

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, OCTOBER 4, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 51

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Dear God, bless this day. May we be fruitful in our quest as legislators in making this Commonwealth a better place to live. May our discussions be peaceful and productive, knowing that we come from a diverse State with varied needs and interests. We pray for Your guidance, O Lord, in reaching consensus in all that we do, praying our decisions will benefit all. Remind us of our purpose: to legislate for the common good. May we set a positive example for those we represent even in times of adversity, knowing that we represent You first, O Lord, and then those who sent us to this great House.

In Your holy name we say, Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, September 29, 2021, will be postponed until printed.

#### JOURNAL APPROVED

The SPEAKER. However, the following 2021 Journal is in print and, without objection, will be approved: Tuesday, June 15, 2021.

#### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

**HB 889, PN 880** By Rep. HICKERNELL

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for examinations and certificates.

PROFESSIONAL LICENSURE.

**HB 1464, PN 2227** (Amended) By Rep. HICKERNELL

An Act providing for crematory regulation.

PROFESSIONAL LICENSURE.

**HB 1801, PN 2043** By Rep. HICKERNELL

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for procedure for licensing as professional engineer.

PROFESSIONAL LICENSURE.

**HB 1868, PN 2228** (Amended) By Rep. HICKERNELL

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, adding provisions relating to veterans' licensure by providing for representation on licensing boards, for expedited license, for military experience in place of education criteria, for expedited temporary license, for relevant military experience, for renewal of license for deployed servicemembers, for fees and for reports.

PROFESSIONAL LICENSURE.

**SB 772, PN 1127** (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life insurance, further providing for standard nonforfeiture law for individual deferred annuities; and, in suitability of annuity transactions, further providing for definitions, for applicability and scope of article, for duties of insurers and insurance producers, for insurance producer training, for mitigation of responsibility, for recordkeeping and for enforcement.

INSURANCE.

#### RESOLUTION REPORTED FROM COMMITTEE

**HR 142, PN 2138** By Rep. HICKERNELL

A Resolution directing the Joint State Government Commission to conduct a comprehensive study and review of the State Board of Nursing.

PROFESSIONAL LICENSURE.

**BILL REPORTED AND REREFERRED  
TO COMMITTEE ON CONSUMER AFFAIRS**

**HB 599, PN 568**

By Rep. PICKETT

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair methods of competition and unfair or deceptive acts or practices defined.

Reported from Committee on INSURANCE with request that it be rereferred to Committee on CONSUMER AFFAIRS.

The SPEAKER. Without objection, the bill will be so rereferred.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 603** By Representatives MIHALEK, KAIL, OWLETT, PICKETT, MILLARD, O'NEAL, FRITZ, KEEFER, ECKER, WARNER, DUNBAR, CAUSER, TOOHIL, IRVIN and MERCURI

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 special tax provisions for poverty; and, in corporate net income tax, further providing for imposition of tax.

Referred to Committee on FINANCE, October 4, 2021.

**No. 1935** By Representatives WHITE, McCLINTON, SOLOMON, R. BROWN, DRISCOLL, KINSEY, MIZGORSKI, NEILSON, PENNYCUICK, SANCHEZ, SMITH, TOMLINSON, TWARDZIK, C. WILLIAMS and D. WILLIAMS

An Act amending the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, in general provisions, further providing for purpose and legislative intent, for legislative findings and for definitions; in Pennsylvania Intergovernmental Cooperation Authority, further providing for powers and duties, for term of existence of authority, for financial plan of an assisted city, for powers and duties of authority with respect to financial plans and for limitation on authority and on assisted cities to file petition for relief under Federal bankruptcy law; in bonds and funds of authority, further providing for bonds, for final date for issuance of bonds and for city payment of authority bonds; in Pennsylvania Intergovernmental Cooperation Authority tax, further providing for duration of tax; in miscellaneous provisions, providing for applicability of other law; and making related repeals.

Referred to Committee on URBAN AFFAIRS, September 29, 2021.

**No. 1936** By Representatives KRUEGER, LAWRENCE, KIRKLAND, HERRIN, SAPPEY, HANBIDGE, HOHENSTEIN, FREEMAN, CIRESI, C. WILLIAMS and HOWARD

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for valuation of acquired water and wastewater systems.

Referred to Committee on CONSUMER AFFAIRS, September 29, 2021.

**No. 1937** By Representatives RABB, LEE, SANCHEZ, HILL-EVANS, BULLOCK, HOHENSTEIN, DALEY and ROZZI

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to licensing, further providing for definitions and providing for inspection for continuing conformity to license.

Referred to Committee on HEALTH, September 30, 2021.

**No. 1938** By Representatives C. WILLIAMS, RYAN and SOLOMON

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

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 30, 2021.

**No. 1939** By Representatives GROVE, TOPPER, KEEFER, STAMBAUGH, RYAN, HILL-EVANS, ROWE, STRUZZI, B. MILLER, SCHLEGEL CULVER and R. BROWN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees relating to revised rating system, further providing for definitions; and providing for Student-Centered Assessment Pilot Program.

Referred to Committee on EDUCATION, September 30, 2021.

**No. 1940** By Representatives GROVE, R. BROWN, MILLARD, RYAN, JONES, SCHLEGEL CULVER, KEEFER, CIRESI and MOUL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for behavioral health and physical health services integration.

Referred to Committee on HEALTH, September 30, 2021.

**No. 1941** By Representatives GROVE, DeLUCA, CIRESI and MOUL

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in taxation by school districts, repealing provisions relating to local tax study commission and adoption of further referendum.

Referred to Committee on FINANCE, September 30, 2021.

**No. 1942** By Representatives PISCIOTTANO, FREEMAN, DELLOSO, D. WILLIAMS, HILL-EVANS, SANCHEZ, INNAMORATO, KINKEAD, A. DAVIS, SCHLOSSBERG, McNEILL, DALEY, N. NELSON and DeLUCA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for the offense of deepfake dissemination.

Referred to Committee on JUDICIARY, September 30, 2021.

**No. 1943** By Representatives PISCIOTTANO, DELLOSO, HILL-EVANS, SANCHEZ, BROOKS, INNAMORATO, LONGIETTI, A. DAVIS, DEASY, SCHLOSSBERG, N. NELSON, SHUSTERMAN, MERSKI, LEWIS DELROSSO, D. WILLIAMS and SOLOMON

An Act establishing the Pennsylvania Retaining Educated Workers Incentive Program (PREWIP) and imposing duties on the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on EDUCATION, September 30, 2021.

**No. 1944** By Representatives PISCIOTTANO, DELLOSO, D. WILLIAMS, McNEILL, HOHENSTEIN, N. NELSON, KINSEY, SANCHEZ, BROOKS, DEASY, SCHLOSSBERG, CIRESI, SNYDER, YOUNG and T. DAVIS

An Act amending Title 48 (Lodging and Housing) of the Pennsylvania Consolidated Statutes, in hotels, providing for protection of hotel employees.

Referred to Committee on LABOR AND INDUSTRY, September 30, 2021.

**No. 1945** By Representatives PISCIOTTANO, DELLOSO, FRANKEL, N. NELSON, KINSEY, RYAN, SANCHEZ, O'MARA, SCHLOSSBERG, CIRESI, DRISCOLL, PASHINSKI and D. WILLIAMS

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for definitions.

Referred to Committee on COMMERCE, September 30, 2021.

**No. 1946** By Representatives STAMBAUGH, JAMES, SMITH, MENTZER, KEEFER and ROWE

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, in regulation of cemetery companies, further providing for registration and filing affidavit of compliance.

Referred to Committee on PROFESSIONAL LICENSURE, October 4, 2021.

**No. 1947** By Representatives O'NEAL, HAMM, MILLARD, RYAN, OWLETT, STRUZZI, ROWE, HERSHEY, ECKER, LEWIS DELROSSO, KAIL and FRITZ

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for restrictions on utility services prohibited.

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

**No. 1948** By Representatives KENYATTA, KINSEY, HOHENSTEIN, HILL-EVANS, MADDEN, SIMS, SANCHEZ and ROWE

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

Referred to Committee on HEALTH, October 4, 2021.

**No. 1950** By Representatives KENYATTA, GALLOWAY, HILL-EVANS, RABB, KINSEY, FIEDLER, SCHLOSSBERG, HOWARD, SHUSTERMAN, HOHENSTEIN, SANCHEZ, CIRESI, BRADFORD, SIMS, LEE, GAINEY, MADDEN and N. NELSON

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Independent Fiscal Office, further providing for definitions and for duties of office and providing for poverty impact analysis.

Referred to Committee on APPROPRIATIONS, October 4, 2021.

**No. 1951** By Representatives KENYATTA, GALLOWAY, HILL-EVANS, RABB, KINSEY, FIEDLER, SCHLOSSBERG, HOWARD, SHUSTERMAN, HOHENSTEIN, SANCHEZ, CIRESI, BRADFORD, SIMS, LEE, GAINEY, MADDEN and N. NELSON

An Act providing for the study of intergenerational poverty; establishing the intergenerational poverty tracking system, the Interagency Workgroup on Poverty and Economic Insecurity and the Pennsylvania Commission on Poverty Elimination and Economic Security; and providing for a strategic plan, for reports and for duties of the Department of Human Services and the Secretary of the Budget.

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

### SENATE BILL FOR CONCURRENCE

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

#### SB 869, PN 1074

Referred to Committee on PROFESSIONAL LICENSURE, September 29, 2021.

### COMMUNICATION FROM DEPARTMENT OF GENERAL SERVICES

The SPEAKER. The Speaker submits for the record the Department of General Services Act 77 Report for Fiscal Year 2020-2021.

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

### COMMUNICATION FROM PENNSYLVANIA EMPLOYMENT FIRST OVERSIGHT COMMISSION

The SPEAKER. The Speaker also submits for the record the Pennsylvania Employment First Oversight Commission's 2021 Annual Report.

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

**LEAVES OF ABSENCE**

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

The Chair recognizes the gentlewoman, Representative Oberlander, who indicates that there are none. The Chair thanks the lady.

The Chair recognizes the Democratic whip, who indicates that the gentleman, Representative BOYLE, of Philadelphia County wishes to be placed on leave for the week. Without objection, the leave of absence is granted.

**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—200**

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Boyle

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

**GUEST INTRODUCED**

The SPEAKER. Turning to visitor recognition. Located in the gallery, the Chair is pleased to welcome Robert Greene, who is shadowing Representative Gleim for the day. He is a junior at Big Spring High School in Newville and is interested in studying political science or prelaw in college. Robert, please rise and be welcomed.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Additionally, the Speaker wishes to make an announcement regarding one of our members. Representative Aaron Kaufer and his wife welcomed their baby, Raya, who was born on September 29, 2021; 6 pounds 11 ounces and 19 inches. Mother and baby are in good health. So congratulations, Representative Kaufer.

**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.

Mr. Speaker, immediately at the break, the House Environmental Resources and Energy Committee will hold a voting meeting in room 515, Irvis Office Building, to consider HB 598 and HB 1842, as well as any other business that may come before the committee. So for all the House Environmental Resources and Energy Committee members, if you could join me at the break in 515 Irvis Office Building, we will be having a voting meeting. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Environmental Resources and Energy Committee will meet immediately at the break in room 515 of the Irvis Office Building.

**TRANSPORTATION COMMITTEE MEETING**

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

Mr. HENNESSEY. Thank you, Mr. Speaker.

There will be a voting meeting of the House Transportation Committee immediately at this break in room G-50 of the Irvis Office Building. We will be voting on HBs 1871, 1922, 1641, 1727, and 1830; and SBs 725, 759, and 880. Thank you. Again, G-50 Irvis Office Building, immediately, for the House Transportation Committee.



The SPEAKER. The Chair thanks the gentleman.  
The Transportation Committee will meet immediately at the break in room G-50 of the Irvis Office Building.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the Vice Chair for an Appropriations Committee announcement.

Mr. TOPPER. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

### REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will caucus at 1 o'clock in the majority caucus room; that is 1 o'clock in the majority caucus room. We will be prepared to be back on the floor at 2 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. Just for clarification, Representative Dunbar – the Chair was having some difficulty hearing – return to the floor is anticipated at 2 o'clock?

Mr. DUNBAR. That is correct, Mr. Speaker, 2 o'clock.

The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentlewoman, Representative Hill-Evans, for a caucus announcement.

Mrs. EVANS. Thank you, Mr. Speaker.

The Democrats will caucus hybrid at 1 o'clock; hybrid at 1 o'clock. Thank you.

The SPEAKER. The Chair thanks the lady.

### RECESS

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

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

**HB 763, PN 749**

By Rep. SAYLOR

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in construction, improvement, maintenance and repair of State highways, providing for native vegetation along highways.

### APPROPRIATIONS.

**HB 1893, PN 2151**

By Rep. SAYLOR

An Act amending the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, further providing for confidentiality of reports and records.

### APPROPRIATIONS.

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

**HB 598, PN 567**

By Rep. METCALFE

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for definitions; and providing for recreational user's claim for property rights and for the substitution of the Department of Conservation and Natural Resources for a party in litigation.

### ENVIRONMENTAL RESOURCES AND ENERGY.

**HB 1641, PN 1825**

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 8517, carrying Pennsylvania Route 403 over the Stonycreek River in Ferndale Borough, Cambria County, as the Private First Class Lee David Meadows Memorial Bridge.

### TRANSPORTATION.

**HB 1727, PN 1955**

By Rep. HENNESSEY

An Act designating a portion of State Route 2019, known as Nyes Road, from the intersection of Derry Street to the intersection of Union Deposit Road, in Swatara and Lower Paxton Townships, Dauphin County, as the Glenn A. Martin Memorial Highway.

### TRANSPORTATION.

**HB 1830, PN 2074**

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 25507, on that portion of State Route 3006 over the Kinzua Creek in the census-designated place of Westline, Lafayette Township, McKean County, as the Westline Veterans Memorial Bridge.

### TRANSPORTATION.

**HB 1842, PN 2231 (Amended)**

By Rep. METCALFE

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, in other pollutions and potential pollution, providing for notice of discharge endangering public health or environment.

### ENVIRONMENTAL RESOURCES AND ENERGY.

**HB 1871, PN 2230 (Amended)**

By Rep. HENNESSEY

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

### TRANSPORTATION.

**HB 1922, PN 2184**

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for suspension of registration upon unpaid tolls.

TRANSPORTATION.

**SB 725, PN 1103**

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses; and in commercial drivers, further providing for requirement for commercial driver's license.

TRANSPORTATION.

**SB 759, PN 936**

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 19033, on that portion of northbound State Route 119 over State Route 286 in White Township, Indiana County, as the Specialist Five Timothy Rice Memorial Bridge.

TRANSPORTATION.

**SB 880, PN 1091**

By Rep. HENNESSEY

An Act designating the portion of State Route 2014/Washington Street beginning at the intersection of South Courtland Street and Day Street at segment 0011 offset 1858 and ending at the intersection of Brown Street at segment 0011 offset 0000 in East Stroudsburg Borough, Monroe County, as the Samuel Newman Way; and making a repeal.

TRANSPORTATION.

### HOUSE BILL INTRODUCED AND REFERRED

**No. 1952** By Representatives THOMAS, SOLOMON, BERNSTINE, BOBACK, BRIGGS, BROOKS, R. BROWN, CIRESI, SCHLEGEL CULVER, DOWLING, DRISCOLL, FARRY, FRITZ, GAYDOS, HELM, HILL-EVANS, HOHENSTEIN, HOWARD, ISAACSON, JAMES, KAUFER, KINSEY, LEWIS DELROSSO, LONGIETTI, MALAGARI, MEHAFFIE, MILLARD, MOUL, MULLINS, ORTITAY, PASHINSKI, PICKETT, PISCIOTTANO, RADER, SANCHEZ, SAPPEY, SAYLOR, SCHLOSSBERG, SNYDER and TOOHL

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in United States Semiquincentennial, providing for infrastructure improvements and projects.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 4, 2021.

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 291, PN 257**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

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 1642, PN 1832**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships.

On the question,

Will the House agree to the bill on second consideration?

Mr. **LONGIETTI** offered the following amendment No. **A02526**:

Amend Bill, page 2, line 10, by striking out "Sections 2003-B(d.3) and 2004-B(a)(2)" and inserting

Section 2003-B(d.3)

Amend Bill, page 2, line 11, by striking out "are" and inserting is amended and the section is

Amend Bill, page 2, line 11, by inserting after "amended" by adding a subsection

Amend Bill, page 3, by inserting between lines 2 and 3

(d.4) Administrative costs.—Each scholarship organization, pre-kindergarten scholarship organization, educational improvement organization and opportunity scholarship organization shall annually report, on a form provided by the department, the dollar amount and percentage of the organization's annual cash receipts that were expended on administrative costs.

Amend Bill, page 3, by inserting between lines 3 and 4

Section 2.1. Section 2004-B(a)(2) of the act is amended to read:

Amend Bill, page 7, line 16, by inserting after "act"

, amended June 30, 2021 (P.L.158, No.26),

Amend Bill, page 7, line 24, by striking out "\$185,000,000" and inserting

\$225,000,000

Amend Bill, page 7, line 26, by striking out "\$135,000,000" and inserting

\$175,000,000

On the question,

Will the House agree to the amendment?

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

Members, please take your seats. Move any conversations off the rear of the House. The gentleman is about to explain his amendment and deserves to be heard.

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, under current law, these educational improvement organizations, scholarship organizations, can charge an administrative fee of up to 20 percent, 20 percent of the funds that they disburse or that come to them. And what this

amendment does is, we do not know how that money is used and what percentage these organizations are charging.

Now, if you look at back in 2010, the Legislative Budget and Finance Committee issued a report, and they clearly stated in that report – when they looked at these tax credit programs, including EITC (educational improvement tax credit), specifically, and OSTC (opportunity scholarship tax credit) – "Program participants do not have to report how they use their retained amounts, and the statute precludes the department from inquiring." Now, these are, these really are tax dollars. It is a tax credit program. This is money that otherwise would flow into our coffers. And as I will talk on my later amendment, we are really an outlier at the 20-percent level, but we ought to at least know, we ought to know what exactly they are charging, because we do not know and we cannot ask right now, and what it is being used on, because the Legislative Budget and Finance Committee pointed out that even though it is called an administrative fee, they can use it for whatever they want. So these are, you know, if we are going to be good stewards of taxpayer funds, we ought to know those things and we ought not to have a law that we cannot even ask about them.

This is an accountability issue and I would urge folks to vote for this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the prime sponsor, Representative White, on the amendment.

Ms. WHITE. Thank you, Mr. Speaker.

The organizations that participate in this program do help the Commonwealth reduce costs of education, and to require additional government red tape to get in the way of more participants in the program would be a disservice to these families who benefit from the grants under the EITC program. And as for the administrative fees, these costs actually would be passed along to consumers, the very families that are applying for these scholarships. Normally these fees are typically waived by the administrators and it is these small independent scholarship organizations who are often using expense money to, again, waive application fees. Without the ability to do this, it could impact families' ability to apply for the grants entirely.

So I would ask the members to please vote "no" on this amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the 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—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	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
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Delloso	Kinhead	Otten	Young
DeLuca	Kinsey	Parker	Zabel
Driscoll	Kirkland	Pashinski	

#### NAYS—113

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

#### NOT VOTING—0

#### EXCUSED—1

Boyle

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **LONGIETTI** offered the following amendment  
No. **A02527**:

Amend Bill, page 1, lines 11 through 14, by striking out all of said lines and inserting

Section 1. The definitions of "economically disadvantaged school," "educational improvement organization," "opportunity scholarship organization," "pre-kindergarten scholarship organization" and "scholarship organization" in section 2002-B of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, are amended and the section is amended by adding definitions to read:

Amend Bill, page 2, by inserting between lines 2 and 3

"Educational improvement organization." A nonprofit entity which:

(1) is exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.); and

(2) contributes at least [80%] 90% of its annual receipts as grants to a public school, a chartered school as defined in section 1376.1, or a private school approved under section 1376, for innovative educational programs.

For purposes of this definition, a nonprofit entity "contributes" its annual cash receipts when it expends or otherwise irrevocably encumbers those funds for expenditure during the then-current fiscal year of the nonprofit entity or during the next succeeding fiscal year of the nonprofit entity. A nonprofit entity shall include a school district foundation, public school foundation, charter school foundation or cyber charter school foundation.

Amend Bill, page 2, by inserting between lines 6 and 7

"Opportunity scholarship organization." A nonprofit entity which:

(1) Is exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.); and

(2) Contributes at least [80%] 90% of the entity's annual cash receipts to an opportunity scholarship program.

For the purposes of this definition, a nonprofit entity contributes the entity's cash receipts to an opportunity scholarship program when the entity expends or otherwise irrevocably encumbers those funds for distribution during the then-current fiscal year of the nonprofit entity or during the next succeeding fiscal year of the nonprofit entity.

\* \* \*

"Pre-kindergarten scholarship organization." A nonprofit entity which:

(1) is exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 or is operated as a separate segregated fund by a scholarship organization that has been qualified under section 2003-B; and

(2) contributes at least [80%] 90% of its annual cash receipts to a pre-kindergarten scholarship program by expending or otherwise irrevocably encumbering those funds for distribution during the then-current fiscal year of the organization or during the next succeeding fiscal year of the organization.

\* \* \*

"Scholarship organization." A nonprofit entity which:

(1) is exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986; and

(2) contributes at least [80%] 90% of its annual cash receipts to a scholarship program.

For purposes of this definition, a nonprofit entity "contributes" its annual cash receipts to a scholarship program when it expends or otherwise irrevocably encumbers those funds for distribution during the then-current fiscal year of the nonprofit entity or during the next succeeding fiscal year of the nonprofit entity.

\* \* \*

Amend Bill, page 7, line 16, by inserting after "act" , amended June 30, 2021 (P.L.158, No.26),

Amend Bill, page 7, line 24, by striking out "\$185,000,000" and inserting

\$225,000,000

Amend Bill, page 7, line 26, by striking out "\$135,000,000" and inserting

\$175,000,000

On the question,

Will the House agree to the amendment?

The **SPEAKER**. And on that question, the Chair recognizes the gentleman, Representative Longietti.

Mr. **LONGIETTI**. So the purpose of the EITC program is to benefit students. It is to provide scholarships on behalf of students. But there is an administrative fee that the organizations that collect these donations charge, and Pennsylvania is an outlier. Our administration fee is as much as 20 percent, they can charge. That is \$1 out of every \$5 that is contributed that could go into the classroom to help the student defray the cost but is administrative.

Now, as I mentioned, the Legislative Budget and Finance Committee looked at this 11 years ago – this program has been around for a while – they looked at it 11 years ago and they recommended that the fee be capped at 10 percent. And what is interesting is that they were able to survey these organizations. Now, they could not compel folks to answer, but they did get survey information. And what they found is that the vast majority are charging a more reasonable fee. So the average statewide is an 8-percent fee, at that time when they surveyed, but there were some that charged as much as 20 percent. And when they looked at it, they said, quote, "...we could establish no patterns that would suggest that scholarship or programming funding levels are based on any particular set of factors...." So they could not figure out why some organizations are charging 20 percent. There is no pattern to it. There is no set criteria that is explaining it. And as I mentioned on my previous amendment, they do not have to disclose how they are using that money.

So if we are going to be good stewards of taxpayer dollars, then we ought to have a best practice in place, and that is to cap it at 10 percent as the Legislative Budget and Finance Committee has recommended. They looked at what other States do. They looked at eight tax credit programs in other States. They found that five of those eight capped it at 10 percent, and one of them capped it at 3 percent. So we are an outlier here in Pennsylvania. We should be good stewards. We should not want to waste what are essentially tax dollars where organizations are charging a 20-percent fee, not telling us how they are using the money, and there is no pattern to this to explain well, you know, for this reason this is why it is so much higher for our organization to administer this program. There is no pattern whatsoever.

So I would encourage my colleagues to be on the side of the taxpayer and not waste these dollars and let them get removed from where they are supposed to be used to help, which is to help the student and have a reasonable fee, which the Legislative Budget and Finance Committee has indicated is 10 percent. So please support this amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentleman and recognizes the gentlewoman, Representative White, on the amendment.

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

EITC is a rare government program that actually creates a win-win-win situation. School districts and taxpayers win by saving them money. The most recent figures show Pennsylvania spends more than \$18,000 per student in public schools; meanwhile, the average EITC scholarship is just \$1800, a savings



of 90 percent. That is why, that is why amendment A02527 should be voted down, because all it does is provide an advantage for bigger administrators to benefit from the administrative fee. We need to make sure that more of the smaller administrators are able to provide these grants in underserved areas of the Commonwealth, sometimes in more rural areas where costs may be more difficult to sustain. So with that said, I would just ask for a "no" vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Representative DeLissio, on the amendment.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, it is really—

The SPEAKER. The gentlelady will please suspend.

Members, please take your seats. Move all conversations from the back of the House off the floor of the House. Several members are indicating that they cannot hear the debate.

The gentlelady is in order and you may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to share some of my own experiences that pertain to 10 percent versus 20 percent of administrative fees. Before being elected to office, I had the opportunity to head up two not-for-profit organizations, and subsequently, sit on boards of directors of not-for-profit organizations, as I assume many people in this chamber have. And if anybody has ever applied for a private foundation grant, they are very clear that they do not want to see administrative expenses in excess of 10 percent. They want the majority of those dollars being used for the stated purpose. So taxpayer dollars would be absolutely no different. We should be driving 90 percent of those dollars for the end purpose and not taking off up to 20 percent for administrative purposes, so I will be a "no" vote for that reason.

And I just point out that this is very standard practice, and unfortunately, I could not hear the gentlelady's remarks before me stating why 20 percent is somehow acceptable in this world, but it is not. We should be absolutely advocating for 90 percent of these dollars to go out. I think I have made this little speech in previous sessions and thank you for this opportunity again.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The voting board is correct.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

#### YEAS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	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
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Delloso	Kinhead	Otten	Young
DeLuca	Kinsey	Parker	Zabel
Driscoll	Kirkland	Pashinski	

#### NAYS—113

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

#### NOT VOTING—0

#### EXCUSED—1

Boyle

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

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

Mr. **CARROLL** offered the following amendment  
No. **A02521**:

Amend Bill, page 2, line 10, by striking out "Sections 2003-B(d.3) and 2004-B(a)(2)" and inserting  
Section 2003-B(c) and (d.1)

Amend Bill, page 2, line 11, by inserting after "amended"  
by adding paragraphs and subsection (d.3) is amended

Amend Bill, page 2, by inserting between lines 13 and 14

(c) Scholarship organizations and pre-kindergarten scholarship organizations.—A scholarship organization or pre-kindergarten scholarship organization must certify to the department that the organization is eligible to participate in the educational improvement tax credit program established under this article and must agree to annually report the following information to the department by November 1 of each year:

(1) (i) The number of scholarships awarded during the immediately preceding school year to eligible pre-kindergarten students.

(ii) The total and average amounts of the scholarships awarded during the immediately preceding school year to eligible pre-kindergarten students.

(iii) The number of scholarships awarded during the immediately preceding school year to eligible students in grades kindergarten through eight.

(iv) The total and average amounts of the scholarships awarded during the immediately preceding school year to eligible students in grades kindergarten through eight.

(v) The number of scholarships awarded during the immediately preceding school year to eligible students in grades nine through 12.

(vi) The total and average amounts of the scholarships awarded during the immediately preceding school year to eligible students in grades nine through 12.

(vii) Where the scholarship organization or pre-kindergarten scholarship organization collects information on a county-by-county basis, the total number and the total amount of scholarships awarded during the immediately preceding school year to residents of each county in which the scholarship organization or pre-kindergarten scholarship organization awarded scholarships.

(viii) The total number of scholarship applications processed and the amounts of any application fees charged, either per scholarship application or in the aggregate through a third-party processor.

(ix) The organization's Federal Form 990 or other Federal form indicating the tax status of the organization for Federal tax purposes, if any, and a copy of a compilation, review or audit of the organization's financial statements conducted by a certified public accounting firm.

(1.1) Beginning in the 2022-2023 fiscal year, the following additional information based upon the immediately preceding school year shall be included in the annual reports:

(i) For each scholarship award:

(A) The name of the school the recipient attended.

(B) The amount of the scholarship the recipient received.

(C) The amount of tuition and school-related fees charged to the recipient after accounting for the scholarship award.

(D) The household income of the recipient's household members reported in ranges

determined by the department.

(ii) The information provided under subparagraph (i) shall not include personally identifiable information.

(2) The information required under [paragraph] paragraphs (1) and (1.1) shall be submitted on a form provided by the department. No later than September 1 of each year, the department shall annually distribute such sample forms, together with the forms on which the reports are required to be made, to each listed scholarship organization and pre-kindergarten scholarship organization.

(2.1) The department shall annually post the information required under paragraphs (1) and (1.1) in a downloadable spreadsheet on the department's publicly accessible Internet website.

(3) The department may not require any other information to be provided by scholarship organizations or pre-kindergarten scholarship organizations, except as expressly authorized in this article.

\* \* \*

(d.1) Opportunity scholarship organizations.—

(1) An opportunity scholarship organization must enhance the educational opportunities available to students in this Commonwealth by providing opportunity scholarships to eligible students who reside within the attendance boundary of low-achieving schools to attend schools which are not low-achieving schools and which are not public schools within the eligible student's school district of residence. By February 15 of each year, an opportunity scholarship organization must certify to the department that the organization is eligible to participate in the opportunity scholarship tax credit program.

(2) An opportunity scholarship organization must agree to report the following information on a form provided by the department by November 1 of each year:

(i) The total number of applications for opportunity scholarships received during the immediately preceding school year from eligible students in grades kindergarten through eight.

(ii) The number of opportunity scholarships awarded during the immediately preceding school year to eligible students in grades kindergarten through eight.

(iii) The total and average amounts of the opportunity scholarships awarded during the immediately preceding school year to eligible students in grades kindergarten through eight.

(iv) The total number of applications for opportunity scholarships received during the immediately preceding school year from eligible students in grades nine through 12.

(v) The number of opportunity scholarships awarded during the immediately preceding school year to eligible students in grades nine through 12.

(vi) The total and average amounts of the opportunity scholarships awarded during the immediately preceding school year to eligible students in grades nine through 12.

(vii) Where the opportunity scholarship organization collects information on a county-by-county basis, the total number and the total amount of opportunity scholarships awarded during the immediately preceding school year to residents of each county in which the opportunity scholarship organization awarded opportunity scholarships.

(viii) The number of opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level.

(ix) The total and average amounts of

opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level.

(x) The number of opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level and who reside within a first class school district.

(xi) The total and average amounts of opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level and who reside within a first class school district.

(xii) The number of opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level and who reside within a school district that was designated as a financial recovery school district under Article VI-A at the time of the award.

(xiii) The total and average amounts of opportunity scholarships awarded during the immediately preceding school year to applicants with a household income that does not exceed 185% of the Federal poverty level and who reside within a school district that was designated as a financial recovery school district under Article VI-A at the time of the award.

(xiv) The total number of opportunity scholarship applications processed and the amounts of any application fees charged either per opportunity scholarship application or in the aggregate through a third-party processor.

(xv) The opportunity scholarship organization's Federal Form 990 or other Federal form indicating the tax status of the opportunity scholarship organization for Federal tax purposes, if any, and a copy of a compilation, review or audit of the opportunity scholarship organization's financial statements conducted by a certified public accounting firm.

(2.1) Beginning in the 2022-2023 fiscal year, the following additional information based upon the immediately preceding school year shall be included in the annual reports:

(i) For each opportunity scholarship award:

(A) The name of the school the recipient attended.

(B) The amount of the scholarship the recipient received.

(C) The amount of tuition and school-related fees charged to the recipient after accounting for the scholarship award.

(D) The household income of the recipient's household members reported in ranges determined by the department.

(ii) The information provided under subparagraph (i) shall not include any personally identifiable information.

(3) No later than September 1 of each year, the department shall annually distribute such sample forms, together with the forms on which the reports are required to be made, to each listed opportunity scholarship organization.

(3.1) The department shall annually post the information required under paragraphs (2) and (2.1) in a downloadable spreadsheet on the department's publicly accessible Internet website.

(4) The department may not require other information to be provided by opportunity scholarship organizations, except as expressly authorized in this article.

\* \* \*

Amend Bill, page 7, line 16, by inserting after "act"

, amended June 30, 2021 (P.L.158, No.26),

Amend Bill, page 7, line 24, by striking out "\$185,000,000" and inserting

\$225,000,000

Amend Bill, page 7, line 26, by striking out "\$135,000,000" and inserting

\$175,000,000

On the question,

Will the House agree to the amendment?

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

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is really very simple. This amendment requires an annual report of EITC and OSTC programs and the dollars that are distributed as a result of these two programs. It will gather data related to the recipient's school, the amount of the scholarship the recipient received, the amount of tuition and school-related fees charged to the recipient after accounting for the scholarship award, and the household income of the recipient's members reported in ranges determined by the department.

And finally, Mr. Speaker, it shall not include any personally identifiable information. We will not collect driver's license numbers or the last four digits of your Social Security number. Mr. Speaker, this amendment is crystal clear in its simplicity. And finally, it is to be made available online for the Commonwealth's residents to see what exactly is happening and where these dollars are going.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative White, on the amendment.

Ms. WHITE. Thank you, Mr. Speaker.

I would ask that the members please vote "no" on this amendment. Thank you.

The SPEAKER. Seeing nobody else, the Chair will recognize the prime sponsor of the amendment for the second time, Representative Carroll.

Mr. CARROLL. So the sponsor asked for a "no" vote with no reason provided; just simply vote "no." I would like to think that we all could at least grasp the concept here and make a decision for ourselves and not simply rely on a declaration to vote "no" with no reason provided.

I am providing a reason and an explanation of what this amendment does. It gathers data. Everybody in this building is eager to get more and more data. Let us gather more data, make it available so people know what is happening. No Social Security numbers, no driver's license numbers.

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—88

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Bradford	Fiedler	Krajewski	Rabb
Briggs	Fitzgerald	Krueger	Rozzi
Brown, A.	Frankel	Kulik	Sainato
Brown, R.	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
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Delloso	Kinthead	Otten	Young
DeLuca	Kinsey	Parker	Zabel

## NAYS—112

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

## NOT VOTING—0

## EXCUSED—1

Boyle

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

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. The gentleman, Representative Bradford, offers amendment 2522, which the clerk will read.

The gentleman has indicated he has withdrawn the amendment. The gentleman has amendment 2523 and 2524, also withdrawn. The Chair thanks the gentleman.

It is the Chair's understanding that the gentleman, Representative Grove, is withdrawing amendment 2518. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. **WHITE** offered the following amendment No. **A02519**:

Amend Bill, page 1, lines 11 through 14, by striking out all of said lines and inserting

Section 1. The definitions of "economically disadvantaged school" and "household income" in section 2002-B of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, are amended and the section is amended by adding definitions to read:

Amend Bill, page 2, line 2, by inserting after "scholarship"

of at least \$1,000

Amend Bill, page 2, by inserting between lines 6 and 7

"Household income." All money or property received of whatever nature and from whatever source derived. The term does not include the following:

(1) Periodic payments for sickness and disability other than regular wages received during a period of sickness or disability.

(2) Disability, retirement or other payments arising under workers' compensation acts, occupational disease acts and similar legislation by any government.

(3) Payments commonly recognized as old-age or retirement benefits paid to persons retired from service after reaching a specific age or after a stated period of employment.

(4) Payments commonly known as public assistance or unemployment compensation payments by a governmental agency.

(5) Payments to reimburse actual expenses.

(6) Payments made by employers or labor unions for programs covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, Social Security and retirement.

(7) Compensation received by United States servicemen serving in a combat zone.

(8) Payments received from a governmental agency to relieve the economic effects of the COVID-19 pandemic.

\* \* \*

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

"Tax

Amend Bill, page 2, line 16, by striking out "2020" and inserting 2022

Amend Bill, page 3, line 13, by inserting a bracket before "a"

Amend Bill, page 3, line 13, by inserting after "a"

] another

Amend Bill, page 3, lines 21 through 23, by striking out all of said lines and inserting



Section 3. Section 2005-B(i)(5) and (j)(1) and (2) of the act are amended and subsection (i) is amended by adding a paragraph to read:

Amend Bill, page 3, lines 26 through 30; page 4, lines 1 through 30; by striking out all of said lines on said pages

Amend Bill, page 7, line 16, by inserting after "act"

, amended June 30, 2021 (P.L.158, No.26),

Amend Bill, page 7, lines 16 and 17, by striking out "and the section is amended by adding a subsection"

Amend Bill, page 7, lines 24 and 25, by striking out all of line 24 and "subsection (d.2)" in line 25 and inserting

[\$225,000,000] \$230,000,000

Amend Bill, page 7, line 25, by inserting after "year."

The following shall apply:

Amend Bill, page 7, line 26, by striking out "\$135,000,000" and inserting

\$175,000,000

Amend Bill, page 7, lines 27 and 28, by striking out "plus an amount to meet the obligations of subsection (d.2)"

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

(iv) No less than \$5,000,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to increase the scholarship or pre-kindergarten scholarship by \$2,000 or, in the case of a scholarship for a student attending a secondary school, by \$4,000, for a student attending an economically disadvantaged school, to the extent that the total amount of scholarships, pre-kindergarten scholarships and opportunity scholarships will not exceed the lesser of \$8,500 or the school's tuition.

Amend Bill, page 8, line 17, by inserting after "\$50,000,000" in a fiscal year

Amend Bill, page 8, lines 19 through 30, by striking out all of said lines and inserting

Section 5. Section 2009-B(e) and (f)(5) of the act are amended to read:

Amend Bill, page 9, lines 24 through 30; page 10, lines 1 through 7; by striking out "For purposes of" in line 24, all of lines 25 through 30 on page 9 and all of lines 1 through 7 on page 10

Amend Bill, page 10, line 12, by inserting a bracket before "October"

Amend Bill, page 10, line 12, by inserting after "15"

] November 30

Amend Bill, page 11, line 1, by striking out "2006-B(d.2)" and inserting

2003-B(d.3)

Amend Bill, page 11, line 8, by striking out "in 60 days." and inserting

July 1, 2022, or immediately, whichever is later.

On the question,

Will the House agree to the amendment?

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

Ms. WHITE. Thank you, Mr. Speaker.

I just wanted to give everyone some bullet points on this amendment. Basically, there is a \$1,000— I will just restart there for a second, sorry. Bullet points are: To prevent schools from abusing the economically disadvantaged schools program, only scholarships of at least \$1,000 will count towards the 51-percent threshold. It exempts COVID stimulus payments from a household's income for the purposes of determining student eligibility, just as payments commonly known as public assistance or unemployment compensation payments by a governmental agency are excluded from the "household income" definition. Another bullet point is just that it increases the

economically disadvantaged school scholarships from \$1,000 to \$2,000 for pre-K and elementary schools and \$4,000 for secondary schools; the total amount of the scholarship will not exceed the lesser of \$8500 or the school's tuition. It also provides more educational opportunities to students, parents, and legal guardians. It increases the tax credit scholarships for economically disadvantaged schools which will direct the resources to the children who are most likely to fall behind and help them get the education that they deserve.

It also, like mentioned earlier, does change the threshold to 51 percent from 75 percent, which will allow more schools that serve low-income families to participate in the economically disadvantaged schools program. And it also provides technical changes for the bill to take effect in the upcoming fiscal year.

Thank you so much, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman, Representative Sturla, on the amendment.

Mr. STURLA. Thank you.

Will the maker of the amendment rise for brief interrogation?

The SPEAKER. The gentlewoman indicates she will.

You are in order and may proceed.

Mr. STURLA. Thank you.

Just a question in terms of how you qualify. You said that there has to be at least a scholarship of \$1,000. So if I have 1,000 kids that are going to my school and I currently give no scholarships, and now I raise the tuition \$1,000 on every kid and give every kid a \$1,000 scholarship. I now have 100 percent of my kids meeting your criteria, even though the net effect on the dollars outlaid by the students is exactly the same as it was prior to the scholarship but the school now realizes \$100,000 more. Is that a possibility under the wording of your amendment?

Ms. WHITE. That sounds like a hypothetical question that is not in my amendment, so I am not really sure how to answer that, unfortunately.

Mr. STURLA. Okay. Mr. Speaker, on the amendment?

The SPEAKER. If the gentleman has ended his interrogation, which I believe he has, you are in order and may speak on the amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it may be hypothetical, but it is a reality. Any school that wanted to scam this could do so, and they would realize more dollars and there would be no benefit to the students going to that school, and I think that we should be very cautious. This legislation, to begin with – the EITC is the least monitored, least regulated program that we have in the State, and now we are giving out more money with less monitoring and less regulation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris, as soon as he is done confirming the totals.

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

The following roll call was recorded:

## YEAS—178

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

## NAYS—22

Benham	Hohenstein	Krajewski	Sims
DeLissio	Howard	Lee	Solomon
Evans	Innamorato	Miller, D.	Sturla
Fiedler	Isaacson	Parker	Vitali
Fitzgerald	Kenyatta	Rabb	Young
Frankel	Kinsey		

## NOT VOTING—0

## EXCUSED—1

Boyle

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

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

The SPEAKER. The bill as amended will be reprinted.

## RESOLUTION

Ms. GAYDOS called up **HR 69, PN 733**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study on the impact of common interest ownership communities on local governments and the Commonwealth, the challenges facing residents and governing bodies of common interest ownership communities and opportunities for the Commonwealth to assist local governments and common interest ownership communities to deliver adequate services to their residents at an affordable cost.

On the question,  
Will the House adopt the resolution?

(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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Boyle

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

## SUPPLEMENTAL CALENDAR A

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1893, PN 2151**, entitled:

An Act amending the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, further providing for confidentiality of reports and records.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. STAATS. Thank you, Mr. Speaker.

The Disease Prevention and Control Act of 1955 currently provides, under section 15 of the act, a provision which allows the Department of Health to not release aggregate disease-related data, thus keeping the public in the dark concerning its disease prevention and control activities. Under Act 77 of 2020, this data is required to be treated as disclosable under the Right-to-Know Law during emergency declarations.

While the adoption of Act 77 of 2020 was a positive step to bring greater transparency into a very untransparent process, the emergency declaration for COVID-19 is over, but the

Department of Health is still using this old and antiquated law to hide pertinent health information from the residents of Pennsylvania.

My legislation, HB 1893, would repeal section 15 of the Disease Prevention and Control Act of 1955 and replace it with a simple provision that all disease information under this act is under the Right-to-Know Law. Section 708 of the Right-to-Know Law specifically addresses exceptions to what information can be released. A clear exception is for any individually identifiable health information.

It states: "A record of an individual's medical, psychiatric or psychological history or disability status, including an evaluation, consultation, prescription, diagnosis or treatment; results of tests, including drug tests; enrollment in a health care program or program designed for participation by persons with disabilities, including vocation rehabilitation, workers' compensation and unemployment compensation; or related information that would disclose individually identifiable health information."

HB 1893 would allow for the flow of aggregate health data to the public, while ensuring the protection of all personal information. The House Republican Caucus is always committed to protecting individual information. This important legislation would bring more transparency to our residents by ensuring they have full access to government information while protecting the personal information of our citizens.

I would respectfully ask my colleagues for an affirmative vote. Thank you, Mr. Speaker.

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I respectfully disagree with my Republican colleague about what this bill would actually do. HB 1893 would remove privacy protections for personal information that were built into the Disease Prevention and Control Law. I am quite surprised that the Republicans here are seeking to remove these privacy protections. After all, the drafters of the Disease Prevention and Control Law, back in 1955, had much, much less to worry about when it came to protecting privacy. They did not have databases of health records that could be easily cross-referenced. They did not have Google searches that could pull up intimate facts about people just by typing in their name. And they did not have hackers and data breaches that would make all that information public with a keystroke. And yet, they had the good sense to believe that personal information, particularly when it could be linked to communicable diseases and other illnesses, should be kept private. They did not feel that the whole world had a right to know about an individual's health information.

A brief glance at the reportable diseases list makes their reasoning obvious. Those diseases include: HIV/AIDS (human immunodeficiency virus/acquired immunodeficiency syndrome), salmonella, syphilis, cancer, chlamydia, rabies, staphylococcus, trichinosis, cholera, mumps, and many, many more. If anything, we should be working to make data more private, not more available to the public. They will tell you that the Right-to-Know Law already protects personal health information of any individual. What it does not protect from are gossip and speculation.

Under this bill, reporters could get information about breakouts of sexually transmitted infections at local schools or local assisted living facilities. It is a quick jump from the location

of an outbreak to rumors about who was infected and why they were out of school or taken to the hospital. While HIV status may not be made public, the sexual orientation of someone who was called for contact tracing would be. And for restaurants and businesses who might have a sick employee with an illness like salmonella, it could be a disaster.

The drafters of the Disease Prevention and Control Law knew that privacy meant more than just protecting the intimate details of what someone was sick with and when, and it meant protecting the privacy and the reputations of our family members, our neighbors, and our businesses. During an era where monitoring people's data online is all too easy, this bill is going in the wrong direction.

Recently I noticed a disturbing trend in efforts from my colleagues on the other side of the aisle. First they subpoena to find out your voter information, and now they want your health information.

The SPEAKER. The gentleman will please suspend.

I believe the gentleman went a little far afield from health information. I would ask you to stay on the context of the bill, please.

Mr. FRANKEL. Thank you, Mr. Speaker.

I am asking my colleagues to vote "no" on this terrible invasion of privacy. Our personal data, whether that is how we vote or if we are sick, is ours to share and ours alone.

Thank you, Mr. Speaker.

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

Mr. GROVE. Thank you, Mr. Speaker.

Let me be clear: The House Republican Caucus fully supports protection of personal information at all times. That is why this provision protects personal information, Mr. Speaker. It is really easy. Had this law, the underlying law from 1955, been drafted today, that language in section 15 would not exist. Why? Because the Right-to-Know Law was not around in 1955.

On the other hand, the HIPAA (Health Insurance Portability and Accountability Act) law was not around in 1955. The only legal protection someone had with their private health information would have been designed in the Disease Prevention and Control Act, which they tried to address. Unfortunately, it is so bad, Mr. Speaker, that when the administration released our data on our vaccine rates in our districts, they seem to have missed one political subdivision in the entire State.

Without this provision in this law, we may never know the vaccination rate of the city of the first class. Why? Because the law itself allows the administration to cherry-pick its data and only release what they want you to know, rather than exposing and allowing individuals to know the simple facts of the aggregate data of what we are dealing with with COVID-19, Mr. Speaker.

It is the right thing to do for the citizens of Pennsylvania, to provide the right information, the aggregate data we all have been asking for, so we know exactly what is happening with COVID-19 or any other pandemic or health issue that we are relating to.

Mr. Speaker, I think the prime sponsor of this legislation clearly outlined the legal protections built into current statutes that were not available in 1955. Your public information or your health information is protected under State law; it is protected under Federal law. This does not change that. What it changes is

aggregate data being released so you, the public, know exactly what is happening, and does not allow bureaucrats sitting in Harrisburg to hide that information from the general public as they are making decisions.

Mr. Speaker, I urge a "yes" vote on HB 1893 because we need more transparency, not less. And again, the House Republican Caucus will always defend personal information of the citizens. Thank you.

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

Mr. HOHENSTEIN. If I may actually speak on a point of personal privilege rather than on the bill?

The SPEAKER. That would not be in order at this time. We are on final passage of the bill.

Mr. HOHENSTEIN. Well, then the previous speaker referenced—

The SPEAKER. The gentleman will please suspend.

Do you wish to speak on the bill?

Mr. HOHENSTEIN. Yes, I do. Thank you.

The SPEAKER. You may do so.

Mr. HOHENSTEIN. All right. Thank you.

The previous speaker spoke of one little subdivision of the State, and I represent a small portion of that little subdivision of the State, otherwise known as Philadelphia, which is the city of the first class. And we as a city had to receive our Federal money under these programs in a different way than the rest of the State precisely because we are a municipality of the size that we are, and the previous speaker wanting to put this bill covering my city is, frankly, offensive, and I also take offense at the reference to what is the economic engine of this State, Philadelphia, rather than a small little subdivision.

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

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

I heard two of the speakers just say that this bill only allows the release of data in the aggregate, but if you go and read the bill – it is only a two-page bill; take a look at the bill – what it is repealing, it is repealing restrictions about the release of the data; that is in line 10 on page 2. It is repealing the purpose that data should be used for research – that is repealed – and then it is putting in new language on lines 12, 13, 14, 15, and 16. It uses phrases like "any data," "any other data," "any regulation."

There is not one mention that this should only be released in the aggregate, and so the way the bill is written by the good gentleman from Bucks, all data could be released including individual data. And we are not just talking about COVID. We are not just talking about COVID vaccines. If you look at some of the other analysis of this bill, we are talking about dozens and dozens of diseases – Lyme disease, cancer, HIV. Virtually any data collected by the Department of Health, including individual records, would be subject because this bill does not have a protection for individual people and it does not use the words "only in the aggregate."

If you do not believe me, take a look at the bill yourself. It is on page 2, and it is pretty clear. This opens up all data, all other data, all regulation to public release. There should be— If that is truly the intent of the majority party here, they should draft a bill that has protections for individual data. I do not think the citizens of Pennsylvania want their personal health data released publicly.

Thank you, Mr. Speaker.



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

Mr. HEFFLEY. Thank you, Mr. Speaker.

As a rule of thumb, I think transparency is always a good thing, especially when we are dealing with a pandemic where information like this could save lives. The sharing of information is so critical. The Right-to-Know Law protects personal information. I find it ironic that the same folks who were ranting and raving that people should have to carry a passport card to show if you are vaccinated or not to get in and out of an establishment—

The SPEAKER. The gentleman will please suspend.

You are getting a little far afield from the bill. I would encourage the gentleman to please stay on the underlying context of the bill and the language contained therein.

Mr. HEFFLEY. Thank you. Thank you, Mr. Speaker.

And I would say that this bill does not require that we share our personal vaccine information, but it would require that those agencies that deal with this would share that information. I know that in the past people are skeptical of sharing information, as we have seen with the contact tracing which was run by this administration and how that information was just spewed out over the dark Web.

So I think that there are important things that we need to share, especially in dealing with a pandemic. Transparency is always a good thing. Shine the light, vote "yes" on this. Thank you.

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

Mr. KENYATTA. Thank you, Mr. Speaker.

A very, very brief interrogation for the maker, if he would?

The SPEAKER. The gentleman indicates he will.

You are in order and may proceed.

Mr. KENYATTA. Thank you.

Mr. Speaker, what I am trying to ascertain in this whole thing – and I think for people who, for whatever reason, are watching this debate right now at home – what information are you currently seeking to get that you are not getting right now? That has not been clarified to me.

Mr. STAATS. Mr. Speaker, information as it relates to infectious diseases and other community health issues.

Mr. KENYATTA. Okay. I am not sure that clarifies it for me; maybe other people got that. So I am still trying to— If I may, I will just ask one more time and then I will just move on. What is the impetus of this? What has occurred that is making you now say we need to blow up the current law, open up people's private health information? I am just trying to understand for what purpose are we doing this? This is the same question I had in committee.

Mr. STAATS. Mr. Speaker, a couple quick things. This would allow individuals to make health decisions for themselves with this information. I would also bring up the point that the General Assembly has been tasked with making decisions on extending or ending emergency declarations. I think it is extremely important – actually, critical – that we have that information.

Mr. KENYATTA. Mr. Speaker, on the bill?

The SPEAKER. The gentleman is in order and you may proceed on final passage.

Mr. KENYATTA. I do not know what other people heard, but if I am a Pennsylvanian sitting at home right now, I have not heard one good reason why we should trust the often-maligned

bureaucrats and everybody else with more private personal information at all.

I have not heard one compelling reason for why we need to make the private health information of Pennsylvanians more available to God knows who. I do not understand how having somebody else's private health information helps you make a decision that you need to make about your personal health. I mean, we are going down a rabbit hole here where I cannot find my way out. Pennsylvanians do not want us to have more access to their personal information, do not want that information being made public.

This bill goes in the exact wrong direction. And like I say so often about legislation that comes up, you are going to look back, I think, and have a lot of people asking why the heck you want their private information – be it their health information, be it their Social Security number, be it their driver's license information, and on and on and on. We need to stop doing that and respect the privacy of Pennsylvanians.

So I will be an absolute "no" on this, and I hope the Governor vetoes it.

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

Ms. KLUNK. Thank you, Mr. Speaker.

Today I rise in support of this legislation. Just a little less than a year ago this body voted on a resolution that we sent to the LB&FC (Legislative Budget and Finance Committee) to gather data, gather very important data on deaths for COVID-19 here in Pennsylvania, to gather data about nursing homes and testing, and a whole host of other things so that we could make better decisions when it comes to this pandemic. And, Mr. Speaker, it is Monday, October 4. We passed that and it was adopted on November 19, 2020, and to this day, we are still waiting on a report from the LB&FC on that data, okay? We still do not have the testing information. We do not have the information on long-term care. We do not have the information on the number of deaths in Pennsylvania.

The LB&FC is still working on that, and you know why they are still working on that, Mr. Speaker? Because they are still waiting on data. They are still waiting on data. We need to pass this. This data, we need to get out. The people of Pennsylvania deserve to have this data in aggregate form. This bill will protect and ensure that individual information is not let out, just like the LB&FC is doing and trying to do in working with the administration to try and get out this data. When the LB&FC – because the LB&FC folks, they have the data on the death certificates, okay? They were supposed to have a meeting back on – I will give you the date here – June 28, 2021, to release a report. That report, to this date, has never been released. We are still waiting on the data. We know that they can deliver it. They have delivered it to the LB&FC. The LB&FC has been working on releasing a report. Again, we come back to why do we need this? Why do we need this bill? The people need to know what the data is so that they can make proper decisions about their health-care choices.

So I urge support of the good gentleman's bill, and I also urge the department to work with the LB&FC so that we can get the data and that resolution that we all supported here on this floor a couple months ago.

Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE  
(JOHN A. LAWRENCE) PRESIDING**

The SPEAKER pro tempore. The Speaker thanks the lady.  
The question is, shall the bill pass finally?

On that question, the lady, Representative Parker, is recognized.

Mrs. PARKER. Hi, Mr. Speaker. For the gentlelady, can she please clarify, when she was talking about data, because I was able to pull up some information as it relates to deaths on my phone.

The SPEAKER pro tempore. Are you speaking on the bill?

Mrs. PARKER. Yes. She just gave a speech. She just responded, so I had a question about that.

The SPEAKER pro tempore. Do you wish to interrogate the lady from York?

Mrs. PARKER. Yes.

The SPEAKER pro tempore. One moment.

It is my understanding the gentlelady from York has declined interrogation. Generally, when it comes to interrogation, generally the maker of the bill or the maker of the amendment, sometimes the committee chair, might stand for interrogation. I do not believe it is without precedent that another member has been interrogated, but it does appear that the lady from York has declined the interrogation that you have requested. Do you wish to interrogate somebody else or speak on the bill?

Mrs. PARKER. So may I interrogate the maker of the bill?

The SPEAKER pro tempore. Would you like to interrogate the maker of the bill?

Mrs. PARKER. Yes.

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. You may proceed.

Mrs. PARKER. May I just stay on the bill? I just had a question. Previously – my statement, rather. It is about the data.

The SPEAKER pro tempore. Is the lady interrogating the gentleman from Bucks or are you speaking on the bill?

Mrs. PARKER. No, no.

The SPEAKER pro tempore. All right. You are in order and may speak on the bill.

Mrs. PARKER. Thank you.

The previous person was discussing or talking about data and data. There is a lot of data that is currently out there as it relates to deaths, as it relates to COVID. So I am trying to understand where we are going with this. Can somebody just provide the clarity? That was all my questions – COVID, rather.

The SPEAKER pro tempore. Has the lady concluded her remarks?

Mrs. PARKER. Thank you.

The SPEAKER pro tempore. The Speaker thanks the lady.

The question is, shall the bill pass finally?

On that question, the Speaker, the gentleman from Lancaster, is recognized.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, there have been a lot of questions about what this bill does and does not cover, and I think it is important—

The SPEAKER pro tempore. The gentlemen will suspend.

The House will come to order. There are entirely too many conversations taking place. Please take any conversations off the back of the House floor. The gentleman from Lancaster is entitled to be heard.

The gentleman may proceed.

Mr. CUTLER. I thank the Speaker for the attention.

Mr. Speaker, I think there have been a lot of questions about what this bill could do or should do in place of what a lot of people are afraid it does, and I think it is important that we clear this up.

There has been a lot of theorizing about what information could be released, private health information, related to a variety of personal qualities that were outlined by some of the prior speakers. The truth of the matter is, Mr. Speaker, all of that information would still be protected by Federal law. That does not change.

Now, the good gentleman from Philadelphia asked, and I will attempt to answer, what this would actually release and make publicly available, because I think it is important when it comes time for us as individuals to make decisions. Early in the pandemic, one of the issues that was repeatedly requested was the existence of comorbidities. In other words, what other compounding health problems were in fact in place in many of the people suffering from COVID? It took weeks to get that data and make it available publicly. I think we learned a lot of lessons during that, but that is vital information. Individuals with asthma, individuals who are overweight, kidney, heart problems, lung problems – all of that played into the severity of the disease and the way it manifested in individuals with the illness.

The reason that is important, particularly now, Mr. Speaker, is those individuals statistically would benefit from a vaccine. That also is data that was recently released indicating that 97 percent of the individuals who had died, and I believe 95 percent of those in the hospital, were either unvaccinated or only partially vaccinated. That data is important and had been released on an aggregate, by-county level by the administration, but it was a review of those individual records that that information was made public. The Acting Secretary came to Lancaster County to make that announcement. And I think that as consumers, we could all make better decisions with that data.

Mr. Speaker, some of the other data that has been released is probably a little less useful. One prior individual mentioned data by legislative districts on vaccination rates. That really has no relationship to the actual pandemic and how it is playing out. What I do think would actually be more useful, Mr. Speaker, would be vaccination rates by school district, which I personally asked the Governor for, and here is why. That is the one area where there are currently mitigation orders in place. Now, they are being litigated, but the orders are in place, and in terms of making informed decisions as parents, as students, as family members and community members in school board meetings, I think that data would be particularly useful.

Mr. Speaker, I am going to borrow an old phrase from the early days of computer programming: "garbage in, garbage out." If you do not get good data on the front end, you will not get good outputs on the back end. It is important to have this information available, and really, what is the genesis? And I do not want to speak to the gentleman's intent, but I do know what is publicly available. Lots of the information regarding infection rates, comorbidities, all of these things were requested at different times by the Newspaper Association as they attempted to cover the pandemic as it unfolded, and obviously, I think we are in a much different place today than we were a year-plus ago when the pandemic first arrived on our shores. It is important that we have access to good data, good data organized in a way that is actually useful. That, Mr. Speaker, is what this bill does.

And I understand that there might be some concerns related to the private health information, and I can speak personally to that one because I was one of the 72,000 people in the Commonwealth who got a letter, got a letter from the vendor that was hired by the Department of Health to do contact tracing, to say that my personal health information may have been released in a breach of protocol. Now, it is breach of protocol, Mr. Speaker; that is not a failure of the law. That is an important distinction. So rather than concern ourselves with what necessarily could happen, let us focus on what the laws actually protect and what this bill would actually do. It would allow us as consumers, us as residents, us as patients to have access to good data so we can make good decisions. That, Mr. Speaker, should be a goal that we can all agree on, and I urge a "yes" vote. Thank you.

The SPEAKER pro tempore. The Speaker thanks the gentleman and recognizes the gentleman from Allegheny, Representative Frankel, for the second time.

Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, my colleague, the Speaker, I certainly, and I think everybody in this chamber, shares the goal he just outlined, but the fact of the matter is that this bill really has not been vetted appropriately. I think just listening to this debate, we should all be concerned about what the impact is on the privacy of our Commonwealth's citizens' health information. I believe, as do many others, that this is a breach and will create enormous consequences in terms of the privacy of our citizens.

So I know last time I asked that this bill be rereferred to the Health Committee, and maybe we would not have had this issue had the Health Committee been the venue for vetting this piece of legislation – because it was most appropriate and the Speaker had originally referred the bill to the Health Committee – but it was not vetted. There was not a hearing. Do you not think we ought to have a hearing based on this discussion that we are having here so we all truly understand the consequences of this far-reaching piece of legislation?

### MOTION TO RECOMMIT

Mr. FRANKEL. So, Mr. Speaker, I once again am going to make a motion—

The SPEAKER pro tempore. The gentleman is in order and may state his motion.

Mr. FRANKEL. —which I believe is in order, that this bill be tabled and rereferred to the Health Committee so it can be properly and thoroughly vetted. Thank you.

The SPEAKER pro tempore. The Speaker asks, is the gentleman seeking to table the bill or he is seeking to rerefer it to committee? Those are two separate motions, just so we have the right motion up on the board.

Mr. FRANKEL. Rerefer it, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Allegheny, Representative Frankel, makes the motion to rerefer the bill back to the Health Committee.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the gentleman from Allegheny, would you like to speak on your motion? Are there any other members who wish to speak on the motion?

On the question to recommit, the gentleman from York, Representative Grove, is recognized.

Mr. GROVE. Thank you, Mr. Speaker.

I stand to ask my colleagues to vote "no" on the motion to recommit to the Health Committee. This is actually a Right-to-Know bill. The underlying principle of this is moving the Disease Prevention and Control Act under the purview of the Right-to-Know that is under the State Government Committee; that committee has the expertise and the knowledge.

Obviously, we know the protections built into the Right-to-Know Law, which we again have expounded upon, that no personal health information will be released under the Right-to-Know Law. Similar legislation was passed, Act 77 of 2020, which also required the department to provide aggregate data. Again, no personal health information was released. It was, as mentioned earlier, released by the Department of Health itself, but that was not because of the statutory guidelines we put into place.

I again ask my colleagues to vote "no." It came out of the State Government Committee, which has the expertise in this area. Thank you.

The SPEAKER pro tempore. The Speaker thanks the gentleman.

On the motion to recommit, the Speaker will remind the members that they should confine their remarks to the motion to recommit.

On this question to recommit, the gentleman from Philadelphia, Representative Kenyatta, is recognized.

Mr. KENYATTA. Thank you, Mr. Speaker.

You know, and with all due respect to the good gentleman, chairman of the State Government Committee, our committee does oversee Right-to-Know requests, but this bill overlaps with a critical conversation about public health. And the idea that members on the State Government Committee have the same level of expertise and are interrogating issues around public health in the same way that members of the Health Committee are, I do not think that that is accurate.

We are having an entire debate on third consideration still about what this bill does, and so clearly, there are an abundant amount of questions that need to be interrogated by the Health Committee, questions that we need to hear from experts about what this will do. I do not have confidence or comfort moving forward with this without more conversation about what this does. This is an important issue. We should not rush this. We should do this right, and doing it right means having the folks in this building who are experts around these topics interrogate this issue in a serious way, so when this bill comes back to the full body, we know that the types of questions that are being asked on third consideration were asked in committee.

There is no reason to rush this. And as I have heard people talk about this, it raises more questions than it answers. And I am deeply unsupportive of this amendment and I hope that we would put it back to the Health Committee – where the majority has the votes to put it out again – but it would allow a thorough process for the public to be informed about what is being done with their private health information. We have to do that before we move forward, and so I absolutely will be supporting this motion and encourage my colleagues to do the same.

The SPEAKER pro tempore. The Speaker thanks the gentleman. Are there any other members that wish to speak on the motion to recommit?

Seeing none, the prime sponsor, the gentleman from Bucks, is recognized.

Mr. STAATS. Thank you, Mr. Speaker.

And yes, while this bill does pertain to health-care information, the main purpose of the bill is to enable access to aggregate disease information through the Right-to-Know Law process. The Right-to-Know Law process falls squarely under the State Government Committee's jurisdiction, and therefore, should not be rereferred.

I would ask for a "no" vote.

The SPEAKER pro tempore. The Speaker thanks the gentleman and will remind the members that a "yes" vote is a vote to send the bill back to the Health Committee, or send the bill to the Health Committee; a "no" vote is a vote not to send the bill to the Health Committee.

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

(Members proceeded to vote.)

The SPEAKER pro tempore. On that question, the lady from Clarion, Representative Oberlander, is recognized.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER pro tempore. The gentleman from Philadelphia, Representative Harris, is recognized.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	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	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
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Delloso	Kinkead	Otten	Young
DeLuca	Kinsey	Parker	Zabel
Driscoll	Kirkland	Pashinski	

NAYS—113

Armanini	Gregory	Masser	Rowe
Benninghoff	Greiner	Mehaffie	Ryan
Bernstine	Grove	Mentzer	Sankey
Boback	Hamm	Mercuri	Saylor
Bonner	Heffley	Metcalfe	Schemel
Borowicz	Helm	Metzgar	Schmitt
Brooks	Hennessey	Mihalek	Schroeder
Brown, R.	Hershey	Millard	Silvis
Causser	Hickernell	Miller, B.	Smith
Cook	Irvin	Mizgorski	Sonney

Cox	James	Moul	Staats
Culver	Jones	Mustello	Stambaugh
Davanzo	Jozwiak	Nelson, E.	Stephens
Day	Kail	O'Neal	Struzzi
Delozier	Kaufer	Oberlander	Thomas
DelRosso	Kauffman	Ortitay	Tomlinson
Diamond	Keefer	Owlett	Toohil
Dowling	Kerwin	Peifer	Topper
Dunbar	Klunk	Pennycuick	Twardzik
Ecker	Knowles	Pickett	Warner
Emrick	Labs	Polinchock	Wentling
Farry	Lawrence	Puskaric	Wheeland
Fee	Lewis	Quinn	White
Flood	Mackenzie, M.	Rader	Williams, C.
Fritz	Mackenzie, R.	Rapp	Zimmerman
Gaydos	Major	Rigby	
Gillen	Mako	Roae	Cutler,
Gillespie	Maloney	Rossi	Speaker
Gleim	Marshall	Rothman	

NOT VOTING—0

EXCUSED—1

Boyle

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 pro tempore. Returning to the bill. The Speaker does not see any more members looking to speak so we will go to the prime sponsor, the gentleman from Bucks, who is recognized to speak on the bill.

Mr. STAATS. Just briefly, Mr. Speaker. For the reasons I laid out early on, and the points made by my Republican colleagues, I would ask for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Speaker thanks the gentleman and recognizes the majority leader, Representative Benninghoff, on the bill.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very briefly. I just want to reiterate again, HB 1893 amends the Disease Prevention and Control Act, which requires the reports of diseases and any record being maintained to be subject to the Right-to-Know Law; that should be something that we all can support.

But I also want to remind the members, in addition to a "yes" vote, that since the beginning of this pandemic we have known that sharing of information, good data transparency, would build trust and inform those and those whose lives are impacted by government decisions. Unfortunately, the administration has been less than forthcoming with a lot of this and we have had to really wrestle to get a lot of this data and try to figure out what is and what is not; even organizations like coroners who are charged by law to make diagnoses struggled to get accurate information and still have some conflict.

At the end of the day, data drives science, accurate science. If we want to follow accurate science, we need to have accurate data. The lack of transparency throughout this has been very, very frustrating, and keep in mind that as legislators, we need to be making informed decisions, as it was stated before, whether legislatively or budgetarily, and that can only be done through



accurate data provided to us. This data is an aggregate. This is not an individual-specific data. This is an aggregate.

At the end of the day, this helps to modernize this older law, helps to make it more appropriate for today's information sharing, the use of science, and making good decisions. I also want to reiterate that it has been our caucus that has and continues to be very stalwart about defending the privacy of individual people's individual information, specifically that of the medical. Privacy is important to us; having proper data is important to us as well. I would encourage the members for a "yes" vote on final passage of this bill, 1893.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Speaker thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER pro tempore. On that question, the gentleman from Philadelphia, Representative Harris, is recognized.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER pro tempore. The Speaker thanks the gentleman, and the lady from Clarion, Representative Oberlander, is recognized.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The following roll call was recorded:

YEAS—113

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

NAYS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Frankel	Kulik	Sainato
Brown, A.	Freeman	Lee	Samuelson
Bullock	Gainey	Longietti	Sanchez
Burgos	Galloway	Madden	Sappay
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
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Deloso	Kinhead	Otten	Young
DeLuca	Kinsey	Parker	Zabel
Driscoll	Kirkland	Pashinski	

NOT VOTING—0

EXCUSED—1

Boyle

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 pro tempore. The House will be at ease for a moment.

**THE SPEAKER (BRYAN CUTLER)  
PRESIDING**

The SPEAKER. The House will come to order.

The Chair thanks the gentleman from Chester County for filling in and getting the House's attention while I was speaking.

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The House proceeded to third consideration of **HB 763, PN 749**, entitled:

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in construction, improvement, maintenance and repair of State highways, providing for native vegetation along highways.

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

(Bill analysis was read.)

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

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

#### YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Boyle

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. For the information of the members, there will be no further floor votes. However, we will be doing some further housekeeping.

### CALENDAR CONTINUED

### BILLS RECOMMITTED

The SPEAKER. The majority leader moves that HB 291 and HB 1642 be recommitted to the Committee on Appropriations.

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 488;  
HB 860;  
HB 930;  
HB 1196;  
HB 1736;  
HB 1829; and  
SB 859.

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. Seeing no one seeking recognition for announcements, the Speaker is in receipt of a motion made by the gentlewoman, Representative Labs, that moves that this House do now adjourn until Tuesday, October 5, 2021, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

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On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 3:19 p.m., e.d.t., the House  
adjourned.