, or otherwise vulnerable – I might be just a little less trusting. And when I am thinking about people wandering in and out of a nursing home where people I love reside, I would want more than just a wink and a pinky swear that people who are rejecting all public health measures are vaccinated. I would want proof: proof of vaccination or please wear a mask around frail elderly folks; proof of vaccination or please stay 6 feet away from the vulnerable people in nursing homes we care about. And I would certainly want the Secretary of Health to have all the means at her disposal to protect those people in Pennsylvania's institutions.

More than 70 years ago, Pittsburgh's own Jonas Salk became the pride of the nation when he led a team to develop the first polio vaccine. There was nothing political about it. They were desperate back then for any public health measures that could stop the spread and protect our children. They closed pools. They turned off water fountains. They sprayed for mosquitos, thinking perhaps the insects were the vectors. Prior to Salk's vaccine, those measures were all they had.

When individuals refuse the COVID-19 vaccine, public health measures are all we have to protect those who are most vulnerable. Mr. Speaker, I am not asking you to listen to me; I am asking you to listen to the experts and remember the history of public health in this Commonwealth. I am asking you to think of the vulnerable and ensure that they can be protected. Please vote "no" on this bill.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO POSTPONE

The SPEAKER. The Chair recognizes the gentleman, Representative Krajewski, on final passage.

Mr. KRAJEWSKI. Thank you, Mr. Speaker.

I would like to make a motion.

The SPEAKER. The gentleman is in order and you may state your motion.

Mr. KRAJEWSKI. I would like to make a motion to postpone consideration of SB 618 until July 16.

The SPEAKER. The gentleman, Representative Krajewski, has made a motion that final consideration of SB 618 be postponed, I believe to the date certain – I just want to confirm the date. I believe you said July 16.

That motion to postpone will now be placed before the House for consideration.

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

The SPEAKER. Does the gentleman seek recognition to speak on the motion? You are in order and you may proceed.

Mr. KRAJEWSKI. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, we must postpone consideration of this bill because instead of talking about restricting the ability of the Department of Health to do its job, we should be discussing a budget that fully funds the needs of our Commonwealth. We must postpone consideration of this bill because right now we should be focusing on investing the \$3 billion budget surplus, along with the \$7 billion we received from the American Rescue Plan. Mr. Speaker, we need to postpone consideration of this bill because here in our Commonwealth, the way we fund basic education means that within a 20-minute walk in my district—

POINT OF ORDER

Mr. BENNINGHOFF. Mr. Speaker, point of order, please.

Mr. KRAJEWSKI. —we go from a—

The SPEAKER. The gentleman will please suspend.

The majority leader wishes to raise a point of order. You are in order and may state your point of order.

Mr. BENNINGHOFF. Respectfully, Mr. Speaker, I believe my point of order is that the gentleman is straying afar on the motion to suspend – pardon me, to postpone – and should not be discussing the other elements that we are dealing with this week.

The SPEAKER. The good gentleman, the majority leader, has raised the issue regarding debate on the motion.

I will read from rule 55, which is a privileged motion, which is the motion to postpone: "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question."

I do recognize that the good gentleman has repeatedly inserted the words "we should postpone because" and then moved on to some other issue; however, those mere words enough being repeated I would simply say may not be sufficient to stay on the motion itself. Because the gentleman did have an extensive discussion regarding the budget, which I know we all want to get to in the coming days, I would simply encourage the good gentleman to please state the reason you believe it should be postponed, wrap that up quickly, and we will get to the vote so we can get to the following votes as well.

Mr. KRAJEWSKI. Thank you. Thank you, Mr. Speaker.

The SPEAKER. You are in order and may resume, sir.

Mr. KRAJEWSKI. Thank you. Well, in conclusion, I will just say that I believe that we must postpone considering this bill because of the other important issues that are at the will of this body, like passing a budget that fully funds our public basic education. Thank you.

The SPEAKER. The Chair thanks the gentleman for that succinct wrap-up.

The Chair recognizes the gentleman, majority leader, on the motion to postpone. The majority leader will please suspend.

The gentlewoman, Representative Fiedler, is seeking recognition prior to the leaders, so I will complete that list prior to going to both leaders.

Ms. FIEDLER. Thank you, Mr. Speaker.

I rise in support of the motion to postpone this bill for dozens of reasons. I have in front of me a document that contains many of them. It has got bullet points and it is highlighted, some of the key passages and priorities.

Mr. Speaker, I rise in support of this motion to postpone because we have a constitutional mandate to pass a budget in 7 days. The lack of a plan to me is confusing, perplexing, and ridiculous considering we have \$10 billion. And contained in this document, which I will submit with my remarks about why I support the motion to postpone, contains an itemized list of ways that we could spend this money, save lives, and improve the situation for many of our constituents across the Commonwealth.

I will read just two of them, if I may: \$500 million to create jobs and kick-start the economy—

The SPEAKER. The gentlelady will please suspend.

I will ask her to abide by the same requirements that the previous speaker was regarding staying on the motion to postpone, particularly since the good woman has indicated that she will be submitting those remarks for the record. They will be spread upon the record.

I would also take this opportunity to remind the members that it is not appropriate for members to use props while on the floor and indicate, you know, other items during debate; however, I do recognize the good woman intends to submit that for the record and would encourage her to wrap up her comments so we can get to the vote and get to the very items that she wishes to discuss.

Ms. FIEDLER. Thank you, Mr. Speaker.

I would be glad to wrap up my remarks, and I do look forward very much, as you mentioned, to getting on to the budget.

I will be submitting this with my remarks so it can be reviewed by everyone in this chamber who may not have seen it. And just to wrap up, I would say that I support this motion because as we know, our constituents sent us here with a constitutional mandate to complete a budget in 7 days and I believe that is what we should be focusing on rather than trafficking in some of these vaccine conspiracies.

I thank you. And with that, I support this motion.

The SPEAKER. The Chair thanks the lady.

DOCUMENTS SUBMITTED FOR THE RECORD

Ms. FIEDLER submitted documents for the Legislative Journal.

(For documents, see Appendix.)

The SPEAKER. The Chair recognizes the gentlewoman, Representative Kinkead, on the motion to postpone.

Ms. KINKEAD. Thank you, Mr. Speaker. I will be brief.

I rise in support of this motion to postpone because, as the previous speakers have said, we have a constitutional mandate to address these significant issues that face our Commonwealth. We have 7 days to do it and now is not the time to be spending debating bills that are not germane, as my colleagues referenced previously, not germane to passing a budget – a moral, compassionate budget that works for everyone in this Commonwealth. If we are not focused on the budget, we are wasting everyone's time, and so we should postpone consideration of this bill and work on the budget. Thank you.

The SPEAKER. The Chair thanks the lady for her comments and recognizes the gentleman, Representative Hohenstein, on the motion to postpone.

We were having some difficulty with your microphone. You may proceed.

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

Very briefly, we have a constitutional mandate to pass a budget. It is one of our very few absolute deadlines that we operate under, and we as a body have pushed it in times past and the Commonwealth has suffered the consequences. Right now we have a budget that needs to be passed by June 30. That should be our true deadline and that is what we should be focusing our attention on – passing a budget for the people of the Commonwealth, which is job number one for this legislature.

Mr. BENNINGHOFF. Mr. Speaker?

Mr. HOHENSTEIN. That is what we need to be focusing on. Thank you.

The SPEAKER. The gentleman will please suspend. I believe the gentleman was concluding, if you were rising for a point of order, Mr. Majority Leader?

Mr. BENNINGHOFF. I actually just had a question because I was not sure what topic we were on, but that is fine.

The SPEAKER. That is neither a point of order nor a parliamentary inquiry, but we are encouraging the members to succinctly wrap up their comments.

Seeing no one else seeking recognition, we will now turn to the leaders, as is customary, and will recognize the gentlewoman, Leader McClinton, on the motion to postpone.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, I support Representative – excuse me, the gentleman from the county that is a city of the first class, his motion to postpone this vote. We certainly have a lot of important business to decide, to discuss. We need time to meet, to gather, to sit down at a table and talk about this \$4 billion, almost, surplus and talk about \$7 billion the duly elected President sent us and talk about all of these issues and work on them by the constitutional deadline of June 30.

It is 4:08 in the afternoon on Wednesday, June 23, and I understand there are all sorts of factors outside of this chamber that are dictating an earlier budget deadline, and the Pennsylvania House Democratic Caucus wants to be able to work with you on these issues, sit down and discuss these priorities so we do not need to spend another afternoon spending hours on bills that we already know are going to be vetoed because many of them just do not even belong up on the floor of the House for discussion. So I ask that all of you support this motion. Thank you to the gentleman for bringing it.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I rise to not support a motion to postpone because, frankly, there are a lot of discussions going on with the budget. As a matter of fact, a couple of minutes ago, I was just on the phone with the Governor's Office, so there are discussions. It is an ongoing process. For those who may be relatively new in their tenure, postponing this does not necessarily change the budgetary process, because there are different code meetings going on in our chamber and the sister chamber. Postponing this would actually delay people's ability to protect their own medical information, to have a say in what should be exposed and what should not be exposed.

I would ask our members to support average individuals, people going to postsecondary institutions of higher education or PHEAA (Pennsylvania Higher Education Assistance Agency) that want to be able to protect their own medical information. Postponing this would only delay that protection, and therefore, I would ask for a "no" on postponement.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. Nobody else is seeking recognition.

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

(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—89

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

NAYS—112

Armanini	Gregory	Mehaffie	Rowe
Benninghoff	Greiner	Mentzer	Ryan
Bernstine	Grove	Mercuri	Sankey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder
Brown, R.	Hershey	Miller, B.	Silvis
Causar	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Nelson, E.	Stambaugh
Davanzo	Jozwiak	O'Neal	Stephens
Day	Kail	Oberlander	Struzzi

Delozier	Kaufer	Ortitay	Thomas
DelRosso	Kauffman	Owlett	Tomlinson
Diamond	Keefer	Peifer	Toohil
Dowling	Kerwin	Pennycuik	Topper
Dunbar	Klunk	Pickett	Twardzik
Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Quinn	Wheeland
Fee	Lewis	Rader	White
Flood	Mackenzie, M.	Rapp	Williams, C.
Fritz	Mackenzie, R.	Rigby	Zimmerman
Gaydos	Major	Roae	
Gillen	Mako	Rossi	Cutler,
Gillespie	Marshall	Rothman	Speaker
Gleim	Masser		

NOT VOTING—0

EXCUSED—1

Maloney

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,
Shall the bill pass finally?

The SPEAKER. Returning to the debate on final passage of SB 618, PN 945, the Chair recognizes the gentleman, Representative Warner.

Mr. WARNER. Thank you, Mr. Speaker.

Mr. Speaker, the bill before us today would prohibit school districts, State-funded institutions of higher education, and other government entities from mandating vaccine passports to access buildings or to receive services. The bill also prohibits and ceases having an unelected bureaucrat from mandating unilateral orders on the citizens of this Commonwealth.

Mr. Speaker, over half the adult population in Pennsylvania has received this vaccine, but there is still some hesitancy around it for a multitude of reasons. Take, for example, last year our current Vice President stated that she would second-guess a recommendation to receive the vaccine, suggesting politics, not public health, would be motivation behind it. Perhaps one of the most prominent figures during the pandemic, the Governor of New York, stated: "Frankly, I'm not going to trust the federal governments' opinion, and I wouldn't recommend to New Yorkers,..." referring to the vaccine. He further stated: "I'm not that confident.... You are going to say to the American people now, 'Here's a vaccine, it was new, it was done quickly, but trust this federal administration, their health administration that it's safe, and we're not 100 percent sure of the consequences,' I think it's going to be a very skeptical American public about taking the vaccine, and they should be." They should be.

But, Mr. Speaker, I am not trying to erode public confidence in taking the vaccine like the previous officials that I mentioned. I personally believe that it may be advantageous for those that are elderly or have underlying conditions that are at risk to receive it. What I am advocating for, Mr. Speaker, is personal liberty. Take my son, for example, Mr. Speaker. My child has many life-threatening allergies. It is a legitimate concern of mine for him to receive a vaccine, especially one that is new, and mind

you, not even fully approved by the FDA (Food and Drug Administration). Am I to gamble his life so that he can attend a public institution when he is in one of the least at-risk demographics?

You know, it was recently mentioned during debate on this floor that when you are in the doctor's office, there is not an extra seat in that office for anyone in this chamber, and, Mr. Speaker, there certainly is not a seat in that office for any other government entity to tell me, my son, or any other citizen of this Commonwealth what to do or not do with our health.

I find it hypocritical, Mr. Speaker, that during debate yesterday, even after months of hearings, the amendment process in committee, the amendment process on the floor, and a bill that went through the full legislative process, that we were accused of excluding the minority party on input on that bill. I find that hypocritical, Mr. Speaker, when over the last year and a half, the Secretary of Health and the Governor—

The SPEAKER. The gentleman will please suspend.

The gentleman is getting dangerously close to impugning the motives of other members and reasons that they would support or oppose the bill, and I would encourage the gentleman to come back to the underlying issue contained in the bill, which is the vaccinations and the passport components.

Mr. WARNER. Thank you, Mr. Speaker.

Mr. Speaker, I have issue when the Secretary of Health and the Governor have made unilateral decision after unilateral decision after unilateral decision without any input from a single member in this chamber. This is not a question of whether you think the vaccine is safe or not; it is a question of whether you believe in personal liberty. It is a question of whether or not you believe that unelected bureaucrats should have the unabated power to shut down government entities without any input from the elected Representatives of this Commonwealth. It is a question of whether you believe in the principles of this Republic of democracy.

Last month the people of this Commonwealth stated very loudly that they wanted their voices heard, that they deserve a seat at the table and that no one has a right to unilaterally govern, because, Mr. Speaker, simply put, in the United States of America, the government does not tell it what to do; we the people tell it what to do.

Vote "yes" on SB 618. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Bernstine, on final passage.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, we have heard from many of our constituents on this very, very important issue. And the reason why it is so important is because it is so personal, and the reason it is so personal is that this is an example of the government telling each and every one of us what we can and cannot do with our own personal medical decisions. You all like that?

[Remarks stricken.]

The SPEAKER. The gentleman will suspend. The gentleman is off topic from the underlying bill and should restrict your comments to the actual language contained in the bill and not antagonize our other members through the debate. You are in order and may proceed if you can abide by the rules.

Mr. BERNSTINE. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will please suspend.

POINT OF ORDER

The SPEAKER. For what purpose does the gentlewoman rise?
Mrs. DAVIDSON. Point of order.

The SPEAKER. You may state your point of order.

Mrs. DAVIDSON. Mr. Speaker, not only was that remark inflammatory, but I believe that you spoke to folks about inciting the members, and I believe that those remarks should be stricken from the record, Mr. Speaker.

The SPEAKER. Respectfully, to the gentlewoman's request, the issue itself had already been addressed, but we will certainly add review and then possible striking of the record, which I was reviewing with the leaders previously from some of yesterday's debate where individuals were noncompliant with the rules.

So with that in mind, the gentleman is in order and may proceed.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, this legislation, it is important that people understand what it does. This legislation would permit public entities from requiring a piece of paper that tells them that they went and received a vaccine in order to go to their facilities – that means in order to go to your child's baseball game, that means in order to go watch a football game, and that also means if that child has an issue, in order to go into the school and discuss that issue with a teacher or a principal.

Mr. Speaker, we would never do this with some of the other things that we have. We are not permitted to do that on issues of allergies or diabetes or weight or if someone has another disease, we are not permitted to do so. These vaccine passports are about liberty. They are about the government refusing, they are about the government not being permitted to mandate that we provide them every single bit of personal information.

On that, Mr. Speaker, I would encourage a "yes" vote on this legislation to make sure that we have liberty not only here in the Commonwealth, but also across the entire United States for many years to come.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Representative Frankel, wish to be recognized a second time?

You are in order and may proceed, and then we will move to the leaders if no one else seeks recognition.

Mr. FRANKEL. Thank you, Mr. Speaker.

You know, I have been here awhile, longer than many of you, and I can remember a time when this legislature acted in a bipartisan way to protect the public health of our Commonwealth. We did that. When I served here in my second term in 2002, when we passed Act 83 unanimously, requiring vaccinations, meningitis vaccinations for all college students in the State – with opt-out ability – we acted responsibly.

This piece of legislation, Mr. Speaker, is irresponsible. It puts at jeopardy our folks in our long-term care facilities, our nursing homes, colleges and universities. And this is not a requirement to get the vaccination; it is about knowing who is vaccinated and making sure that other mitigation is allowed to take place in lieu of it. We need that information.

We have a responsibility in these institutions to be able – they are under our care. We have a responsibility to protect these people. We are making them second-class citizens as opposed to those that are in private institutions or in our hospitals. If you are in a government facility, you are going to be more exposed to

having COVID than you would if you are in a private facility. So second-class citizens for those of us that we are responsible, especially responsible for protecting. This is the height of irresponsibility. I ask you to vote "no."

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

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

The speaker before me provided one history lesson. I have got another from the brief, but tough, 1918 order from the Acting Commissioner of Health for the Republican Governor, that was unpopular at the time. But when the General Assembly and the Republican Governor and legislature were sworn in in 1919, they did not disturb it because it made sense. Almost everything that is banned in the current SB 618 is in this 1918 order.

There was a State health order that required masking for all attendants, which were probably people who were taking care of the sick and disabled. The order reads: "To the People of the Commonwealth of Pennsylvania: Our Commonwealth is threatened by a serious epidemic of influenza, a highly communicable disease, which in many cases develops into an extremely fatal type of pneumonia. In order to as fully as possible protect the lives of our people as well as our essential war industries, the Department has issued an order closing all theaters, moving picture palaces" – picture palaces. Okay. I guess that is how they said movie theater before – "amusement places, saloons, dance halls, and all unnecessary public gatherings; forbidding unnecessary visiting of the sick, and requiring all funerals, no matter what may have been the cause of death, to be private. For the public good, as well as for our individual safety, the Department of Health calls upon all good citizens to help make this order effective. Avoid crowds and places frequented by large numbers of people; stay at home and do not use the street cars or trains except as your duties or employment may absolutely require. Crowded cars afford unusual facilities for spreading the disease; make them less dangerous for..." the people "who must use them..." and limit your use of them. "Your hearty co-operation is necessary in this grave emergency."

There is additional language that I will skip over, but, Mr. Speaker, it is important to note that many of these actions that were taken by the Secretary of Health in 1918 are the same that would be banned under the current legislation in SB 618. Confirming vaccine and other public health compliances – not a radical or a new idea. Actually, as one member mentioned yesterday sliced bread, it is actually worthy to note that the seal we have on our loaf of bread comes from the passage of an act in 1933 called the Bakery Act that actually required bakeries to provide doctor's confirmation to local Departments of Health that all of their workers were free from communicable disease. We have several of these types of laws in evidence still today.

Now, what is clear about the Spanish flu back in 1918 and COVID today is that people can spread this disease quickly. It can kill quickly, and many people do not necessarily know that they have it. So limiting public health measures to only those who think they are sick or who might be suspected of being sick actually makes us less safe.

To my way of thinking, if rules around public health, social distancing, and mask wearing were good enough for my grandparents back in 1918, for my parents in the 1930s, for me growing up in the 1970s, and my kids in the 1990s, well, then they ought to be good enough for us today too. Please vote "no" on SB 618.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Davanzo, on final passage.

Mr. DAVANZO. Thank you, Mr. Speaker.

Mr. Speaker, I think this debate today is ironic because the party on the left is now saying that we need identification that we were vaccinated, but we want no identification to cast your vote. This is just completely absurd here. And we also—

POINT OF ORDER

Ms. McCLINTON. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will please suspend.

The leader may state your point of order.

Ms. McCLINTON. The speaker is far afield of the underlying bill, SB 618. I do not believe any part of this bill is about voting.

The SPEAKER. The Democratic leader is correct, but I believe that the gentleman's argument was based on the necessity for identification in both cases and would encourage the gentleman to stay on task and on comment regarding the vaccination passports only and not other areas where identification may or may not be utilized. The gentleman is in order and may proceed.

Mr. DAVANZO. Thank you, Mr. Speaker.

Mr. Speaker, this is not the last time we are going to go through a pandemic, but where does it end at? Do we have passports for diabetes? Are we going to have a passport for HIV (human immunodeficiency virus)? When is the end here? We are going to shame people. You know, this is what this is going to turn into – all our children in schools, who has the passport? Who does not? We are just going to shame everybody here.

We are free Americans here, and that is something we can never forget. I will be voting in favor of SB 618 and I encourage my colleagues to do the same. Thank you.

The SPEAKER. The Chair thanks the gentleman for that succinct wrap-up.

The Chair recognizes the gentleman, Representative Sturla, and then we will move on to the leaders.

Mr. STURLA. Thank you, Mr. Speaker. Mr. Speaker, I will be brief.

It seems odd that we are trying to limit other facilities' ability to make a decision about what is safe for their facility. There may be facilities that say, come and go as you please. We do not care. But if a facility determines that it is unsafe, why would we then restrict them?

I mean, you can take this to the absurd. I may want to carry my tiki torch with my support pig when I walk into a public building, but if the people that run that public building say, it is not really safe for you to have your support pig and your tiki torch, they should have the right to tell me that it is not okay to do that. This is about taking away the decisions of local entities that have a duty to the public and saying, we are going to dictate to you how to run your building. What is next?

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Otten.

Ms. OTTEN. Thank you, Mr. Speaker.

I did not intend to get up and speak on this bill, but I am sitting here as a parent to two young children and just flabbergasted by this conversation.

First of all, there is no such thing, no such thing as a vaccine passport – no such thing. It does not exist. This is another attempt at misinformation and fearmongering to scare the public and diminish their trust in our government agencies.

Just 2 weeks ago I took my 5-year-old daughter to her very first kindergarten screening. Guess what I had to bring with me? The same thing I had to bring with me 2 years ago when I registered my 7-year-old for kindergarten before the pandemic: his vaccination records from the pediatrician. Proof of their most recent physical. These are things that have been in place, if you have registered – and I am not surprised if there are many people in this room who have not registered a child for camp or school in a long time or ever, but as somebody who has done that many times, we are in this room here today fearmongering about things that have been in place to protect our children in school and ourselves for decades, decades. And in 7 days, and in 7 days we are mandated to have a budget, a budget to fund those schools so that our children can return to their life and their education and their friends and their teachers safely, safely.

There are many of us who have children with special needs and concerns about allergies, asthma, medical conditions. My nephew walks around with a tracheostomy in his throat. He is highly susceptible to illness. He is only able to attend public school in Pennsylvania because we require proof of vaccination, and his right to attend a public school is constitutionally protected. This is absolutely absurd, absolutely absurd. We are derelict in our duty if we come here to fearmonger the public about public health and safety.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Lawrence, on final passage.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, there has been a lot of good discussion today. It is good to have good debate on a bill. I want to read right out of the bill. This is on page 4. This is right out of SB 618. "THE SECRETARY OF HEALTH MAY NOT...REQUIRE AN INDIVIDUAL THAT HAS NOT BEEN EXPOSED OR POTENTIALLY EXPOSED TO A CONTAGIOUS DISEASE TO DO ANY OF THE FOLLOWING:" and that lists a couple of things. One of them is isolate "FROM OTHER INDIVIDUALS."

So the Secretary of Health cannot order a healthy person to isolate themselves. We apparently have to pass a law about that. The Secretary of Health may not order a healthy person, may not restrict their travel. Now, is this something that we are making up? Is this something that never happened? Now, I am looking here at an article that was on Pennlive on April 3, 2020: "York County woman faces...ticket from state police for violating Gov. Wolf's stay-at-home order." And I am not going to read the whole article, but just briefly: "A 19-year-old York County woman went out for a drive just to get out of the house for awhile on Sunday evening and was circling her way back home when she was stopped by two state police cars. They cited her for violating Gov. Tom Wolf's stay-at-home order that took effect in York County two days before.... On the citation, it states she 'failed to abide by the order of the governor and secretary of health issued to control the spread of a...disease, requiring the closure of all non-life-sustaining businesses as of 20:00 hours on March 19, 2020. To wit, defendant states that she...' had – and I am going to add this – the audacity to, quote, go " "for a drive" after this violation was in effect.' "

Now, Mr. Speaker, it is astounding to me that we need to move legislation to ensure that the executive branch cannot forbid healthy people from traveling out of their own home. That is what this bill says, and I would encourage an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Diamond, on final passage.

Mr. DIAMOND. Thank you, Mr. Speaker.

The previous lessons in history and comparisons to other situations notwithstanding, I just want to remind the members that this is not the same and it is not comparable to any vaccine that a child is required to have to attend school.

The bill itself specifically states that this is for the COVID-19 vaccine, and, Mr. Speaker, the COVID-19 vaccine is inherently different than all those other vaccines we talk about, whether it is the Jonas Salk vaccine or the MMR (measles-mumps-rubella) that the kids get for school, it is decidedly different. Why? Because it is only authorized for use under the FDA's emergency use authorization, emergency use authorization by which under the FDA itself says that, well, everybody should be given a choice as to whether to get this. And I get this is about identifying those who have made that choice, and hey, if you made that choice, good for you, but there are a lot of people out there who are very hesitant about this or just downright will refuse to get this because they remember other parts of history like the swine flu vaccine disaster that happened in this country where the government just pushed that thing out, and guess what? People ended up with serious medical conditions as a result.

So let us not, Mr. Speaker, compare this to the polio vaccine. This is not the polio vaccine. Let us not compare this, Mr. Speaker, to those childhood vaccines. This is not those childhood vaccines. This is an experimental vaccine authorized under emergency use authorization by the FDA.

It is different, and that, Mr. Speaker, is why it should be treated differently by every institution of government using public funds, and that, Mr. Speaker, is why we absolutely, positively must support SB 618.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, we will now move to the leaders, as is customary, and recognize the gentlewoman, Leader McClinton, on final passage.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, we have spent the last 2 days chasing one conspiracy after the next – conspiracy theory, excuse me. I would like to get down and do the good works that we have been talking about as well on this side of the aisle. I called the majority leader since – I do not know if he still has my number – so we can sit down and work on how we can get this budget taken care of. But I look forward to having the real conversations and voting "no" to SB 618.

The SPEAKER. The Speaker thanks the lady for her succinct remarks and recognizes the gentleman, the majority leader, on final passage.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

And yes, I have enjoyed having breakfast with the minority leader and I suspect we will do it again. If we keep talking tonight, we will get to do it right after we are done. That in mind, I do rise with the support of SB 618 strictly because I think people ought to be able to make decisions in their own life about some of these things, and we should allow them to have that decision

ability and not have this mandate upon them coming into these institutions. But more specifically, there is another caveat in SB 618 that has to do with not putting expenditures into developing procurements of an electronic vaccine tracking system. That to me is a little alarming and sometimes confusing to many out in the world. What all does that entail?

Many people know that since, as one of the previous speakers talked about, the development of other vaccines in our past, the proliferation of electronic communications has compounded tremendously in the last 5, 10 years. And sadly, being able to protect people's personal, private health-care information is not as easy as it used to be when it was in a doctor's file or a medical cabinet somewhere within a medical facility. In an electronic world, who knows where this information goes. We only have to look at what happened with our subcontracted organization known as Insight Global, who was hired to do contact tracing of Pennsylvanians, people who were exposed to COVID and/or may have come down with COVID. We trusted this organization who put together electronic files of our medical backgrounds, our histories. There were a lot of questions people had to answer only to find out that over 72,000 people's information – men, women, and children's information – is now out on the World Wide Web. Mr. Speaker, I would ask you to think about your vote and support SB 618. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

Th 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—112

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

Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Quinn	Wheeland
Fee	Lewis	Rader	White
Flood	Mackenzie, M.	Rapp	Williams, C.
Fritz	Mackenzie, R.	Rigby	Zimmerman
Gaydos	Major	Roae	
Gillen	Mako	Rossi	Cutler,
Gillespie	Marshall	Rothman	Speaker
Gleim	Masser		

NAYS—89

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

NOT VOTING—0

EXCUSED—1

Maloney

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

The SPEAKER. For the information of the members, there will be no further floor activity this afternoon so that many of the important meetings that were referenced during debate can occur.

We will be keeping the desk open to do a little bit of housekeeping with the intent to adjourn until tomorrow.

BILLS RECOMMITTED

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

HB 69;
 HB 1003;
 HB 1232;
 HB 1255;
 HB 1377;
 HB 1591;

SB 115; and
 SB 484.

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 1107;
 HB 1248;
 SB 81;
 SB 147;
 SB 411;
 SB 416;
 SB 516; and
 SB 554.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 359**, **PN 331**, entitled:

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 359 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 359 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 385, PN 357**, entitled:

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.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 385 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 385 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 151, PN 116**, entitled:

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 151 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 151 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 152, PN 117**, entitled:

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 152 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 152 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Speaker is in receipt of a motion made by the gentleman, Representative Hershey, that this House do now adjourn until Thursday, June 24, 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 4:43 p.m., e.d.t., the House adjourned.