

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 26, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 55

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### PRAYER

HON. TORREN C. ECKER, member of the House of Representatives, offered the following prayer:

Well, it is Fire Prevention Month – well, it is at the tail end of it. So I thought – I was at a fire banquet and I saw they had "A Firefighter's Prayer" that I had forgotten for some time. So I thought it appropriate to read a prayer, which really is kind of the seminal prayer for the firefighters, so I am going to share that. But before we do that, I would also like folks to keep Matt Dowling, our good friend and colleague of this august body, to keep him in your prayers as he is recovering.

When I am called to duty, God, wherever flames may rage,  
give me strength to save a life, whatever be its age.  
Help me to embrace a little child before it is too late,  
or save an older person from the horror of that fate.  
Enable me to be alert to hear the weakest shout,  
and quickly and efficiently to put the fire out.  
I want to fill my calling and to give the best in me,  
to guard my neighbor and protect his property.  
And if according to Your will I have to lose my life,  
bless with Your protecting hand my loving family from strife. 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 25, 2021, will be postponed until printed.

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

**HB 1877, PN 2309** (Amended) By Rep. KNOWLES

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in alteration of territory or corporate entity and dissolution, providing for municipal boundary change; and making related repeals.

LOCAL GOVERNMENT.

**HB 1935, PN 2210** By Rep. R. BROWN

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.

URBAN AFFAIRS.

**HB 1947, PN 2223** By Rep. KNOWLES

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

LOCAL GOVERNMENT.

**SB 208, PN 177** By Rep. KNOWLES

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, further providing for completion of improvements or guarantee thereof prerequisite to final plat approval.

LOCAL GOVERNMENT.

**SENATE MESSAGE****HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1452, PN 1573**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE****RECESS RESOLUTION  
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,  
October 26, 2021

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene the week of Monday, November 8, 2021, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, November 8, 2021, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

**BILLS SIGNED BY SPEAKER**

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

**HB 1452, PN 1573**

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

**SB 880, PN 1091**

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.

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

**COMMUNICATION FROM  
UNIVERSITY OF PITTSBURGH**

The SPEAKER. The Speaker submits for the record the University of Pittsburgh's Annual Financial Report for the fiscal year ending June 30, 2021.

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

**LEAVES OF ABSENCE**

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

The Chair recognizes the gentlewoman, Representative Oberlander, who requests that the gentleman, Representative Matt DOWLING, from Fayette County be put on leave for the day, and the gentleman, Representative Rob BROOKS, from Westmoreland County also be put on leave for the day. Without objection, the leaves are granted.

The Chair now recognizes the Democratic whip, who indicates the gentlewoman, Representative Tina DAVIS, from Bucks County wishes to be placed on leave for the day. 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—198**

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

DelRosso	Kerwin	Ortitay	Vitali
DeLuca	Kim	Otten	Warner
Diamond	Kinthead	Owlett	Warren
Driscoll	Kinsey	Parker	Webster
Dunbar	Kirkland	Pashinski	Wentling
Ecker	Klunk	Peifer	Wheatley
Emrick	Knowles	Pennycuick	Wheeland
Evans	Kosierowski	Pickett	White
Farry	Krajewski	Pisciottano	Williams, C.
Fee	Krueger	Polinchock	Williams, D.
Fiedler	Kulik	Puskaric	Young
Fitzgerald	Labs	Quinn	Zabel
Flood	Lawrence	Rabb	Zimmerman
Frankel	Lee	Rader	
Freeman	Lewis	Rapp	Cutler,
Fritz	Longietti	Rigby	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Brooks                      Davis, T.                      Dowling

LEAVES ADDED—1

Saylor

LEAVES CANCELED—1

Saylor

The SPEAKER. One hundred and ninety-eight members having voted on the master roll, a quorum is present.

### GUESTS INTRODUCED

The SPEAKER. Turning to visitor recognition.

Located to the left of the rostrum, the Chair is pleased to welcome Senator Patricia Rucker from West Virginia and her daughter, Teresa. Please rise and be welcomed. They are the guests of Representative Grove and Representative Causer.

Located in the gallery, the Chair is pleased to welcome Hannah Caskey, who is interning for Representative Bullock in her office. Please rise and be welcomed.

Also located in the gallery, the Chair is pleased to welcome Representative Cook's district staff: Rachel Wilson and Melonie Ochkie.

Also located in the gallery, the Chair is pleased to welcome Jo-Jo Dalwadi. He is shadowing Representative Malagari for the day. Jo-Jo is a freshman at Penn State University studying criminal justice.

Also located in the gallery, the Chair is pleased to welcome guests of Representative Zimmerman: Tom Plank, of New Holland, works as a truck driver for Pepperidge Farms, and seated with him is Nicholas Massey, Representative Zimmerman's legislative aide.

Located in the gallery, the Chair is pleased to welcome the Northampton Township American Legion Baseball Team who won the State championship in the PA Prep Division on July 28, 2021. The Northampton Bombers are a group of 13- and 14-year-olds, coached by Jeff Klaus, Nick Fisher, Larry Lance, Jeff Davis, and Bill O'Neill. They are the guests of Representative Wendi Thomas. I had the privilege of meeting them earlier, so welcome

to the House. Congratulations to the coaches and the team on an outstanding season. And I was assured by one young man, they will be back next year.

Also located in the gallery, Representative Rabb has Robert Blankenship and his children, Robert and Alyza. Welcome.

Located in the gallery, the Chair is pleased to welcome the 2020 and 2021 graduating classes of Leadership Bedford County. They are the guests of Representative Topper and Representative Metzgar. Welcome.

Now, to the well of the House, the Chair is pleased to welcome guest page Asher Matthews. With him today is his mother, Linda, who is seated in the gallery. They are the guests of Representative Kenyatta. Welcome.

Also located in the well of the House, the Chair welcomes guest page Parker Crowell. He is the guest of Representative Sheryl Delozier.

Located in the rear of the chamber, the Chair would like to recognize two LDPC (Legislative Data Processing Center) employees, Joe Seibert and Mike Seidle, who are retiring. These gentlemen have worked together as a team for the past 20 years providing IT (information technology) support to each of us here in this chamber. Joe's last day at LDPC is today, marking the end of a 26-year career. Mike recently retired after having served 20 years. Joe and Mike, on behalf of the House, thank you for your service and everything that you have done for us.

Turning to committee and caucus announcements.

### HEALTH COMMITTEE MEETING

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

Ms. RAPP. Thank you, Mr. Speaker.

Immediately at the break, the Health Committee will be conducting a voting meeting in G-50 Irvis; immediately at the break.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Immediately at the break, the Health Committee will be conducting a voting meeting in G-50 Irvis.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Representative Saylor, for an Appropriations Committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet in the majority caucus room at 11:17, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for that specificity.

The Appropriations Committee will meet in the majority caucus room at 11:17.

### 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 12 o'clock in the majority caucus room. We will be prepared to be back on the floor at 1 o'clock.

That is 12 o' clock in the majority caucus room.  
Thank you, Mr. Speaker.  
The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentlewoman, Leader McClinton, for a Democratic caucus announcement. The gentlewoman waives off and recognizes the gentleman, Representative Dan Miller, for a caucus announcement.

Mr. D. MILLER. Thank you, Mr. Speaker.  
Democrats will caucus at 12 o'clock in hybrid.  
The SPEAKER. The Chair thanks the gentleman.

### RECESS

The SPEAKER. Seeing no further committee or other announcements, this House will stand in recess until 1 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 598, PN 567** By Rep. SAYLOR

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.

APPROPRIATIONS.

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

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.

APPROPRIATIONS.

**HB 1615, PN 2308** By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for breweries.

APPROPRIATIONS.

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

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.

APPROPRIATIONS.

**HB 1819, PN 2315** (Amended) By Rep. SAYLOR

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for ineligibility for compensation.

APPROPRIATIONS.

**SB 420, PN 1110** By Rep. SAYLOR

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in district attorney, assistants and detectives, further providing for district attorney, qualifications, eligibility and compensation.

APPROPRIATIONS.

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

**HB 1308, PN 2316** (Amended) By Rep. FARRY

An Act providing for establishment of suicide and overdose death review teams, for duties of suicide and overdose death review teams, duties of Department of Health, for confidentiality of suicide and overdose death review team records and for criminal and civil liability protections.

HUMAN SERVICES.

**HB 1561, PN 2317** (Amended) By Rep. FARRY

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in general provisions, further providing for definitions and for confidentiality of records.

HUMAN SERVICES.

**HB 1563, PN 2318** (Amended) By Rep. FARRY

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for definitions and for confidentiality of records.

HUMAN SERVICES.

**HB 1995, PN 2319** (Amended) By Rep. FARRY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Drug and Alcohol Programs, further providing for powers and duties.

HUMAN SERVICES.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 151** By Representatives BULLOCK, RABB, KENYATTA, SCHLOSSBERG, OTTEN, D. WILLIAMS, DELLOSO, GUENST, KRAJEWSKI, SANCHEZ, HOHENSTEIN, HILL-EVANS, VITALI, KIRKLAND and N. NELSON

A Concurrent Resolution recognizing the 30th anniversary of the adoption of the 17 principles of Environmental Justice that were presented to delegates at the First National People of Color Environmental Leadership Summit.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 26, 2021.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2010** By Representatives RYAN, GAYDOS, GLEIM, GROVE, JAMES, KAUFFMAN, STAMBAUGH and SAYLOR

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for training of public pension fund and State fund fiduciaries.

Referred to Committee on STATE GOVERNMENT, October 26, 2021.

**No. 2011** By Representatives SILVIS, COOK, N. NELSON, RADER, SMITH, RIGBY, BERNSTINE, KAIL, SANKEY, TWARDZIK and SCHLEGEL CULVER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in penalties and disposition of fines, providing for booting fee and establishing the Municipal Police Technology Fund.

Referred to Committee on LOCAL GOVERNMENT, October 26, 2021.

**No. 2012** By Representatives KENYATTA, MADDEN, SCHLOSSBERG, KINSEY, HILL-EVANS, DELLOSO, SANCHEZ, LEE, INNAMORATO, HOWARD, McCLINTON, SIMS, BURGOS, FRANKEL, PARKER, KIRKLAND, FITZGERALD, N. NELSON, RABB, STURLA and BRADFORD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for uniformity in administration of assistance and regulations as to assistance.

Referred to Committee on HEALTH, October 26, 2021.

### SENATE BILLS FOR CONCURRENCE

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

#### **SB 236, PN 1102**

Referred to Committee on CONSUMER AFFAIRS, October 26, 2021.

#### **SB 731, PN 1169**

Referred to Committee on COMMERCE, October 26, 2021.

#### **SB 865, PN 1056**

Referred to Committee on TRANSPORTATION, October 26, 2021.

### LEAVE OF ABSENCE

The SPEAKER. The gentleman, Representative SAYLOR, has requested to be placed on leave. Without objection, the leave will be so granted.

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1260, PN 2192**, 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 the pharmaceutical assistance contract for the elderly needs enhancement tier, for board, for powers of the department and for coordination of benefits.

On the question,

Will the House agree to the bill on second consideration?

Mrs. **THOMAS** offered the following amendment No. **A02699**:

Amend Bill, page 2, line 9, by striking out the bracket before "(c.1)"

Amend Bill, page 2, line 12, by inserting a bracket before the period after "premium"

Amend Bill, page 2, line 12, by inserting after "premium."

] for each month the claimant is dispensed a prescription drug. The claimant shall not be required to pay a monthly premium for any month the claimant is not dispensed a prescription drug.

Amend Bill, page 2, line 12, by striking out the bracket after "premium."

Amend Bill, page 4, line 9, by striking out "or PACENET"

Amend Bill, page 4, line 14, by striking out the bracket before "(4)"

Amend Bill, page 4, line 18, by striking out the bracket after "519." and inserting

A claimant enrolled in a PDP shall not be required to pay a monthly premium for any month the claimant is not dispensed a prescription drug.

On the question,

Will the House agree to the amendment?

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

Mrs. THOMAS. Thank you, Mr. Speaker.

This amendment clarifies the financial responsibility in the bill, and I would appreciate an affirmative vote. 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—197

Armanini	Gainey	Mackenzie, M.	Roae
Benham	Galloway	Mackenzie, R.	Rossi
Benninghoff	Gaydos	Madden	Rothman
Bernstine	Gillen	Major	Rowe
Bizzarro	Gillespie	Mako	Rozzi
Boback	Gleim	Malagari	Ryan
Bonner	Gregory	Maloney	Sainato
Borowicz	Greiner	Markosek	Samuelson
Boyle	Grove	Marshall	Sanchez
Bradford	Guenst	Masser	Sankey
Briggs	Guzman	Matzie	Sappery
Brown, A.	Hamm	McClinton	Schemel
Brown, R.	Hanbidge	McNeill	Schlossberg
Bullock	Harkins	Mehaffie	Schmitt
Burgos	Harris	Mentzer	Schroeder
Burns	Heffley	Mercuri	Schweyer
Carroll	Helm	Merski	Shusterman
Causser	Hennessey	Metcalfe	Silvis
Cephas	Herrin	Metzgar	Sims
Ciresi	Hershey	Mihalek	Smith
Conklin	Hickernell	Millard	Snyder
Cook	Hohenstein	Miller, B.	Solomon
Cox	Howard	Miller, D.	Sonney
Cruz	Innamorato	Mizgorski	Staats
Culver	Irvin	Moul	Stambaugh
Daley	Isaacson	Mullery	Stephens
Davanzo	James	Mullins	Struzzi
Davis, A.	Jones	Mustello	Sturla
Dawkins	Jozwiak	Neilson	Thomas
Day	Kail	Nelson, E.	Tomlinson
Deasy	Kaufner	Nelson, N.	Toohil
DeLissio	Kauffman	O'Mara	Topper
Delloso	Keefer	O'Neal	Twardzik
Delozier	Kenyatta	Oberlander	Vitali
DelRosso	Kerwin	Ortitay	Warner
DeLuca	Kim	Otten	Warren
Diamond	Kinthead	Owlett	Webster
Driscoll	Kinsey	Parker	Wentling
Dunbar	Kirkland	Pashinski	Wheatley
Ecker	Klunk	Peifer	Wheeland
Emrick	Knowles	Pennycuik	White
Evans	Kosierowski	Pickett	Williams, C.
Farry	Krajewski	Pisciottano	Williams, D.
Fee	Krueger	Polinchock	Young
Fiedler	Kulik	Puskaric	Zabel
Fitzgerald	Labs	Quinn	Zimmerman
Flood	Lawrence	Rabb	
Frankel	Lee	Rader	Cutler,
Freeman	Lewis	Rapp	Speaker
Fritz	Longietti	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—4

Brooks	Davis, T.	Dowling	Saylor
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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 1871, PN 2230**, entitled:

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

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 725, PN 1103**, entitled:

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.

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 397, PN 371**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, further providing for rejection and appeal.

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 1612, PN 2245**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Pennsylvania National Guard, further providing for association group life insurance for Pennsylvania National Guard.

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 1451, PN 1583**, entitled:

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

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

The SPEAKER. The Speaker is in receipt of a message that the following amendments have been withdrawn: amendments A02718, A02721, A02725.

The Chair thanks the individuals.

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

Mr. **MATZIE** offered the following amendment No. **A02717**:

Amend Bill, page 4, line 28, by inserting after "coroner"  
, a deputy coroner

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

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

Mr. **MATZIE**. Thank you, Mr. Speaker.

This straightforward, important amendment would ensure that deputy coroners are eligible for this earned benefit. Inclusion of this amendment into the bill would leave no question and, therefore, would not place a hardship on a potential claimant's family at a time of need and bereavement.

The last time I checked we were in the people business, and this policy puts people first at a difficult time. I would ask the members to vote "yes" on amendment A02717.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### MOTION TO TABLE AMENDMENTS

The SPEAKER. The Chair recognizes the gentleman, the majority leader, on the amendment.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

I rise to ask the members to consider that these amendments, while they are worthy, we need to preserve their ability to be successful in the future. This bill specifically is very narrow to our 67 counties who have coroners and a handful of deputies. We would like to keep that narrow, and in order to preserve the ability to look at these other worthy proposals individually and consider them on their own merits through our committee process, I would make a motion that we table the four remaining amendments 2717, 2719, 2724, and 2734, respectively.

The SPEAKER. The gentleman, the majority leader, has made a motion that amendments A2717, A2719, 2724, and 2734 be tabled.

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

The SPEAKER. On the motion to table the listed amendments, the Chair will recognize the gentleman, Representative Wheeland, as soon as the motion is properly on the board.

All right. The motion to table the following listed amendments is properly on the board. On that motion, I will recognize the gentleman, Representative Wheeland.

For the information of the members, the individuals who can speak on the motion are the prime sponsor of the bill, the makers of the amendment, and both floor leaders.

The gentleman, Representative Wheeland, is in order and may proceed.

Mr. **WHEELAND**. Thank you, Mr. Speaker.

I really agree with the leader and support this motion. All four of those amendments, as he so eloquently said, are very important, but I believe that my underlying bill is narrow in scope, and I would ask for an affirmative vote on this motion.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, Representative Wheeland, and recognizes the gentleman, Representative Matzie, on the motion to table remaining amendments.

Mr. **MATZIE**. Thank you, Mr. Speaker.

On my specific amendment that deals with deputy coroners, the underlying bill, the concept of the underlying bill provides for a death benefit payment to surviving family members of coroners who die in the line of duty. It is clear in statute, in section 1211-B that deputy coroners – the only mention of deputy coroners in current statute – that a "coroner may appoint a deputy to act in the coroner's place and may appoint staff to positions established in accordance with..." the section, so on and so forth.

But there is nothing in statute that specifies benefits or anything else for that deputy coroner. So hypothetically if a deputy coroner is named such and they were to unfortunately perish in the line of duty, they would not qualify. I have to tell you something, I cannot speak for the other amendments, but I have to tell you, what are we doing here, Mr. Speaker? What are we doing?

Reject this motion. Let us put up a vote. Let us put people first. This is good public policy and just makes common sense.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlewoman, Representative Kinkead, on the motion to table one of her amendments.

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

As the maker of amendment 2734, I believe that this amendment deserves to be fully vetted and to be considered. I am asking in my amendment that 911 operators be included in this legislation because 911 operators are vital to all of the other emergency resources. It is one of the most critical jobs when it comes to emergency response, and yet if these folks die in the line of duty, they are not compensated; their family, their surviving family members are not compensated, and I understand that we may not understand what dying in the line of duty as a 911 operator is, they are not out in the field, but this is an incredibly stressful job. It is emotionally draining and it is physically taxing when you are sitting and listening to someone on the other end of the line in the worst moments of their life. The 911 operators in Allegheny County field over a million calls annually, and they deserve to be recognized in the service that they provide.

We should be listening to all of these amendments and vetting them on their merits. We should certainly not be tabling them as a group. These are important jobs all across our Commonwealth, and if families of people who lose these individuals, whether it is because they have a heart attack sitting at the desk or within 24 hours of leaving their post, this is an important role and we deserve to give each and every one of these roles, each and every one of these services their due process of listening and considering on the merits, each and every one of these amendments, and I would ask for a "no" vote on this motion. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Zabel, on his two amendments included in the motion.

Mr. ZABEL. Thank you, Mr. Speaker.

Mr. Speaker, as a former line prosecutor myself, I have a keen appreciation for the risks and the efforts that are experienced every day by our line prosecutors and our public defenders. They are on the front lines of administering justice. They deserve these amendments to be considered for them. I do not believe it is appropriate to bury these amendments where we know they will not see the light of day again. They deserve a vote. I ask everyone to oppose this motion. Thank you.

The SPEAKER. The Chair thanks the gentleman.

## PARLIAMENTARY INQUIRY

### MOTION DIVIDED

The SPEAKER. The Chair recognizes the gentlewoman, Leader McClinton, on the motion to table.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, I have a motion to divide this into four separate motions to table each individual amendment. They should not be looped together. Each of them deals with different categories of professions, all of which face danger and risk with their jobs.

The SPEAKER. Leader McClinton has posed the question of whether or not the motion is divisible. The Speaker has conferred with both leaders and the motion is divisible.

## AMENDMENT A02717 TABLED

The SPEAKER. So we will limit the first question to the motion to table amendment A02717, which is currently before us.

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

## PARLIAMENTARY INQUIRY

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

Mr. LAWRENCE. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman is in order and you may proceed.

Mr. LAWRENCE. Mr. Speaker, the motion made by the good lady from Philadelphia, the minority leader, does that motion to divide need to be voted on?

The SPEAKER. No. The gentleman is inquiring as to whether or not the question of divisibility is a votable motion. According to rule 63, "Any member may call for a division...." Admittedly, typically it is asked, is this motion divisible, which the answer would be yes, and the division would then occur at the direction of the Speaker. In this particular case, it was four separate amendments, which are all four separate questions that can stand on their own merit.

Mr. LAWRENCE. Thank you, Mr. Speaker.

The SPEAKER. On the motion to table amendment A02717, Leader McClinton is recognized.

Ms. McCLINTON. Mr. Speaker?

The SPEAKER. You are in order and have been recognized. You may proceed.

Ms. McCLINTON. Thank you.

Mr. Speaker, it has been clear from the maker of the bill that the intent is for deputy coroners to be covered under this language. So let us not just have an intent. Let us make it clear by adding the appropriate language to this legislation so that deputy coroners can be protected as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, the majority leader, Leader Benninghoff, on the motion to table the amendment.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

If I heard the maker of the amendment earlier, properly, I think he was trying to include those who may be deputized in certain circumstances or an emergency. As a former coroner myself, when I deputized someone, whether I hired them as a full-time employee or I deputized them in an emergency situation, they had the full power and standing in coverage that I did, whether for a day, a week, a month, or whatever else. Subsequently the author of the underlying bill would include that, and therefore this amendment is redundant.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Representative Matzie, is recognized on the singular motion to table.

Mr. MATZIE. Thank you, Mr. Speaker.

Now, I understand that the discussions that were had relative to my amendment amongst staff and the maker of the underlying bill, there was discussion centered around the previous comments of the majority leader.

I have to tell you in the research that our staff put forth and that we looked at relative to deputy coroners already covered under the bill, the information that was provided to our staff was Act 152 of 1990, which amended the County Code relative to coroners. The only mention of deputy coroners under this act is under section 1245, which touches on the powers of a deputy coroner and indicates that a deputy coroner may serve a subpoena. Actually, in 2018 that was actually even repealed, so that does not even exist.

I mentioned 1211-B in my underlying comments earlier. That is really the only section of the County Code that specifically mentions deputies. But again, there is no clarity as to whether or not they receive benefits. What is the harm in adding this simple language that specifies that they would be eligible for a death benefit?

Now, think about deputy coroners. If you are a small county, my county has less than 170,000 people in it, Beaver County. By the way, it is always sunny in Beaver County. The reality is, if you would have like we did back in 1994 when a passenger jet

went down in my district prior to me being elected, I know first responders, I know deputy coroners, I know folks that were on the scene, and I have to tell you, the 25-plus years since then some of those folks that were on that scene still have nightmares.

Now, hypothetically if one of those deputy coroners was on the scene and maybe something happened that caused them to perish, as we fast-forward to 2021 and if this would become law, we are saying they are not going to be eligible potentially. Maybe the insurer comes back and says, look, there is no language that specifically says deputy coroners can receive this benefit; we are not going to allow it. It is not that hard, Mr. Speaker. Add this language. It just does not make any sense. Vote "no" against tabling. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Prior to the vote, the gentleman, Representative Saylor's presence is once again recognized on the floor and he will be placed back on the master roll.

**CONSIDERATION OF HB 1451 CONTINUED**

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.

Prior to the recording of the vote, make a note editorially that the motion and the question regarding divisibility was under McClinton. That will be properly reflected in the record as the original motion originating with Leader Benninghoff.

The following roll call was recorded:

**YEAS—109**

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

**NAYS—89**

Benham	Fiedler	Kosierowski	Pashinski
Bizzarro	Fitzgerald	Krajewski	Pisciottano
Boyle	Frankel	Krueger	Rabb
Bradford	Freeman	Kulik	Rozzi
Briggs	Gainey	Lee	Sainato
Brown, A.	Galloway	Longietti	Samuelson
Bullock	Guent	Madden	Sanchez
Burgos	Guzman	Malagari	Sappery
Burns	Hanbidge	Markosek	Schlossberg
Carroll	Harkins	Marshall	Schweyer
Cephas	Harris	Matzie	Shusterman
Ciresi	Herrin	McClinton	Sims
Conklin	Hohenstein	McNeill	Snyder
Cruz	Howard	Merski	Solomon
Daley	Innamorato	Miller, D.	Sturla
Davis, A.	Isaacson	Mullery	Vitali
Dawkins	Kail	Mullins	Warren
Deasy	Kenyatta	Neilson	Webster
DeLissio	Kim	Nelson, N.	Wheatley
Delloso	Kinhead	O'Mara	Williams, D.
DeLuca	Kinsey	Otten	Young
Driscoll	Kirkland	Parker	Zabel
Evans			

**NOT VOTING—0**

**EXCUSED—3**

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

**AMENDMENT A02719 TABLED**

The SPEAKER. Moving on to the second question that was divided out, the gentleman, Representative Zabel, had amendment 2719, which Majority Leader Benninghoff has made the motion to table.

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

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

Mr. ZABEL. Thank you, Mr. Speaker.

Mr. Speaker, I will not belabor the point. The question with this motion is, do our prosecutors matter? I believe that the majority leader called this amendment worthy and I agree. So let us send a message. Let us vote "no" to table this amendment and give prosecutors the same death benefit. Show them that they matter. Vote "no" and let us consider this worthy amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes Leader McClinton on the motion.

Ms. McCLINTON. Thank you, Mr. Speaker.

It is time for us to show these prosecutors that they matter, that we appreciate their work, we appreciate their sacrifice. The first time I ever went to court it was on behalf of the Commonwealth of Pennsylvania as an assistant district attorney in the city of the first class. Time is now for us to show these prosecutors that they matter. Let us vote the right way. Do not table this amendment and allow us to vote on it.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

On the motion, is what we are supposed to be discussing. I just want to say the whole premise for those that have not been here for a long time, if you remember we changed the rules earlier, in the beginning of session, so that if an amendment was defeated much like a bill, it would not be lost for the remainder of the session. Therefore, I put an option forth to you to just table amendments that should be, as one of the previous speakers said, vetted fully, and that is what our committee process is for, to vet fully.

Now, all these amendments that are being offered that we have tried to make a motion to keep them alive could have and can be offered as a stand-alone bill instead of just now suddenly offering them as an amendment to this very narrowly drafted bill for coroners specifically.

I would ask all members, on both sides of the aisle, to support the motion to table these so therefore they can be debated and vetted through the committee process and brought to the floor when they are properly vetted and ready to be voted on as an individual opportunity. Otherwise, defeating them would end them for the rest of the session. Please vote in favor of the motion.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Leader McClinton for the second time on the motion to table.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, do we really have to further vet whether or not prosecutors matter? Let us go ahead and vote on this. Let us show our district attorneys in the 67 counties that we do not have to wait for them to die to give them benefits. We care about them. We are going to vote the right way and we are going to do it today. We do not have to further vet this.

The SPEAKER. The Chair thanks the lady.

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—111

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

#### NAYS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	Fiedler	Krajewski	Rabb
Boyle	Fitzgerald	Krueger	Rozzi
Bradford	Frankel	Kulik	Sainato
Briggs	Freeman	Lee	Samuelson
Brown, A.	Gainey	Longietti	Sanchez
Bullock	Galloway	Madden	Sappery
Burgos	Guent	Malagari	Schlossberg
Burns	Guzman	Markosek	Schweyer
Carroll	Hanbidge	Matzie	Shusterman
Cephas	Harkins	McClinton	Sims
Ciresi	Harris	McNeill	Snyder
Conklin	Herrin	Merski	Solomon
Cruz	Hohenstein	Miller, D.	Sturla
Daley	Howard	Mullery	Vitali
Davis, A.	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	

#### NOT VOTING—0

#### EXCUSED—3

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

**AMENDMENT A02724 TABLED**

The SPEAKER. Moving to the third question, the gentleman, Representative Zabel's amendment, 2724 made by the majority leader to table the amendment.

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

The SPEAKER. On that question, the Chair recognizes the maker of the amendment, Representative Zabel.

Mr. ZABEL. Thank you, Mr. Speaker.

Again, I will not belabor the point. With regards to this worthy amendment, I believe it should be considered. Our public defenders in particular face special kinds of risks, particularly when it comes to meeting with their clients, whether at in-home visits or frequently at correctional facilities. Their risk of exposure is particularly high. They are men and women who are committed fully—

**POINT OF ORDER**

Mr. BENNINGHOFF. Mr. Speaker?

The SPEAKER. The gentleman will please suspend.  
For what purpose does the leader rise?

Mr. BENNINGHOFF. Point of order.

The SPEAKER. The gentleman is in order. You may state your point of order.

Mr. BENNINGHOFF. We seem to be straying off the motion. We are talking about the substance of the amendment, and I would just ask that that be constrained.

The SPEAKER. The leader is correct. I would encourage the gentleman to try to constrain your comments to the underlying motion and less to the actual merits of the individual amendment to be considered.

You are in order and may proceed, Representative Zabel.

Mr. ZABEL. Mr. Speaker, the reason that the amendment should not be tabled is because it is a worthy amendment, because it is capable of being voted on now, because it is an amendment worthy of our consideration now, because our public defenders deserve the same protection that we are choosing to extend to coroners today.

It deserves consideration. It deserves a vote. It does not deserve to be buried, which is what these motions to table amendments are intended to do. Please vote "no." Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Leader McClinton, on the motion to table.

Ms. McCLINTON. Thank you, Mr. Speaker.

I mentioned that the first time I was in court was as an assistant district attorney. Later that school year, I went back to court my last semester at Villanova Law School and I was on behalf of one individual because I was then working for the Defender Association of Philadelphia, and that began almost a decade of service and it is very difficult when you are representing people who are not only accused of crimes but of course are in deep poverty. So as we talk about what matters and who is significant, it is shocking that the majority leader wants to limit debate when we need to just let Pennsylvanians know what we are not voting on. We need to tell them—

The SPEAKER. The gentlelady will please suspend.

I believe the leader is getting into the motives of the member for making the motion. I would encourage the leader to please stay on point regarding the motion to table. While the leaders are giving a little bit more latitude, that does not extend to the motives.

You are in order and may proceed.

Ms. McCLINTON. Thank you, Mr. Speaker.

It seems to me that the whole motion is to bury the protections that are in the balance of this body's decisionmaking power to extend to public defenders. If we want to talk about it, let us really talk about it. If we do not want to talk about it, then go ahead and proceed with another motion and hide from Pennsylvanians work that we are not doing yet another day in session.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very short. This underlying bill has gone through the process. These amendments that members are putting up, while worthy to have dialogue, should go through that same process. I have heard that debate by many members on this floor, and therefore I would ask the members to support the motion, which allows the underlying bill to pass as need be and keeps these issues alive for another day for those who support those to pursue them through the legislative process and committee process.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Leader McClinton, for the second time on the motion.

Ms. McCLINTON. Thank you, Mr. Speaker.

Just to be clear, these amendments were timely filed. We should be able to take a vote on the timely filed amendments that are relevant to the underlying subject.

The SPEAKER. The Chair thanks the lady.

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

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—111**

Armanini	Grove	Mehaffie	Rowe
Benninghoff	Hamm	Mentzer	Ryan
Bernstine	Heffley	Mercuri	Sankey
Boback	Helm	Metcalfe	Saylor
Bonner	Hennessey	Metzgar	Schemel
Borowicz	Hershey	Mihalek	Schmitt
Brown, R.	Hickernell	Millard	Schroeder
Causer	Irvin	Miller, B.	Silvis
Cook	James	Mizgorski	Smith
Cox	Jones	Moul	Sonney

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

NAYS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	Fiedler	Krajewski	Rabb
Boyle	Fitzgerald	Krueger	Rozzi
Bradford	Frankel	Kulik	Sainato
Briggs	Freeman	Lee	Samuelson
Brown, A.	Gainey	Longietti	Sanchez
Bullock	Galloway	Madden	Sappey
Burgos	Guenst	Malagari	Schlossberg
Burns	Guzman	Markosek	Schweyer
Carroll	Hanbidge	Matzie	Shusterman
Cephas	Harkins	McClinton	Sims
Ciresi	Harris	McNeill	Snyder
Conklin	Herrin	Merski	Solomon
Cruz	Hohenstein	Miller, D.	Sturla
Daley	Howard	Mullery	Vitali
Davis, A.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Dellosa	Kinkead	Otten	Young
DeLuca	Kinsey	Parker	Zabel
Driscoll	Kirkland	Pashinski	

NOT VOTING—0

EXCUSED—3

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

**AMENDMENT A02734 TABLED**

The SPEAKER. Moving to the fourth and final portion of the motion, amendment 2734, motion to table.

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

The SPEAKER. On that motion, the Chair recognizes the gentlewoman, Representative Kinkead.

Ms. KINKEAD. Thank you, Mr. Speaker.

I guess we are just going to do the second verse the same as the first here. This amendment deserves to see the light of day. This amendment deserves consideration. The simple fact of the matter is that the majority leader's points are well received, but under that argument, our amendment process should not exist. It

would have no bearing. We would have no amendment process at all if what he is saying actually were used widely in our body.

We deserve to have this amendment and all of our amendments heard and considered. I am the daughter of a Pittsburgh emergency medical technician. He relied on 911 operators to ensure that he reached people in Pittsburgh to help them, and we are saying by not considering this amendment that 911 operators do not matter, because the simple fact of the matter is that I think we can all acknowledge here, if this motion – if this amendment is tabled, it will never see the light of day again. So I would encourage all of my colleagues to vote "no." Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Leader McClinton, on the motion to table.

Ms. McCLINTON. Thank you, Mr. Speaker.

As the gentlelady from Allegheny County stated, 911 operators matter and we should be able to support their families in times of need as we categorize whom we are giving benefits to in this bill. Thank you.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

As the maker of this amendment had said in her previous comments and I agree that these amendments should be fully vetted, but they should be fully vetted through the committee process as the underlying bill that we are talking about today has been and therefore is ready to be run, and we could do these as separate bills through the committee process, and therefore I would ask the members to vote to table this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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—111

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

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

NAYS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	Fiedler	Krajewski	Rabb
Boyle	Fitzgerald	Krueger	Rozzi
Bradford	Frankel	Kulik	Sainato
Briggs	Freeman	Lee	Samuelson
Brown, A.	Gainey	Longietti	Sanchez
Bullock	Galloway	Madden	Sappey
Burgos	Guenst	Malagari	Schlossberg
Burns	Guzman	Markosek	Schweyer
Carroll	Hanbidge	Matzie	Shusterman
Cephas	Harkins	McClinton	Sims
Ciresi	Harris	McNeill	Snyder
Conklin	Herrin	Merski	Solomon
Cruz	Hohenstein	Miller, D.	Sturla
Daley	Howard	Mullery	Vitali
Davis, A.	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	

NOT VOTING—0

EXCUSED—3

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

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

RESOLUTION

Mr. HEFFLEY called up **HR 142, PN 2138**, entitled:

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

On the question,  
Will the House adopt the resolution?

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

Mr. HEFFLEY. Thank you, Mr. Speaker.

HR 142 is, as stated, a study by the Joint State Government Commission on the licensing process for nurses. Every year we

get calls and many of my colleagues get calls to their district offices from graduating students from nursing programs and the time that it takes to get that State licensing test set up and just some of the frustration that folks have in that process, and this study will go a long way to work towards solutions to resolve that.

I would ask everybody for their affirmative vote. Thank you.  
The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
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—198

Armanini	Gainey	Mackenzie, M.	Roae
Benham	Galloway	Mackenzie, R.	Rossi
Benninghoff	Gaydos	Madden	Rothman
Bernstine	Gillen	Major	Rowe
Bizzarro	Gillespie	Mako	Rozzi
Boback	Gleim	Malagari	Ryan
Bonner	Gregory	Maloney	Sainato
Borowicz	Greiner	Markosek	Samuelson
Boyle	Grove	Marshall	Sanchez
Bradford	Guenst	Masser	Sankey
Briggs	Guzman	Matzie	Sappey
Brown, A.	Hamm	McClinton	Saylor
Brown, R.	Hanbidge	McNeill	Schemel
Bullock	Harkins	Mehaffie	Schlossberg
Burgos	Harris	Mentzer	Schmitt
Burns	Heffley	Mercuri	Schroeder
Carroll	Helm	Merski	Schweyer
Causar	Hennessey	Metcalfe	Shusterman
Cephas	Herrin	Metzgar	Silvis
Ciresi	Hershey	Mihalek	Sims
Conklin	Hickernell	Millard	Smith
Cook	Hohenstein	Miller, B.	Snyder
Cox	Howard	Miller, D.	Solomon
Cruz	Innamorato	Mizgorski	Sonney
Culver	Irvin	Moul	Staats
Daley	Isaacson	Mullery	Stambaugh
Davanzo	James	Mullins	Stephens
Davis, A.	Jones	Mustello	Struzzi
Dawkins	Jozwiak	Neilson	Sturla
Day	Kail	Nelson, E.	Thomas
Deasy	Kaufner	Nelson, N.	Tomlinson
DeLissio	Kauffman	O'Mara	Toohil
Delloso	Keefer	O'Neal	Topper
Delozier	Kenyatta	Oberlander	Twardzik
DeRosso	Kerwin	Ortitay	Vitali
DeLuca	Kim	Otten	Warner
Diamond	Kinkead	Owlett	Warren
Driscoll	Kinsey	Parker	Webster
Dunbar	Kirkland	Pashinski	Wentling
Ecker	Klunk	Peifer	Wheatley
Emrick	Knowles	Pennyquick	Wheeland
Evans	Kosierowski	Pickett	White

Farry	Krajewski	Pisciottano	Williams, C.
Fee	Krueger	Polinchock	Williams, D.
Fiedler	Kulik	Puskaric	Young
Fitzgerald	Labs	Quinn	Zabel
Flood	Lawrence	Rabb	Zimmerman
Frankel	Lee	Rader	
Freeman	Lewis	Rapp	Cutler,
Fritz	Longietti	Rigby	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Brooks                      Davis, T.                      Dowling

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 598, PN 567**, entitled:

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.

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 Hanbidge, on final passage.

Ms. HANBIDGE. Thank you, Mr. Speaker.

I have some significant concerns about this bill. I was – you know, I spent part of my childhood growing up in cities, and when I came out to Montgomery County, I was so fortunate to be able to ride horses on the trails in the Blue Bell area. I rode horses through Armentrout and Camp Woods. And I joined the Montco Runners and I did trail running on the Green Ribbon Trail. I learned a lot about nature and my appreciation for nature developed from the time that I spent on our trails. We are so fortunate in my area to have a great trail system, and I have been on those trails for more than 20 years.

I have significant concerns about this bill because it retroactively obligates us to look at our trail system and whether or not people actually will continue to have access. It affects the future of our children and their ability to enjoy the trails. Wissahickon Trails group had more than 2,000 children come every year for the last few years to learn about our trails and

nature and the area around us. I want to continue being able to embrace nature and the world around us, and I really support our trail access. This bill does not.

I also have concerns with respect to the cost to taxpayers. This makes DCNR (Department of Conservation and Natural Resources) an obligatory litigant, which will cost taxpayers money. I also am concerned that it would create a compensatory issue where DCNR would have to pay people to utilize trails wherein they are the obligatory litigant. I am concerned that we might have some bad actors think that they are going to revoke trail access so that they can get money from the Commonwealth for the beautiful trails that people are utilizing at this time.

So I hope that you vote against this bill. I think it is to our detriment if we support it and to the detriment of future Pennsylvanians.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Brett Miller, on final passage. The gentleman waived off.

In that case we will move to the gentleman, Representative Vitali, on final passage.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 598.

Mr. Speaker, I find this bill very troubling, a case of overreach on the part of our legislature. Mr. Speaker, this bill, from the lady from Clarion County, is directed at an active case in the Court of Common Pleas of Clarion County, and if successful, this case would remove a litigant, an active litigant, from that case. This is not what this legislature should be about.

Mr. Speaker, this legislation is troubling because it is directed at one specific incident. That is not what we, as a body, ought to be doing. This is directed at a segment of the 133-mile Baker Trail near Cook Forest State Park. In 2014 suit was filed by the Rachel Carson Trail Conservancy, a nonprofit organization whose mission is to conserve trails, to maintain public access through this trail which has been used since about 1950.

Mr. Speaker, this legislation is directed at removing this plaintiff, the Rachel Carson Trail Association, and it would do that by its unconstitutional retroactive effect of going back to have the effective date of this 21 years ago. Normally, we in the legislature are used to seeing "this act shall take effect in 60 days," "this act shall take effect immediately." According to the lady who is offering this, this would go back in time 21 years. That is not what we ought to be doing. This would, on the surface, it would substitute the DCNR for this nonprofit whose mission is to protect trails. But the reality is, the DCNR did not want to be involved in this case in 2013 when they were asked, and the Rachel Carson trail association stepped forward to protect the interests of hikers.

Mr. Speaker, this letter is opposed by a number of groups, including the Keystone Trails Association. They say, "We have concerns..." that the proposed legislation "...could impact all recreation users who enjoy the outdoors and our miles of trails. Hikers, trail runners, bikers, environmental educators, birders, equestrians, and casual users of our trails could be negatively impacted." Again, quoting from their letter of the Keystone Trails Association, "Relying..." exclusively "...on already strained government agencies to prevent this makes no sense when individuals and organizations such as the Keystone Trails Association are willing to defend public access rights without" – without – "expenditure of state tax dollars." They also go on to

say, "Private parties should not be prohibited from commencing litigation to secure the public's use, since government cannot always be relied on to put the public interest ahead of private interests."

The DCNR calls this legislation unconstitutional on three separate grounds. The first ground is retroactivity. According to a DCNR paper, "The ongoing litigation in the Clarion County Court of Common Pleas exemplifies the problems with retroactive application of this legislation. DCNR also cites the takings clause as a second ground for unconstitutionality with regard to this, and I am quoting from the DCNR: "Substituting private parties with a Commonwealth entity...raises significant concerns as to (1) whether the government is able to acquire a prescriptive easement and (2) if they acquire a prescriptive easement whether that constitutes a taking requiring compensation." The third ground of unconstitutionality set out by the DCNR involves due process and standing, and I am quoting again: "...there are also due process concerns because the original parties are being deprived of their right to be heard...."

Mr. Speaker, this legislation is opposed by WeConservePA, formerly known as Pennsylvania Land Trust Association, and they say in their letter of a couple of days ago, "By prohibiting private groups...from stepping up to defend...property interests of the public in court, HB 598 puts those public rights at risk given the often limited capacity...and...constraints on public agencies to address such matters."

And finally, this is also opposed by the Parks and Forests Foundation.

You know, Mr. Speaker, I think we should oppose this, not only those who support our outdoors and the rights of the public, but those who really support the integrity of the legislative process. This case is in the court of common pleas. We should let that case take its course. Whether we like or not like the outcome, we should not try to force it. It is in the hands of the courts. Let the case take its course. I urge a "no" vote. Thank you.

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

Mr. SCHEMEL. Thank you, Mr. Speaker.

Among the fundamental responsibilities of government is to preserve the rights of private property owners. To take a land by prescriptive easement, you must prove that someone has used the property adverse to the interest of others for a period of 21 years openly and notoriously. Then you have a singular, often a singular court hearing, and the property is then given over, at least the use under prescriptive easement, for free, for free – private land taken for free via prescriptive easement.

Now, if this legislation is not enacted, then we run the risk of having a private organization, like a trail conservancy, say that, well, general members of the public have traipsed over someone's private land collectively for a period of 21 years; not the same person for 21 years, but any number of people of the public for a period of 21 years. Now, a lot of individuals who own real estate along a stream or near a park or near a trail often have people traipsing over their land illegally; that is trespassing. They leave trash, they camp, they become a nuisance. If you are aware of this and you are able to stop them, then you can try to stop them. But imagine being the private owner of land that struggles for a period of 21 years stopping these members of the public from trespassing on your private property unsuccessfully, only to have

through a court hearing one judge terminate your rights forever without compensation.

Now, Mr. Speaker, members of the public who may believe that it is important to open up trailways and other things like that are not left without remedies. They can condemn through the public process any piece of real estate that goes through a judicial proceeding and the private landowner is compensated. So if people want to find a way to get a trail, they can apply to their local municipal officials. The municipal officials have the legal procedure to condemn that property; they will rightfully pay the private owner of land for the property.

What the opponents of this legislation would have you do is take the land without any compensation to one judicial hearing. If we in this chamber cannot preserve the rights of private property, then we have no business being here.

Mr. Speaker, I support this legislation.

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

Mr. METZGAR. The power to take; the power to take to reserve to the government because ostensibly they would take it for the benefit of the whole – the benefit of the whole, all of us. We hope that they do that. But without this bill, the argument of the man from Delaware County is that they could take it as mercenaries, the private group could come and take your property just because they want it; because someone said they used it, now they can come take it.

I applaud the gentelady from Clarion County for taking up this bill for the good people of the Commonwealth of Pennsylvania. The owners that have worked and toiled to keep their land, and keep it they shall when we pass this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I think it is important that we understand what this bill does and does not do. It does not change the law of adverse possession. That still exists. All that it does is change who can pursue that in court, and I think it is also important to understand what adverse possession actually is. It is a little bit arcane. I am not a big fan of it necessarily. But it requires open, notorious, hostile conduct. It is not a situation where people are just walking across my land and now they are claiming that they own my land. I can put up signs that say "No trespassing." That is evidence that I do not consent to it, that I am asserting my ownership right to that property. So that is a key element of adverse possession. So this bill does not change that at all. It does not touch adverse possession, and adverse possession is not easy to establish. All this bill does is change who can pursue it in court as an easement.

And I have great respect for the gentelady who offered this bill. I understand what she is trying to accomplish. However, it is concerning because it is retroactive, as has been mentioned, and it is concerning because we are eliminating the ability of somebody to the courts and we are substituting DCNR, which is not interested in being substituted, and we are affecting an active court case.

So obviously, vote the way that you want to, but please vote on the actual facts. Adverse possession is not a group of people just walking across a property and now I have lost my property for good. It requires a lot of very significant elements, and we do

not know how this court case is going to turn out. But it is relatively easy for me as a property owner to assert my interest in that property. It is not hard. Somebody is not going to just overrun my property and take it from me.

Thank you, Mr. Speaker.

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, the question before the House is very simple: Who has the authority to pursue a prescriptive easement on private land? This issue is similar to, although distinct from, eminent domain. I do not know that anyone in this room is in favor of the broad use of eminent domain, but we all understand that there are times when the government or a utility needs to take a piece of land to build a road or acquire an easement to erect power lines. The U.S. Supreme Court in its infamous *Kelo* decision even determined that the government can take private property by eminent domain for the benefit of private economic interests. Now, that decision led to justifiable outrage. Our society places a high bar on private property ownership, and a taking of property against the will of its owner should be reserved for the most serious situations. And eminent domain, as much as we may not like it, provides that the private landowner affected is compensated by the government. They are paid for the use of their private property.

Now, the question before this body is whether a private organization can affect and enforce a prescriptive easement on someone else's private land for a supposed public benefit. Or put another way, does another person have the right to use your property without your permission? This is a pretty important question. Can a private organization enforce a thoroughfare across your private property without your permission and without compensation? Generally, someone on private property without permission is trespassing. In the past, this body has not looked favorably on that kind of action. Just last session, in fact, we moved legislation clarifying that hunters should have permission to be on someone else's private property. We made it easier for landowners to denote that their land was off limits to hunting by simply painting trees along the property line with purple paint.

Now, that brings us to the legislation before us today, HB 598. The bill simply states that private entities cannot establish a prescriptive easement against the will of the private landowner involved for a supposed public benefit. And what is a prescriptive easement? It is when you use someone's property without their permission.

So to be clear, if this bill passes, private entities still have options. They can pursue a right-of-way. They can pursue a regular easement. They can pay private landowners who agree to allow folks to access their property. A government could pursue eminent domain and pay the landowner. But there is no free ride, and I think most of us, we would expect that. If people were walking across my backyard to get to a Wawa adjacent to my property, I would expect that the government would not be on the side of Wawa to allow for that without my permission or without compensation to me. If people were walking across my backyard and had done so for a number of years to get to a municipally owned swimming pool, I would not expect the government to say that was okay without my permission. If I lived next to a municipal golf course and people were walking across my property and retrieving their errant golf balls out of my swimming pool while my kids were swimming in it, I would not

expect the government to say that was okay without my express permission.

Now, we have heard today about a specific situation in Clarion. Let us talk a little bit about that. What does the DCNR say about this? I would like to read directly from an October 30, 2014 letter. This letter is from DCNR to a group of private landowners along the Clarion River. These landowners own and maintain a one-lane, privately owned dirt road to access their own properties. Quoting from the letter, "DCNR maintains that no trail use is intended...along River Lane," the dirt road. "The park has placed signs..." – as the gentleman mentioned just a moment ago – "...directing users around the" privately owned "properties.... We" at DCNR "are doing everything we can to keep trail users on the North Country Trail..." around the properties.

I would also like to read directly from another letter from DCNR, this one dated November 9, 2017, to the Keystone Trails Association. Quoting directly from the letter: "The Keystone Trails Association recently requested that DCNR clarify its position with respect to the properties along River Lane, formerly known as part of the Baker Trail" – formerly known. "The Baker Trail is an example of a trail with significant land ownership issues." This is from DCNR. "While the Commonwealth owns most of the land abutting the Clarion River, there is more than one private land owner who owns approximately .5 miles..." – half a mile, several thousand feet – along the river. "It is the DCNR's understanding that some of the current private landowners do not want to provide trail access across their properties. Accordingly, the DCNR currently does not recognize or support any trail...that would encourage users to potentially trespass on private property."

Now, Mr. Speaker, a key feature of any prescriptive easement is that the right must be exercised continuously, without interruption. That is not the case here. DCNR has clearly affirmed that this is the case. The purported easement in this situation has been in dispute for years.

And, Mr. Speaker, to the gentleman's point from Delaware County, I think it is important to note that the public has miles of access to the Clarion River. This argument is not about cutting off the public's access to the river. Hikers wishing to access miles of trails along the banks of the Clarion River can do so today. Instead of walking a few thousand feet on the disputed easement, they can literally walk a few yards further up the road, access a trail that is not in dispute, and go directly to an unimpeded, miles-long section of publicly owned trail directly adjoining the river.

With all of this in mind, Mr. Speaker, I would encourage an affirmative vote on HB 598. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander, on final passage of her bill.

Ms. OBERLANDER. Thank you, Mr. Speaker, and thank you, members, for the robust debate on HB 598.

And I think that it is important to clarify that this is about private property land rights, but it is also about trail development and really the access to that growth, and so I think it is important and bears some further background, because you are hearing part of the story but not all of the story that really prompted me to decide to take up this piece of legislation and move it forward.

And so you heard some of it from just the previous speaker, but it is three or four landowners who have property rights along a beautiful section of the Clarion River. They have a private road

that they maintain. That road is their access. They take care of it. It is not part of the trail system. It should not have been part of the trail system. The trail was routed around their property. And they find themselves in court for prescriptive easement from a private nonprofit claiming that they are speaking on the behalf of all of the public. And when I heard this story and the concerns from my private landowners and the challenges that they are being put through, I thought this is a terrible example of what could happen if a private entity can take away your property, and how many people will decide that they are now going to post their property for whatever use, whether it is bicycles, horseback riding, trails, you name it? If that is what is going to happen, how many will decide that they do not want any access to their property?

And so that is what prompted this piece of legislation for me. It does not change what will occur in this particular case, although I know how I would like to see that case work itself out. But this bill is fairly simple in its concept. The courts have already determined that in certain limited circumstances the public can acquire a prescriptive easement for access to land. It simply clarifies that only a public entity should be speaking and making claim for a public prescriptive easement, and for those reasons and the many others that have been already stated, I ask for your affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—111

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

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

NAYS—87

Benham	Evans	Kosierowski	Pisciottano
Bizzarro	Fiedler	Krajewski	Rabb
Boyle	Fitzgerald	Krueger	Rozzi
Bradford	Frankel	Kulik	Sainato
Briggs	Freeman	Lee	Samuelson
Brown, A.	Gainey	Longietti	Sanchez
Bullock	Galloway	Madden	Sappery
Burgos	Guenst	Malagari	Schlossberg
Burns	Guzman	Markosek	Schweyer
Carroll	Hanbidge	Matzie	Shusterman
Cephas	Harkins	McClinton	Sims
Ciresi	Harris	McNeill	Snyder
Conklin	Herrin	Merski	Solomon
Cruz	Hohenstein	Miller, D.	Sturla
Daley	Howard	Mullery	Vitali
Davis, A.	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	

NOT VOTING—0

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **SB 420, PN 1110**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in district attorney, assistants and detectives, further providing for district attorney, qualifications, eligibility and compensation.

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?

Prior to moving to the vote, the Speaker has conferred with one of our members, Representative Metzgar, and because he has an immediate family member who is currently working in a district attorney's office and because of your direct personal interest in this matter, the Chair believes that you have a potential conflict of interest, and thus, pursuant to House rule 65 and Article III, section 13, of the Pennsylvania Constitution, you are directed to not vote on final passage of SB 420.

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—197

Armanini	Gainey	Mackenzie, M.	Rossi
Benham	Galloway	Mackenzie, R.	Rothman
Benninghoff	Gaydos	Madden	Rowe
Bernstine	Gillen	Major	Rozzi
Bizzarro	Gillespie	Mako	Ryan
Boback	Gleim	Malagari	Sainato
Bonner	Gregory	Maloney	Samuelson
Borowicz	Greiner	Markosek	Sanchez
Boyle	Grove	Marshall	Sankey
Bradford	Guenst	Masser	Sappey
Briggs	Guzman	Matzie	Saylor
Brown, A.	Hamm	McClinton	Schemel
Brown, R.	Hanbidge	McNeill	Schlossberg
Bullock	Harkins	Mehaffie	Schmitt
Burgos	Harris	Mentzer	Schroeder
Burns	Heffley	Mercuri	Schweyer
Carroll	Helm	Merski	Shusterman
Causser	Hennessey	Metcalfe	Silvis
Cephas	Herrin	Mihalek	Sims
Ciresi	Hershey	Millard	Smith
Conklin	Hickernell	Miller, B.	Snyder
Cook	Hohenstein	Miller, D.	Solomon
Cox	Howard	Mizgorski	Sonney
Cruz	Innamorato	Moul	Staats
Culver	Irvin	Mullery	Stambaugh
Daley	Isaacson	Mullins	Stephens
Davanzo	James	Mustello	Struzzi
Davis, A.	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
Driscoll	Kinsey	Pashinski	Wentling
Dunbar	Kirkland	Peifer	Wheatley

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

NAYS—0

NOT VOTING—1

Metzgar

EXCUSED—3

Brooks

Davis, T.

Dowling

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

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

\* \* \*

The House proceeded to third consideration of **HB 1615, PN 2308**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for breweries.

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 Otten, on final passage.

Ms. OTTEN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1615. This legislation disincentivizes business growth in our Commonwealth and harms our craft beer industry – an industry that has brought acclaim to Pennsylvania, boosted our tourism and economic development, and helped to revitalize our main streets and small towns. This should not be a partisan issue or an ideological issue; this is something we should absolutely be able to come together on.

Pennsylvania is home to more than 350 craft breweries, an increase from just 88 in 2011, making us the nation's top producer of craft beer. In 2019 the craft beer industry contributed \$5.78 billion to the State's economy, supplying more than 10,000 jobs. This growth has been possible because Pennsylvania has been friendly to small brewing operations.

Now HB 1615 seeks to insert an importing distributor into transactions between facilities owned by the same company. So what does this mean for our craft brewers?

The success of small- and medium-sized brewers relies on their ability to build capacity between locations to craft and serve innovative and seasonal beers alongside beers that have become their customers' favorites, commonly known as house beers. For craft brewers with multiple locations, this means some production facilities are dedicated to some products that are seasonal, while some more central locations produce larger batches that are distributed to the entire operation.

For one craft brewer in my district, this legislation would take away their ability to bring in beer directly from their nearby out-of-State locations for retail sale at their 12 locations under the exact same ownership and brand within the Commonwealth, without paying a fee to a wholesaler to sell beer back to themselves – an ability they have had and relied upon to grow their footprint since first beginning operations in Pennsylvania more than 20 years ago. You run out of stout in West Chester? Today they could drive a few kegs up from the Delaware location; but under this HB 1615, they would need to put their beer – their own product – through the three-tier system, just to get it back into their own possession to sell to consumers. This brewer's 12 Pennsylvania locations represent more than 60 percent of their company, and they are one of the largest full-service restaurant employers in the Commonwealth. During the COVID pandemic they built a multi-million-dollar production brewing facility in Chester County and moved their corporate headquarters to the same location, and now they feel unsupported by our State.

But it is not just this one company that we should be concerned about. It is all of the small operations throughout our districts who someday hope to scale a business here in Pennsylvania. The brewers, the cider makers the mead producers – all of these little guys rely on their ability to maximize capacity by working together with each operation to scale and grow this industry that contributes billions of dollars in revenue in Pennsylvania and has unlimited potential to create jobs and opportunity in places and ways we have never imagined.

This legislation hurts small business opportunities and Pennsylvania's growth in ways that we have not even begun to consider. I remember a time when I would travel to the Great American Beer Festival in Colorado and think, just imagine if we had an industry like this on the east coast. Today more than a decade later, not only do we have a thriving craft brewing industry that supports everything from our farmers to our hospitality and tourism industry, but Pennsylvania leads the market because of a business-friendly culture that supports and encourages growth and opportunity.

This legislation does not address the problem it was drafted to solve. I recognize that the three-tier system is a vital part of our State's beverage industry, and I am all for preventing large, out-of-State corporations from exploiting Pennsylvania. But instead of ensuring that large, out-of-State brewers are required to go through our three-tier distribution system, this legislation unfairly and unreasonably targets innocent bystanders: the small and medium craft brewing businesses, the cider makers, the mead producers, and the innovators that have invested their time, money, and hard work in Pennsylvania.

This bill is bad for craft beer, it is bad for small business, and bad for Pennsylvania. If you love beer, I ask you to vote "no" on HB 1615.

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

Mr. TOPPER. Thank you, Mr. Speaker.

I admit I am not in love with beer as a drink, but what I do want to call attention to is this is actually protecting this industry, not hurting it. That is why the PA brewers support this legislation. That is why the brewers in my district support this legislation. We are ensuring that in the future we will not be exposed to a suit because we are treating all beer coming in from out of this State differently. That is a problem. We need to make sure that we are treating it the same, that this industry will be protected from what, I believe, will be a lawsuit coming from big beer saying that you can no longer do what you are doing because you are in violation of the law.

We can talk about the three-tier system, but as of now, this is still the law of the land and we need to ensure that we are protecting not just this industry, but also the laws that we have on the books. I believe that this is a long-term solution to this problem, and I would encourage a "yes" vote on HB 1615.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the 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—137

Armanini	Gainey	Maloney	Rozzi
Benninghoff	Galloway	Markosek	Ryan
Bernstine	Gaydos	Marshall	Sainato
Bizzarro	Gillespie	Masser	Samuelson
Boback	Gregory	Matzie	Sankey
Bonner	Greiner	McNeill	Saylor
Bradford	Grove	Mentzer	Schemel
Brown, A.	Hanbidge	Mercuri	Schlossberg
Brown, R.	Harkins	Merski	Schmitt
Burns	Heffley	Metcalfe	Schroeder
Carroll	Helm	Metzgar	Schweyer
Causer	Hennessey	Mihalek	Silvis
Conklin	Hershey	Millard	Smith
Cook	Hickernell	Mizgorski	Snyder
Cox	Hohenstein	Moul	Solomon
Cruz	Irvin	Mullery	Sonney
Culver	Jones	Mullins	Staats
Davanzo	Jozwiak	Mustello	Stambaugh
Davis, A.	Kail	Neilson	Stephens
Day	Kaufner	Nelson, E.	Struzzi
Deasy	Kauffman	O'Neal	Thomas
Delozier	Keefer	Oberlander	Tomlinson
DeRosso	Kerwin	Ortitay	Toohil
DeLuca	Kim	Owlett	Topper

Diamond	Kirkland	Parker	Twardzik
Driscoll	Klunk	Pashinski	Warner
Dunbar	Knowles	Peifer	Warren
Ecker	Kosierowski	Pickett	Wentling
Emrick	Kulik	Pisciottano	Wheeland
Farry	Labs	Polinchock	White
Fee	Mackenzie, M.	Rabb	Williams, C.
Flood	Mackenzie, R.	Rader	
Frankel	Major	Rapp	Cutler,
Freeman	Mako	Rigby	Speaker
Fritz	Malagari	Rossi	

## NAYS—61

Benham	Gleim	Lawrence	Roae
Borowicz	Guenst	Lee	Rothman
Boyle	Guzman	Lewis	Rowe
Briggs	Hamm	Longietti	Sanchez
Bullock	Harris	Madden	Sappey
Burgos	Herrin	McClinton	Shusterman
Cephas	Howard	Mehaffie	Sims
Ciresi	Innamorato	Miller, B.	Sturla
Daley	Isaacson	Miller, D.	Vitali
Dawkins	James	Nelson, N.	Webster
DeLissio	Kenyatta	O'Mara	Wheatley
Delloso	Kinkead	Otten	Williams, D.
Evans	Kinsey	Pennycuick	Young
Fiedler	Krajewski	Puskaric	Zabel
Fitzgerald	Krueger	Quinn	Zimmerman
Gillen			

## NOT VOTING—0

## EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 889**, **PN 880**, entitled:

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.

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 Brett Miller.

Mr. B. MILLER. Thank you, Mr. Speaker.

I rise in support of HB 889. This bill was brought to my attention by a constituent who had a relative who received her

nursing training in another country, came to the United States, Pennsylvania, and had difficulty sitting for the nursing licensure exam. This bill will remove that impediment and allow her as well as many students in a similar situation to be able to sit for their nursing licensure exam, to help the individual students, and also help the crisis that we are having in the workforce today.

I appreciate the support of the Professional Licensure Committee and the good gentleman from Lancaster County, the chairman who ran the bill, the support of the committee, and I ask for the support of the members of the House to help the individual students who have been trained in international studies in the nursing programs and also to help our workforce.

## REMARKS SUBMITTED FOR THE RECORD

Mr. B. MILLER. And I would like to submit the rest of my comments for the record.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, and the remarks will be accepted.

Mr. B. MILLER submitted the following remarks for the Legislative Journal:

Mr. Speaker, I rise in support of HB 889, which will amend the Professional Nursing Law to allow the State Board of Nursing to approve graduates of international professional nursing education programs to take the Pennsylvania examination for licensure as a professional nurse or dietitian-nutritionist, provided such programs are determined to be equivalent to that which is required in Pennsylvania.

Currently the Professional Nursing Law allows graduates of nursing programs in countries outside of the United States to take a licensure examination, but only if they have first been licensed, registered, or duly recognized in their home country. If such graduates move to Pennsylvania before obtaining licensure in their home country, despite the fact they have completed their education and obtained their professional nursing degree, Pennsylvania's current law prohibits these individuals from even being able to sit for the licensure examination here. In fact, PA's current law requires qualified students to either return to the country where they obtained their degree in order to get their license or go to another State in the U.S. to get licensed, and only after either of these options, then apply to Pennsylvania to sit for the licensure examination in Pennsylvania. This does not make sense and is an unnecessary impediment to individuals seeking licensure.

Mr. Speaker, not only will this legislation help the individual graduates, this legislation also directly addresses the workforce crisis in Pennsylvania's health-care continuum, including the long-term care sector. Passage of HB 889 will enable providers to build a more robust long-term care workforce reservoir from which to draw to meet the health-care needs of all Pennsylvanians.

Several of Pennsylvania's neighboring States, including Maryland, Delaware, New Jersey, and New York, allow licensure by examination for graduates of international nursing programs. Further, this bill has the support of the Pennsylvania State Nurses Association, the Pennsylvania Health Care Association, SEIU (Service Employees International Union), the Hospital Association of Pennsylvania, and the Pennsylvania Department of State.

Now more than ever we should work to alleviate needless burdens on those that are seeking to serve on the front lines of medicine, especially during the COVID-19 pandemic. I ask the members of this body for an affirmative vote on HB 889 to increase the number of qualified nursing personnel and also to remove this obstacle which unnecessarily impedes otherwise fully qualified candidates from fulfilling the requirements to be a registered nurse or dietitian-nutritionist in Pennsylvania.

Thank you, Mr. Speaker.

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—198

Armanini	Gainey	Mackenzie, M.	Roae
Benham	Galloway	Mackenzie, R.	Rossi
Benninghoff	Gaydos	Madden	Rothman
Bernstine	Gillen	Major	Rowe
Bizzarro	Gillespie	Mako	Rozzi
Boback	Gleim	Malagari	Ryan
Bonner	Gregory	Maloney	Sainato
Borowicz	Greiner	Markosek	Samuelson
Boyle	Grove	Marshall	Sanchez
Bradford	Guenst	Masser	Sankey
Briggs	Guzman	Matzie	Sappey
Brown, A.	Hamm	McClinton	Saylor
Brown, R.	Hanbidge	McNeill	Schemel
Bullock	Harkins	Mehaffie	Schlossberg
Burgos	Harris	Mentzer	Schmitt
Burns	Heffley	Mercuri	Schroeder
Carroll	Helm	Merski	Schweyer
Causser	Hennessey	Metcalfe	Shusterman
Cephas	Herrin	Metzgar	Silvis
Ciresi	Hershey	Mihalek	Sims
Conklin	Hickernell	Millard	Smith
Cook	Hohenstein	Miller, B.	Snyder
Cox	Howard	Miller, D.	Solomon
Cruz	Innamorato	Mizgorski	Sonney
Culver	Irvin	Moul	Staats
Daley	Isaacson	Mullery	Stambaugh
Davanzo	James	Mullins	Stephens
Davis, A.	Jones	Mustello	Struzzi
Dawkins	Jozwiak	Neilson	Sturla
Day	Kail	Nelson, E.	Thomas
Deasy	Kaufner	Nelson, N.	Tomlinson
DeLissio	Kauffman	O'Mara	Toohil
Delloso	Keefer	O'Neal	Topper
Delozier	Kenyatta	Oberlander	Twardzik
DelRosso	Kerwin	Ortitay	Vitali
DeLuca	Kim	Otten	Warner
Diamond	Kinkead	Owlett	Warren
Driscoll	Kinsey	Parker	Webster
Dunbar	Kirkland	Pashinski	Wentling
Ecker	Klunk	Peifer	Wheatley
Emrick	Knowles	Pennycuik	Wheeland
Evans	Kosierowski	Pickett	White
Farry	Krajewski	Pisciottano	Williams, C.
Fee	Krueger	Polinchock	Williams, D.
Fiedler	Kulik	Puskaric	Young
Fitzgerald	Labs	Quinn	Zabel
Flood	Lawrence	Rabb	Zimmerman
Frankel	Lee	Rader	
Freeman	Lewis	Rapp	Cutler,
Fritz	Longietti	Rigby	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Brooks                      Davis, T.                      Dowling

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

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

\* \* \*

The House proceeded to third consideration of **HB 1801,**  
**PN 2043,** entitled:

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.

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 Zimmerman.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

When a practicing engineer with the proper license, the proper  
 degrees and credentials needed to practice engineering when he  
 moved to Pennsylvania, in order to practice here in Pennsylvania,  
 he needed to be recertified, so essentially, he needed to go back  
 to school to become recertified here in Pennsylvania. So what this  
 bill really does is, when an engineer can prove that they have been  
 working for 4 years or more, with 4 years or more of experience  
 and they have the proper credentials to practice, they can go  
 ahead and practice immediately when they move to  
 Pennsylvania.

So I ask for a positive vote on HB 1801. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
 Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the  
 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—198

Armanini	Gainey	Mackenzie, M.	Roae
Benham	Galloway	Mackenzie, R.	Rossi
Benninghoff	Gaydos	Madden	Rothman
Bernstine	Gillen	Major	Rowe
Bizzarro	Gillespie	Mako	Rozzi
Boback	Gleim	Malagari	Ryan
Bonner	Gregory	Maloney	Sainato
Borowicz	Greiner	Markosek	Samuelson
Boyle	Grove	Marshall	Sanchez
Bradford	Guenst	Masser	Sankey
Briggs	Guzman	Matzie	Sappey
Brown, A.	Hamm	McClinton	Saylor
Brown, R.	Hanbidge	McNeill	Schemel
Bullock	Harkins	Mehaffie	Schlossberg
Burgos	Harris	Mentzer	Schmitt
Burns	Heffley	Mercuri	Schroeder
Carroll	Helm	Merski	Schweyer
Causser	Hennessey	Metcalfe	Shusterman
Cephas	Herrin	Metzgar	Silvis
Ciresi	Hershey	Mihalek	Sims
Conklin	Hickernell	Millard	Smith
Cook	Hohenstein	Miller, B.	Snyder
Cox	Howard	Miller, D.	Solomon
Cruz	Innamorato	Mizgorski	Sonney
Culver	Irvin	Moul	Staats
Daley	Isaacson	Mullery	Stambaugh
Davanzo	James	Mullins	Stephens
Davis, A.	Jones	Mustello	Struzzi
Dawkins	Jozwiak	Neilson	Sturla
Day	Kail	Nelson, E.	Thomas
Deasy	Kaufner	Nelson, N.	Tomlinson
DeLissio	Kauffman	O'Mara	Toohil
Delloso	Keefer	O'Neal	Topper
Delozier	Kenyatta	Oberlander	Twardzik
DelRosso	Kerwin	Ortitay	Vitali
DeLuca	Kim	Otten	Warner
Diamond	Kinthead	Owlett	Warren
Driscoll	Kinsey	Parker	Webster
Dunbar	Kirkland	Pashinski	Wentling
Ecker	Klunk	Peifer	Wheatley
Emrick	Knowles	Pennycuik	Wheeland
Evans	Kosierowski	Pickett	White
Farry	Krajewski	Pisciottano	Williams, C.
Fee	Krueger	Polinchock	Williams, D.
Fiedler	Kulik	Puskaric	Young
Fitzgerald	Labs	Quinn	Zabel
Flood	Lawrence	Rabb	Zimmerman
Frankel	Lee	Rader	
Freeman	Lewis	Rapp	Cutler,
Fritz	Longietti	Rigby	Speaker

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—3

Brooks	Davis, T.	Dowling
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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.

### TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE MEETING

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

Mr. MILLARD. Thank you, Mr. Speaker.

I would like to advise the members of the House Tourism and Recreational Development Committee that we will have a meeting tomorrow at 10 a.m. in room G-50 to vote on HB 1694.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Tourism and Recreational Development Committee will have a meeting tomorrow at 10 a.m. in room G-50.

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

### BILLS RECOMMITTED

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

HB 397;  
HB 1260;  
HB 1451;  
HB 1612;  
HB 1871; and  
SB 725.

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 HB 1443 and HB 1935 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.

### CALENDAR CONTINUED

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1497, PN 1828**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for renewal of licenses and temporary provisions for licensees in armed service and for rights of municipalities preserved.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 1497 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 1497 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.

**LIQUOR CONTROL COMMITTEE MEETING**

The SPEAKER. The Speaker now recognizes the gentleman, Representative Metzgar, for a committee announcement.

Mr. METZGAR. Thank you, Mr. Speaker.

The House Liquor Control Committee will meet tomorrow on the first break to consider HB 662, HB 1733, and any other bills that come before the committee.

The SPEAKER. The House Liquor Control Committee will meet tomorrow on the first break.

**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 Owlett, who so moves that this House be adjourned until Wednesday, October 27, 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 2:43 p.m., e.d.t., the House adjourned.