

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 5, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 52

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### PRAYER

HON. JOANNA E. McCLINTON, member of the House of Representatives, offered the following prayer:

Good morning. Let us look to the Lord.

Heavenly Father, we thank You and praise You, for this is the day You have made. We are rejoicing and we are glad in it. We are so grateful today for life, for health, for strength, for another opportunity to be in this land and to be serving Your people.

Lord, we come to You this morning full of gratitude for we have made it 10 months in this year that has had so many challenges. Lord, we have seen so many people falling sick and ill and not recovering. We have seen other ills in society like gun violence. And we say a special prayer this morning, regardless of the challenges in our communities back home, Lord, it is our prayer that through our leadership, through our servanthood, through our working collectively we are able to make a difference when people feel hopeless in all that is lost from DC to Harrisburg, to city and borough halls.

Father, let us make a difference and a change. We pray that we have boldness, we have strength, we have wisdom. You said if we do not have it, to ask You for more. So this morning we say more grace, more strength, more wisdom, more courage, more fortitude. Let us not look the other way and abandon our sisters and brothers. You said that whoever wants to be great must be the least among us.

So, Lord, we pray for the least among us. We pray for the needy, the ones who are downtrodden, the schoolteachers who are worried about what will come this fall. We pray for Your mercy, we pray for Your grace, but most importantly, we pray for the strength to make the differences that we can do in this chamber. Let us not waste time, but let us realize that now is the time for us to rise up, make a difference.

We pray in the name of Jesus that we be the ones that You have called; that You would allow us to reflect Your goodness, reflect Your love, and most importantly, reflect Your grace, the favor that we do not even deserve. We ask all these blessings in Your name. Amen.

### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 4, 2021, will be postponed until printed.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 146** By Representative NEILSON

A Resolution designating the month of October 2021 as "Dyslexia Awareness Month" in Pennsylvania.

Referred to Committee on HEALTH, October 5, 2021.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 726** By Representatives ORTITAY, HOHENSTEIN, BENHAM, HILL-EVANS, KULIK, KINSEY, SCHLOSSBERG, LONGIETTI, N. NELSON, FREEMAN and SANCHEZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for disability inclusive curriculum.

Referred to Committee on EDUCATION, October 5, 2021.

**No. 1953** By Representatives SAINATO, LONGIETTI, GALLOWAY, HARKINS, T. DAVIS, HILL-EVANS, KULIK, MADDEN, SANCHEZ, PISCIOTTANO and GUENST

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 5, 2021.

**No. 1954** By Representatives OTTEN, DALEY, KOSIEROWSKI, BOBACK, KRAJEWSKI, DELLOSO, PARKER, BRIGGS, HILL-EVANS, McNEILL, MADDEN,

SCHLOSSBERG, HOHENSTEIN, SANCHEZ, BENHAM, GUENST, SHUSTERMAN, WEBSTER, T. DAVIS, SIMS, DRISCOLL, ISAACSON, O'MARA, D. WILLIAMS, INNAMORATO, WARREN, McCLINTON, GILLEN, KIM and LEE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for menstrual hygiene products.

Referred to Committee on EDUCATION, October 5, 2021.

**No. 1955** By Representatives MULLERY, JAMES, FREEMAN, McNEILL, LONGIETTI, MADDEN, BURNS, HEFFLEY, TOOHIL, METCALFE and DELLOSO

An Act amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Intellectual Disability Act of 1966, in preliminary provisions, further providing for definitions; and, in responsibilities of the State, providing for State center closure moratorium.

Referred to Committee on HEALTH, October 5, 2021.

**No. 1956** By Representatives SCHLEGEL CULVER, PICKETT, ZIMMERMAN, JAMES, KULIK, HARKINS, MILLARD, MULLINS, CIRESI, SONNEY, FEE, MENTZER and THOMAS

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions; providing for anesthesiologist assistants and for regulation of anesthesia services; and making editorial changes.

Referred to Committee on PROFESSIONAL LICENSURE, October 5, 2021.

**LEAVES OF ABSENCE**

The SPEAKER. Are there any requests for leaves of absence? The Speaker recognizes the gentlewoman, the majority whip, who indicates that there are none. The Chair thanks the lady.

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

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take the master roll. 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	Sappy
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	Keefe	Oberlander	Twardzik
Delozier	Kenyatta	Ortitay	Vitali
DelRosso	Kerwin	Otten	Warner
DeLuca	Kim	Owlett	Warren
Diamond	Kinhead	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		

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Boyle

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

Members and guests, please take your seats. We are about to take up a condolence resolution with the passing of a former member.

The Sergeants at Arms will please close the doors of the House. Members, please take your seats and move any conversations off the back.

**CONDOLENCE RESOLUTION**

The SPEAKER. As I mentioned, we are about to take up a condolence resolution for the passing of a former member.

The Clerk will please read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA  
THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Babette Josephs, who served with honor and distinction as a former member of the House of Representatives of Pennsylvania, and who passed away at the age of eighty-one on August 27, 2021; and

WHEREAS, Born in Forest Hills, New York, on August 4, 1940, Ms. Josephs earned a bachelor's degree from Queens College in 1962 and a Juris Doctor degree from the Camden School of Law at Rutgers University in 1976. She worked as a teacher in Philadelphia during the 1960s, a lawyer during the 1970s and as founder and Director of several advocacy groups during the 1980s. Lauded as the longest-serving female member of the House of Representatives of Pennsylvania, Ms. Josephs was elected to her first term in 1984 and won thirteen additional consecutive terms representing the 182nd Legislative District. During her tenure, she championed LGBTQ rights, women's rights, racial equality and environmental responsibility. Ms. Josephs was a member of numerous legislative and party committees, including the State Government and Game and Fisheries Committees. Appointed to the Pennsylvania Commission on Crime and Delinquency in 1993, she hosted a public access television show, served as a Board member of the local chapter of the American Civil Liberties Union and was a member of the Jewish Labor Committee and the Center City Proprietors Association. Ms. Josephs enjoyed cooking, painting and fiction writing; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Babette Josephs; and extend heartfelt condolences to her son, Lee Newberg; daughter, Eliza Master; six grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Brian Sims, Joanna McClinton, Michael B. Carroll, Angel Cruz, Pamela A. DeLissio, Dan Frankel, MaryLouise Isaacson, Eddie Day Pashinski and Steve Samuelson on September 7, 2021, be transmitted to the family of the Honorable Babette Josephs.

Brian Sims, Sponsor  
Bryan Cutler, Speaker of the House  
ATTEST:  
Brooke Wheeler, Chief Clerk of the House

On the question,  
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will please rise and remain standing as a mark of respect for the deceased former member. Guests will please also rise as able.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Babette Josephs.)

The SPEAKER. The resolution has been unanimously adopted.

Members and guests may please be seated.

REMARKS BY MR. SIMS

The SPEAKER. On the resolution, the Chair recognizes the gentleman, Representative Sims.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, Representative Josephs was a powerful, dynamic, and a very memorable member of this great body. Every single member who served with her has a story about what it was like to serve around her – what her influence was like, what my mom would call her gumption. She had a massive impact on Philadelphia and a massive impact on the Commonwealth of Pennsylvania, and the impact of her presence is felt every single day here in this chamber.

Unfortunately, none of her family members were able to join us, but seated in the gallery are some of her former staff members from her time here in this chamber. They are: Bill Boehm, Matt Hurlburt, Jenn Belz, Tara Hannah-Taliaferro, Helen Norton, Chris Hayes, Marianne Spizzirri, and I believe Kim Hileman. On behalf of this chamber, Mr. Speaker, thank you very much.

The SPEAKER. The Chair thanks the gentleman and thanks the staff for their service.

REMARKS BY DEMOCRATIC LEADER

The SPEAKER. The Speaker recognizes Leader McClinton on the resolution.

Ms. McCLINTON. Thank you, Mr. Speaker.

And thank you to our colleagues for remembering Babette. Babette was not the first woman to serve in this House, but there is no doubt that she was certainly one of the most impactful of what I like to call our sister Reps in the last 100 years. She holds the record for the longest-serving woman here on the Democratic side of the House, second only to Elinor Taylor in the length of service by all of the women who have served here completely.

Babette represented the good folks downtown in my hometown, the center city of Philadelphia, for 28 years with a strong, unapologetic progressive voice. She had a real knack for challenging the powers that be, both Democratic and Republican, and she was sure to persuade everybody to think about the topics they otherwise may not consider.

In the earliest years of her career here in the Pennsylvania House, some of Babette's colleagues thought that her positions were too liberal to even be taken seriously, but of course with time everything changes, views evolve, outlooks, and of course legislative priorities, and we were able to see Babette set out to achieve so many goals that are now routinely accepted by everyone. She represented center city, but she was seen and her work was felt far beyond the blocks of her very own district.

She fought for the civil liberties and for the rights of people that she had never met and would never meet all across the Commonwealth of Pennsylvania. She was a fighter for the poorest among us, for the sick in need of a doctor, for students who were going to school in perpetually underfunded schools, for communities to be safe from gun violence, and for people everywhere to have the right to choose their very own reproductive decisions.

She was a proud member of our Democratic Party, the Philadelphia Bar Association, ACLU (American Civil Liberties Union), Americans for Democratic Action, cofounder of NARAL (National Abortion Rights Action League) and the Pro-Choice Caucus here in the House. Babette lived a life guided by principles, and she put those principles into practice every single day.

Many times, as I am very familiar, she was sometimes on the losing side of votes here in the House, but even then she would not hesitate to speak truth to power. For 12 years she was our chair of the State Government Committee, opposite a number of different Republican chairmen, including my counterpart, Leader Benninghoff, for a period. Babette understood her role on the committee very clearly, whether she was in the majority or in the minority. She was there to fight, to fight against discrimination in every single form, to protect democratic goals, ideals, the right to vote, defending democracy, and ensuring the best practice in our elections.

I did not have the privilege to serve alongside Babette, but in the summer of 2015, Mr. Speaker, among the many people I went and had one-on-one meetings with during my special election, Babette Josephs was one of them. She sat down with me and talked to me about her journey here in the House and her different campaigns and the number of them and how they went. She gave me some encouraging words and a little help that I will not talk about. I did not have the privilege to serve right here with her, but I am so grateful to have heard many stories and to have known her personally and also to know that she has made a distinctive mark, through service, in this chamber.

She was one of the rarest legislators who became easily identifiable by a first name: Babette. She was also a leader, a fighter, in the most noble sense of words, a mother and a grandmother. She meant a great deal to this House, and I am appreciative to all of our colleagues for taking time this morning to express our sincerest condolences to the generations of her family, and of course, to our caucus staff, some who are still here and others retired that are present today, who worked alongside of her, with so many years. She will be missed and certainly her legacy continues to outlive her.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

### REMARKS BY SPEAKER

The SPEAKER. The Chair would also like to share one of the stories that the good gentleman from Philadelphia had related. I had my own experience with Chair Josephs very early on. My first two terms, we were in the minority and she was the chair of the State Government Committee at that time, and I will never forget, being someone who has a respect for the institution, I went to Chair Josephs and requested that she move one of my bills, and as a freshman member, she obliged, and I think it was in large part – to anybody who knew Babette – we had a lengthy conversation about the Strasburg Railroad in the district and her love of trains, and I always appreciated making that personal connection with her in that capacity, and I think that is something that all of us, as legislators, can do, because by the time we got to the end of the conversation, the bill that I was asking to move, Chair Josephs was more than willing to do it, and I think that we

all could learn a lesson from her in terms of seeking out those personal connections. Despite our disagreement on policies, which were numerous, we still made that personal connection in terms of working for the betterment of the Commonwealth, and I always appreciated that opportunity to work with her and learn a little bit more about the legislative process. So I, for one, miss working with her as well, after the first two terms.

All right. With that, I will ask the Sergeants at Arms to please open the doors of the House and that will conclude the memorial service.

### GUESTS INTRODUCED

The SPEAKER. Turning to visitor recognition, upstairs, located in the gallery, the Chair is pleased to welcome Elizabeth Lynn, who is shadowing Representative Ecker for the day. She is here with her grandfather, Tim Henricks. Please rise and be welcomed.

Also located in the gallery, the Chair is pleased to welcome guests of Representative Rozzi, Mark and Ann Stump, and Ronald and Melissa Strause. Welcome.

Located in the gallery, the Chair is pleased to welcome students and parents from "The One Room Schoolhouse" in Mercersburg. They are the guests of Representative Topper.

Located in the well of the House, the Chair is pleased to welcome guest page Colby Townley. Colby is a student at Salisbury Middle School and he is a State and national champion wrestler. He is the guest of Representative McNeill. Welcome.

Located to the left of the rostrum, the Chair is pleased to welcome Lt. Col. Sean Bergesen, a veteran of the United States Navy and Air Force, who flew alongside Representative Polinchock as his navigator in the EA-3B Skywarrior. Welcome and thank you for your service.

Back to the gallery, the Chair is pleased to welcome Jeffrey Wade Johnson, Jr., who is serving as an intern with Representative Dellosa this summer. He is a senior at the Haverford School. Jeffrey is here today with his parents, Jeffrey and Karen Johnson. Welcome.

Located in the gallery, the Chair is pleased to welcome members of the Pennsylvania News Media Association. They are the guests of Representative Ecker. Welcome.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Turning to committee announcements, the Chair recognizes the gentleman, Representative Topper, for an Appropriations Committee announcement.

Mr. TOPPER. Thank you, Mr. Speaker.

The Appropriations Committee will meet 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 11:45 in the majority caucus room.  
 We will be prepared to be back on the floor at 12:45; that is  
 11:45 and back on the floor at 12:45.  
 Thank you, Mr. Speaker.  
 The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman,  
 Representative Dan Miller, on a caucus announcement.  
 Mr. D. MILLER. Thank you, Mr. Speaker.  
 Democrats will caucus at 11:45, hybrid.  
 The SPEAKER. The Chair thanks the gentleman.

### RECESS

The SPEAKER. This House will stand in recess until 12:45,  
 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 291, PN 257** By Rep. SAYLOR

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.

#### APPROPRIATIONS.

**HB 1642, PN 2232** By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known  
 as the Public School Code of 1949, in 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.

#### APPROPRIATIONS.

### CALENDAR

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1829,**  
**PN 2072,** entitled:

An Act amending the act of October 24, 2012 (P.L.1209, No.151),  
 known as the Child Labor Act, further providing for work permit.

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 1196,**  
**PN 2199,** entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the  
 Pennsylvania Consolidated Statutes, in matters affecting government  
 units, providing for special standing in constitutional challenges.

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

\* \* \*

The House proceeded to second consideration of **SB 859,**  
**PN 1052,** entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania  
 Consolidated Statutes, in rules of the road in general, further providing  
 for enforcement of failure to stop for school bus with flashing red lights.

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 488,**  
**PN 451,** entitled:

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

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

The SPEAKER. It is the Chair's understanding that the  
 gentleman, Representative DeLuca, has withdrawn his  
 amendment. The Chair thanks the gentleman.

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

- Mr. **KAUFFMAN** offered the following amendment  
 No. **A01197:**

Amend Bill, page 1, line 11, by inserting a bracket before the  
 comma after "parent"

Amend Bill, page 1, line 11, by inserting a bracket after  
 "guardian"

Amend Bill, page 1, line 14, by striking out "guardian"

Amend Bill, page 2, line 7, by striking out "guardian or other  
 person"

Amend Bill, page 2, line 9, by striking out "guardian or other  
 person."

Amend Bill, page 3, lines 8 through 10, by striking out "guardian or" in line 8, all of line 9 and "of age" in line 10

Amend Bill, page 3, by inserting between lines 11 and 12  
 "Parent." A natural parent, stepparent, adoptive parent or  
 guardian of a child.

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

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

Mr. KAUFFMAN. Thank you, Mr. Speaker.

The amendment, A01197, is simply technical in nature and fixes an issue with the legislation.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.  
The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.  
The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—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	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	Kinkead	Parker	Webster
Dowling	Kinsey	Pashinski	Wentling
Driscoll	Kirkland	Peifer	Wheatley
Dunbar	Klunk	Pennyquick	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 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.

\* \* \*

The House proceeded to second consideration of **HB 930, PN 1417**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in kidnapping, further providing for missing children; and, in DNA data and testing, further providing for policy, for definitions and for State DNA Data Base, providing for collection of DNA in investigations of high-risk missing persons and missing children, for collection of DNA in investigations of missing persons and for collection of DNA in investigations of unidentified decedents and further providing for DNA data base exchange.

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

Ms. **CULVER** offered the following amendment  
No. **A02530**:

- Amend Bill, page 2, lines 25 and 26, by striking out "DNA analysis and"
- Amend Bill, page 6, line 9, by striking out "IMMEDIATELY" and inserting  
, within seven days of the receipt of a missing persons report or within seven days of the commencement of a missing persons investigation, whichever is earlier,
- Amend Bill, page 6, lines 14 through 16, by striking out "FORENSIC DNA" in line 14, all of line 15 and "CONDUCT, DISPOSITION AND USE OF DNA ANALYSIS) AND" in line 16
- Amend Bill, page 6, lines 19 through 30; page 7, lines 1 through 6; by striking out all of said lines on said pages and inserting any known personal identifying information that may assist efforts to identify the high-risk missing person or missing child,
- Amend Bill, page 7, lines 20 through 22, by striking out "forensic DNA" in line 20, all of line 21 and "conduct, disposition and use of DNA analysis) and" in line 22
- Amend Bill, page 7, lines 25 through 30; page 8, lines 1 through 6; by striking out all of said lines on said pages and inserting any known personal identifying information that may assist efforts to identify the missing person.

Amend Bill, page 8, lines 17 through 19, by striking out "forensic DNA analysis as provided" in line 17, all of line 18 and "and use of DNA analysis) and" in line 19

Amend Bill, page 8, lines 21 through 30; page 9, lines 1 through 4; by striking out "the following" in line 21, all of lines 22 through 30 on page 8 and all of lines 1 through 4 on page 9 and inserting any known personal identifying information that may assist efforts to identify the unidentified decedent.

Amend Bill, page 9, line 10, by striking out "DNA record derived from a"

Amend Bill, page 9, by inserting between lines 20 and 21

Section 7. The Pennsylvania State Police shall promulgate, as necessary, rules, regulations or guidelines to implement this act, including providing that law enforcement agencies may not disclose to a person requesting the information the missing person's location if the missing person is not a minor and requests confidentiality and:

(1) the missing person was the victim of a personal injury crime, as that term is defined in the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, committed by the person requesting the information;

(2) an order has been issued under 23 Pa.C.S. Ch. 61 or 42 Pa.C.S. Ch. 62A against the person requesting the information for the protection of the missing person;

(3) the missing person is enrolled in the Address Confidentiality Program administered by the Office of Victim Advocate; or

(4) the missing person is under the protection of the Witness Protection Program of the United States Department of Justice or a similar program administered by a state or local government.

Amend Bill, page 9, line 21, by striking out "7" and inserting 8

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

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

Ms. CULVER. Thank you, Mr. Speaker.

This amendment is due to the hard work of our Judiciary Committee chairmen, the members of the committee, and staff, and from stakeholders, and this is an agreed-to amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes Leader McClinton, on the amendment.

Ms. McCLINTON. Thank you, Mr. Speaker.

I would like to thank the maker of the amendment, and I am asking all of our colleagues for an affirmative vote.

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—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	Sappay
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	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	Kinhead	Parker	Webster
Dowling	Kinsey	Pashinski	Wentling
Driscoll	Kirkland	Peifer	Wheatley
Dunbar	Klunk	Pennycuick	Wheeland
Ecker	Knowles	Pickett	White
Emrick	Kosierowski	Pisciotano	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	Longiatti		

NAYS—0

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?

The SPEAKER. It is the Chair's understanding that Representative Briggs has withdrawn his amendment. The Chair thanks the gentleman.

And it is the Chair's understanding that the gentleman, Representative Kauffman, has also withdrawn his amendment. The Chair thanks the gentleman.

On the question recurring,  
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.

\* \* \*

The House proceeded to second consideration of **HB 1332, PN 1430**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for online curriculum availability.

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

Mr. LEWIS offered the following amendment No. **A02505**:

Amend Bill, page 1, line 13, by striking out "2021-2022" and inserting

2022-2023

Amend Bill, page 1, line 14, by inserting after "curriculum" , including academic standards to be achieved, instructional materials, assessment techniques and course syllabus for each instructional course

Amend Bill, page 1, line 17, by inserting after "entity" no later than thirty (30) business days after the new or revised curriculum is approved

Amend Bill, page 2, by inserting between lines 1 and 2 (b) The chief school administrator or a designee shall be responsible for implementing the requirements under subsection (a).

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

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

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

Mr. LEWIS. Thank you, Mr. Speaker.

I offer this amendment, A02505; it clarifies several provisions within this legislation and makes it a better bill. This was done after feedback from colleagues on both sides of the aisle. Number one, it changes the effective date to the 2022-2023 school year; two, it defines "curriculum" as "including academic standards to be achieved, instructional materials, assessment techniques and course syllabus for each instructional course"; three, it clarifies that school entities have 30 business days after new or revised curriculum is approved to post this curriculum on the Web site; and finally, a stipulation that the chief school administrator or a designee will be responsible for implementing the provisions of the bill, thus ensuring the requirement will not present a burden to our teachers.

And for those reasons I encourage a "yes" vote on the amendment. 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. Is the gentleman, Representative Longietti, seeking recognition?

Nothing is in order but the taking of the vote, sir.

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

Ms. OBERLANDER. 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—110

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

NAYS—90

Benham	Evans	Krajewski	Pisciottano
Bizzarro	Fiedler	Krueger	Rabb
Boback	Fitzgerald	Kulik	Rozzi
Bradford	Frankel	Lee	Sainato
Briggs	Freeman	Longietti	Samuelson
Brown, A.	Gainey	Madden	Sanchez
Bullock	Galloway	Malagari	Sappey
Burgos	Guenst	Markosek	Schlossberg
Burns	Guzman	Matzie	Schweyer
Carroll	Hanbidge	McClinton	Shusterman
Cephas	Harkins	McNeill	Sims



Ciresi	Harris	Mehaffie	Snyder
Conklin	Herrin	Merski	Solomon
Cruz	Hohenstein	Miller, D.	Stephens
Daley	Howard	Mullery	Sturla
Davis, A.	Innamorato	Mullins	Vitali
Davis, T.	Isaacson	Neilson	Warren
Dawkins	Kenyatta	Nelson, N.	Webster
Deasy	Kim	O'Mara	Wheatley
DeLissio	Kinhead	Otten	Williams, D.
Delloso	Kinsey	Parker	Young
DeLuca	Kirkland	Pashinski	Zabel
Driscoll	Kosierowski		

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?

**AMENDMENT A02505 RECONSIDERED**

The SPEAKER. The Speaker is in receipt of a motion to reconsider, pursuant to rule 26, the vote by which the House adopted A02505 to HB 1332 on the 5th day of October, signed by Leader McClinton and the gentleman, Representative Longietti.

On the question,

Will the House agree to the motion?

The SPEAKER. I will take this opportunity, for the information of the members, as was quoted to the good gentleman, nothing is in order other than the vote once that has already commenced. I know previously sometimes individuals rapidly seek recognition prior to the statement contained in the speeches "those in favor will vote 'aye'; those opposed, 'nay.' Members will proceed to vote." Once we reach the "members will proceed to vote" point, that is a terminal point, which is why we are now offering the motion to reconsider.

So we will put that on the board. Anybody seeking recognition to speak on the motion to reconsider?

For the information of the members, anybody can speak on the motion to reconsider, although I think it is an agreed-to motion so hopefully it will move quickly.

The gentleman, Representative Carroll, is recognized on the motion to reconsider.

Does the gentleman, Representative Longietti, wish to seek recognition to speak on the motion?

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

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

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

The following roll call was recorded:

YEAS—164

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

NAYS—36

Borowicz	Hamm	Metzgar	Roae
Cook	Heffley	Millard	Rossi
Delozier	Hennessey	Miller, B.	Ryan
Diamond	Jones	Moul	Sankey
Fritz	Kauffman	O'Neal	Schemel
Gaydos	Keefer	Owlett	Stambaugh
Gillespie	Masser	Peifer	Topper
Greiner	Mercuri	Puskaric	Warner
Grove	Metcalfe	Rapp	Zimmerman

NOT VOTING—0

EXCUSED—1

Boyle

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

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

The SPEAKER. We will now place A02505 back on the board for consideration.

On the amendment, the gentleman, Representative Longiotti, was seeking recognition, and you are in order and may proceed.

Mr. LONGIETTI. Thank you, Mr. Speaker, and thank you for the opportunity to reconsider this vote as well.

The issue of concern here is when you look at the amendment, the definition now includes "instructional materials," and I think it is important that we understand what we are talking about, because that can be a very expansive term. It is not defined in the amendment. There are parts of the School Code regulations where "instructional materials" are defined and it is a lot of things. It "...means books, periodicals, documents, pamphlets, photographs, reproductions, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, including but not limited to those on discs and tapes, processed slides, transparencies, films, filmstrips, kinescopes, and video tapes, or any other printed and published materials of a similar nature made by any method now developed or hereafter to be developed."

So you know, I think we all are interested in access to curriculum and I understand where the definition or the amendment comes from to include instructional materials, because we currently provide access to curriculum, including instructional materials, to parents who are interested who come into the school district, and I understand that we want to make it easier and make it more available to folks, but if I am meeting with a teacher, I am sure when that conversation is happening, I am saying, look, I do not need to see the globe and the map and the chart. But in this case, we are going to have to put all of that online. So if I am a teacher and I am writing on the white board during my lesson and that is part of my instruction, that is an instructional material; whatever I write on that white board is an instructional material. If I show a video, that is an instructional material. If I have somebody come into the class and speak as a guest speaker, that potentially is an instructional material. If I assign out as an English literature teacher and say, look, class, we need to read Ernest Hemingway's "The Old Man and the Sea" as part of this course, that is an instructional material. Are we going to have that book on print online? If it is copyrighted material, are we going to have permission to put that online? And how much time is it going to take to put all this online and continually update it, because every time a teacher teaches a class, my sense is that instructional material is being developed at that time. If I do an experiment, a lab experiment, that is instructional material.

And so while I understand the goal of the amendment and the desire to make everything more readily available, I think in this particular case, by including that language of "instructional material," that we are barking up the wrong tree here and we are going to expend a lot of time and resource at a time right now when schools do not have that precious time and resource. They are trying to get through the pandemic, they are trying to keep things in person, they are trying to make up for learning loss, and

I just think this is a very expansive definition. If you go outside of the School Code, and I have gone outside of the School Code to find other definitions, and it includes virtually everything, whether it is animate or inanimate objects.

So I would humbly suggest that given the language of this amendment, that unless we are going to put a huge burden on schools that I do not think they can really meet, and I do not think this is what parents and guardians are looking for anyhow – I think this amendment is flawed because of "instructional materials" and what that means. So I would urge folks to reconsider their vote and to vote "no" on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, we will recognize the gentleman, Representative Lewis, for the second time.

Mr. LEWIS. Thank you, Mr. Speaker.

And I appreciate the words of the good chairman and his leadership and work on the Education Committee. I would note, with respect to the caution on the definition, the definition in the amendment mirrors what currently exists in the Pennsylvania Code, and I am going to read this just for the education of the members. The Pennsylvania Code already stipulates that parents have the right to this information and it says, "School entities shall adopt policies to assure that parents or guardians have the following: (1) Access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques." So this already exists in the Pennsylvania Code, and our goal here is simply to move these provisions into the 21st century.

Last week it was gratifying to see a unanimous vote on suspension of regulations, and one of the big provisions there was telemedicine. We see our world moving to an environment where we really need to access information and services online, and so all this does is takes the existing Pennsylvania Code regulatory requirement and moves that to ensure that it is in the 21st century.

I would also note that this was first enacted, based on the law in 1949, and although it has been amended since then, it has not since the COVID environment, and so I think this is doubly important in the COVID environment, when kids have been learning online going on 19 months, to ensure that this information is available to parents online.

And for those reasons I would ask for an affirmative vote. 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.

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—110

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

## NAYS—90

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

## 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 recurring,

Will the House agree to the bill on second consideration as amended?

Mr. ZABEL offered the following amendment No. **A02459**:

Amend Bill, page 1, lines 14 through 18; page 2, line 1; by striking out "post all curriculum offered by the school entity on" in line 14, all of lines 15 through 18 on page 1 and all of line 1 on page 2 and inserting

adopt a policy to provide parents and guardians of students attending the school entity electronic access to all curriculum, including updates to the curriculum information when there is new or revised curriculum used by the school entity.

(b) A school entity's policy under subsection (a) shall include a timeline for providing electronic access to the curriculum, including any new or revised curriculum and shall designate the person responsible for updating and maintaining the electronic access to curriculum and new or revised curriculum.

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

Amend Bill, page 2, lines 2 through 5, by striking out "the following words and phrases" in line 2, all of lines 3 and 4 and "School entity." A in line 5 and inserting

"school entity" means a

On the question,

Will the House agree to the amendment?

## AMENDMENT WITHDRAWN

The SPEAKER. The gentleman has indicated he is withdrawing the amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

## SUPPLEMENTAL CALENDAR A

## BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 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 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 gentelady, Representative Labs.

Ms. LABS. Thank you, Mr. Speaker.

As you all know, PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) are the

prescription drug assistance programs for Pennsylvania seniors, ages 65 and older, who meet the incumbent qualifications. These programs currently serve more than 275,000 low-income older adults each year. For many of those enrolled, Social Security is their only source of income. Current law will mandate that any enrollee who exceeds the income limits due to a Social Security increase will be removed from the program at the end of this year. My bill extends the COLA (cost-of-living adjustment) moratorium for another 2 years, protecting life-saving prescription drug coverage for more than 17,000 seniors until the end of 2023.

With so many of our older adults living on fixed incomes and the sunset date and law quickly approaching, it is imperative that we get this legislation completed as quickly as possible. I ask my colleagues to join me in voting "yes" to safeguard prescription drug coverage for current PACE/PACENET enrollees. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the 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	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	Kinhead	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 amendment was agreed to.

\* \* \*

The House proceeded to third consideration of **HB 1642, PN 2232**, 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 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 gentlewoman, Representative White.

Ms. WHITE. Thank you, Mr. Speaker.

This year marks the 20th anniversary of one of the most important educational reforms in Pennsylvania, the educational improvement tax credit, EITC, which helps students in economically disadvantaged schools expand their educational choices. This program, the first of its kind in the nation, allows businesses to receive tax credits for donations to scholarship organizations. The donations in turn empower low- and

middle-income families to send their children to a private school that meets their needs.

EITC is a rare government program that creates win-win-win situations. School districts and taxpayers win by saving 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. Businesses win because they are able to support local schools in their communities and receive a partial credit on their State taxes. And most importantly, students win, by being able to attend the schools that work for them.

Now it is time to further help students trapped in disadvantaged schools and that is what HB 1642 would allow for, both EITC and recipients of the OSTC (opportunity scholarship tax credit) programs who are enrolled in an economically disadvantaged school, to be eligible for the supplementary scholarship. Currently in order for a school to be considered an economically disadvantaged school, 75 percent or more of its students must be a grant recipient. My bill will lower this threshold to 51 percent. This change will expand eligible recipients while continuing to drive scholarships to the students who need them the most.

My bill will also allow eligible elementary and middle school students to receive up to \$2,000 and eligible high school students to receive up to \$4,000. This improvement recognizes the large gap between family capacity to pay and the operating costs at economically disadvantaged schools. It also recognizes the reality that high schools are more costly to operate.

It is critical to make these changes to the economically disadvantaged schools program as it will help Pennsylvania continue to provide quality education options to families across this great Commonwealth. I ask my colleagues for your support of this key piece of legislation. Thank you very much.

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

Mr. LONGIATTI. Thank you, Mr. Speaker.

Mr. Speaker, the concern with this bill is in regard to the changes that would be made to what we call an economically disadvantaged school. Now just to clarify, by and large we are talking about private schools here, and under current law for economically disadvantaged, at least 75 percent of the students in that school have to receive a scholarship. And just so we understand the way scholarships work under this program, if I am a family with one child I could have household income as high as \$105,000 and qualify for a scholarship. So this bill changes from 75 percent of the kids receive the scholarship down to 51 percent. We are going to dramatically increase the number of, quote, "economically disadvantaged" schools. I believe right now there are about 66 schools that fall into that category. We could easily double that amount.

And if we are going to call them economically disadvantaged schools, I think if we are going to adopt this bill, then we ought to change that wording, because we are really not talking about economically disadvantaged schools. We are going to be talking about some of the highest-priced private schools in the Commonwealth whose student body, in some cases, by and large, come from relatively wealthy families, and we are going to now call them economically disadvantaged and we are going to give them additional dollars – \$4,000, \$8,000 – available to provide student scholarships, and so whom are we really helping? And so I think the flaw in this bill is moving from 75 percent of the kids get a scholarship in that school to 51 percent or more and broadly

increasing – and by the way, you know, a lot of us are going to hear from our schools who are currently economically disadvantaged and what the purpose of this was all about in the first place. You know, in my district, Kennedy Catholic, they could probably fall into that 75 percent category. But what is going to happen when we open this thing up to a lot of other private schools who really are not what we are talking about economically disadvantaged and the money is going to get directed to them and away from what we originally intended?

So I would ask folks to really think long and hard about that. There are other features of the bill that make sense to me, but I think this particular feature is so concerning that I have to vote "no," because we are going to dramatically increase the schools and we are going to fall short of the target. Our target has got a bull's-eye. We are going to be way out here hitting something that really none of us intended to hit: the people that really do not need the help. So that is why I plan to vote "no." I urge others to do the same.

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

Mr. KENYATTA. Thank you, Mr. Speaker.

This bill was just described by the maker as a win-win-win, and as I was listening to that, my question was, for who-who-who? This is not a win for transparency. It is not a win for our economically disadvantaged public schools. It is not a win for the issues that we have talked about in this body over and over and over again – issues with lead, asbestos, and mold. And so if we want to win for our kids, if we want to win for all of Pennsylvania students, then we need to do what is necessary to have fair funding for all of our schools. We had an opportunity to do that; we did not do it. If we want a win for our kids, then we should deal with the schools that have exposed pipes right now, that have lead and asbestos right now, as we are sitting here in this body. If we want to win for our kids, that is what we—

The SPEAKER. The gentleman will please suspend. I believe the gentleman has gotten a little far afield of the EITC program which is described in the bill and talking more budgetary issues, which would be appropriate when there is a budget bill.

I would urge the gentleman to please stay on the underlying topic that is outlined in the bill. You are in order and may proceed.

Mr. KENYATTA. Thank you, Mr. Speaker.

The chairman outlined some other concerns with this bill, but I think the points that I made are important and they certainly stand. I am going to be a "no" on this and I hope that in the future we do what is necessary to have a win for all of Pennsylvania's kids, because this certainly is not it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, the Chair will recognize the gentlewoman for the second time, on final passage.

Ms. WHITE. Thank you, Mr. Speaker.

I heard a few different comments from other speakers this afternoon, and I would just like to comment on a few of those.

You know, in Philadelphia, unfortunately, the cost of living is very significant here in the Commonwealth and children across the city do not necessarily have access to high-quality schools. What they are lacking in that regard is an opportunity, a chance, through this EITC program, through these changes, to get that opportunity. Why would we – why those would be speaking about opposing this that actually helps these young kids is really a shame, in my mind, because I think there are so many young

children who are impoverished and need access to this program and benefit from it already today.

We need to give more of these young kids that are in disadvantaged schools access to these grants. So I really ask and encourage the members across this chamber to please vote in favor of this bill. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—116

Armanini	Gleim	Masser	Rothman
Benninghoff	Gregory	Mehaffie	Rowe
Bernstine	Greiner	Mentzer	Ryan
Boback	Grove	Mercuri	Sankey
Bonner	Hamm	Metcalfe	Saylor
Borowicz	Heffley	Metzgar	Schemel
Brooks	Helm	Mihalek	Schmitt
Brown, R.	Hennessey	Millard	Schroeder
Burns	Hershey	Miller, B.	Silvis
Causer	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Neilson	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
Driscoll	Klunk	Pennycuik	Twardzik
Dunbar	Knowles	Pickett	Warner
Ecker	Labs	Polinchock	Wentling
Emrick	Lawrence	Puskaric	Wheeland
Farry	Lewis	Quinn	White
Fee	Mackenzie, M.	Rader	Williams, C.
Flood	Mackenzie, R.	Rapp	Zimmerman
Fritz	Major	Rigby	
Gaydos	Mako	Roae	Cutler,
Gillen	Maloney	Rossi	Speaker
Gillespie	Marshall		

NAYS—84

Benham	Fiedler	Kosierowski	Pisciottano
Bizzarro	Fitzgerald	Krajewski	Rabb
Bradford	Frankel	Krueger	Rozzi
Briggs	Freeman	Kulik	Sainato
Brown, A.	Gainey	Lee	Samuelson
Bullock	Galloway	Longiotti	Sanchez

Burgos	Guenst	Madden	Sappey
Carroll	Guzman	Malagari	Schlossberg
Cephas	Hanbidge	Markosek	Schweyer
Ciresi	Harkins	Matzie	Shusterman
Conklin	Harris	McClinton	Sims
Cruz	Herrin	McNeill	Snyder
Daley	Hohenstein	Merski	Solomon
Davis, A.	Howard	Miller, D.	Sturla
Davis, T.	Innamorato	Mullery	Vitali
Dawkins	Isaacson	Mullins	Warren
Deasy	Kenyatta	Nelson, N.	Webster
DeLissio	Kim	O'Mara	Wheatley
Delloso	Kinhead	Otten	Williams, D.
DeLuca	Kinsey	Parker	Young
Evans	Kirkland	Pashinski	Zabel

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 this afternoon, but we will be doing some housekeeping. The Chair is glad that announcement was met with such enthusiasm.

**BILLS RECOMMENDED**

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

- HB 488;
- HB 930;
- HB 1196;
- HB 1332;
- HB 1829; and
- SB 859.

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 1819;
- HB 1837; and
- SB 880.

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

**CALENDAR CONTINUED****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 371, PN 343**, entitled:

An Act designating the portion of Pennsylvania Route 837, also known as Duquesne Boulevard, between Center Street in the City of Duquesne, Allegheny County, and Hoffman Boulevard in West Mifflin Borough, Allegheny County, as the Clifton P. Pitts Memorial Highway.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 371 be removed from the active calendar and placed on the tabled calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that HB 371 be removed from the tabled calendar and placed on the active calendar.

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

**RESOLUTIONS**

Mr. BENNINGHOFF called up **HR 19, PN 185**, entitled:

A Resolution honoring the life and legacy of Dr. Martin Luther King, Jr., and recognizing the week of January 18 through 24, 2021, as "Martin Luther King, Jr., Week of Remembrance" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 19 be removed from the active calendar and placed on the tabled calendar.

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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that HR 19 be removed from the tabled calendar and placed on the active calendar.

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

\* \* \*

Mr. BENNINGHOFF called up **HR 111, PN 1711**, entitled:

A Resolution directing the Commission on Sentencing to conduct a thorough and comprehensive study on the investigation, prosecution and sentencing of violations of Pennsylvania Uniform Firearms Act of 1995 in this Commonwealth.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The majority leader moves that HR 111 be removed from the active calendar and placed on the tabled calendar.

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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that HR 111 be removed from the tabled calendar and placed on the active calendar.

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. The Speaker is in receipt of a motion made by the gentleman, Representative Matzie, who moves that this House do now adjourn until Wednesday, October 6, 2021, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 1:31 p.m., e.d.t., the House adjourned.