

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 27, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 56

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

HON. ROBERT F. MATZIE, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

A few stanzas from the poet Maya Angelou, as a reflection before we pray, from the poem "A Brave and Startling Truth."

When we come to it
We, this people, on this minuscule and kithless globe
Who reach daily for the bomb, the blade and the dagger,
Yet who petition in the dark for tokens of peace
We, this people on this mote of matter
In whose mouths abide cankerous words
Which challenge our very existence
Yet out of those same mouths
Come songs of such exquisite sweetness
That the heart falters in its labor
And the body is quieted into awe

We, this people, on this small and drifting planet
Whose hands can strike with such abandon
That in a twinkling, life is sapped from the living
Yet those same hands can touch with such healing, irresistible tenderness
That the haughty neck is happy to bow
And the proud back is glad to bend
Out of such chaos, of such contradiction
We learn that we are neither devils nor divines

When we come to it
We, this people, on this wayward, floating body
Created on this earth, of this earth
Have the power to fashion for this earth
A climate where every man and every woman
Can live freely without sanctimonious piety
Without crippling fear

When we come to it
We must confess that we are the possible
We are the miraculous, the true wonder of this world
That is when, and only when
We come to it.

Now let us pray:

From the book of Peter: "To sum up, all of you be harmonious, sympathetic, brotherly, kindhearted, and humble in spirit; not returning evil for evil or insult for insult, but giving a blessing instead; for you were called for the very purpose that you might inherit a blessing." Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, October 26, 2021, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 159, PN 2326 (Amended) By Rep. DELOZIER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for reporting procedure, for disposition of complaints received, for responsibility for investigation, for access to information in Statewide database, for information in Statewide database and for release of information in confidential reports.

CHILDREN AND YOUTH.

HB 1694, PN 2324 (Amended) By Rep. MILLARD

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, for duty to keep premises safe and warning and for assurance of safe premises and duty of care and responsibility and liability.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1737, PN 1968 By Rep. DELOZIER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for investigation of reports.

CHILDREN AND YOUTH.

SB 251, PN 1183 (Amended)

By Rep. MOUL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; in seed, further providing for disposition of funds; establishing the Agronomic Regulatory Account within the General Fund; imposing duties on the Department of Agriculture; and making conforming amendments.

AGRICULTURE AND RURAL AFFAIRS.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 119, PN 1913

By Rep. DELOZIER

A Resolution directing the Joint State Government Commission to conduct a study and make recommendations concerning the development and implementation of an integrated child welfare information system for child welfare programs overseen by the Department of Human Services and administered by county children and youth agencies.

CHILDREN AND YOUTH.

HR 150, PN 2325 (Amended)

By Rep. ROAE

A Resolution urging the Congress of the United States to oppose the Treasury Department's proposal to change Internal Revenue Service reporting requirements, which would unnecessarily and harmfully affect financial institutions and their customers in this Commonwealth.

COMMERCE.

HOUSE BILL INTRODUCED AND REFERRED

No. 2013 By Representatives DIAMOND, BERNSTINE, BOROWICZ, COOK, COX, GILLEN, GLEIM, HAMM, IRVIN, KAUFFMAN, KEEFER, M. MACKENZIE, MALONEY, METCALFE, PENNYCUICK, ROAE, RYAN, SMITH, ZIMMERMAN and ROWE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for right to medical freedom.

Referred to Committee on HEALTH, October 26, 2021.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 425, PN 2314**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence.

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

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

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—199

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	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
Davis, T.	Jozwiak	Neilson	Sturla
Dawkins	Kail	Nelson, E.	Thomas
Day	Kaufner	Nelson, N.	Tomlinson
Deasy	Kauffman	O'Mara	Toohil
DeLissio	Keefer	O'Neal	Topper
Delloso	Kenyatta	Oberlander	Twardzik
DeLozier	Kerwin	Ortitay	Vitali
DeRusso	Kim	Otten	Warner
DeLuca	Kinhead	Owlett	Warren
Diamond	Kinsey	Parker	Webster
Driscoll	Kirkland	Pashinski	Wentling
Dunbar	Klunk	Peifer	Wheatley
Ecker	Knowles	Pennycuick	Wheeland
Emrick	Kosierowski	Pickett	White
Evans	Krajewski	Pisciottano	Williams, C.
Farry	Krueger	Polinchock	Williams, D.

Fee	Kulik	Puskaric	Young
Fiedler	Labs	Quinn	Zabel
Fitzgerald	Lawrence	Rabb	Zimmerman
Flood	Lee	Rader	
Frankel	Lewis	Rapp	Cutler,
Freeman	Longietti	Rigby	Speaker
Fritz			

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Brooks Dowling

The SPEAKER. One hundred and ninety-nine 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 Representative Warren's daughter, Rebecca.

Located in the gallery, the Chair is pleased to welcome Cub Scout Pack 23, which I had the privilege of meeting earlier. They are the guests of Representative Dan Williams. Welcome.

Also located in the gallery, I am pleased to welcome Tayler Washington, who is interning in Representative Mary Jo Daley's district office. She is a senior at St. Joseph's University in Philadelphia. Welcome.

Members, please take your seats. The Sergeants at Arms will please clear the aisles. We have a very important recognition coming up next. Please move any conversations off the back of the House.

LITHUANIAN AMBASSADOR PRESENTED

The SPEAKER. It is my pleasure to welcome a special guest of Representatives White and Mihalek here on the House floor this morning, the Ambassador from the Republic of Lithuania to the United States, Audra Plepyte. The Ambassador assumed her current role in May of 2021. As an accomplished diplomat, she has served as the Permanent Representative of Lithuania to the United Nations from 2017 to 2021. Prior to that she served as the Director of the European Union Department of her country's Ministry of Foreign Affairs of Lithuania from 2014 to 2017. She was Ambassador to Spain, Argentina, and the World Tourism Organization between 2010 and 2014, and held numerous other diplomatic positions at home and abroad.

The Ambassador holds bachelor's and master's degrees in philosophy from Vilnius University, as well as a diploma from the university's International Relations Institute. She has also received a certificate in diplomatic studies from Oxford University.

With her today, we also have Marijus Petrusonis, Political Counselor at the Lithuanian Embassy in Washington, DC, and Krista Bard, Honorary Consul of the Republic of Lithuania to the Commonwealth of Pennsylvania.

I would like to now invite the Ambassador to come forward to address the House.

AMBASSADOR PLEPYTE. Thank you very much.

Dear Mr. Speaker, honorable members of the House of Representatives, and all guests who are gathered today in this beautiful Capitol Building in Harrisburg, Pennsylvania: It is an honor for me to address you at the opening of the session as the Ambassador of the Republic of Lithuania to the United States. Lithuania and the United States are strategic allies. Next year we will mark the 100-year anniversary of diplomatic relations between our two countries, though the interactions between our people have lasted for centuries. For instance, Tadeusz Kosciuszko, our statesman and military leader who left his mark in Philadelphia, was a national hero of Lithuania and Poland, and also the United States. He fought for our independence from Russia, and later, as a close friend of Thomas Jefferson, he was on the United States side in the American War for Independence. Throughout the centuries, Lithuanians and Americans were united by the same values and aspirations, and Pennsylvania has always had a special and historical place in the Lithuanian-U.S. relations. At the time of the Declaration of American Independence, the Liberty Bell and the ideas of equality and freedom were heard all over the world, including in Lithuania. They inspired us to stand up for our common values and rights.

Pennsylvania was the first Lithuanian destination in the United States. Lithuanians started settling in this State in the 19th century, and they were attracted to the Commonwealth of Pennsylvania as a cradle of liberty and opportunity. First they found work in the coal mines, but soon Lithuanians were opening new schools, social clubs, and churches, and expanding their businesses and cultural lives in Pennsylvania and throughout the country. Today Pennsylvania is the home to over 80,000 people of Lithuanian descent. In the State you can encounter many Lithuanian signs and symbols, including names of towns, streets, or lakes.

The Lithuanian festival in Schuylkill County is the longest running ethnic festival of any nationality in the United States, going for more than 100 years.

Behind some American celebrities, known Pennsylvanians, we can also unveil Lithuanian descent. For instance, the iconic actor, Charles Bronson, or Jurgis Bucinskis, was a son of Lithuanian parents born in the coal region town of Ehrenfeld in the Allegheny Mountains; from a legendary American football quarterback, Johnny Unitas, born in Pittsburgh; to the electrifying singer, Pink, from Doylesburg, many Americans with roots in Lithuania have made use of the freedoms and the opportunities offered to them by this great State and have made and continue to make big contributions to the prosperity and prominence of your country.

The ties between Lithuania and Pennsylvania are vast and still developing. Our cooperation is exceptional. Just to name a few, the Pennsylvania National Guard and Lithuanian Armed Forces will mark their 27th anniversary of their close partnership this year. In 2019 Gov. Tom Wolf visited Lithuania and met with government officials and the business community, opening new opportunities to develop our relationship. That was the first visit of any American Governor to Lithuania.

Lithuania and Pennsylvania share common purpose to ensure safety and security for both our peoples, be it protecting the NATO's (North Atlantic Treaty Organization) eastern flank with contribution of troops or addressing common challenges of COVID-19. I am very proud that last summer my country shared with Commonwealth of Pennsylvania some critical medical supplies to fight the pandemic.

We also find ways to increase and deepen our economic ties and cooperation in science and new technology areas. Lithuanian companies work along with U.S. partners in designing one of the most advanced lasers in the world, producing components of Covid-19 vaccines, or sending satellites to space using SpaceX. I am very happy to continue to encounter new opportunities for us as well. For instance, tomorrow I will be back in Harrisburg with the Lithuanian Minister of Agriculture, Kestutis Navickas, who will be meeting the Secretary of Agriculture of Pennsylvania, Russell C. Redding, and exploring ways to expand our mutually beneficial cooperation in the agricultural sector as well.

I would also like to emphasize that the Lithuanian relationship with Pennsylvania, and the United States as a whole, is based on our common values. This is what makes our transatlantic bond unbreakable. Coming from a country that has endured the brutal oppression of the Soviet and Nazi regimes and found the strength to break free, I am proud that Lithuania has made a pledge to support the countries and people who are still suffering from authoritarian regimes. The key strength of the Western democracies is not only the mighty economy or powerful military, but also our democratic values and principles. We can make a better use of our greatest strength.

The whole free world looks up and counts on American leadership in defense of the universal values around the globe. Lithuania is with you. The people of Pennsylvania understand this responsibility well. Let us continue to work for a better future for our countries and our people.

So I would like to thank you for this opportunity to address you today, and I wish you a productive working session. Thank you very much.

The SPEAKER. Thank you very much, Madam Ambassador.

As a token of appreciation for that special relationship which you described, we want to present you with a small gift from the members of the House here. This is a picture history book of the Capitol Building and all the beautiful artwork that is there.

So thank you very much.

AMBASSADOR PLEPYTE. Thank you very much.

And from my side as well, as a token of appreciation for being invited here and the possibility to talk, is a book about Lithuania. We share so much with the Pennsylvania Commonwealth. Thank you very much.

The SPEAKER. Turning to committee announcements and caucus announcements.

RULES COMMITTEE MEETING

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Good morning, everyone. There will be an immediate Rules Committee meeting in the majority caucus room as soon as we leave here. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate Rules Committee meeting in the majority caucus room.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet in the majority caucus room at 11:45.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet in the majority caucus room at 11:45.

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, and I will optimistically say that we will back on the floor at 12:30; that is 12 o'clock in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and appreciates your optimism.

DEMOCRATIC CAUCUS

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

Mr. D. MILLER. Thank you, Mr. Speaker.

The Democrats also appreciate his optimism and will meet at 12 o'clock, hybrid; 12 o'clock, hybrid.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wishes to remind everyone of a previously announced Liquor Committee meeting, which is in 205 Ryan Office Building, also immediately at the break. That was announced at the end of session yesterday, for those members who are inquiring about that.

So committee meeting, Liquor Committee, Ryan Office Building 205.

RECESS

The SPEAKER. This House will stand in recess until 12:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 12:45 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE**HB 397, PN 371** By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1260, PN 2320 By Rep. SAYLOR

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in Pharmaceutical Assistance for the Elderly, further providing for the pharmaceutical assistance contract for the elderly needs enhancement tier, for board, for powers of the department and for coordination of benefits.

APPROPRIATIONS.

HB 1451, PN 1583 By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1871, PN 2230 By Rep. SAYLOR

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

APPROPRIATIONS.

SB 725, PN 1103 By Rep. SAYLOR

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.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 425, PN 2314** By Rep. BENNINGHOFF

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping.

RULES.

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1935, PN 2210**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1260, PN 2320**, 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 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 Thomas.

Mrs. THOMAS. Good afternoon. Thank you, Mr. Speaker.

PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) are Pennsylvania's premier prescription drug assistance programs for seniors. They provide life-sustaining medications to more than 300,000 Pennsylvanians. This program has been, and continues to be, a point of pride here in Pennsylvania. The bill that Chairman Samuelson and I have here today actually makes three improvements to an already stellar program. First, it increases the number of low-income seniors that are actually eligible for help to cover the costs of their prescriptions. The PACENET system contains a built-in challenge. The income limits for qualifying for the program must be raised by the legislature each year, as Social Security's cost-of-living increases can push seniors' income beyond the limits. This year we passed, in this House, Representative Labs' bill to extend for those who had the COLA (cost-of-living adjustment) increase and wanted to stay or could stay in the PACE program and the PACENET program. But this disparity in income level has caused an issue where people in the

program can actually have a higher income than the people who qualify. Our bill would actually increase the income limits. Currently the income limits are \$27,000 for a single and \$35,500 for a couple, and it would increase them to \$33,500 for single and \$41,500 for married couples.

The second benefit of this bill is that it makes it easier for seniors to get their prescriptions. Currently when a senior uses the program for the first time and is not enrolled in a prescription plan, they must pay the premiums for the entire year up to date. So if they get their prescription in June, they have to pay 6 months of premiums at the point of sale. They often cannot afford this, as they are low-income seniors. This bill eliminates the year-to-date necessity and only requires the premium for that month, making it much more affordable for a senior and easier for them to actually get and take their prescriptions.

Now, I have just talked about two things that you could look at and say potentially increase the cost of the program. Here is the good news. The Federal government is going to pay us to do this. We will enroll our seniors who are not into the Medicare D plan, which the Federal government then subsidizes prescription costs back to the State, and once enrolled, that will cover the cost for the expansion.

PACENET is one of the most popular programs we have to help seniors, and this is really a win-win. We can help more people, make it easier for them to use the program, and the Federal government pays for it. I ask for a "yes" vote.

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to ask for support for HB 1260, which raises the income limits for the PACENET program by \$6,000. I am proud to work with Representative Wendi Thomas of Bucks County on this vital legislation. Three years ago this House passed, and Governor Wolf signed into law, a bill that I coauthored with Representative Frank Farry which raised the income limits by \$4,000. The legislation that Representative Thomas and I have before you today would raise those income limits by another \$6,000. So the new income limits would be \$33,500 for a single person and \$41,500 for a married couple. With this change, an additional 20,000 seniors would qualify for PACENET, for vital prescription coverage in our State. Many seniors, those who have already applied but just missed the income limit by a couple thousand dollars, they would be enrolled immediately. So the increase before us today expands the eligibility for our vital prescription coverage program, our PACENET program. This will benefit 20,000 Pennsylvania citizens and I urge a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Brooks 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.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 662, PN 624

By Rep. METZGAR

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

LIQUOR CONTROL.

HB 1733, PN 1963

By Rep. METZGAR

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 wine expanded permits.

LIQUOR CONTROL.

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 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, on final passage.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

I rise today in support of HB 1871. Pennsylvania has made the very simple processes of registration and permitting very difficult in many areas. This bill improves PennDOT's apportioned vehicle registration process. The way it is set up now, all apportioned vehicle registrations in Pennsylvania expire on May 31. Of course, this causes what has long been an annual backlog at PennDOT, even prior to COVID-19, as many trucking companies and other businesses seek to renew this registration at the same time. Not only has PennDOT never addressed this problem, but COVID-19 has only aggravated the annual backlog, as PennDOT has not resumed its apportioned registration renewal event, which was typically held on an annual basis at the Pennsylvania Farm Show Complex. Pennsylvania is part of the international registration plan, which is an international agreement among the U.S. States and Canada, wherever commercial vehicle registration fees are remitted in proportion to

the miles traveled across individual U.S. States and the Canadian Provinces. Similar to the International Fuel Tax Agreement and fuel taxes, the apportioned registration provides both member States and interstate trucking companies a mutual benefit, as it provides a framework for registration with the payment of the proper jurisdiction without the need to deal with multiple government entities.

What we have learned through this is that there is simply no longer a need for PennDOT to require every apportioned registration to expire at the same time. To this end, HB 1871, which was approved by the House Transportation Committee, would simply require PennDOT to provide no less than four renewal periods per year and authorize the department to prorate registration payments as they create new expiration dates.

So, Mr. Speaker, I am asking all colleagues to support the passage of HB 1871. This will not only create a more efficient process for the trucking industry, but for PennDOT as well, since the department would no longer be burdened and overloaded with processing apportioned registration applications all at the same time each year.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—199

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Brooks 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 **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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS-199

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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
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Davis, T.	Jozwiak	Neilson	Sturla
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DeLissio	Keefer	O'Neal	Topper
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Delozier	Kerwin	Ortitay	Vitali
DelRosso	Kim	Otten	Warner
DeLuca	Kinhead	Owlett	Warren
Diamond	Kinsey	Parker	Webster
Driscoll	Kirkland	Pashinski	Wentling
Dunbar	Klunk	Peifer	Wheatley
Ecker	Knowles	Pennycuick	Wheeland
Emrick	Kosierowski	Pickett	White
Evans	Krajewski	Pisciottano	Williams, C.
Farry	Krueger	Polinchock	Williams, D.
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Fiedler	Labs	Quinn	Zabel
Fitzgerald	Lawrence	Rabb	Zimmerman
Flood	Lee	Rader	
Frankel	Lewis	Rapp	Cutler,
Freeman	Longiatti	Rigby	Speaker
Fritz			

NAYS-0

NOT VOTING-0

EXCUSED-2

Brooks 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 without amendment.

* * *

The House proceeded to third 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

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

Mr. OWLETT. Thank you, Mr. Speaker.

This is a simple fix to some language that we had adopted last year that simply gives a tax credit to volunteer firefighters and first responders – a simple fix, but nothing simple about what our volunteer firefighters and EMS (emergency medical services) providers do for all of our communities. This is a great opportunity to support them, and I would appreciate a vote, a positive vote on HB 397.

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—199

Armanini	Gainey	Mackenzie, M.	Roae
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Fitzgerald	Lawrence	Rabb	Zimmerman
Flood	Lee	Rader	
Frankel	Lewis	Rapp	Cutler,
Freeman	Longietti	Rigby	Speaker
Fritz			

NAYS—0

NOT VOTING—0

EXCUSED—2

Brooks 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 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 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, Leader McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, today I rise in support of HB 1451. I am happy to lend my support to a bill that extends death benefits currently provided to the loved ones of emergency services personnel and law enforcement to the families of Pennsylvania's coroners.

While we are only talking today about a small group of people and their families in HB 1451, there is still a conversation we need to have as this General Assembly about helping workers and their families all across the Commonwealth of Pennsylvania. As we talk about helping people across Pennsylvania – helping workers, public servants, local heroes, and their families – that is always a conversation that the Pennsylvania House Democratic Caucus welcomes. We want to talk about supporting families. We want to talk about extending benefits to people in need. I—

POINT OF ORDER

Mr. BENNINGHOFF. Mr. Speaker?

The SPEAKER. The gentlelady will suspend.

Mr. BENNINGHOFF. Point of order.

The SPEAKER. You may state your point of order, Mr. Leader.

Mr. BENNINGHOFF. I think the bill as originally stated was narrow to the coroners and now we are speaking about many, many services at future attempts to doing something. Today we should stay focused on HB 1451, please.

The SPEAKER. The majority leader raises a point of order regarding the underlying nature of the bill. I would encourage the Democratic leader to please stay on point on the underlying merits of the bill. I recognize that the leaders may have a little more latitude from time to time, but the members are often encouraged to not go into all of the other aspects or other amendments that were not included in the bill and would encourage the Democratic leader to please do the same.

You are in order and may proceed, Madam Leader.

Ms. McCLINTON. Thank you, Mr. Speaker.

I am simply hoping that we build on this momentum and that all of our colleagues here on both sides of the aisle similarly will support our efforts to extend more benefits to Pennsylvanians, not just after they have dedicated their entire life to public service, but also while they are alive, during their careers.

On the House floor, let us first start talking about all the people who have kept Pennsylvania going during this pandemic, throughout COVID-19. Let us start by talking about how we can extend benefits like hazard pay and sick leave to our essential frontline workers—

The SPEAKER. The gentlelady will please suspend.

The Chair has already requested that the leader please stay on the topic of the underlying bill. I would encourage the leader to do so and succinctly wrap up the comments on the bill and its contents, not regarding many of the other pieces of legislation that are currently in the committees. You are in order and may proceed.

Ms. McCLINTON. Understood, Mr. Speaker.

Make no mistake, I am simply urging all of us to stand up and stand together to support Pennsylvania's workers beyond this bill. While this is a great start, let us help the folks who are alive and need our support. Those folks include retail and essential workers, hospitality workers, factory workers—

Mr. BENNINGHOFF. Mr. Speaker?

The SPEAKER. The gentlelady will please suspend.

Both leaders will please approach the rostrum.

The House will be at ease.

(Conference held at Speaker's podium.)

The SPEAKER. The House will return to order.

And the Democratic leader is recognized for the conclusion of her remarks.

Ms. McCLINTON. Thank you, Mr. Speaker.

I have concluded.

The SPEAKER. The Chair thanks the lady.

The Chair now recognizes the gentleman, Leader Benninghoff, for remarks on final passage.

Mr. BENNINGHOFF. In the art of brevity, please vote "yes" to HB 1451 on final passage.

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:

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Brooks 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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1819, PN 2315**, entitled:

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.

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

(Bill analysis was read.)

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

And on that question, the Chair recognizes the gentlewoman, Representative Labs.

Ms. LABS. Thank you, Mr. Speaker.

HB 1819 is intended to clarify current law based on decades of case law regarding claimants who take action to unreasonably discourage their own hire. My bill will add language to section 402(a), ineligibility for failure to apply for suitable work as required or refusal of an offer of suitable work. Courts have consistently ruled that a claimant who unreasonably discourages their own hire in suitable work has effectively refused an offer of work, and this makes the claimant ineligible. This can include actions such as failing to attend a job interview without good cause, refusing an offer or referral for work prior to a discussion of job details, or other bad-faith actions on the part of the claimant. I have heard complaints from my colleagues and employers in my district many times about claimants who ghost or do not show up to job interviews or take other actions to discourage their own hire. This language is closely based on case law, so it is not a policy change. This bill will merely make the law more clear and require the Department of Labor and Industry to update their forms accordingly.

I ask my colleagues for an affirmative vote.

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

Mr. KENYATTA. Mr. Speaker, as was said by the gentlelady, this bill does not actually do anything at all, and yet here we are voting on another bill that is nothing more than really a publicity stunt. The second thing that I would say on this—

The SPEAKER. The gentleman will please suspend.

Mr. KENYATTA. On—

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

As I reminded members yesterday, it is never proper to go after the motives of individual members. I would encourage the good gentleman to please restrain your remarks to the underlying content of the bill, not the motives of the member or any other members either for or against the bill.

You are in order and may proceed.

Mr. KENYATTA. Thank you, Mr. Speaker.

So I guess we will see no press releases put out on this. Let me—

The SPEAKER. The gentleman will please suspend.

Mr. KENYATTA. On— For what, Mr. Speaker? Like—

The SPEAKER. The Chair will not engage in a debate with an individual member and to not discuss aspects outside the underlying bill. If the gentleman can abide by the rules, you may proceed and are in order.

Mr. KENYATTA. So discussing this bill that really does nothing, I would highlight the fact that there are a bunch of things that we could actually do that this bill really ignores. We have had a problem with unemployment this entire pandemic, and yet, to my recollection, there was a bill passed that made it more difficult for people to actually have an appeal, making all the appeals on telephone, which we know disadvantages workers.

And we are sitting here talking about anecdotal stories of people not showing up for work when people are desperate to work. But people want to work at a place where they are actually paid a living wage. People actually want to work at a place where they are actually protected on the job. And you can hem and haw, but we had a bunch of opportunities to increase the minimum wage. We will do everything in this building but actually help workers.

The SPEAKER. Please suspend. The gentleman has been encouraged multiple times to stay on the topic of the bill. The topic of minimum wage is not currently before the chamber.

Mr. KENYATTA. When is the right time, Mr. Speaker?

The SPEAKER. The gentleman will suspend.

The House will be at ease.

(Conference held at Speaker's podium.)

The SPEAKER. The House will return to order.

As a general reminder to the members, our comments are meant to be confined to the underlying issues contained in the bill, not other bills that are in committee or amendments that are not under consideration, or conversely, amendments or bills that were considered previously.

The Chair now recognizes the gentleman, Representative Kenyatta, for the remainder of his remarks.

Mr. KENYATTA. Thank you, Mr. Speaker.

So I am absolutely going to be a "no" on this, encourage other people to be a "no" on this. Instead of antagonizing workers and saying things about workers not wanting to work, when that is the exact opposite of what we are seeing across the Commonwealth, is wrong to do. And if we want to help workers, then let us talk about helping workers. This bill absolutely does not do that, and I will be a "no."

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the bill rise for brief interrogation?

The SPEAKER. The gentlelady indicates she will not.

You may speak on the bill.

Mr. STURLA. Thank you, Mr. Speaker.

Then I will answer the questions as I believe they would have been honestly answered if they had been answered. So if—

The SPEAKER. The gentleman will suspend.

I actually have two cautionary points for the gentleman. One, if the gentleman already knew the answers to the questions, it is not the proper purpose of interrogation; and second of all, again, we as members are not to discuss the motives or the character of each other on this floor. You may, however, discuss the merits of the bill.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. You are in order and may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, as I understand this piece of legislation, it says that if I go and apply for work, but dissuade my person that I am applying to to hire me, that I then do not qualify for unemployment benefits. So that begs the question, if I go into a place and they say, "You seem like a good candidate. We'd like to hire you," and I say, "Well, I'd really like to come work for you but you're paying \$7.25 an hour and my day-care costs exceed that, so unless you can pay me \$15 an hour, I can't really afford to come work for you." Is that considered dissuading my employer or my potential employer from hiring me because they say, "Well, I can't pay you \$15 an hour, so therefore, now you don't qualify for unemployment"?

If I go to Chick-fil-A and I say, "Hey, I'd like to have a job here," and they say, "Great. We're apt to hire you," and I say, "Well, let me run it past my gay lover first," and they say, "Yeah, really not interested in hiring you now." Did I dissuade them from hiring me?

Mr. Speaker, the question is, what constitutes somebody saying something to a potential employer that dissuades them from hiring them? Now, I get it if they walk in and say, "You know what? You can hire me but I'm never going to show up for work." I get that. But that is not what the definition is here. The definition is, if I work toward asking questions or saying anything that dissuades that person from hiring me, they can call up the unemployment office and say, "This person obviously doesn't want to work, don't hire them – or don't pay them unemployment."

Mr. Speaker, this is bad legislation and I encourage a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, the majority leader, on final passage.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I rise in support of HB 1819 as our State faces one of the most significant shortages of workers in a long time, regardless of the business. Most of our legislative districts hear that time and time again.

This bill also has gone through the legislative process, the committee process, and is now ready for a floor vote. I just want to remind that process. This bill was reported out of committee after being amended with an amendment from one of our friends in the minority party with a 25-0 unanimous vote. The bill was again amended yesterday in Approps on a technical change requested by the administration with a vote of 37 to 0. This is an example of how we get bills better. People have the opportunity to add their input and bring a product to the floor. HB 1819 is now before us, amended accordingly, and is ready for a unanimous vote. I would encourage the members to do so.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It seems that we are reminding the members of many of the rules and courtesies here on the House floor, so I will take this opportunity to remind everyone of another one. That is, typically, that we allow the prime sponsor to open debate; we have intervening debate; and the prime sponsor wraps up, if they so choose, prior to going to the respective leaders. It is typically a floor courtesy that we do not speak after leaders; however, the gentleman, Representative Carroll, was seeking recognition, and the Chair will recognize you at this time on final passage.

Mr. CARROLL. Thank you, Mr. Speaker.

And, Mr. Speaker, I do appreciate the debate and the passion from some of the members on our side of the aisle. What I would simply say is that this bill codifies case law and is a step in the right direction; admittedly a modest step, but nonetheless, a step in the right direction. And I would encourage a "yes" vote with the expectation and hope that we can go down the path further another day.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair will once again return to the leaders to see if either of them is seeking recognition; neither are.

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—176

Armanini	Galloway	Mako	Rothman
Benham	Gaydos	Malagari	Rowe
Benninghoff	Gillen	Maloney	Rozzi
Bernstine	Gillespie	Markosek	Ryan
Bizzarro	Gleim	Marshall	Sainato
Boback	Gregory	Masser	Samuelson
Bonner	Greiner	Matzie	Sanchez
Borowicz	Grove	McClinton	Sankey
Boyle	Guzman	McNeill	Sappey
Bradford	Hamm	Mehaffie	Saylor
Briggs	Hanbidge	Mentzer	Schemel
Brown, A.	Harkins	Mercuri	Schlossberg
Brown, R.	Harris	Merski	Schmitt
Burns	Heffley	Metcalfe	Schroeder
Carroll	Helm	Metzgar	Shusterman
Causer	Hennessey	Mihalek	Silvis
Ciresi	Herrin	Millard	Smith
Conklin	Hershey	Miller, B.	Snyder
Cook	Hickernell	Miller, D.	Solomon
Cox	Innamorato	Mizgorski	Sonney
Culver	Irvin	Moul	Staats
Daley	James	Mullery	Stambaugh
Davanzo	Jones	Mullins	Stephens
Davis, A.	Jozwiak	Mustello	Struzzi
Davis, T.	Kail	Neilson	Thomas
Day	Kaufer	Nelson, E.	Tomlinson
Deasy	Kauffman	O'Mara	Toohil
DeLissio	Keefer	O'Neal	Topper
Delloso	Kerwin	Oberlander	Twardzik
Delozier	Kim	Ortitay	Vitali
DelRosso	Kinkead	Owlett	Warner
DeLuca	Kirkland	Pashinski	Warren
Diamond	Klunk	Peifer	Webster

Driscoll	Knowles	Pennycuick	Wentling
Dunbar	Kosierowski	Pickett	Wheatley
Ecker	Krueger	Pisciottano	Wheeland
Emrick	Kulik	Polinchock	White
Evans	Labs	Puskaric	Williams, C.
Farry	Lawrence	Quinn	Williams, D.
Fee	Lewis	Rader	Zabel
Flood	Longietti	Rapp	Zimmerman
Frankel	Mackenzie, M.	Rigby	
Freeman	Mackenzie, R.	Roae	Cutler,
Fritz	Madden	Rossi	Speaker
Gaine	Major		

NAYS—23

Bullock	Fitzgerald	Kinsey	Rabb
Burgos	Guenst	Krajewski	Schweyer
Cephas	Hohenstein	Lee	Sims
Cruz	Howard	Nelson, N.	Sturla
Dawkins	Isaacson	Otten	Young
Fiedler	Kenyatta	Parker	

NOT VOTING—0

EXCUSED—2

Brooks	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.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1736, PN 1967**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in other offenses, providing for prohibition against publishing or disseminating booking photographs for commercial use.

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

Mr. **MACKENZIE** offered the following amendment
No. **A02643**:

Amend Bill, page 2, by inserting between lines 4 and 5
(c) Violation of Unfair Trade Practices and Consumer Protection Law.—Conduct that would constitute an offense under this section shall be deemed to be a violation of the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law.

(d) Venue.—An offense committed under this section is deemed to have been committed where the solicitation or acceptance of a fee or other consideration was made or received.

(e) Territorial applicability.—A person may be convicted under the provisions of this section if the victim or offender is located within this Commonwealth.

Amend Bill, page 2, line 5, by striking out "(c)" and inserting
(f)

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

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

Mr. MACKENZIE. Thank you, Mr. Speaker.

So the amendment does add an expansion of an offense for a violation under the Unfair Trade Practices and Consumer Protection Law. This is something that came out of discussion that we had in committee and subsequent conversations with committee members. I think that it gives expanded latitude to law enforcement, and in this case particularly, the Attorney General's Office, to go after bad actors. In addition to the criminal penalties that are already in the law, this would add civil penalties as a possible option. And again, both of those could be applied to both individuals and corporations. And again, trying to crack down on the bad actors that are carrying out this type of practice online.

So I would appreciate an affirmative vote, and it is agreed to by all stakeholders that I have spoken with at this point in time. Thank you.

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

Mr. ZABEL. Thank you, Mr. Speaker.

I want to thank the maker of the bill for working with us and addressing some of the concerns we had. I want to reiterate the understanding that with this amendment, the penalties for this bill would apply to corporate actors, not just individuals, which I think will make enforcement of this bill that much more viable and practical. And again I commend the maker for his collaboration and willingness to improve the bill. Thank you.

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

Ms. KINKEAD. Thank you, Mr. Speaker.

I was a "no" vote on this bill in committee because I believe that it raised some serious issues related to jurisdiction, venue, and the ability for individuals to actually get justice, so I appreciate the maker of this bill for meeting us and having a discussion to form this amendment, because I do believe that this addresses a lot of the underlying issues that I had.

I would note that this is a proof positive of the fact that our floor amendment process works, and I would appreciate a "yes" vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Brooks Dowling

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

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

The SPEAKER. It is the Chair's understanding that the two prior speakers, who each had amendments, are now withdrawing their amendments. The Chair thanks both the members.

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1443, PN 1900**, entitled:

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, providing for advertisements for laboratory tests.

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

Mr. **KRAJEWSKI** offered the following amendment No. **A02749**:

- Amend Bill, page 1, line 7, by inserting after "tests" and further providing for penalty
- Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. Section 14(b) of the act is amended to read: Section 14. Penalty.—* * *
- (b) In addition to any other penalty that may be imposed by the department, the department [may] shall assess a civil penalty of up to [five hundred dollars (\$500)] five thousand dollars (\$5,000) per day on a person or clinical laboratory that engages in any of the following:
 - (1) Violates the provisions of this act or the department's regulations.
 - (2) Operates a clinical laboratory within this Commonwealth without a permit from the department.
 - (3) Performs testing without a permit from the department on any specimen accepted or collected within this Commonwealth.

* * *

- Amend Bill, page 3, line 15, by striking out "2" and inserting 3
- Amend Bill, page 3, line 17, by striking out "3" and inserting 4

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

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

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

Mr. Speaker, I offer this amendment because I have serious concerns about us expanding laboratory advertising without subsequent accountability for quality health care for patients. This amendment would both increase the civil penalty from \$500 to \$5,000 per day for a violation of the Clinical Laboratory Act, and it would also move it from something that would be optional to a requirement from the Department of Health, because I believe that it is a requirement for our Department of Health to make sure that our patients are not being preyed upon by predatory laboratory advertising practices. Thank you.

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

Mr. **HERSHEY**. Thank you, Mr. Speaker.

And I apologize that the gentleman from Philadelphia and I are taking the temperature of the room down a little bit by talking about clinical laboratory regulations—

The SPEAKER. The Speaker appreciates it.

Mr. **HERSHEY**. —but anyway, I personally believe that this amendment – I missed your comment – anyway, I personally believe that this amendment is too punitive. We do not subject other health-care providers that are licensed in this State to \$5,000 penalties, and this amendment actually seeks to address and change a decades-old law that the department is actually neutral on this language, as I understand it. So I am not sure why we are currently considering this amendment, and I personally believe that it is a solution in search of a problem that the department is not seeking to address, so I would ask my colleagues to oppose it.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

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

The electronic board is accurate.

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

Mr. **HARRIS**. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—88

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

NAYS—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	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			

NOT VOTING—0

EXCUSED—2

Brooks Dowling

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

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

Mr. **FRANKEL** offered the following amendment
No. **A02752**:

Amend Bill, page 2, lines 15 through 17, by striking out all of said lines

Amend Bill, page 2, by inserting between lines 26 and 27

(c) A clinical laboratory that directly or indirectly advertises for or solicits business for diagnostic laboratory testing under this act shall have the following duties:

(1) Provide NPI, ICD-10 and CPT codes and any other information required for consumers to submit reimbursement claims to a health insurance carrier.

(2) Destroy identifiable and de-identified personal and health information when the clinical laboratory is sold or no longer in operation.

(3) Disclose the accuracy of diagnostic laboratory testing.

(4) Disclose that diagnostic laboratory testing is usually not covered by health insurance.

Amend Bill, page 2, line 27, by striking out "(c)" and inserting

(d)

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

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

Mr. **FRANKEL**. Thank you, Mr. Speaker.

Mr. Speaker, in committee, Democrats voted to move this process along on this piece of legislation. It is a complicated piece of legislation, quite frankly, and we had hoped – and I think the record would show – that we would have the opportunity to discuss with the maker of the bill and the stakeholders our concerns. And we were, quite frankly, a little bit surprised that this bill was scheduled for a vote prior to having the ability to do that.

During our conversation prior to the vote in the Health Committee, we discussed some ongoing concerns, concerns about making sure that we are balancing the patient need for access to medical care with ensuring that care is appropriate and necessary and does not create more unnecessary out-of-pocket costs for Pennsylvanians. This amendment addresses those concerns by making sure that when laboratories advertise for tests, they are required to give full information about the tests and give consumers the ability to use the health insurance they already have paid for.

This amendment does four things. First, it allows patients, if they want to try to get reimbursed by insurers for appropriate testing, it does require labs to accept insurance – excuse me, it does not require labs to accept insurance, and it does not require labs to even submit bills to the insurance company. It simply makes sure that patients get the information they need to get reimbursed for appropriate care. They already pay for insurance, and they should be able to use it. Right now these labs are refusing to provide that information, in some cases, but Pennsylvanians deserve better. This bill also makes sure that the labs themselves are not holding personal health information, since providers are the ones that are required to hold on to the records.

Further, this amendment makes certain that these advertisements do not overpromise. The intent of advertising is to increase demand. When it comes to health, people are understandably anxious. Advertising that encourages patients to seek testing for ailments they may not have thought of; going around physicians will only increase health-care costs without improving care. At a minimum, patients should know how accurate the tests are that they are purchasing.

And finally, when patients refer themselves for treatment without going to their physicians first to determine whether a test is needed, it is most likely not going to be covered. Right now the language in the bill as written states that the tests may or may not be covered. The more honest language would be to point out that it is usually almost always not covered. The fine print on one of the laboratory sites says that the tests available on this Web site are only for individuals who want to pay directly for testing and do not want to seek reimbursement from their insurance carrier to the government, and that is the fine print.

When it comes to health care, my goals, and I think the goals of those of us in our committee, are always to increase access and reduce costs, while ensuring people get high-value health care. This amendment helps consumers who might want to access care by protecting patient health records, giving consumers more information about the tests in advance, and allowing patients to access insurance payment for tests if they are truly necessary.

I hope my colleagues will vote to support this amendment, because I think it really brings this bill into balance with consumers who are really going to be benefiting from the

transparency that this amendment provides within the bill, and I think it makes it a better piece of legislation.

Thank you, Mr. Speaker.

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

Mr. HERSHEY. Thank you, Mr. Speaker.

Due respect to my colleague, I echo his surprise, because this bill was loaded up with amendments yesterday despite passing committee unanimously in June. But we do share the same goal of increasing access and reducing costs, and that is what this bill seeks to do.

But unfortunately, this amendment I believe has a lot of inconsistencies and confusion. It does conflict with Federal law, in our opinion, with retention of records required by HIPAA (Health Insurance Portability and Accountability Act) and under CLIA – that is the Clinical Laboratory Improvement Amendments. And with respect to the insurance issues, we believe that that is beyond the scope of this bill, and after talking with stakeholders, they do not believe that this is intended to address insurance issues, and we, of course, believe patients have that ability and access to make that decision on their own. So I would ask my colleagues to oppose this amendment.

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

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

Process matters, and how we come about creating our legislation is important. We have already had that conversation a few times today. When health-care professionals seek to improve their processes, they do so collaboratively. They do so through testing – not unlike a lot of the lab testing that we are talking about specifically with this bill. When other professions – and even here in our chamber earlier today, we proved a House floor amendment process works and we can get a bill into a better form when we do so. And we also demonstrated that in the legal process, we can do the same thing. And we did it a little bit contentiously today when we were voting on the UC (unemployment compensation) bill, but we can do it as well to recognize that legal processes can change through case law, through testing, through checks and balances.

This amendment is exactly that kind of proposal. It will take a bill that seeks to address and improve patient access to care and do it in a way that actually considers the patient – provides that patient with as much information as possible – and makes it clear that there is not going to be a consequence coming back in the form of a bill for X number of hundreds or potentially even thousands of dollars to someone who did not quite understand what was going on.

And so when medical professionals in these situations are doing their advertising – we all have heard the commercials, right? Everybody has seen a pharmaceutical commercial on TV. And what is the disclaimer – right? – when it lists all of the symptoms? And as well-intentioned as this bill is right now, if we do not accept the well-intentioned, solid, and strong policy that is presented by the amendment that has been put forth here, I fear this bill, on final passage, we as legislators may need to issue a disclaimer. Passage of this bill may cause fever, nausea, and dizziness from reviewing too many different bills and billing that you did not expect when you looked and asked for this service. So unless we want to tell the patients that we are trying to help with this bill all of the problems with it and make a disclaimer,

we ought to take our steps now and improve it. The Representative's amendment is an improvement, and it should have a "yes" vote on this floor.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the 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—88

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

NAYS—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	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			

NOT VOTING—0

EXCUSED—2

Brooks Dowling

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

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

Ms. **BENHAM** offered the following amendment
No. **A02769**:

Amend Bill, page 2, line 3, by inserting after "test"
who does not have a business or fiduciary relationship with the clinical laboratory

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

The SPEAKER. And on that question, the Chair recognizes the gentlewoman, Representative Benham.

Ms. BENHAM. Thank you, Mr. Speaker.

I rise to seek support of my amendment, which requires that the health-care practitioners prescribing a diagnostic test not be affiliated with the lab. As it stands currently, diagnostic labs contract with physician companies. The patient submits a request for a prescription to the lab, the lab contracts with the physician who provides the prescription for the patient, and then the patient gets that test at the lab. What is not clear is whether or not these tests are needed or appropriate. These physicians do not have a prior relationship with the patient, nor do they necessarily have a full understanding of the patient's medical history – both of which should be required to order these tests. In addition, the contracted providers do not necessarily engage in any follow-up or continuing care.

PWNHealth is the physician group with whom many of these labs contract, and they make about three phone calls in the case of a problematic test result and then send a letter. Too many questions about this arrangement remain. Supposedly these independent physicians are determining if these tests are appropriate, but how do they know whether a test is appropriate if they never talk to that patient? Do they ever deny prescribing a test? And why do they not provide patients with the codes to give them the ability to bill insurers for these tests?

This cozy relationship between providers, whose fees are collected by the company that they refer to, seems dangerously close to the kickback schemes that our legislature is trying to stop. There are legitimate concerns that this arrangement just leads to providers rubber-stamping approval of tests that patients do not need and perhaps cannot afford. With the underlying bill allowing these labs to directly advertise to consumers, we can

expect utilization of these tests to increase. And without any guardrails, my fear is that consumers will increasingly put their faith in tests that may not be accurate or may not be the right test to address their concerns without a real ability to engage with and get their questions answered by a physician with whom they have a patient-provider relationship.

That is why my amendment would require that outside health-care practitioners are the only ones who could prescribe these tests for the labs that they are advertising. They have no financial contract with the advertising lab and are also more likely to be that patient's own physician. The patient-provider relationship plus insurance coverage will both ensure that only tests that are medically necessary will be prescribed. Diagnostic tests should be reserved for exploring and addressing health-care issues that are in the best interests of the patient, and this amendment will ensure that that happens. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Hershey, on the amendment.

Mr. HERSHEY. Thank you, Mr. Speaker.

I also believe that this amendment is, unfortunately, a solution in search of a problem. The Clinical Laboratory Act that we currently have in Pennsylvania already provides for those improper relationships between a lab and a physician, including kickbacks, self-referrals, etc. This would also seek to address things that are already not allowed, I believe, under the Federal Stark Act, where it already outlines those kinds of relationships that are allowed between physicians and these clinical laboratories that we are working with.

So I believe that, again, this is a solution in search of a problem, and that also the business relationship as specified in the amendment is also a complicated issue. In our State clinical laboratory law, these labs are allowed to have business relationships with physicians when it comes to leasing office space and things like that, and I believe that this is in conflict with what we currently allow in State law and what is currently allowed and supported by our department.

So I would also ask my colleagues to oppose this amendment.
The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and will recognize 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—88

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Boyle	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Frankel	Kulik	Sainato

Brown, A.	Freeman	Lee	Samuelson
Bullock	Gainey	Longiotti	Sanchez
Burgos	Galloway	Madden	Sappey
Burns	Guenst	Malagari	Schlossberg
Carroll	Guzman	Markosek	Schweyer
Cephas	Hanbidge	Matzie	Shusterman
Ciresi	Harkins	McClinton	Sims
Conklin	Harris	McNeill	Snyder
Cruz	Herrin	Merski	Solomon
Daley	Hohenstein	Miller, D.	Sturla
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kenyatta	Nelson, N.	Wheatley
DeLissio	Kim	O'Mara	Williams, D.
Delloso	Kinthead	Otten	Young
DeLuca	Kinsey	Parker	Zabel

NAYS—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	Ortity	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			

NOT VOTING—0

EXCUSED—2

Brooks Dowling

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

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 425, PN 2314**, 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 sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping.

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

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

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

Mr. METZGAR. Thank you, Mr. Speaker.

If you recall when this bill was originally passed with the good help of our former Chairman Pyle and our good colleague from Fayette County, this would allow a licensee to sell the liquor that they have in inventory to another license holder upon closure. The Senate amended it to allow for outdoor dining and off-premise catering permits for liquor licensees until 2024, and also allow an additional year of safekeeping for liquor licensees. It passed unanimously out of the Senate. I would encourage a "yes" vote.

And I would also note that our thoughts and prayers are with the prime sponsor, the good gentleman from Fayette County, as he continues to improve.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

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

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—199

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	Sherrin
Ciresi	Hershey	Mihalek	Sims
Conklin	Hickernell	Millard	Smith
Cook	Hohenstein	Miller, B.	Snyder
Cox	Howard	Miller, D.	Solomon
Cruz	Innamorato	Mizgorski	Sonny
Culver	Irvin	Moul	Staats
Daley	Isaacson	Mullery	Stambaugh
Davanzo	James	Mullins	Stephens
Davis, A.	Jones	Mustello	Struzzi
Davis, T.	Jozwiak	Neilson	Sturla
Dawkins	Kail	Nelson, E.	Thomas
Day	Kaufer	Nelson, N.	Tomlinson
Deasy	Kauffman	O'Mara	Toohil
DeLissio	Keefer	O'Neal	Topper
Delloso	Kenyatta	Oberlander	Twardzik
Delozier	Kerwin	Ortitay	Vitali
DelRosso	Kim	Otten	Warner
DeLuca	Kinthead	Owlett	Warren
Diamond	Kinsey	Parker	Webster
Driscoll	Kirkland	Pashinski	Wentling
Dunbar	Klunk	Peifer	Wheatley
Ecker	Knowles	Pennycuick	Wheeland
Emrick	Kosierowski	Pickett	White
Evans	Krajewski	Pisciottano	Williams, C.
Farry	Krueger	Polinchock	Williams, D.
Fee	Kulik	Puskaric	Young
Fiedler	Labs	Quinn	Zabel
Fitzgerald	Lawrence	Rabb	Zimmerman
Flood	Lee	Rader	
Frankel	Lewis	Rapp	Cutler,
Freeman	Longietti	Rigby	Speaker
Fritz			

NAYS—0

NOT VOTING—0

EXCUSED—2

Brooks Dowling

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 425, PN 2314

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 sales by liquor licensees and restrictions and for prepared beverages and mixed drinks for off-premises consumption during disaster emergency and providing for safekeeping.

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

The SPEAKER. For the information of the members, there will be no further votes on the floor this afternoon; however, we will be doing housekeeping as well as some additional bill referrals. Additionally, all the rule 17 speakers may come down to the well of the House and we will recognize you in the order that we received your requests.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2015 By Representatives KENYATTA, MADDEN, SCHLOSSBERG, KINSEY, HILL-EVANS, DELLOSO, SANCHEZ, LEE, INNAMORATO, HOWARD, McCLINTON, SIMS, BURGOS, FRANKEL, PARKER, KIRKLAND, FITZGERALD, N. NELSON, HOHENSTEIN and RABB

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 eligibility.

Referred to Committee on HEALTH, October 27, 2021.

No. 2016 By Representatives MUSTELLO and ECKER

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in dispositions independent of letters, family exemption and probate of wills and grant of letters, further providing for settlement of small estates on petition.

Referred to Committee on JUDICIARY, October 27, 2021.

No. 2017 By Representatives THOMAS, A. DAVIS, OBERLANDER, BENHAM, BRADFORD, CIRESI, T. DAVIS, FARRY, HANBIDGE, HOWARD, INNAMORATO, KINSEY, RABB, ROWE, SANCHEZ and SCHLOSSBERG

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for inpatient and outpatient pasteurized donor human milk.

Referred to Committee on INSURANCE, October 27, 2021.

SENATE BILLS FOR CONCURRENCE

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

SB 705, PN 949

Referred to Committee on INSURANCE, October 27, 2021.

SB 814, PN 1178

Referred to Committee on JUDICIARY, October 27, 2021.

SB 827, PN 1009

Referred to Committee on TRANSPORTATION, October 27, 2021.

The SPEAKER. Turning to housekeeping.

BILLS RECOMMITTED

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

HB 1443;
HB 1736; and
HB 1935.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 668;
HB 1308;
HB 1561;
HB 1563; and
SB 772.

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

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

The SPEAKER. The House will be temporarily at ease while we prepare for rule 17 speakers.

THE SPEAKER PRO TEMPORE (ZACHARY MAKO) PRESIDING

STATEMENT BY MRS. BROWN

The SPEAKER pro tempore. The House will come to order. The Chair recognizes Representative Rosemary Brown to speak on October, National Cardiac Arrest Awareness Month.

Mrs. BROWN. Thank you, Mr. Speaker, for the opportunity to speak briefly reminding Pennsylvanians of National Cardiac Arrest Awareness Month.

Sudden cardiac arrest is not a heart attack. A heart attack is caused by impeded blood flow, while sudden cardiac arrest is a structural or electrical problem usually stemming from an undetected heart condition where the heart suddenly stops beating.

According to the Sudden Cardiac Arrest Foundation, more than 356,000 out-of-hospital cardiac arrests occur in America each year, with nearly 90 percent of them being fatal. Among the victims are children, the majority of whom have detectable and treatable heart conditions that were undiagnosed because well-child visits and sports physicals have limited scope.

With these statistics and information, in combination with National Cardiac Awareness Month, I want to bring attention to automated external defibrillators, or AEDs, which are critical devices to have readily available to save someone's life who is experiencing sudden cardiac arrest. I thank the businesses, schools, and public locations that already have installed AEDs, as well as those who have been trained on how to use them; however, we need to continue to build on advocacy of having these devices readily available, especially during school sports practices and games. I ask all elected school board members and administration throughout the Commonwealth to further research their school's status, availability, and policies of having these devices readily available. Together we can be educated on sudden cardiac arrest and save lives.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks Representative Rosemary Brown.

The Chair recognizes Representative Sappey to speak on PUC (Public Utility Commission) rate case hearings. Scratch that.

STATEMENT BY MR. LAWRENCE

The SPEAKER pro tempore. The Chair recognizes Representative John Lawrence to speak on PUC rate increases.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I am joined today by Representative Sappey.

I would like to speak briefly, Mr. Speaker. The Public Utility Commission plays a vital role on proposed rate increases on any proposed, really, water and sewer bills. They have the power to approve or deny such rate hikes. Last week Representative Sappey and I jointly asked the Public Utility Commission to a hold a public hearing in southern Chester County on a pending rate increase case. To my great surprise, the PUC refused to hold

such a hearing. The statement was made that in-person public hearings are poorly attended, and moving to online hearings is the new preferred model. This response, frankly, in my view, is unacceptable. Four years ago the PUC held hearings across the street from my district office on a rate increase case. These hearings were very well attended. People want to have their say. And not everyone has a reliable Internet connection or the technical ability to navigate the world of online hearings.

Representative Sappey and I are developing a work-around that will give ratepayers in southern Chester County an opportunity to testify on these proposed rate increases in person. But gathering public input should not require a work-around. With this in mind, I will be introducing legislation next week that will require the PUC to hold an in-person public hearing on a rate increase proposal if two or more legislators request such a hearing. We need to ensure that those most affected by any rate increase proposal have the opportunity to have their voice heard.

With that, Mr. Speaker, if I may, I would like to pass it off to Representative Sappey.

STATEMENT BY MS. SAPPEY

The SPEAKER pro tempore. And the Chair recognizes Representative Sappey.

Ms. SAPPEY. Thank you, Mr. Speaker.

And thank you, Representative Lawrence. It is a pleasure to join you in this request.

I rise today on behalf my constituents in Chester County who are facing, you know, the possibility of a utility hike, and they deserve the right to have their voices heard. And while I understand that technology is improving and that may be more efficient nowadays to do this, at a day in my district where a lot of folks still do not have reliable Internet access and frequently people in my district are over the age of 55 and may experience significant difficulty with the technology, they deserve the opportunity to have their voices heard in person. And so I join Representative Lawrence in this request, and I appreciate the opportunity to speak on my constituents' behalf.

The SPEAKER pro tempore. The Chair thanks Representatives Lawrence and Sappey on speaking on PUC rate increases.

STATEMENT BY MS. KINKEAD

The SPEAKER pro tempore. The Chair now recognizes Representative Kinkead to speak on Tree of Life remembrance and a plea to stop mass shootings.

Ms. KINKEAD. Thank you, Mr. Speaker.

Today we are pausing to mark a day of deep tragedy for Pittsburgh – not just for our Jewish community, for our entire region. Today we mark 3 years since the terrorist attack at the Tree of Life synagogue in Pittsburgh. On October 27, 2018, 11 people were massacred for having the sheer temerity of being Jews dutifully attending a Shabbat service. Their deaths can be tied directly to two things: dangerous misinformation spread by people in positions of power, including elected officials; and easy access to firearms and ammunition by people who intend to harm others and themselves. We in this body have the power to act on both; that we have not is a terrible abdication of our responsibility to the people of this Commonwealth.

I stand here today in support of the citizens of Squirrel Hill and of Northview Heights and of Brighton Heights and of the Strip District and of Spring Garden and East Deutschtown and every neighborhood or town that has been touched and subtly devastated by gun violence – in short, every single community. We have marched. We have held vigils. We have sworn "never again."

But in 2019, there were 426 mass shootings. In 2020, more than 600. This year there have been 583 mass shootings in the United States. There have only been 301 days in this year so far, which means we have had more than one mass shooting a day. Hundreds of people are dead. Thousands of people have been wounded. Countless lives have been changed forever. And that does not even touch the individual killings by firearms related to crime, domestic violence, and suicide. And there are 64 more days left in this year.

When mass shootings happen, you hear a lot of things, but one of the most infuriating and disingenuous is the whataboutism we hear when people say things like, "Well, cars kill people. Let's ban cars." The people who say this want you to forget that every car is required to be registered, licensed, and inspected by the State to ensure that it is in good working order. Every motorist must pass a written and practical test to ensure they are trustworthy with a potentially lethal weapon. The vehicle and the driver must carry separate liability insurance to make things right if people are injured or lives are lost – be it due to malice, negligence, or an accident. The comparison is a false equivalence.

Ninety-four percent of Americans, including nearly 90 percent of Republicans, support universal background checks; 80 percent of Americans support extreme risk protection orders that allow for weapons to be temporarily removed from persons judged, through due process, to be a danger to themselves or others; a majority of Americans favor restrictions on the sale of military-style firearms and high-capacity magazines; and poll after poll shows that the majority of Americans and Pennsylvanians want to prevent tragedies like the Tree of Life through gun violence prevention laws.

And let me be clear: the right to carry a firearm is not an absolute right under either the U.S. Constitution, the Pennsylvania Constitution, or any related jurisprudence. As U.S. Supreme Court Justice Antonin Scalia – a man who died while participating in a multiday NRA (National Rifle Association)-sponsored outing – stated in the *District of Columbia v. Heller*, "Like most rights, the right secured by the Second Amendment is not unlimited. From Blackstone through the 19th-century cases, commentators and courts routinely explained that the right was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.... For example, the majority of the 19th-century courts to consider the question held that prohibitions on carrying concealed weapons were lawful under the Second Amendment or state analogues...." Those courts, and Justice Scalia, reasoned that the public's interest in safety precludes someone's right to hide and carry a gun.

Now, supporters of the idea of unlimited concealed carry, what they call constitutional carry, say making it okay for everyone to have a hidden firearm is somehow going to make us safer. That is not the real world. In the real world, there is no rehearsal so you do not shoot the innocent bystander or the responding police officer. In the real world, you do not get to do

a second take when your shot misses the bad guy and kills the child running away 100 yards behind him—

The SPEAKER pro tempore. The Chair would advise the gentlelady that her time is up and to wrap up her comments.

Ms. KINKEAD. Thank you.

Mr. Speaker, on this third anniversary of the tragedy at the Tree of Life synagogue, we owe the victims from that day nothing less than a robust response to ensure that this truly never happens again. Thoughts and prayers have never been enough. Instead, we need to pass commonsense firearm violence prevention legislation, and we need to make a commitment, as elected leaders who take our duties seriously and understand the sobering responsibility with which we have been charged, to never engage in, encourage, or condone the kinds of dangerous misinformation that led to the January 6 insurrection and the murder of 11 innocent souls in Pittsburgh on this day 3 years ago. Doing less is a gross dereliction of our duties as Representatives of the people of this Commonwealth. Thank you.

The SPEAKER pro tempore. The Chair thanks Representative Kinhead.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes Representative Parke Wentling, who moves that this House do now adjourn until Monday, November 8, 2021, at 12 m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:27 p.m., e.d.t., the House adjourned.