

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 17, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 62

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### PRAYER

HON. BRIDGET M. KOSIEROWSKI, member of the House of Representatives, offered the following prayer:

Good morning, and let us pray:

We give You thanks, O Lord, for the freedoms we exercise and the blessings of democracy we enjoy in our daily lives. Today we ask for Your protection and guidance to those who devote themselves to the common good.

We ask You to lift our duly elected leaders and public servants and those who are starting their journey as legislators, like our newly elected member from Lackawanna County.

Heal us from our differences and unite us with a common purpose, dedication, and commitment to achieve liberty and justice in the years ahead for all people, and especially those who are most vulnerable in our midst. 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, November 16, 2021, will be postponed until printed.

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

**HB 2057, PN 2424** (Amended)

By Rep. ROAE

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions, for form of records, for delivery of document, for functions of Department of State, for processing of documents by Department of State, for court to pass upon rejection of documents by Department of State, for statement of correction and for tax clearance of certain fundamental transactions, providing for annual report and further providing for short title and application of subchapter and for fee schedule; in entities generally, further providing for requirements for names generally, for required

name changes by senior associations and for registration of name of nonregistered foreign association and providing for ratification of defective entity actions; in entity transactions, further providing for definitions, for relationship of chapter to other provisions of law, for nature of transactions, for excluded entities and transactions, for approval by business corporation, for interest exchange authorized, for statement of conversion and effectiveness, for approval of division, for division without interest holder approval, for effect of division, for allocation of liabilities in division and for domestication authorized and providing for administrative dissolution or cancellation; in foreign associations, further providing for governing law, for activities not constituting doing business, for noncomplying name of foreign association, for required withdrawal on certain transactions and for termination of registration; in corporations, further providing for application and effect of subchapter, for standard of care and justifiable reliance, for personal liability of directors, for notation of dissent, for exercise of powers generally, for alternative standard, for limitation on standing and for actions by shareholders or members to enforce a secondary right and providing for renunciation of business opportunities; in general provisions relating to business corporations, further providing for application of subpart and for definitions and repealing provisions relating to annual report information; in incorporation, further providing for articles of incorporation; in corporate powers, duties and safeguards, further providing for general powers, for adoption, amendment and contents of bylaws, for persons bound by bylaws, for registered office, for corporate records and inspection by members, for bylaws and other powers in emergency and for informational rights of a director, providing for forum selection provisions and further providing for authorized shares, for stock rights and options, for transfer of securities and restrictions, for power of corporation to acquire its own shares, for liability for unlawful dividends and other distributions and for application and effect of subchapter; in officers, directors and shareholders, further providing for manner of giving notice, for place and notice of meetings of shareholders, for use of conference telephone or other electronic technology, for conduct of shareholders meeting, for alternative provisions, for standard of care and justifiable reliance, for personal liability of directors, for notation of dissent, for exercise of powers generally, for alternative standard, for limitation on standing and for inconsistent articles ineffective, providing for renunciation of business opportunities, further providing for board of directors, for qualifications of directors, for term of office of directors, for selection of directors, for quorum of and action by directors, for interested directors or officers and quorum, for compensation of directors, for executive and other committees of the board and for officers, providing for officer's standard of care and justifiable reliance and for personal liability of officers and further providing for mandatory indemnification, for duration and extent of coverage, for time of holding meetings of shareholders, for quorum, for quorum, for voting rights of shareholders, for determination of shareholders of record, for voting lists, for consent of members in lieu of meeting, for derivative action, for eligible shareholder plaintiffs and security for costs and for special litigation committee; in fundamental changes, further providing for proposal of fundamental transactions, for amendment of articles authorized, for proposal of amendments for adoption of amendments, for voluntary transfer of corporate assets and for survival of remedies and rights after dissolution; in nonstock corporations, further providing for election of an existing business corporation to become a nonstock corporation and for termination of nonstock corporation status; in registered corporations, further providing for call of special meetings of shareholders, for adjournment of meetings of shareholders, for consent of shareholders in lieu of meeting, and for notice of shareholder meetings, providing for qualifications of directors, and further providing

for application and effect of subchapter, for definitions, for business combination, for application and effect of subchapter, for definitions, for voting rights of shares acquired in a control-share, for procedure for establishing voting rights of control shares, for application and effect of subchapter and for definitions; in benefit corporations, further providing for standard of conduct for directors, for benefit director and for standard of conduct for officers; in general provisions relating to nonprofit corporations, further providing for definitions and repealing provisions relating to annual report; in incorporation, further providing for articles of incorporation; in corporate powers duties and safeguards, further providing for adoption, amendment and contents of bylaws, for persons bound by bylaws, for registered office, for corporate records and inspection by members, for bylaws and other powers in emergency and for informational rights of a director, providing for forum selection provisions, and further providing for authority to take and hold trust property; in officers, directors and members, further providing for manner of giving notice, for place and notice of meetings of members, for use of conference telephone or other electronic technology, for conduct of members meeting, for alternative provisions, for standard of care and justifiable reliance, for personal liability of directors, for notation of dissent, for exercise of powers generally, for alternative standard and for limitation on standing, providing for renunciation of corporate opportunities, further providing for board of directors, for term of office of directors, for selection of directors, for quorum of and action by directors, for interested directors or officers and quorum, for compensation of directors, for executive and other committees of the board and for officers, providing for officer's standard of care and justifiable reliance and for personal liability of officers and further providing for mandatory indemnification, for duration and extent of coverage, for time of holding meetings of members, for quorum, for voting rights of members, for determination of members of record, for consent of members in lieu of meeting, for derivative action, for eligible member plaintiffs and security for costs and for special litigation committee; in amendments, sale of assets and dissolution, further providing for amendment of articles authorized, for proposal of amendments and for survival of remedies and rights after dissolution; in electric cooperative corporations, further providing for merger, consolidation, division or sale of assets; in general partnerships, further providing for short title and application of chapter, for partner's rights and duties and for rights to information; in limited partnerships, further providing for short title and application of chapter, for signing of filed documents, for registered office, for limited partner rights to information, for general partner rights to information, for derivative action, for security for costs and for special litigation committee; in limited liability companies, further providing for formation of limited liability company and certificate of organization, for registered office, for rights to information, for derivative action, for security for costs, for special litigation committee, for standard of conduct for members and for standard of conduct for managers and officers; in limited liability companies, further providing for application and effect of subchapter; in business trusts, further providing for registered office; in general provisions, further providing for definitions and for execution of documents; in fictitious names, further providing for definitions, for registration, for contracts entered into by entity using unregistered fictitious name and for effect of registration; in corporate and other association names, repealing provisions relating to register established, to certain additions to register, to decennial filings required, to effect of failure to make filings, to late filings and to voluntary termination of registration by corporations and other associations; and making editorial changes.

#### COMMERCE.

#### SB 729, PN 831

By Rep. DAY

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, further providing for implementation.

#### AGING AND OLDER ADULT SERVICES.

### SPECIAL ORDER OF BUSINESS

#### SWEARING-IN OF NEW MEMBER

The SPEAKER. Members, please take your seats. We are about to take up a special order of business, the swearing-in of Representative-elect Thom Welby of the 113th Legislative District.

#### ELECTION RETURNS PRESENTED

The SPEAKER. The Speaker recognizes the Sergeants of Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, Deputy Secretary for Elections and Commissions, Jonathan Marks.

The SPEAKER. The Chair thanks the gentleman and recognizes Jonathan M. Marks, Deputy Secretary for Elections and Commissions.

Mr. MARKS. Thank you, Mr. Speaker.

I have the privilege and honor of presenting the returns and the certification of campaign expense compliance for the special election held on November 2, 2021, in the 113th Legislative District.

The SPEAKER. The Speaker thanks the Deputy Secretary.

The clerk will please read the returns.

The following election returns were read:

#### COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the One hundred thirteenth Legislative District, as the same have been certified to and filed with my office by the Lackawanna County Board of Elections. Thom Welby, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this seventeenth day of November in the year of our Lord two thousand twenty-one and of the Commonwealth the two hundred forty-sixth.

Veronica W. Degraffenreid  
Acting Secretary of the Commonwealth

\* \* \*

## OFFICIAL RETURNS

SPECIAL ELECTION  
 REPRESENTATIVE IN THE GENERAL ASSEMBLY  
 113th Legislative District  
 November 2, 2021

| <u>DEMOCRATIC</u>                                                           | <u>VOTES</u> |
|-----------------------------------------------------------------------------|--------------|
| Thom Welby<br>119 Park Drive<br>Scranton, PA 18505                          | 9,191        |
| <br>                                                                        |              |
| <u>REPUBLICAN</u>                                                           |              |
| Dominick Manetti<br>347 N Summer Ave<br>Scranton, PA 18504                  | 3,698        |
| <br>                                                                        |              |
| <u>LIBERTARIAN</u>                                                          |              |
| Bonnie Flaherty<br>208 Applewood Acres<br>South Abington Township, PA 18411 | 466          |
| Write-ins                                                                   | 31           |

**CERTIFICATE ON ELECTION EXPENSES**

## COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE  
 HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY  
 OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that the candidate who was elected Representative in the General Assembly from the 113th District in the Special Election held November 2, 2021, Thom Welby, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL) Witness my hand and the seal of the  
 office of the Secretary of the  
 Commonwealth this seventeenth day  
 of November, 2021.

Veronica W. Degraffenreid  
 Acting Secretary of the Commonwealth

**OATH OF OFFICE ADMINISTERED  
 TO MEMBER-ELECT**

The SPEAKER. The Speaker requests that the member-elect come forward to the well of the House for the purpose of taking the oath of office. Please bring your Bible, and if desired, a family member or members can also come forward to hold the Bible during the administration of the oath.

The oath of office required by Article VI, section 3, of the Constitution of the Commonwealth will now be administered by the Honorable Susan E. Schwab, United States Magistrate Judge for the Middle District of Pennsylvania.

JUDGE SCHWAB. Thank you, Mr. Speaker.

Representative-elect Welby, could you please place your left hand on the Bible and raise your right hand and repeat after me: I, Thom Welby, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

(Member asserted oath.)

JUDGE SCHWAB. Congratulations.

Mr. WELBY. Thank you.

The SPEAKER. Congratulations, Representative.

**REMARKS BY DEMOCRATIC LEADER**

The SPEAKER. The Democratic leader, Representative McClinton, is recognized for remarks.

Ms. McCLINTON. Thank you, Mr. Speaker.

There are so many reasons to be grateful and humble for the opportunity to serve one's neighbors as State Representative, and certainly in this current session I am reminded every day, with true humility and compassion, that my colleagues decided to give me the opportunity to be the leader for this term. And nothing is more exciting than swearing in one of our newest members to our ranks.

Congratulations and welcome again, Representative Thom Welby.

The SPEAKER. The Chair thanks the lady and recognizes the majority leader, Representative Benninghoff.

I apologize, Madam Leader. I thought the applause – I thought you were finished.

Ms. McCLINTON. I have to speed it up.

The SPEAKER. You may proceed. No, ma'am, not at all.

Ms. McCLINTON. Let me speed it up. I just have a couple more lines, Mr. Speaker.

So Representative Welby may be new to this office in this capacity, but like so many members of our House, he is not new to service. He certainly has served as staff in the Pennsylvania House Democratic Caucus for 9 years. We do not know how you did it, but that deserves another applause because he was the chief of staff to his predecessor. And I am told by so many of my colleagues, the gentleman from Beaver and many others, that those of us who were staff make the most effective Representatives because we knew who did a lot of the hard work. But certainly his passionate advocacy for veterans, for seniors, for small businesses, for voting rights, for infrastructure improvement have led him to this opportunity, and for that, we are all glad. And I will wrap up with this: Is Scranton in the House?

Thank you, Mr. Speaker. Congratulations, Representative Welby. We are so thrilled.

The SPEAKER. The Chair thanks the lady and again apologizes.

**REMARKS BY MAJORITY LEADER**

The SPEAKER. The Speaker now recognizes the majority leader, Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Representative Welby, congratulations to you and to your family, because we know this is a lot of work on everybody's part. As I often tell candidates, getting elected is a lot of hard work, but now the hard work really starts, and that is serving. But on behalf of the Republican Party, I wanted to welcome you to this esteemed chamber as well.

Along with all this pageantry, I do hope you will take some time to really look around. There is nothing better than your first day – although maybe getting reelected the first time – but that first day is very exciting, very important. I am not sure if we always absorb and comprehend and appreciate what a great privilege you have been given.

My quick research I think shows that less than about 14,000 people have ever served in this capacity, so you are part of a small group, if you think about the fact that our State has about 13 million in it currently and how many may have been here over the decades of our existence as a State.

To me it is still a privilege. I often joke with the young groups that come here and say, you have to look around. This place is even better than Disney World. You can keep looking around year after year and you always find something different. I am also always reminded of some of our forefathers and their insight and their belief in a democratic republic, the ability for us to come here and have differing opinions and share our ideas, and I would guide you that differing opinions, no different than in marriage, does not necessarily mean that one is right and one is wrong. Probably the only advice I gave my daughters when they got married, because they were stubborn like their mother and me, was to not always fight every argument to the death to prove that your husband is wrong and you are right, because at the end of the day, sometimes we just have differing opinions. This chamber is no different. Sometimes votes can become personal, and we do not want that to happen. We do have differing opinions. And to the young people, both here today and classrooms that may come in, I have often told people that we as Representatives have an inherent responsibility to listen to each other, to listen to their opinions and their experiences, because we all come from different walks of life. And that may not necessarily change your opinion – and it surely does not necessarily always change your vote – but you will have learned something, and that in itself is very, very important.

My only words of other guidance is, in addition to this, we want you to enjoy the job, enjoy the responsibilities, because it is really a job of service. More importantly, that we have a committee system – and in the House, a very strong committee system – that we encourage you to utilize to the best of your ability. Understand that just because your party may be different than the majority party who chairs the committee, that does not cut your access off. It is important that all members try to work their bills; go to see the majority chairman as well as the minority chairman of a committee. If your bill gets to the Senate, I would encourage you to develop those same relationships there; one, because it helps the passage of your bill, and two, it will enhance your life because you are going to meet some other people. The committee process is very, very important.

At the end of the day, though we may differ in ideas, we all come here with the same purpose of wanting to make Pennsylvania a good place to raise our families, to grow more jobs, grow our economy. And I selfishly want to make Pennsylvania the "envy of the East"; that has been my little slogan for this year because I think Pennsylvania is a great State, a beautiful State, and I am very, very proud of it. And we are proud of you and we welcome you here, and maybe one day you will be in that picture along with some of our forefathers.

So congratulations, and thank you to the family for all your hard work and indulgence, and congratulations on your victory.

The SPEAKER. The Chair thanks the gentleman.

**REMARKS BY SPEAKER**

The SPEAKER. Representative Welby, on behalf of all the members, I am pleased to welcome you to the House. Your constituents have placed a great faith in you, and I wish you the very best as you work to earn their confidence and their trust, which I am very confident that you will.

I happen to agree with the Democratic leader that I think prior staff make great Representatives because those individuals, and I often say this – our incentive sometimes in this line of business seems upside down. We as Representatives get thanked for all of the things that our staff does on our behalf, whether it is fixing a driver's license, a pothole, a permit – whatever the problem is, people are always quick to thank us for that. Unfortunately, as staff, you also get yelled at for all the votes that we make up here. I do not believe that that is right, which is why I always thank my staff publicly, and why I think that it is important to notice that I think prior staff makes a great member.

It is now my pleasure to introduce some of the guests you have with you today. Located in the well of the House is your wife, Kathleen; their daughter, Emily; their son, Thomas Alden Welby, and his wife, Roxanne, and their children, Cara Mia and Gavin. Please stand and be welcomed.

We also welcome his sister, Mary Clare Welby, and his sister, Becky, and her husband, Wally Bell. Welcome. There are additional family and friends seated in the gallery, as well as the well of the House.

To you I would like to say thank you. This job sometimes can be a challenge. It can be exciting. It can be rewarding. And while we are all the public faces of the job, the truth of the matter is, the families make great sacrifices too. So thank you for sharing your loved one with us and for allowing them the opportunity to serve.

We would also like to welcome Representative-elect Curry, who will be sworn in on December 13. We are happy to have you with us here today and we look forward to sharing in your own ceremony very soon.

Once again, congratulations, Representative Welby. I look forward to working with you and getting to know you better, and this will conclude our opening part of the ceremony and the swearing in of the new member.

The House will be temporarily at ease so the guests can exit and continue the celebration of this great day.

The House will come to order.

**LEAVES OF ABSENCE**

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

The Chair recognizes the majority whip, who indicates that there are none. The Chair thanks the lady.

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

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—200**

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Dowling

Masser

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

**REPORT OF  
COMMITTEE ON COMMITTEES**

The SPEAKER. Next, turning to the supplemental report from the Committee on Committees.

The following report was read:

**COMMITTEE ON COMMITTEES****SUPPLEMENTAL REPORT**

In the House of Representatives,  
November 17, 2021

Resolved that,

Representative Welby, Lackawanna County, is elected a member of the Game and Fisheries Committee *vice* Representative Harkins resigned.

Respectfully submitted,  
Rep. Joanna McClinton  
Democratic Leader

\* \* \*

**COMMITTEE ON COMMITTEES****SUPPLEMENTAL REPORT**

In the House of Representatives,  
November 17, 2021

Resolved that,

Representative Welby, Lackawanna County, is elected a member of the Liquor Control Committee *vice* Representative Harkins resigned.

Respectfully submitted,  
Rep. Joanna McClinton  
Democratic Leader

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

## CONDOLENCE RESOLUTION

The SPEAKER. Members, please take your seats. We are about to take up a condolence resolution on the death of a former member of the House.

The Sergeants at Arms will please close the doors of the House.

The clerk will please read the resolution.

The following resolution was read:

### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Roger Raymond Fischer, a former member of the House of Representatives of Pennsylvania, who passed away at the age of eighty on July 1, 2021; and

WHEREAS, Born in Washington on June 1, 1941, Dr. Fischer was the son of the late Raymond and Louise Gartley Fischer. A graduate of Washington & Jefferson College, the Lutheran Seminary at Gettysburg and the Pittsburgh Theological Seminary, he served this country with honor and distinction as a member of the United States Air Force, United States Air Force Reserve and the Pennsylvania Air National Guard and attained the rank of Lieutenant Colonel. Dr. Fischer worked as a Research Engineer with Jones & Laughlin Steel prior to his 1966 election to the House of Representatives of Pennsylvania, and he served the 47th Legislative District for eleven consecutive terms. Ordained in the First Lutheran Church in Washington, he served numerous churches in southwestern Pennsylvania and West Virginia, including the Calvary Lutheran Church in Scenery Hill and the Buena Vista Presbyterian Church. A past President of the Retired Pennsylvania House of Representatives and Senate Members, Dr. Fischer was a member of American Legion Post No. 175 and the Sons of the American Revolution, which he served as Chaplain. Inducted into the Washington-Greene Chapter of the Pennsylvania Sports Hall of Fame, he was a member of the Pennsylvania Council on Physical Fitness and the founder and Race Director of the Washington Express 10K Run. A life member of the Appalachian Trail Club, the Keystone Trail Association and the Warrior's Trail Association, Dr. Fischer was a two-time finisher of the Ironman Triathlon in Hawaii, completed the Appalachian Trail in 2004 and bicycled across America in 2008. He enjoyed traveling with his wife and spending time with his family; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Roger Raymond Fischer; and extend heartfelt condolences to his wife of forty-eight years, Catherine Trettel Fischer; sons, Roger Raymond II and Stephen Gregory; daughter, Catherine Herold; five grandchildren; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Timothy O'Neal on July 9, 2021, be transmitted to Catherine Trettel Fischer.

Timothy O'Neal, Sponsor

Bryan Cutler, Speaker of the House

ATTEST:

Brooke Wheeler, Chief Clerk of the House

On the question,

Will the House adopt the resolution?

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

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

The SPEAKER. The resolution has been unanimously adopted.

## REMARKS BY MR. O'NEAL

The SPEAKER. The Speaker invites the gentleman, Representative O'Neal, to the microphone.

Mr. O'NEAL. Thank you, Mr. Speaker.

Today we pay tribute to a former member who lived a distinguished life of service and died July 1, 2021, at the age of 80. Rev. Dr. Roger Raymond Fischer represented the constituents of the 47th Legislative District, which at the time included the city of Washington and its surrounding area, for 22 years until his retirement in 1988 at the age of 47.

Prior to his election, Roger was a lieutenant colonel in the U.S. Air Force Reserve and worked as a research engineer for Jones & Laughlin Steel. After his time in the legislature, Roger began a second career as a minister. He was ordained on January 13, 1990, in the First Lutheran Church in Washington. He served numerous churches in southwestern Pennsylvania and West Virginia.

Roger prime-sponsored three laws while a member of the House. Act 97 of 1979 provided for alternative methods for equalizing tax levies. Act 34A of 1974 provided funding for Washington County for the cost of the Yablonski trial. Joseph Yablonski, his wife, and daughter were executed in a murder-for-hire scheme surrounding the election of a new president for the United Mine Workers. Finally, Act 93 of 1970 conveyed a tract of land owned by the Commonwealth to the city of Washington.

During his time in the legislature, Roger was the chairman of the House Education Committee for 10 years and served on the State Board of Education. His family shared with me earlier today that that was a particular point of pride for him, as he was very involved in education throughout his career.

In addition, after his retirement from the legislature, he served nine terms as the president of the Association of Retired Pennsylvania House of Representatives and Senate Members. In his spare time, as you heard earlier, Roger was committed to sports and fitness. He was a two-time finisher of the Ironman Triathlon in Hawaii, and ran the Boston Marathon and New York Marathon four times each.

We are joined here today by his wife of 48 years, Catherine "Kitty" Fischer; his two sons, Roger Raymond, and wife, Marcia, and Steven and his wife, Heather; his daughter, Katy, and her husband, John; and his five grandchildren, Abigail, Jack, and Maxwell Fischer, and Eli and Zeke Herold.

One of the things that I regret is that I did not get to know Roger as much as I probably could have, but we did have the opportunity to speak a couple times on the phone shortly after I began my campaign for the House. The interesting thing, and for those of you that know the dynamics in Washington County, the political dynamics in Washington County, is Roger was the last Republican to represent the city of Washington in my district, even though the district numbers are different since me. So I am the only Republican that has represented the area since Roger served. But certainly, when Roger served, it was not exactly the bastion of Republican ideology; as a matter of fact, it was 3 to 1

Democrats to Republicans, and yet he continued to be elected and reelected for 11 terms.

I did a little research to find out somebody or anybody who actually served with Roger. Unfortunately, there are not very many members around that have served with Roger, but Clancy was here when Roger served. And Clancy indicated to me, although he certainly does not remember any controversies when it comes to Roger or any specific moments, but he certainly remembers him as a wonderful man who was well-respected on both sides of the aisle. That is a testament to the legacy of Roger. Certainly, that is a testament to his legacy in Washington County and the township, the municipality that they live in, North Franklin Township. The township saw fit to name a road after Roger, and it just goes to show the living legacy of a great man from our area.

So, Mr. Speaker, I ask my colleagues to join me in honoring former Representative Roger Raymond Fischer. Thank you.

The SPEAKER. The Sergeants at Arms will please open the doors of the House.

### GUESTS INTRODUCED

The SPEAKER. Turning to recognition of the guests.

Located in the gallery, the Chair is pleased to welcome Representative Krajewski's district office staff: Eboni Taggart, Lena Smith, Chinasa Grant, and Farah Muhammad. Welcome, and thank you. Hopefully you heard my comments earlier regarding staff. We greatly appreciate everything you do.

Also located in the gallery, the Chair is pleased to welcome middle school students from the Boys' Latin Charter School in Philadelphia, and their assistant principal, Michael Sanford. They are the guests of Leader McClinton. Welcome.

Located in the gallery, the Chair is pleased to welcome Boy Scout Troop 120 from Bridesburg. The group recently finished a 2-year tour of all of Pennsylvania's State parks. I had the privilege of meeting them earlier and they shared with me that originally when they started, there were 120 parks, so they thought Troop 120 and 120 State parks made sense, and then we added another one, so they had 121 to get to in order to complete their journey. They are the guests of Representative Hohenstein. Welcome.

Turning to committee and caucus announcements.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet in the majority caucus room at 11:52.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet in the majority caucus room at 11:52.

### 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 12:30 in the majority caucus room. We would be prepared to be back on the floor at 1:30.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Representative Dan Miller.

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

Democrats will caucus at 12:30, hybrid.

The SPEAKER. The Chair thanks the gentleman.

### RECESS

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

### RECESS EXTENDED

The time of recess was extended until 2 p.m.

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

#### HB 1308, PN 2423

By Rep. SAYLOR

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

#### APPROPRIATIONS.

#### HB 1823, PN 2370

By Rep. SAYLOR

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in historic properties, further providing for powers over certain historic property and providing for Washington Crossing Historic Park.

#### APPROPRIATIONS.

#### HB 1995, PN 2319

By Rep. SAYLOR

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

#### APPROPRIATIONS.

## REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. Turning to a Committee on Committees supplemental report.

The following report was read:

### Committee on Committees Supplemental Report

In the House of Representatives  
November 17, 2021

RESOLVED, That

Representative Tarah Toohil, Luzerne County, resigns as a member of the Professional Licensure Committee.

Representative Aaron Kaufer, Luzerne County, is elected a member of the Professional Licensure Committee.

Respectfully submitted,  
Stan Saylor, Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 156** By Representatives MERSKI, D. WILLIAMS, SANCHEZ, DELLOSO, FREEMAN, MADDEN, ROZZI, PEIFER, T. DAVIS and KINKEAD

A Resolution directing the Legislative Budget and Finance Committee to conduct a cost analysis study of an early retirement proposal for members of the State Employees' Retirement System and the Public School Employees' Retirement System.

Referred to Committee on STATE GOVERNMENT, November 17, 2021.

## HOUSE BILLS INTRODUCED AND REFERRED

**No. 2089** By Representatives SAMUELSON, KIM, BENHAM, CIRESI, DeLISSIO, DELLOSO, DeLUCA, FITZGERALD, FREEMAN, GUENST, HARKINS, HILL-EVANS, HOHENSTEIN, KENYATTA, LONGIETTI, MADDEN, McNEILL, PARKER, SAINATO, SANCHEZ, SCHLOSSBERG, SHUSTERMAN, SIMS, SNYDER, SOLOMON and GILLEN

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

Referred to Committee on FINANCE, November 17, 2021.

**No. 2091** By Representatives HOWARD, HILL-EVANS, HOHENSTEIN, D. WILLIAMS, KINSEY, SCHLOSSBERG, SAPPEY, SANCHEZ, BROOKS, GUENST, NEILSON, INNAMORATO, MADDEN and CIRESI

An Act establishing the Behavioral Welfare Educational Loan Lenience Program and imposing duties on the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on EDUCATION, November 17, 2021.

**No. 2092** By Representatives FLOOD, MILLARD, POLINCHOCK, ROTHMAN, R. MACKENZIE, M. MACKENZIE, RADER and SILVIS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing the employer blood donation tax credit.

Referred to Committee on FINANCE, November 17, 2021.

**No. 2093** By Representatives MUSTELLO, SMITH, STAMBAUGH, ROWE, LEWIS DELROSSO, BERNSTINE, RYAN, JOZWIAK, M. MACKENZIE, HAMM, COX, R. MACKENZIE, STAATS, METCALFE, KEEFER, ROSSI and MOUL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for affidavits of candidates; and replacing references to "justice of the peace" with "magisterial district judge."

Referred to Committee on STATE GOVERNMENT, November 17, 2021.

**No. 2094** By Representatives KOSIEROWSKI, MULLINS, KINSEY, T. DAVIS, BOBACK, BURNS, HILL-EVANS, SAMUELSON, MILLARD, NEILSON, O'MARA, MADDEN and BURGOS

An Act designating the bridge, identified as Bridge Key 20703, on State Route 1039, also known as Meredith Street, over Gordan Avenue and Lackawanna Avenue in Carbondale Township, Lackawanna County, as the Joseph Caviston Memorial Bridge.

Referred to Committee on TRANSPORTATION, November 17, 2021.

## 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:

### SB 565, PN 1212

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to firearms not to be carried without a license, providing for license not required, further providing for prohibited conduct during emergency, repealing provisions relating to carrying firearms on public streets or public property in Philadelphia, providing for sportsman's firearm permit, further providing for licenses and repealing provisions relating to proof of license and exception.

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

### STATEMENT BY SPEAKER

The SPEAKER. May I please have the members' attention. I know that this week we have had a lot of debate on a variety of issues, and it is important, as the presiding officer, for us to have meaningful debate here because we are the people's House, and it is why we are sent here is to debate and vote on issues. Sometimes during that debate, I know that passions can run very high and that individuals feel very firmly and steadfastly in their beliefs.

The majesty of our system, and the way the Founders intended it, is that we get to have these debates on behalf of the people. In order to have an orderly debate, we try to strike the balance of being mindful of the rules and respecting the views of one another while addressing the issues.

I had thanked the members at the end of last session, but many of them had – many other members were engaged in separate conversations and I wanted to address the body in its entirety, because last night I know was a longer debate, and I mentioned it last night and I thanked the members regarding how pleased I was that as the debate was concluding, individuals were able to share their thoughts, share their beliefs, debate the bill, and ultimately vote it.

I do appreciate having that opportunity, and I just wanted to say that again to all the members fully assembled here today. It is an important component of our system. And I know that I have talked to some of you individually regarding issues, and I understand that not everybody agrees with all of the decisions that I make all the time; I accept that and understand that. Ultimately, our goal is to thoughtfully and deliberately work through the issues that are before us, and we all have the highest honor of being able to do that.

So thank you for ending on a good note last night and as we head into today's business. I appreciate your indulgence.

### ANNOUNCEMENT BY MR. FARRY

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

Mr. FARRY. Unanimous consent, Mr. Speaker.

The SPEAKER. It is my understanding the leaders have agreed, and you may proceed.

Mr. FARRY. Thank you very much.

November 17 is a special day in the Farry household. It is actually my fourth wedding anniversary today, so I of course want to wish my wife a very happy anniversary. And on our first wedding anniversary, we were actually joined by a little bundle of joy named Jacob Gregory, so it is also my son's third birthday.

So, Jacob, we will be home soon. I hope today has been special thus far, and I look forward to a very peaceful and quiet day on the House floor after 2 rather long days, and I look forward to getting home to my family, as I am sure you all do as well. Thank you.

## CALENDAR

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1342, PN 1440**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in inheritance tax, further providing for transfers not subject to tax.

On the question,

Will the House agree to the bill on second consideration?

Mrs. **DAVIS** offered the following amendment No. **A03030**:

Amend Bill, page 1, line 16, by striking out "a subsection" and inserting subsections

Amend Bill, page 1, lines 17 through 19, by striking out "(a) The" in line 17 and all of lines 18 and 19

Amend Bill, page 2, by inserting between lines 8 and 9

(v) As follows:

(1) Notwithstanding any other provision of law and except as provided in paragraph (2), in the case of a joint account or multiple-party account, as those terms are defined in 20 Pa.C.S. § 6301 (relating to definitions), which is shared with a decedent:

(i) the joint account or multiple-party account is exempt from inheritance tax if each surviving account owner of the joint account or multiple-party account is a lineal descendant or sibling of the decedent; and

(ii) a lineal descendant or sibling of the decedent who is a surviving account owner of the joint account or multiple-party account is exempt from inheritance tax on the lineal descendant's or sibling's respective share of the joint account or multiple-party account.

(2) This subsection does not apply if the joint account or multiple-party account was established within one calendar year of the decedent's death, in which case each surviving account owner of the joint account or multiple-party account shall be subject to inheritance tax on the surviving account owner's respective share of the joint account or multiple-party account at the applicable rate specified in section 2116.

On the question,

Will the House agree to the amendment?

### AMENDMENT WITHDRAWN

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

Mrs. **DAVIS**. Thank you, Mr. Speaker.

And I want to commend the maker of the bill for this great bill. I added this amendment because this affects every one of us in the House. I do plan to pull the amendment, but it is important. It is about – suppose your grandmom opened a bank account with you, with her grandchild, and they started putting money in for them when they were little, and then something happened to the grandmother and she passed away. Well, all that money that the grandmother saved for that child, that child has to pay inheritance tax on that money that the grandmom stacked away, which could be for college or could be for a new car or could be for anything.

So it is just something that I think we need to look at. Inheritance taxes in Pennsylvania are very high, and there are certain ways we can help people, especially the elderly who are trying to save for their grandchildren.

So thank you, Mr. Speaker, and I am removing the amendment.

The SPEAKER. The Chair thanks the lady.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 2058**, **PN 2365**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for declaration and payment of income taxes.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 208**, **PN 177**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 869**, **PN 1074**, entitled:

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in powers and duties, further providing for definitions and providing for virtual operation.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1800**, **PN 2125**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, as follows: in preliminary provisions, further providing for definitions, providing for legislative authority over elections, establishing the Bureau of Election Audits and providing for special standing in challenges to the Election Code; in the Secretary of the Commonwealth, further providing for powers and duties of the Secretary of the Commonwealth and providing for reports on

implementation of elections; in county boards of elections, further providing for powers and duties of county boards and providing for county boards of elections and satellite offices; in district election officers, further providing for district election boards and election, for qualifications of election officers, for tie votes for judge and inspector, for clerks of election and machine inspectors, for vacancies in election boards, appointment, judge and majority inspector to be members of majority party and minority inspector to be member of minority party, for election officers to be sworn, for oath of judge of election, for oaths of inspectors of election, for oaths of clerks of election, for oath of machine inspectors, for power of election officers to administer oaths, for compensation of district election officers and for appointment of watchers; in election districts and polling places, further providing for polling places to be selected by county board, for public buildings to be used where possible and portable polling places and for temporary polling places; providing for registration of electors; in ballots, further providing for form of official election ballot and for number of ballots to be printed and specimen ballots; in voting machines, further providing for examination and approval of voting machines by the Secretary of the Commonwealth, for requirements of voting machines, for preparation of voting machines by county election boards and for delivery of voting machines and supplies by county election boards to election officers; in electronic voting systems, further providing for experimental use of electronic voting systems and for statistical sample and providing for requirements of accessible voting machines and for voting system defects, disclosure, investigation and penalties; repealing provisions relating to voting apparatus bonds and providing for election equipment funding; in preparation for and conduct of primaries and elections, providing for voter's bill of rights, for senior voter's bill of rights and for disabled voter's bill of rights and further providing for delivery of ballots and supplies to judges of election, for time for opening and closing polls, for opening of polls, posting cards of instruction and notices of penalties and voters' rights and examination of voting machines, for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges, for assistance in voting and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for delivering or mailing ballots and for voting by absentee electors, providing for supervised voting by qualified absentee electors in certain facilities and further providing for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for delivering or mailing ballots and for voting by mail-in electors; in Pennsylvania Election Law Advisory Board, further providing for Pennsylvania Election Law Advisory Board; providing for early voting by qualified electors; in returns of primaries and elections, further providing for returns to be open to public inspection and exceptions and for computation of returns by county board, certification and issuance of certificates of election; in recounts and contest, providing for powers and duties of the Attorney General relating to elections and for powers and duties of district attorneys relating to elections; in penalties, further providing for disobeying lawful instructions, for perjury, for false affidavits of candidates, for refusal to permit inspection of papers, destruction or removal and Secretary of the Commonwealth, for refusal to permit inspection of papers, destruction or removal and county boards of elections, for insertion and alteration of entries in documents, removal and refusal to deliver, for refusal to permit overseers, watchers, attorneys or candidates to act, for driving away watchers, attorneys, candidates or overseers, for refusal to permit election officers, clerks and machine inspectors to act and driving away said persons, for refusal to administer oath and acting without being sworn, for violation of oath of office by election officers, for peace officers, failure to render assistance and hindering or delaying county board members and others, for nomination petitions and papers and offenses by signers, for false signatures and statements in nomination petitions and papers, for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression, for offenses by printers of ballots, for unlawful possession of ballots and counterfeiting ballots, for forging and destroying ballots, for tampering with voting machines, for destroying, defacing or removing notices, et cetera, for police officers at polling places, for peace officer, failure to quell disturbances at polls and hindering or delaying election officers and others, for election officers permitting unregistered electors to vote, challenges and refusing to permit qualified electors to vote, for election officers refusing to permit elector to vote in proper party at primaries, for frauds by election officers, for prying into ballots, for interference

with primaries and elections, frauds and conspiracy, for persons interfering in other districts, for assault and battery at polls, for unlawful assistance in voting, for election officers permitting unlawful assistance, for failure to keep and return record of assisted voters, for unlawful voting, for elector voting ballot of wrong party at primary, for repeat voting at elections, for removing ballots, for commissioners to take soldiers' votes, for fraudulent voting by soldiers, for bribery at elections, for receipts and disbursements of primary and election expenses by persons other than candidates and treasurers, for receipts of primary and election expenses by unauthorized persons, for contributions by corporations or unincorporated associations, for failure to file expense account, for prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise, for failure to perform duty, for hindering or delaying performance of duty, for violation of any provision of act and for violations of provisions relating to absentee and mail-in ballots and providing for unlawful collection of ballots and for prohibiting duress and intimidation of elections officials; providing for reimbursements and withholding; and making an appropriation and making a related repeal.

On the question,

Will the House agree to the bill on second consideration?

Mrs. PENNYCUICK offered the following amendment No. A02957:

Amend Bill, page 26, by inserting between lines 27 and 28  
(z.7) As follows:

(i) To pre-canvass or canvass all mail-in and absentee ballots received prior to election day by no later than nine o'clock P. M. on election day.

(ii) To canvass all mail-in and absentee ballots received on election day and prior to eight o'clock P. M. by no later than two o'clock A. M. on the day following the election.

(iii) To compute all returns from each precinct, with the exception of provisional ballots, and all canvassed mail-in or absentee ballots, with the exception of ballots set aside for a determination of compliance with this act, by no later than six o'clock A. M. on the day following the election.

(iv) A county may receive no reimbursements under this act for an election in which the deadlines under this subsection are not met.

(v) Ballots returned by qualified absentee military or overseas electors shall not be subject to the deadlines in this subsection.

Amend Bill, page 128, line 3, by inserting after "date."

If, upon inspection and review of a ballot being returned, either inspector of election believes the ballot or its method of return to be in violation of any provision of this act, the ballot shall be secured separately from all other ballots at the ballot return location, and the inspectors of election shall record the date, time, identity of the elector and a record of each ballot being returned in potential violation of this act. The county board of elections shall determine whether the ballots are in violation of any provision of this act and, only if the county board of elections is satisfied that a ballot is not in violation, shall direct the ballot to be pre-canvassed or canvassed.

Amend Bill, page 143, line 3, by inserting after "date."

If, upon inspection and review of a ballot being returned, either inspector of election believes the ballot or its method of return to be in violation of any provision of this act, the ballot shall be secured separately from all other ballots at the ballot return location, and the inspectors of election shall record the date, time, identity of the elector and a record of each ballot being returned in potential violation of this act. The county board of elections shall determine whether the ballots are in violation of any provision of this act and, only if the county board of elections is satisfied that a ballot is not in violation, shall direct the ballot to be pre-canvassed or canvassed.

Amend Bill, page 182, line 7, by striking out "Rule" and inserting rule

Amend Bill, page 182, lines 8 through 21, by striking out all of lines 8 through 20 and "(2)" in line 21

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Pennycuick. Mrs. PENNYCUICK. Thank you, Mr. Speaker.

I rise today to ask for the support of amendment A02957. This amendment would require that counties utilize their ability to pre-canvass mail-in and absentee ballots to ensure that we get timely results on election night. All ballots received prior to election day would be required to be counted and posted by 9 p.m. on election day. Those eligible ballots arriving on election day while the polls are open must be counted and posted by 2 a.m. the following day.

One of the chief complaints from voters received after the last couple of elections is that the results were so late to come in, that even the day after the election there were still thousands of ballots to be counted. The counties also shared frustration about not having adequate time to count all the mail-in ballots, which had substantially increased due to the pandemic.

This amendment would allow for a more timely reporting of results, as well as having the time needed for any verification. It would also provide greater uniformity across the State's 67 counties. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the lady.

The gentlewoman, Representative Daley, is recognized on the amendment.

Ms. DALEY. Thank you, Mr. Speaker.

Mr. Speaker, I stand in opposition to A02957, an amendment that would require all Pennsylvania county boards of elections to count the ballots from each election under new guidelines. In my view, these guidelines are arbitrary requirements that have the potential to make it even more difficult for county election boards to do their jobs.

Mr. Speaker, here is my breakdown of the proposed deadlines. By 9 p.m. on election day, all mail-in and absentee ballots received prior to election day will be canvassed or pre-canvassed no later than 9 p.m. on election night; that is 1 hour after the polls close at 8 p.m. By 2 a.m. the day after election day, all absentee and mail-in ballots received on election day and prior to 8 p.m. must be canvassed by 2 a.m., 2 o'clock in the morning the day after election day; 6 hours after the polls close at 8 p.m. By 6 a.m. the day after election day, all returns from every precinct, with the exception of provisional ballots, and all canvassed mail-in or absentee ballots, with the exception of ballots set aside for determination of compliance with the law, must be tallied and computed; that is 4 hours after the absentee and mail-in ballots received on election day, and just 10 hours after the polls close at 8 p.m. And if the counties do not get that done, they would lose the reimbursements from the State for that election. I mean, seriously?

Mr. Speaker, I ask, what is the point of setting up rules for counting ballots under arbitrary deadlines and then using the threat of no reimbursement from the State for legitimate and the usual regular costs of running an election? And we need to remember this: these rules apply to all the counties, large and small; urban, suburban, and rural; from Philadelphia County with

1.6 million people to Forest County, home to 7,700 people. Considering that members of this Assembly wanted to invalidate our 2020 votes, is it surprising to see what is in the amendment, A02957? What is the point of this amendment?

Thank you, Mr. Speaker.

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

Mr. ROTHMAN. Thank you, Mr. Speaker.

I represent Cumberland County, and Cumberland County under existing law was able to wait until the Friday after the election to start counting the mail-in voting. They followed the law and they waited until the Friday after the election, meaning we did not have results in Cumberland County until the following Monday – 6 whole days after the election.

Now, I know of other counties, including Allegheny County, that had all of their results by 10 o'clock on election night. But my county, following the law, did not even start counting mail-in votes until Friday. If you go to an Eagles football game or a Steelers football game and you leave the stadium at the end of the game, at the end of the fourth quarter, and you see a score, are you to not expect those are the results, or are you willing to wait for 4 or 5 or 6 or 7 days after the election to get the results of the sporting event? Of course not.

The voters of Pennsylvania believe that when they go to vote, and they vote by that day and that deadline, that they are going to know the results, and I do not understand why anybody who believes in democracy and believes in the importance of elections would not want to know the results immediately or as soon as possible. But current law allows all the 67 counties to do whatever they want. They can start on election night, they can start on election day, or they can wait until Friday and then take as long as they like. The voters of Pennsylvania believe that we have, when it comes to the elections, one job: to count their votes.

I support this amendment. I urge you all to support this amendment to create uniformity in the counting of those ballots and the counting of the votes.

Thank you, Mr. Speaker.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. Although I understand the intent of the maker, my chief concern is that by having artificial deadlines to take the count into consideration, and if you pass those deadlines you are then penalized by losing State funding at a time when our voting offices are squeezed for the necessary funds to do an accurate and good count, all we are setting this up for is failure.

If we force our election officials to meet an arbitrary deadline rather than putting the emphasis on making sure every ballot is accurately counted, appropriately counted, all we are doing is setting ourselves up to incentivize a rush of that counting process, which can lead to error and a misunderstanding of the actual count. That is wrong and it will only feed into the misinformation of elections not being accurate.

This is a dangerous amendment, and I think the most important aspect is to ensure the accuracy of the count and that we do not artificially force our election officials to tabulate before an accurate count can be done effectively and safely.

I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

Does the gentlewoman, Representative O'Mara, seek individual recognition or on the other member's behalf?

You are in order and you may speak on the amendment.

Ms. O'MARA. Mr. Speaker, will the maker of the amendment rise for interrogation? So sorry. I have two questions.

The SPEAKER. She indicates she will. You are in order and may proceed.

Ms. O'MARA. Thank you. I just have two questions.

What happens to the votes or these ballots if they are not counted by the deadlines? Are they tossed, or will they be counted and added late?

Mrs. PENNYCUICK. The deadline does not affect the eligibility of the ballots. It just affects the reimbursement.

Ms. O'MARA. Okay. Thank you. And then my second question, does this include military and overseas ballots?

Mrs. PENNYCUICK. It does not. It has no bearing on absentee or military ballots.

Ms. O'MARA. Okay. Thank you. Mr. Speaker, on the amendment?

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

Ms. O'MARA. I, unfortunately – as much as I respect the maker of the amendment – I rise to oppose the amendment, and I want to just point out something that was just discussed.

We have waited for election results for longer than a day for as long as I can remember. When I ran in 2018, because the margin was so close on the machines, we actually had to wait a full week for overseas military ballots to be received and to be counted because it was so close. So that whole 7-day waiting period that I went through in 2020, I also went through it in 2018, and that was before Act 77 became law. The reason that we should be working on this is not to make sure we have results immediately. Voting is not the same as playing in an NFL (National Football League) game. Voting is making sure that every single American has their right to exercise their franchise and participate in our democracy. We should be working on trying to improve Act 77 instead of trying to take away funding that will make having elections harder, and it is fine to wait. Patience is a virtue, and I believe many Pennsylvanians do have patience.

Thank you, Mr. Speaker.

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

Mr. GROVE. Thank you, Mr. Speaker.

Number one, counties do not receive State funding for elections, so in the current process, they do not get any so there is nothing to take away.

Under the underlying bill, HB 1800, for the first time, we actually would fund counties on a reimbursement from the State level. That is why that reimbursement language is carried in this amendment. We have seen several elections with the improvements of Act 77 and we have seen late counts every single time. The underlying bill provides 5 days of pre-canvassing; 5 days of pre-canvassing. How is that calculated? We asked the city of Philadelphia how long it took them to canvass their ballots during the 2020 general election. So we calculated that and figured out how long it took them to make sure they had enough time to count their millions of ballots in the city of the first class. If Philadelphia can count their votes, the millions of votes they had by election day, every other county in this Commonwealth should do similar things.

As we saw this last election – there was a big election in Virginia. Virginia does their gubernatorial election off-year elections, unlike many other States. One of things, I think, pointed out was the fact that they had to have their mail-in ballots counted an hour after the polls closed. There was a county that did not complete that; they had an issue, they went to court, they got an extension. That is the proper procedure if you had issues with the Election Code. It happens all the time.

I believe there are polling locations in Montgomery County that had issues early in the morning; they went to court, the court allowed them to stay open an extra hour to make up for that time. It happens during elections and there is a process to allow that to continue. Those processes do not change with this amendment or the underlying bill. If there are election issues, legitimate election issues where you have issues at polling locations or with mail-in ballots, the county can go to court and get a court order to extend hours if they need to. Those are proper protections to ensure the enfranchisement of elections.

What this bill does is, because we have so much time on the front end to ensure that ballots are appropriately counted, we put triggers on the back end to make sure voters know the outcome of elections and counties are continuing to count and make sure they get that data as soon as possible.

I think it is unfair to candidates and it is unfair to voters to continue elections, extended counting on mail-in ballots and in-person ballots when we have so much time allowed on the front end to do those administrative functions to let them wait in the wings.

We have had cases in this last election where candidates went to bed thinking they actually won; unbeknownst to them, uncounted ballots came in to change elections. If we had these laws in place now, we would know the outcome, and voters and candidates would know much sooner, outside of those military and overseas ballots and provisional ballots, which still get extended and count at a later date per the election law.

So if my colleagues would approve this amendment to improve our election processes so we can move on with the underlying bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentlewoman, Representative Kinhead, is recognized on the amendment.

Ms. KINKEAD. Thank you, Mr. Speaker.

I was not going to rise and speak on this amendment – I feel that this body has heard from me a lot lately – but I feel that it is necessary to clarify that elections are not games.

I am an avid Steelers fan. It is not the same as an election. But these are decisions that govern whether or not and how we fund our schools, whether we increase our minimum wage, whether we pass paid family leave, or God forbid, pass sensible gun laws. These are not games. This is not a ball game. This is people's lives.

When our nation was born, we waited for months for election results. Voters are entitled to accurate results from fair elections, not immediate results. Thank you.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentlewoman, Representative DeLissio, on the amendment.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I know we all agree that voting is one of the most sacred responsibilities that we have as citizens of this country, and if this amendment is approved today, I think we are going to see a lot more headlines that say, "Dewey Beats Truman."

The SPEAKER. The Chair thanks the lady.

Seeing no one else seeking recognition— Oh, I apologize.

The gentleman, Representative Mackenzie, is recognized on the amendment.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I rise to support the amendment. Getting results for an election in a timely fashion is something that will breed transparency and trust in our elections. It is not about sporting events versus elections. This is a standard that is held around the world. Countries both developed and undeveloped get their results the same day. This is not a ridiculous standard. This is what we should expect of our government.

Let us pass this amendment, let us get the results the same day, and let us build transparency and trust in our elections. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, as is the custom of the House, I will return to the prime sponsor of the amendment for the second time prior to recognizing the leaders, if they so wish.

You are in order and may proceed.

Mrs. PENNYCUICK. Thank you, Mr. Speaker.

Ninety-three hours; 16 hours a day from the Thursday before voting Tuesday until Tuesday, 16 hours a day to count ballots.

In 2020 our largest county in Pennsylvania, Philadelphia, it took them 92 hours to count all their ballots. We are saying that we are going to give you 93 hours so that you are not feeling the stress after a 13-hour in-person election day to open all these ballots and to count them. Makes good sense. If you were in business, you would want to schedule your work so that you are doing it over a period of days and not cramming it in at the last minute when you are tired.

I have had the opportunity to see elections in other countries, and this is what I have learned: If Afghanistan can have results in 24 hours, why can we not?

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the 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—110

|             |            |            |           |
|-------------|------------|------------|-----------|
| Armanini    | Gregory    | Marshall   | Rowe      |
| Benninghoff | Greiner    | Mehaffie   | Ryan      |
| Bernstine   | Grove      | Mentzer    | Sankey    |
| Boback      | Hamm       | Mercuri    | Saylor    |
| Bonner      | Heffley    | Metcalfe   | Schemel   |
| Borowicz    | Helm       | Metzgar    | Schmitt   |
| Brooks      | Hennessey  | Mihalek    | Schroeder |
| Brown, R.   | Hershey    | Millard    | Silvis    |
| Causar      | Hickernell | Miller, B. | Smith     |

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

NAYS—90

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

NOT VOTING—0

EXCUSED—2

|         |        |
|---------|--------|
| Dowling | Masser |
|---------|--------|

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?

Ms. **McCLINTON** offered the following amendment No. **A02942**:

Amend Bill, page 1, lines 1 through 30; page 2, lines 1 through 60; page 3, lines 1 through 51; by striking out all of said lines on said pages and inserting

Amending the act of June 3, 1937 (P.L.1333, No.320), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of

elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," in preliminary provisions, further providing for definitions; in district election officers, further providing for compensation of district election officers; in election districts and polling places, providing for ballot return sites; providing for electronic poll books and for electronic poll books and election infrastructure equipment bonds; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges and for deadline for receipt of valid voter registration application; providing for early voting in elections; in voting by qualified absentee electors, further providing for date of application for absentee ballot, for approval of application for absentee ballot, for envelopes for official absentee ballots, for voting by absentee electors and for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for date of application for mail-in ballots, for approval of application for mail-in ballot, for envelopes for official mail-in ballots and for voting by mail-in electors; and making an editorial change.

Amend Bill, page 3, lines 54 and 55; pages 4 through 182, lines 1 through 30; page 183, lines 1 through 16; by striking out all of said lines on said pages and inserting

Section 1. Section 102 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, is amended by adding subsections to read:

Section 102. Definitions.—The following words, when used in this act, shall have the following meanings, unless otherwise clearly apparent from the context:

\* \* \*

(z.7) The words "ballot drop box" shall mean a secure receptacle established by a county board of elections or county election official by which a voted absentee ballot or mail-in ballot may be deposited by hand by the voter, including language about tampering, and constructed to withstand vandalism by being capable of securely receiving and holding the absentee ballots and mail-in ballots and being locked, with a clearly identified ballot insertion slot and a unique identifying number.

(z.8) The words "public university" shall mean an institution of the Pennsylvania State System of Higher Education established under section 2002-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and a State-related university as defined in section 4(d) of the act of November 26, 1997 (P.L.508, No.55), known as the Institutions of Purely Public Charity Act.

(z.9) The words "community college" shall mean a public college or technical institute which is established and operated in accordance with the provisions of section 1901-A of the Public School Code of 1949, by a local sponsor which provides a two-year, postsecondary, college parallel, terminal general, terminal technical, out of school-youth or adult education program or any combination of the programs.

Section 2. Section 412.2(a) of the act is amended to read:

Section 412.2. Compensation of District Election Officers.—(a) In all counties regardless of class, judges of election, inspectors of election, clerks and machine operators shall be paid compensation as fixed by the county board of elections for each election, which amount shall be at least [\$75] \$175 and not more than [\$200] \$300.

\* \* \*

Section 3. Article V heading of the act is amended to read:

ARTICLE V

Election Districts [and], Polling Places and Ballot Drop Boxes

Section 4. Article V of the act is amended by adding a subarticle to read:

(b.1) Ballot Drop Boxes

Section 531.1. Drop Off Locations to be Selected by County Board of Elections.—(a) The county board of elections shall select and fix the ballot drop box locations within each county and may, at any time,

for any reason, change the ballot drop box locations within the county.

(1) The county board of elections shall inform the secretary of the ballot drop box locations at least sixty-five days prior to the primary election, special election, municipal election or general election.

(2) The county board of elections shall publicly announce, not less than fifty-five days prior to any primary election, special election, municipal election or general election, by posting at its office in a conspicuous place and prominently featured on the county's publicly accessible Internet website, a list of the ballot drop box locations within the county. The list must include the address, dates and hours of operation of the ballot drop boxes, ballot return deadline, contact information for the county board of elections and accessibility information. The list shall be available for public inspection at the office of the county board of elections.

(3) If an additional ballot drop box is added, or a ballot drop box is moved, the county board of elections must notify the secretary immediately and simultaneously update the county's publicly accessible Internet website with the new locations.

(b) Each county must provide at least two ballot drop boxes within the county for each primary election, special election, municipal election or general election. The ballot drop boxes must be arrayed throughout the county in a manner that provides for the greatest convenience for electors. Each ballot drop box must be on sites that meet the accessibility requirements applicable to polling places. A ballot drop box shall be considered accessible if it is in compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327). The county board of elections may add additional ballot drop boxes, as necessary. Nothing in this section shall limit counties to only two ballot drop boxes if the county board of elections deems additional ballot drop boxes are necessary.

(c) In addition to the requirements under subsection (b), for a primary election, special election, municipal election or general election there must be a minimum number of ballot drop boxes equal to at least one ballot drop box for every 50,000 residents of the county as determined by the most recent Federal decennial census, and each annual American Community Survey (ACS) population update.

(d) A minimum of one ballot drop box must be within one mile of each public university or community college that has five thousand or more enrolled students. At least one ballot drop box shall be on each campus of a public university or college campus that has ten thousand or more enrolled students. The following shall apply:

(1) As used in this subsection, the number of enrolled students at a campus shall be the highest number of full-time, part-time, graduate and undergraduate students, not including students solely registered for online courses, during the fall semester of the year of the previous general election according to the data collected by the Department of Education.

(2) The data collected by the Secretary of Education shall be reported to the secretary, on or before December 1 prior to each general election year. The secretary shall determine from the data which public university or community colleges meet the enrollment thresholds and notify each respective county board of elections at least eighty-five days prior to any election.

Section 531.2. Signage, Hours of Operation and Security.—  
(a) Each ballot drop box must be labeled "Official Ballot Drop Box" and must include the following:

(1) Specific points identifying the slot where ballots are to be inserted. A ballot drop box may have more than one ballot slot.

(2) Language stating counterfeiting, forging, tampering with or destroying ballots is a second-degree misdemeanor under sections 1816 and 1817 of this act.

(3) A statement that third-party return of a ballot is prohibited unless the individual returning the ballot:

(i) is rendering assistance to a disabled voter or an emergency absentee voter as authorized by law; or

(ii) is a member of the same household as the voter and the third-party is registered at the same residential address and unit number.

(4) A statement requesting that the designated county elections

official shall be notified immediately if the ballot drop box is full, not functioning or is damaged, including a telephone number and email address for the designated county elections official.

(b) While available, the ballot drop box shall be securely fastened to a stationary surface, an immovable object or placed behind a counter. The ballot drop box shall be secured by a lock and shall include a tamper-evident seal. Only the county board of elections, the county election official, county election official staff or another individual designated by the county election official shall have access to the means to unfasten the lock.

(c) Ballot drop boxes must be made available for use by the voter no less than forty days prior to a primary election, special election, municipal election or general election.

(d) On the date of any primary election, special election, municipal election or general election, the ballot drop box shall be closed when the election ends at eight o'clock P.M.

Section 531.3. Removal of Absentee Ballots and Mail-In Ballots.—(a) Absentee and mail-in ballots must be removed from each ballot drop box at least once every twenty-four hours, excluding Saturdays and Sundays, by at least two people designated by the county board of elections or the county election official. Each person removing ballots from any ballot drop box shall display proper identification.

(b) As directed by the secretary, each county board of elections shall develop ballot collection and chain of custody procedures. Each county shall create and use a form entitled the Ballot Drop Box Collection Form when retrieving absentee ballots and mail-in ballots from the ballot drop boxes.

(c) A Ballot Drop Box Collection Form must be completed and signed by the county designees each time absentee ballots and mail-in ballots are removed from a ballot drop box. A Ballot Drop Box Collection Form must include spaces for the following information:

(1) The ballot drop box location and the unique identifying number of the ballot drop box.

(2) The date and time ballots were emptied from the ballot drop box.

(3) The names of the individuals removing the ballots from the ballot drop box and the name of the individual who secured and relocked the ballot drop box.

(4) The name of the county election official or designee receiving the secured transport container.

(5) The date and time the county election official or designee received the secured transport container.

(6) The number of ballots delivered in the secured transport container.

(7) An area to mark if there is evidence of tampering on the secured transport container.

(d) Absentee ballots and mail-in ballots from ballot drop boxes must be returned to the county board of elections in secured transport containers and immediately taken to a secure location established by the county board of elections. The county election official or the official's designee shall take control of the secured transport container and inspect the container for tampering. The county election official or official's designee shall complete the Ballot Drop Box Collection Form.

(e) An individual may not interfere with the emptying of ballot drop boxes. An individual who interferes with the removal of ballots from a ballot drop box or inhibits or prevents a voter or authorized agent from lawfully depositing a ballot commits a criminal offense under section 1849.

Section 531.4. Canvassing of Ballots Collected from Ballot Drop Boxes.—Each absentee ballot and mail-in ballot removed from a ballot drop box shall be canvassed in accordance with section 1308.

Section 5. The act is amended by adding articles to read:

#### ARTICLE XI-C

##### ELECTRONIC POLL BOOKS

Section 1101-C. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Board." The county board of elections.

"Department." The Department of State of the Commonwealth.

"Electronic poll books." A secure and self-contained electronic record system, consisting of hardware components procured by a board and a software component distributed by the secretary, constituting the voters' certificates, voting check list, numbered lists of voters and district register, for an election district or for use with multiple election districts, that:

(1) receives and stores electronically the signature of voters appearing to vote and any other necessary voter information;

(2) securely downloads and uploads voter information in concert with county voter management systems;

(3) allows real-time tracking of voters for updates to voter histories; and

(4) meets the standards published by the secretary under section 1103-C.

"Secretary." The Secretary of the Commonwealth.

"SURE system." The Statewide Uniform Registry of Electors established under 25 Pa.C.S. § 1222 (relating to SURE system).

Section 1102-C. Use.

Each board shall use electronic poll books that meet the minimum standards published by the secretary under section 1103-C for each primary and election held after December 31, 2024. Electronic poll books shall replace paper-based poll books and shall be used as all of the following in each voting location allowed for by law in this Commonwealth:

(1) Voters' certificates.

(2) Voting check lists.

(3) Numbered lists of voters.

(4) District registers.

(5) For the management of election district voter rolls during elections.

Section 1103-C. Standards.

The secretary, in coordination with the Office of Administration and Office of Information Technology, shall establish and publish requirements and specifications which shall define the minimum standards required of electronic poll books to ensure interoperability with the SURE system. The requirements and specifications may include system compatibility, screen size, security standards, signature capture requirements, voter data fields and any other requirements identified as necessary to meet the needs for each voting location allowed by law in this Commonwealth.

Section 1104-C. Components.

(a) Hardware.—Each board shall be responsible for procuring the hardware components of the electronic poll books. The hardware components shall meet the specifications published by the secretary in accordance with section 1103-C.

(b) Software.—The secretary shall distribute the software component of the electronic poll books. The software component shall be owned, maintained and be subject to restrictions published by the department.

(c) Prohibited interest.—The secretary, the department staff involved with implementation, maintenance or upkeep of the SURE system or electronic poll books or any member of a board may not hold a pecuniary interest in an electronic poll book, components of an electronic poll book or in the design, manufacture or sale of an electronic poll book.

Section 1105-C. Funding for acquisition.

(a) Declaration of policy.—The General Assembly finds and declares that funding of the acquisition of electronic poll books for the management of voter data for each polling place in this Commonwealth is in the best interest of this Commonwealth.

(b) Appropriation.—

(1) The General Assembly appropriates \$7,000,000 from the General Fund to the department for the procurement of the software component of the electronic poll book that builds on and shall integrate with the SURE system and for the development and

implementation of a secure electronic poll book network to be used by counties.

(2) The department shall retain ownership of the software licenses and the contract management duties for the software component of the electronic poll book. Except as provided by law, any part of the appropriations made in this subsection that remain unexpended, uncommitted or unencumbered as of December 31, 2024, shall automatically lapse as of December 31, 2024.

#### ARTICLE XI-D

#### ELECTION POLL BOOKS AND ELECTION INFRASTRUCTURE EQUIPMENT BONDS

Section 1101-D. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Account." The County Electronic Poll Book and Election Infrastructure Equipment Reimbursement Account established under section 1106-D.

"Authority." The Pennsylvania Economic Development Financing Authority.

"Bond." Any type of revenue obligation, including a bond or series of bonds, note, certificate or other instrument, issued by the authority for the benefit of the department under this article.

"Bond administrative expenses." Expenses incurred to administer bonds as provided under the Financing Law, or as necessary to ensure compliance with Federal or State law.

"Bond obligations." The principal of a bond and any premium and interest payable on a bond, together with any amount owed under a related credit agreement or a related resolution of the authority authorizing a bond.

"Credit agreement." A loan agreement, a revolving credit agreement, an agreement establishing a line of credit, a letter of credit or another agreement that enhances the marketability, security or creditworthiness of a bond.

"Department." The Department of State of the Commonwealth.

"Election infrastructure equipment." Hardware or software, or both, that is used by a county in running elections. The term includes mail-ballot processing equipment, such as envelope openers, and information technology equipment, such as intrusion detection sensors, deployed to enhance the security of electronic voting systems, electronic poll books and other election systems by detecting and reporting hacking attempts and other election security breaches. The term does not include electronic voting systems or electronic poll books.

"Electronic poll book." The components of electronic poll books as defined in section 1101-C.

"Electronic voting system." As defined in section 1101-A.

"Financing Law." The act of August 23, 1967 (P.L.251, No.102), known as the Economic Development Financing Law.

Section 1102-D. Bond issuance.

(a) Declaration of policy.—The General Assembly finds and declares that funding for electronic poll books and election infrastructure equipment, including interest, through the authority, is in the best interest of this Commonwealth.

(b) Authority.—Notwithstanding any other law, the following shall apply:

(1) The department may be a project applicant under the Financing Law and may apply to the authority for the funding of electronic poll books and election infrastructure equipment.

(2) The authority may issue bonds under the Financing Law, consistent with this article, to finance a project or projects consisting of funding the purchase, replacement or lease of electronic poll books by the counties, the reimbursement to the counties for their cost to purchase or lease electronic poll books and for the purchase or lease of election infrastructure equipment by the counties.

(3) Participation of an industrial and commercial development authority shall not be required to finance the projects or to issue the bonds described under this article.

(c) Debt or liability.—

(1) Bonds issued under this article shall not be a debt or liability of the Commonwealth and shall not create or constitute an indebtedness, liability or obligation of the Commonwealth.

(2) Bond obligations and bond administrative expenses shall be payable solely from revenues or money pledged or available for repayment as authorized under this article. This paragraph shall include the proceeds of any issuance of bonds.

(3) Each bond shall contain on the bond's face a statement that:

(i) the authority is obligated to pay the principal or interest on the bonds only from the revenues or money pledged or available for repayment as authorized under this article;

(ii) neither the Commonwealth nor a county is obligated to pay the principal or interest; and

(iii) the full faith and credit of the Commonwealth or any county is not pledged to the payment of the principal of or the interest on the bonds.

Section 1103-D. Criteria for bond issuance.(a) Application.—

(1) The department shall apply to the authority to issue bonds to provide financing to the department to:

(i) reimburse each county for the county's cost to purchase or lease electronic poll books;

(ii) fund a county's purchase or lease of electronic poll books; or

(iii) fund the purchase or lease of election infrastructure equipment.

(2) The choice of the funding options under paragraph (1)(i) or (ii) and the choice of type of electronic poll books shall be at the discretion of the Secretary of the Commonwealth.

(b) Issuance.—Bonds may be issued in one or more series, and each series may finance reimbursement grants to one or more counties.

(c) Terms.—

(1) The department, with the approval of the Office of the Budget, shall specify in its application to the authority:

(i) the maximum principal amount of the bonds for each bond issue; and

(ii) the maximum term of the bonds consistent with applicable law.

(2) The total principal amount for all bonds, not including refunding bonds, issued under this article may not exceed \$60,000,000.

(3) The term of the bonds issued under this article may not exceed 10 years from the respective date of original issuance.

(d) Expiration.—For the purpose of this article, the authorization to issue bonds, except for the authorization to issue refunding bonds, shall expire December 31, 2024.

Section 1104-D. Issuance of bonds and sources of payments.

(a) Issuance.—The authority shall consider issuing the bonds upon application by the department. Bonds issued under this article shall be subject to the provisions of the Financing Law, unless otherwise specified under this article.

(b) Service agreement authorized.—The authority and the department may enter into an agreement or service agreement to effectuate this article, including an agreement to secure bonds issued for the purposes under section 1102-D(b), pursuant to which the department shall agree to pay the bond obligations and bond administrative expenses to the authority in each fiscal year that the bonds or refunding bonds are outstanding in amounts sufficient to timely pay in full the bond obligations, bond administrative expenses and any other financing costs due on the bonds issued for the purposes under section 1102-D(b). The department's payment of the bond obligations, bond administrative expenses and other financing costs due on the bonds as service charges under an agreement or service agreement shall be subject to and dependent upon the appropriation of funds by the General Assembly to the department for payment of the service charges. The service

agreement may be amended or supplemented by the authority and the department in connection with the issuance of any series of bonds or refunding bonds authorized under this article.

Section 1105-D. Sale of bonds.

The authority shall offer the bonds for sale by means of a public, competitive sale or by means of a negotiated sale based on the authority's determination of which method will produce the most benefit to counties and the Commonwealth.

Section 1106-D. Deposit of bond proceeds.

The net proceeds of bonds, other than refunding bonds, exclusive of costs of issuance, reserves and any other financing charges, shall be transferred by the authority to the State Treasurer for deposit into a restricted account established in the State Treasurer and held solely for the purposes under section 1102-D(b) to be known as the County Electronic Poll Book and Election Infrastructure Equipment Reimbursement Account. The department shall pay out the bond proceeds to the counties from the account in accordance with this article.

Section 1107-D. Payment of bond-related obligations.

For each fiscal year in which bond obligations and bond administrative expenses will be due, the authority shall notify the department of the amount of bond obligations and the estimated amount of bond administrative expenses in sufficient time, as determined by the department, to permit the department to request an appropriation sufficient to pay bond obligations and bond administrative expenses that will be due and payable in the following fiscal year. The authority's calculation of the amount of bond obligations and bond administrative expenses that will be due shall be subject to verification by the department.

Section 1108-D. Commonwealth not to impair bond-related obligations.

The Commonwealth pledges that it shall not do any of the following:

(1) Limit or alter the rights and responsibilities of the authority or the department under this article, including the responsibility to:

(i) pay bond obligations and bond administrative expenses; and

(ii) comply with any other instrument or agreement pertaining to bonds.

(2) Alter or limit the service agreement under section 1104-D(b).

(3) Impair the rights and remedies of the holders of bonds, until each bond issued and the interest on the bond are fully met and discharged.

Section 1109-D. Personal liability.

The members, directors, officers and employees of the department and the authority shall not be personally liable as a result of good faith exercise of the rights and responsibilities granted under this article.

Section 1110-D. Annual report.

No later than March 1 of the year following the first full year in which bonds have been issued under this article and for each year thereafter in which bond obligations existed in the prior year, the department shall submit an annual report to the chair and minority chair of the Appropriations Committee of the Senate, the chair and minority chair of the Appropriations Committee of the House of Representatives, the chair and minority chair of the State Government Committee of the Senate and the chair and minority chair of the State Government Committee of the House of Representatives providing all data available on bonds issued or existing in the prior year. The report shall include existing and anticipated bond principal, interest and administrative costs, revenue, repayments, refinancing, overall benefits to counties and any other relevant data, facts and statistics that the department believes necessary in the content of the report.

Section 1111-D. Reimbursement of county electronic poll book and election infrastructure expenses.(a) Application.—

(1) A county may apply to the department to receive funding:

(i) to be reimbursed for its cost to purchase or

lease electronic poll books;

(ii) to fund its purchase or lease of electronic poll books; or

(iii) to fund its purchase or lease of election infrastructure equipment.

(2) Each county shall apply for funding on a form containing information and documentation prescribed by the department no later than July 1, 2022. The department may allow a county to submit one or more applications.

(b) Documentation for prior purchase or lease.—If a county seeks reimbursement of the county's cost to purchase or lease by capital lease electronic poll books or election infrastructure equipment that the county purchased or leased before the date that the county submits its application to the department, the county's application shall include documentation prescribed by the department to substantiate the county's cost to purchase or lease the electronic poll books or election infrastructure equipment, including copies of fully executed electronic poll book contracts, fully executed copies of election infrastructure equipment contracts, invoices and proof of payment to the vendor of the electronic poll book or election infrastructure equipment.

(c) Documentation for subsequent purchase or lease.—If a county seeks funding to purchase or lease electronic poll books or election infrastructure equipment that the county will purchase or lease after the date that the county submits its application to the department, the county's application shall include documentation prescribed by the department to substantiate the county's estimate to purchase or lease the electronic poll books or election infrastructure equipment, including copies of fully executed electronic poll book contracts or election infrastructure equipment bids or price quotes submitted to the county and other price estimates or cost proposals.

(d) Review.—The department shall review each county's application on a rolling basis and shall either approve or deny each county's application within 90 days of the date the application is received by the department. A county may supplement or amend submitted applications during the 90-day review period in consultation with the department.

(e) Approval for prior purchase or lease.—If the department approves a county's application submitted under subsection (b), the department and the county shall enter into a written grant agreement through which the department shall reimburse the county at the amount determined under subsection (g).

(f) Approval for subsequent purchase or lease.—If the department approves a county's application under subsection (c), the department and the county shall enter into a written grant agreement through which the department shall provide funding to the county to purchase or lease electronic poll books or election infrastructure equipment at the amount determined under subsection (g). The county shall hold the grant money in an account of the county that is separate from each other county account. The county shall deliver quarterly reports to the department of the electronic poll book costs or election infrastructure equipment costs paid from the grant money in a form prescribed by the department. The county shall return any unspent grant money to the department within 30 days of the expiration of the grant agreement.

(g) Payments.—

(1) A county shall only receive amounts under this section to the extent that the department has bond proceeds available in the account from which to make payments.

(2) Except as provided under paragraph (3), a county which submitted an application approved under subsection (e) or (f) may receive 100% of the total amount submitted under subsection (b) or (c) which may be reimbursed or paid.

(3) If the total amount submitted by all counties under paragraph (2) exceeds the total amount available for reimbursement or payment, a county may receive a portion of the amount available equal to the total amount submitted by the county under subsection (b) or (c) which may be reimbursed or paid, divided by the total amount submitted by all counties under subsection (b) or (c) which may be reimbursed or paid.

(4) The department shall prioritize the funding of electronic poll books over the funding of election infrastructure equipment.

Section 6. Section 1210(a.4)(5)(i) and (ii) of the act are amended to read:

Section 1210. Manner of Applying to Vote; Persons Entitled to Vote; Voter's Certificates; Entries to Be Made in District Register; Numbered Lists of Voters; Challenges.—\* \* \*

(a.4) \* \* \*

(5) (i) Except as provided in subclause (ii), if it is determined that the individual was registered and entitled to vote at the election district where the ballot was cast, including where the individual registers under 25 Pa.C.S. § 1325.1 (relating to same-day voter registration) and casts a provisional ballot, the county board of elections shall compare the signature on the provisional ballot envelope with the signature on the elector's registration form and, if the signatures are determined to be genuine, shall count the ballot if the county board of elections confirms that the individual did not cast any other ballot, including an absentee ballot, in the election.

(ii) A provisional ballot shall not be counted if:

(A) either the provisional ballot envelope under clause (3) or the affidavit under clause (2) is not signed by the individual;

(B) the signature required under clause (3) and the signature required under clause (2) are either not genuine or are not executed by the same individual;

(C) a provisional ballot envelope does not contain a secrecy envelope;

(D) in the case of a provisional ballot that was cast under subsection (a.2)(1)(i), within six calendar days following the election the elector fails to appear before the county board of elections to execute an affirmation or the county board of elections does not receive an electronic, facsimile or paper copy of an affirmation affirming, under penalty of perjury, that the elector is the same individual who personally appeared before the district election board on the day of the election and cast a provisional ballot and that the elector is indigent and unable to obtain proof of identification without the payment of a fee;

(E) in the case of a provisional ballot that was cast under subsection (a.2)(1)(ii), within six calendar days following the election, the elector fails to appear before the county board of elections to present proof of identification and execute an affirmation or the county board of elections does not receive an electronic, facsimile or paper copy of the proof of identification and an affirmation affirming, under penalty of perjury, that the elector is the same individual who personally appeared before the district election board on the day of the election and cast a provisional ballot; [or]

(F) the elector's absentee ballot or mail-in ballot is timely received by a county board of elections[,] except if the voter was provided information by the county board of elections of a defect in the voter's absentee ballot or mail-in ballot and has not returned a completed Absentee Ballot and Mail-in Ballot Cure Form; or

(G) an application for voter registration was made under 25 Pa.C.S. § 1325.1, but the application was rejected by the appropriate commission.

\* \* \*

Section 7. Section 1231(b)(1), (3) and (4) of the act are amended and the subsection is amended by adding a paragraph to read:

Section 1231. Deadline for Receipt of Valid Voter Registration Application.—\* \* \*

(b) In the administration of voter registration, each commission shall ensure that an applicant who is a qualified elector is registered to vote in an election when the applicant has met any of the following conditions:

(1) In the case of voter registration with a motor vehicle driver's license application under 25 Pa.C.S. § 1323 (relating to application with driver's license application), if the valid voter registration application is received by the [appropriate commission] Department of Transportation not later than fifteen days before the election.

\* \* \*

(3) In the case of voter registration at a voter registration agency under 25 Pa.C.S. § 1325 (relating to government agencies), if the valid voter registration application is received by the appropriate commission or the Department of State not later than fifteen days before the election.

(3.1) In the case of same-day voter registration under 25 Pa.C.S. § 1325.1 (relating to same-day voter registration), if the valid voter registration application of the applicant is accepted in the appropriate electoral district by the presiding judge of elections.

(4) In any other case, if the valid voter registration application of the applicant is received by the appropriate commission or the Department of State not later than fifteen days before the election.

\* \* \*

Section 8. The act is amended by adding an article to read:

ARTICLE XII-A

EARLY VOTING IN ELECTIONS

Section 1201-A. Conduct.

(a) Authority.—Notwithstanding any law to the contrary, each county board shall provide for a period of early voting in elections as provided for under this article.

(b) Issuance of ballots and voting booths.—The following apply:

(1) If a request is made to vote early by a registered elector, the county board shall issue a ballot to the registered elector, except in districts where electronic voting systems are used in accordance with Article XI-A, for in-person early voting. Except as otherwise provided under this article, each ballot issued to registered electors for early voting must be voted on the premises of the county board and returned to the county board.

(2) On the dates for early voting prescribed under section 1203-A, each county board shall provide voting booths with electronic voting systems certified by the secretary and other suitable equipment for voting on the premises of the county board and at any other early voting location established by the county board for the conduct of early voting in accordance with this article. Each ballot style must be available in each early voting location, allowing any registered voter of the county to vote in any of the early voting locations.

(c) Lists of early voters.—The county board shall maintain a list of each registered elector in each election district who vote during the early voting period. The list must be maintained for each election district in the county.

(d) District Register.—The district register shall indicate whether a voter has voted early under this article.

Section 1202-A. Early voting locations.

(a) Minimum location requirement.—A county board shall establish at least one early voting location for in-person early voting at a location in the county.

(b) Minimum population requirement.—In addition to the requirement under subsection (a), a county board shall establish one early voting location for in-person early voting for every 100,000 residents of the county as determined by the most recent Federal decennial census and each annual American Community Survey population update.

(c) Additional locations.—In addition to the requirements for early voting locations under subsections (a) and (b), a county board may establish additional early voting locations for in-person early voting.

(d) Location.—Early voting locations may be located in any location eligible to be selected as a polling place under Article V.

(e) Voting.—A registered elector entitled to early voting may vote early at any early voting location established by the county board.

(f) Factors.—If more than one early voting location or temporary early voting location is established under this section or section 1204-A, a county board shall consider the following factors:

(1) proximity to public transportation lines and availability of parking;

(2) travel time to the early voting location;

(3) commuter traffic patterns;

(4) geographic features that tend to affect access and convenience;

(5) equitable distribution across the county so as to afford maximally convenient options for electors;

(6) population density;

(7) use of existing voting locations that typically serve a significant number of electors;

(8) use of public buildings that are known to electors in the county, especially to the extent that using the buildings results in cost savings compared to other potential locations; and

(9) if private locations are considered or designated as early voting locations, methods and standards to ensure the security of voting conducted at the locations.

(g) Accessibility.—Early voting locations shall not be subject to the same provisions as polling places but shall be accessible to persons with disabilities.

(h) Prohibition.—An individual, if within an early voting location or temporary early voting location, may not electioneer or solicit votes for a political party, political body or candidate. Written or printed material may not be posted within the early voting location or temporary early voting location, except as required under this act.

(i) Distance.—An individual, except a county designee, watcher, person in the course of voting, person lawfully giving assistance to a voter and peace and police officer, if permitted under this act, must remain at least 10 feet distant from the early voting location or temporary early voting location during the progress of the voting.

(j) Watcher.—Each candidate and each party or political body may appoint one watcher consistent with section 417 who shall be present within the early voting location or temporary early voting location from the time that county designees meet prior to the opening of the early voting location or temporary early voting location until the time that county designees depart the early voting location or temporary early voting location. A watcher must be a qualified elector of the county in which the watcher serves and must show their certificates if requested to do so.

Section 1203-A. Period for early voting.

(a) Commencement and ending.—The period for in-person early voting shall begin on the 17th day preceding the date of an election and extend through 5 p.m. on the Saturday before election day.

(b) Schedules.—Except as provided under subsection (c), the following shall apply for each election:

(1) Each early voting location must remain open beginning the 17th day before an election through 5 p.m. the Saturday before election day as follows:

(i) during the hours of 9 a.m. to 5 p.m.;

(ii) during the hours of 8 a.m. to 7 p.m. on the second weekend before election day and any holiday; and

(iii) a county board may establish longer hours for early voting locations in compliance with section 1206-A and 1207-A.

(2) (Reserved).

(c) Emergency closure.—Notwithstanding subsection (b), a county board may close an early voting location if the building in which the early voting location is located has been closed by a State, county or local agency in response to a severe weather emergency or other emergency. The county board shall notify the Secretary of the Commonwealth of each closure and shall make reasonable efforts to provide notice to the public of an alternative early voting location.

(d) Security of ballots and voting equipment.—The county board shall ensure that each ballot, scanner and other voting equipment used during the early voting period are secured in accordance with Article XI-A. The following shall apply:

(1) At the beginning of each day of early voting, the early voting location officials shall examine every ballot box, scanner and tabulator, if applicable, to ensure that they remain locked and sealed. Upon completion of their examination, the early voting location officials shall sign a declaration attesting to the same on a form prescribed by the Secretary of the Commonwealth.

(2) At the end of each day of early voting, the early voting location officials shall examine every ballot box, scanner and

tabulator, if applicable, to ensure that they remain locked and sealed. Upon completion of their examination, the early voting location officials shall sign a declaration attesting to the same on a form prescribed by the Secretary of the Commonwealth.

Section 1204-A. Designation of temporary early voting locations.

(a) Temporary early voting locations.—In addition to early voting locations established under section 1202-A, the county board may establish temporary early voting locations for early voting.

(b) Applicability of schedule.—The following apply:

(1) The schedules for the conduct of early voting under section 1203-A(b) shall not apply to temporary early voting locations. Early voting at temporary early voting locations may be conducted on one or more days and during hours within the early voting period established for in-person early voting under section 1203-A(b), as determined by the county board.

(2) The schedules for the conduct of early voting at a temporary early voting location shall not need to be uniform among the temporary early voting locations.

Section 1205-A. Public buildings.

(a) Early voting locations.—The following apply:

(1) Upon request by a county board, the governing body of a municipality shall make public buildings within the county available as early voting locations without charge. A request to use a public building shall include reasonably necessary time before and after the period that early voting will be conducted at the public building.

(2) A municipality making a public building available as an early voting location shall ensure that any portion of the building made available is accessible to voters with disabilities and elderly voters.

(b) (Reserved).

Section 1206-A. Publication of early voting locations and schedules.

(a) Notice.—During the week immediately preceding the commencement of early voting and at least once each week during the period of early voting, the county board shall publish in a newspaper of general circulation in the county a schedule stating:

(1) the location of each early voting location; and

(2) the dates and hours that early voting will be conducted at each temporary early voting location.

(b) Posting requirements.—Each county board shall post a copy of the schedule at an office or other location that is to be used as a temporary early voting location. The schedule must be posted continuously for a period beginning not later than the 10th day before the commencement of early voting and ending on the last day of the early voting period.

(c) Copies.—The county board must make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

(d) Electronic posting.—If the county board maintains a publicly accessible Internet website, the county board shall make the schedule available on the website during the period of posting.

(e) Prohibition and exception after schedule publication.—The following apply:

(1) Additional early voting locations may not be established after the schedule is published under this section.

(2) Additional temporary early voting locations may be established after the schedule is published if the temporary early voting locations are open to each registered elector. The locations, dates and hours of each additional temporary early voting location shall be reported to the Secretary of the Commonwealth and posted on the county board's publicly accessible Internet website.

Section 1207-A. List of early voting locations.

At least 10 days before the commencement of early voting, each county board shall provide the Secretary of the Commonwealth with a list of each early voting location and the hours each location will be open for early voting.

Section 1208-A. Results.

Results of early voting may not be made available to the public

other than through the tabulation process used for votes cast on election day, after the closing of polls.

Section 9. Section 1302.1(a) of the act is amended and the section is amended by adding a subsection to read:

Section 1302.1. Date of Application for Absentee Ballot.—(a) Except as provided in subsection (a.3), applications for absentee ballots shall be received in the office of the county board of elections not earlier than fifty (50) days before the primary or election, except that if a county board of elections determines that it would be appropriate to its operational needs, any applications for absentee ballots received more than fifty (50) days before the primary or election may be processed before that time. [Applications] Except as provided under subsection (a.1), applications for absentee ballots shall be processed if received not later than five o'clock P.M. [of the first Tuesday] on the fifteenth day prior to the day of any primary or election.

(a.1) Notwithstanding subsection (a), an application for an absentee ballot received from an applicant who presents his or her own application at an office of the county board shall be processed if received not later than five o'clock P.M. of the day prior to the day of any primary or election.

\* \* \*

Section 10. Sections 1302.2(c), 1304 and 1306 of the act, amended March 27, 2020 (P.L.41, No.12), are amended to read:

Section 1302.2. Approval of Application for Absentee Ballot.—\*

\*\*

(c) The county board of elections, upon receipt of any application of a qualified elector required to be registered under the provisions of preceding section 1301, shall determine the qualifications of such applicant by verifying the proof of identification and comparing the information set forth on such application with the information contained on the applicant's permanent registration card. If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "approved." Such approval decision shall be final and binding, except that challenges may be made only on the ground that the applicant was not a qualified elector. Such challenges must be made to the county board of elections prior to five o'clock p.m. on the Friday prior to the election or prior to the pre-canvass of an elector's absentee ballot, whichever is earlier: Provided, however, That a challenge to an application for an absentee ballot shall not be permitted on the grounds that the elector used an application for an absentee ballot instead of an application for a mail-in ballot or on the grounds that the elector used an application for a mail-in ballot instead of an application for an absentee ballot.

\* \* \*

Section 1304. Envelopes for Official Absentee Ballots.—

(a) The county boards of election shall provide two additional envelopes for each official absentee ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official Election Ballot," and nothing else. On the larger of the two envelopes, to be enclosed within the mailing envelope, shall be printed, stamped or endorsed the United States Postal Service's Official Election Mail logo, a prepaid reply mail option under subsection (b), the form of the declaration of the elector, and the name and address of the county board of election of the proper county. The larger envelope shall also contain information indicating the local election district of the absentee voter. Said form of declaration and envelope shall be as prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the electors qualifications, together with a statement that such elector has not already voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes, the official absentee ballot, lists of candidates, when authorized by section 1303 subsection (b) of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else.

(b) The county board of election shall provide prepaid postage for

the larger of the two additional envelopes. The county board of election shall utilize a United States Postal Service prepaid reply mail option.

(c) The county board of election shall include a United States Postal Service Intelligent Mail barcode or successor system allowing mail tracking as specified by the Secretary of the Commonwealth, on both the mailing envelope and larger envelope.

Section 1306. Voting by Absentee Electors.—(a) Except as provided in paragraphs (2) and (3), at any time after receiving an official absentee ballot, but on or before eight o'clock P.M. the day of the primary or election, the elector shall, in secret, proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official Election Ballot." This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector's county board of election and the local election district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid, except where franked, or deliver it in person to either said county board of election or at a ballot drop box.

(2) Any elector, spouse of the elector or dependent of the elector, qualified in accordance with the provisions of section 1301, subsections (e), (f), (g) and (h) to vote by absentee ballot as herein provided, shall be required to include on the form of declaration a supporting declaration in form prescribed by the Secretary of the Commonwealth, to be signed by the head of the department or chief of division or bureau in which the elector is employed, setting forth the identity of the elector, spouse of the elector or dependent of the elector.

(3) Any elector who has filed his application in accordance with section 1302 subsection (e)(2), and is unable to sign his declaration because of illness or physical disability, shall be excused from signing upon making a declaration which shall be witnessed by one adult person in substantially the following form: I hereby declare that I am unable to sign my declaration for voting my absentee ballot without assistance because I am unable to write by reason of my illness or physical disability. I have made or received assistance in making my mark in lieu of my signature.

|                               |                        |
|-------------------------------|------------------------|
| .....                         | .....(                 |
|                               | Mark)                  |
| (Date)                        |                        |
| .....                         | .....                  |
|                               | ....                   |
| (Complete Address of Witness) | (Signature of Witness) |

(b) (1) Any elector who receives and votes an absentee ballot pursuant to section 1301 shall not be eligible to vote at a polling place on election day. The district register at each polling place shall clearly identify electors who have received and voted absentee ballots as ineligible to vote at the polling place, and district election officers shall not permit electors who voted an absentee ballot to vote at the polling place.

(2) An elector who requests an absentee ballot and who is not shown on the district register as having voted the ballot may vote by provisional ballot under section 1210(a.4)(1).

(3) Notwithstanding paragraph (2), an elector who requests an absentee ballot and who is not shown on the district register as having voted the ballot may vote at the polling place if the elector remits the ballot and the envelope containing the declaration of the elector to the judge of elections to be spoiled and the elector signs a statement subject to the penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) in substantially the following form:

I hereby declare that I am a qualified registered elector who has obtained an absentee ballot or mail-in ballot. I further declare that I have not cast my absentee ballot or mail-in ballot, and that instead I remitted my absentee ballot or mail-in ballot and the envelope containing the declaration of the elector to the judge of elections at my polling place to be spoiled and therefore request

that my absentee ballot or mail-in ballot be voided.

(Date)  
(Signature of Elector)

.....  
(Address of Elector)

(Local Judge of Elections)

(c) Except as provided under 25 Pa.C.S. § 3511 (relating to receipt of voted ballot), a completed absentee ballot must be received in the office of the county board of elections or delivered to a ballot drop box no later than eight o'clock P.M. on the day of the primary or election.

(d) Nothing under this section shall be construed to prohibit an elector from returning the completed ballot of another member of the elector's household, registered at the same residential address and unit number.

Section 11. Section 1308(a) and (g)(1)(ii) and (1.1) and (4)(ii) and (iii) of the act, amended March 27, 2020 (P.L.41, No.12), are amended and subsections (a) and (g) are amended by adding paragraphs to read:

Section 1308. Canvassing of Official Absentee Ballots and Mail-in Ballots.—(a) The county boards of election, upon receipt of official absentee ballots in sealed official absentee ballot envelopes as provided under this article and mail-in ballots as in sealed official mail-in ballot envelopes as provided under Article XIII-D, shall [safely keep the ballots in sealed or locked containers until they are to be canvassed by the county board of elections. An absentee ballot, whether issued to a civilian, military or other voter during the regular or emergency application period, shall be canvassed in accordance with subsection (g). A mail-in ballot shall be canvassed in accordance with subsection (g).] mark the date of receipt in the voter's record and shall examine the ballot envelope containing the declaration of the elector to verify completion of the declaration as required under sections 1306 and 1306-D. The following shall apply:

(1) If the declaration of the elector has been completed as required under sections 1306 and 1306-D, the absentee and mail-in ballots shall safely be kept in sealed or locked containers until the ballots are to be pre-canvassed or canvassed by the county board of elections. An absentee ballot, notwithstanding if the absentee ballot is issued to a civilian, military or other voter during the regular or emergency application period, shall be pre-canvassed or canvassed in accordance with subsection (g). A mail-in ballot shall be pre-canvassed in accordance with subsection (g).

(2) If the declaration of the elector has not been correctly signed as required under sections 1306 and 1306-D, the county board of elections shall enter into the voter's record in the voter registration system that the absentee ballot or mail-in ballot has an issue with the voter's declaration requiring correction in order for the absentee ballot or mail-in ballot to be counted. Absentee ballots or mail-in ballots with erroneous declaration of the elector shall be kept in a separate sealed or locked container. The following shall apply:

(i) Within twenty-four (24) hours of a finding under paragraph (2), the county board of elections shall notify the voter by letter, by email if the voter has provided an email address and by phone if the voter has provided a phone number, of the error and shall provide an Absentee Ballot and Mail-in Ballot Cure Form. The form shall be created by the Secretary of the Commonwealth and shall contain a location for the voter to place the voter's Pennsylvania driver's license or Department of Transportation identification card number or last four digits of the voter's Social Security number and instructions on how to return the form. Instead of providing a driver's license, Department of Transportation identification card number or the last four digits of the voter's Social Security number, a voter may provide a legible copy or photograph of a government-issued document, including an official Federal, State, county or municipal document which lists the voter's name and address, a student identification document issued by an institution of higher education as defined in section 118(c) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in this Commonwealth or a utility bill, telephone bill, bank statement, government check, paycheck or tax or rent receipt which lists the voter's name and address. The cure shall include the following attestation in

substantially the following form:

I hereby declare that I am a qualified registered elector in this election who requested and returned an absentee ballot or mail-in ballot to (county) and that I have not and will not vote more than one ballot in this election.

(Date)

(Signature of Elector)

(ii) The Absentee Ballot and Mail-in Ballot Cure Form and instructions on how to return the form shall be made available on the Department of State and each county board's publicly accessible Internet website.

(iii) If the voter completes and returns the Absentee Ballot and Mail-in Ballot Cure Form before noon on the sixth day after the election, the voter's ballot shall be counted as provided under subsection (g)(4)(iii). If the voter fails to complete and return the form before noon on the sixth day after the election, the absentee ballot or mail-in ballot shall be set aside and declared void. The voter may return the Absentee Ballot and Mail-in Ballot Cure Form by email, fax, or other form of electronic submission, mail or delivery in person to the county board of elections.

(iv) The voter shall be provided with information on how to vote by provisional ballot on election day instead of completing an Absentee Ballot and Mail-In Ballot Cure Form.

(v) A missing or inaccurate date on the declaration of the elector on the outer return envelope of an absentee or mail-in ballot shall not be a fatal defect for the ballot, if the voter's declaration signature is contained in the declaration, or the signature has been cured through use of the notice and cure process under this section.

\*\*\*

(g) (1) \*\*\*

(ii) An absentee ballot cast by any absentee elector as defined in section 1301(i), (j), (k), (l), (m) and (n), an absentee ballot under section 1302(a.3) or a mail-in ballot cast by a mail-in elector shall be canvassed in accordance with this subsection if the absentee ballot or mail-in ballot is received in the office of the county board of elections or delivered to a ballot drop box no later than eight o'clock P.M. on the day of the primary or election.

(1.1) The county board of elections shall meet no earlier than [seven] nine o'clock A.M. on the twenty-first day prior to election day and no later than seven o'clock A.M. on election day to pre-canvass all ballots received prior to the meeting. The pre-canvass meeting may continue until eight o'clock P.M. on election day. A county board of elections shall provide at least forty-eight hours' notice of a pre-canvass meeting by publicly posting a notice of a pre-canvass meeting on its publicly accessible Internet website. One authorized representative of each candidate in an election and one representative from each political party shall be permitted to remain in the room in which the absentee ballots and mail-in ballots are pre-canvassed. No person observing, attending or participating in a pre-canvass meeting may disclose the results of any portion of any pre-canvass meeting prior to the close of the polls.

\*\*\*

(4) All absentee ballots which have not been challenged under section 1302.2(c) and all mail-in ballots which have not been challenged under section 1302.2-D(a)(2) and that have been verified under paragraph (3) shall be counted and included with the returns of the applicable election district as follows:

\*\*\*

(ii) If any of the envelopes on which are printed, stamped or endorsed the words "Official Election Ballot" contain any text, mark or symbol which reveals the identity of the elector, the elector's political affiliation or the elector's candidate preference, [the envelopes and the ballots contained therein shall be set aside and declared void.] or the ballot is not sealed inside the Official Election Ballot envelope, the county board of elections shall place the voted absentee ballot or voted mail-in ballot into an Official Election Ballot envelope in a manner as to maintain the secrecy of the voted absentee ballot or voted mail-in ballot. The Official Election Ballot envelope shall be sealed and shall be pre-

canvassed or canvassed in accordance with subparagraph (iii).

(ii) The county board shall then break the seals of such envelopes, remove the ballots and count, compute and tally the votes. If an absentee ballot or mail-in ballot is damaged or defective so that the absentee ballot or mail-in ballot cannot properly be counted by the automatic tabulating equipment, a true duplicate copy shall be made and substituted for the damaged absentee ballot or mail-in ballot. Each duplicate absentee ballot or mail-in ballot shall be clearly labeled "duplicate" and shall bear a serial number which shall be recorded on the damaged or defective absentee ballot or mail-in ballot.

\*\*\*

(8) The Secretary of the Commonwealth may develop an electronic system through which qualified electors may track and verify the status of the qualified elector's absentee or mail-in ballot, including, but not limited to, the dates that the ballot was mailed by the county board, received by the county board, pre-canvassed and accepting for counting, pre-canvassed and in need of cure or rejected for a flaw not subject to cure.

\*\*\*

Section 12. Section 1302.1-D(a) of the act is amended and the section is amended by adding a subsection to read:  
Section 1302.1-D. Date of application for mail-in ballot.

(a) General rule.—Applications for mail-in ballots shall be received in the office of the county board of elections not earlier than 50 days before the primary or election, except that if a county board of elections determines that it would be appropriate to the county board of elections' operational needs, any applications for mail-in ballots received more than 50 days before the primary or election may be processed before that time. [Applications] Except as provided in subsection (a.1), applications for mail-in ballots shall be processed if received not later than five o'clock P.M. [of the first Tuesday] on the fifteenth day prior to the day of any primary or election.

(a.1) Exception.—Notwithstanding subsection (a), an application for a mail-in ballot received from an applicant who presents his or her own application at an office of the county board shall be processed if received not later than five o'clock P.M. of the day prior to the day of any primary or election.

\*\*\*

Section 13. Section 1302.2-D(a)(3) of the act, amended March 27, 2020 (P.L.41, No.12), is amended to read:

Section 1302.2-D. Approval of application for mail-in ballot.

(a) Approval process.—The county board of elections, upon receipt of any application of a qualified elector under section 1301-D, shall determine the qualifications of the applicant by verifying the proof of identification and comparing the information provided on the application with the information contained on the applicant's permanent registration card. The following shall apply:

\*\*\*

(3) Challenges must be made to the county board of elections prior to five o'clock p.m. on the Friday prior to the election or prior to the pre-canvass of an elector's mail-in ballot, whichever is earlier: Provided, however, That a challenge to an application for a mail-in ballot shall not be permitted on the grounds that the elector used an application for a mail-in ballot instead of an application for an absentee ballot or on the grounds that the elector used an application for an absentee ballot instead of an application for a mail-in ballot.

\*\*\*

Section 14. Sections 1304-D(a) and 1306-D(a) and (c) of the act, amended March 27, 2020 (P.L.41, No.12), are amended and the sections are amended by adding subsections to read:

Section 1304-D. Envelopes for official mail-in ballots.

(a) Additional envelopes.—The county boards of election shall provide two additional envelopes for each official mail-in ballot of a size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words

"Official Election Ballot," and nothing else. On the larger of the two envelopes, to be enclosed within the mailing envelope, shall be printed, stamped or endorsed the United States Postal Service's Official Election Mail logo, a prepaid reply mail option pursuant to subsection (a.1), the form of the declaration of the elector and the name and address of the county board of election of the proper county. The larger envelope shall also contain information indicating the local election district of the mail-in voter.

(a.1) Prepaid postage.—The county board of elections shall provide prepaid postage for the larger of the two additional envelopes. The county board of elections shall utilize a United States Postal Service prepaid reply mail option.

(a.2) Mail tracking.—The county board of elections shall include a United States Postal Service Intelligent Mail barcode or successor system allowing mail tracking as specified by the Secretary of the Commonwealth, on both the mailing envelope and larger envelope.

\* \* \*

Section 1306-D. Voting by mail-in electors.

(a) General rule.—At any time after receiving an official mail-in ballot, but on or before eight o'clock P.M. the day of the primary or election, the mail-in elector shall, in secret, proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official Election Ballot." This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector's county board of election and the local election district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid, except where franked, or deliver it in person to either said county board of election or at a ballot drop box.

\* \* \*

(c) Deadline.—Except as provided under 25 Pa.C.S. § 3511 (relating to receipt of voted ballot), a completed mail-in ballot must be received in the office of the county board of elections or delivered to a ballot drop box no later than eight o'clock P.M. on the day of the primary or election.

(d) Construction.—Nothing under this section shall be construed to prohibit an elector from returning the completed ballot of another member of the elector's household, registered at the same residential address and unit number.

Section 15. The provisions of this act are severable. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application.

Section 16. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Leader McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

This amendment, A02942, keeps what works, removes what does not, and adds what the people want — both voters and county election officials alike. The only question is, do we want as many people across the Commonwealth of Pennsylvania to vote or do we not?

Pennsylvania, of course, is the place where our democracy and our nation was born. Pennsylvania is the place where 245 years ago, lawmakers like ourselves stood in a room in Philadelphia and debated allowing the people to determine their future and throwing off the yoke of a mad king. Pennsylvania should likewise lead the nation and the world in democracy and access

to the ballot. It should be easier and safer to vote here than it should be anywhere else on our planet.

The underlying bill makes a nod towards drop boxes, which already exist, yet it severely limits their use. This amendment gives counties flexibility to serve the people better and put the people's convenience first. This amendment copies what works from States like Colorado, where almost every voter, especially rural voters, cast their ballots at safe, secure drop boxes operated by the county.

It is time that we give our frontline workers like our nurses and police officers and those who work shift schedules the opportunity to participate in every single election without having to change their schedules. It is 2021, and our people deserve options and convenience, while also preserving security.

My amendment would require at least two ballot drop boxes in each and every county, placed at least 40 days before an election. That is the minimum for larger counties like the ones I serve. It would require at least one drop box for every 50,000 people in a county. Again, with a minimum of two drop boxes even for counties where they are much more rural across the Commonwealth. There would be no restriction on county election boards from placing additional drop boxes as they see fit.

My amendment would set very rigid safety and security standards for these drop boxes. They would have to have clear labeling; clear warnings about forging or destroying ballots, a clear statement making sure that everyone knows you cannot return a ballot for anyone except for yourself, and a clear way to inform the county election board if there is in fact a problem. Requirement for the boxes to be emptied by an election official every weekday. Standards for the box to be secured and sealed to prevent any tampering.

The underlying bill talks about early voting, but not until 4 years from now. It is 2021, and 33 States across our nation already have early voting in place. People work all sorts of jobs now, virtually and remotely; they are on the clock and off the clock at different types of hours. Once again, like our frontline heroes — our nurses, our police officers, firefighters, first responders — why are we forcing them to vote based on how many days it took for a farmer, once upon a time, to get his horse-drawn wagon to town after he was coming from services?

This amendment would also require early voting to be available 17 days before an election, and through 5 p.m., until the last Saturday, and 9 to 5 and longer hours for both holidays and weekends.

Vote by mail is here to stay. From 2016 to 2020, voting by mail increased in 47 States across our country. There are only — the States that did not see any increases are Colorado, Oregon, and Washington, because they almost exclusively do their entire elections by mail already. New Jersey went from 7 percent to 86; Washington, DC, from 12 to 70 percent; and here in the Commonwealth of Pennsylvania, 3 million people applied for mail-in ballots. Whether we have a pandemic or not, people want to be able to vote by mail safely, and we need to make sure that we are making it easier for them.

My amendment would require the county boards of elections to provide envelopes and prepaid postage for the return ballot, and a coded system to ensure that every ballot can be safely tracked. This amendment would give people who make a simple mistake returning their ballot the chance to make things right. A missing date or a missing outer envelope, an unsigned declaration — these things should not disenfranchise our neighbors who of

course want to participate in the process of voting. Voters will need to be able to do these things in person at their county election office.

Like the underlying bill, this amendment requires all of our county election boards to transition to electronic poll books. The difference is that my amendment helps the election boards to do so by requiring electronic books to start with the primary municipal election in 2025. There is enough time to allow all 67 of our counties to work with the Department of State, the Office of Administration, and the Office of Information Technology to set very clear, unambiguous standards for all of our election boards to follow. The hardware choice is a decision that each county can make. This is not an unfunded mandate because this amendment includes \$7 million in funding to our counties.

This amendment gives our hardworking county election officials a full 3 weeks to pre-canvass absentee and mail-in ballots. This amendment gets rid of very stringent voter ID requirements that overburden citizens. And this amendment stops our government from expanding by not creating another agency, bureaucracy, here in Harrisburg to be run.

This amendment removes the attempt to make Pennsylvania one of the States in the nation that has a very difficult deadline to register to vote. It also allows our State's top law enforcement officers to do their job and not require additional bureaucracy to investigate elections.

This amendment is in fact a true compromise. We kept almost all of the underlying bill, while getting rid of the ones that were just not what the county officials had already wanted. The county commissioners could not be clearer of their priorities and what they need from us as we go on to improve our voting law.

So with that, I am asking for an affirmative vote on amendment A02942.

Thank you, Mr. Speaker.

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

Mr. C. WILLIAMS. Thank you, Mr. Speaker.

Options and convenience. That is what we just heard about this amendment, options and convenience. Let me highlight for you one of these options for convenience. Like the underlying bill, early in-person voting is allowed. Every county shall have at least one polling place for early in-person voting. They shall have one per 100,000 residents an early voting location. The amendment says that you can add as many more as you like; that is fine, all similar to the underlying bill. Those locations must be published so that every location and schedule is known to the public. If there are going to be additional voting locations, those must be published. You have to let the Secretary of State know in advance of those locations and those schedules, and make sure they are on the county Web site – much like the underlying bill.

In addition, after you have published the location and schedule of these early in-person voting locations, you may not add another one, just like the underlying bill. Then I direct your attention to section 1204-A – paragraph A, for those of you who are looking at the amendment; it is on page 17, line 39. "Designation of temporary early voting locations." They may be created after publication of the list of locations and schedules for early in-person voting. A temporary site may be added after the fact – for any reason, in any place, at any time. The amendment specifically says that you do not even have to have it open during the operating hours of the other polling locations – any place, any time, any reason that the county board of elections deems.

Now, remember, the underlying bill and this amendment say that you must keep a list of every voter who votes in early in-person voting. You must keep a list. The amendment says by voting district, by voting district. Every precinct, every ward, will have a list, by a person's name, of who has voted and who has not voted early, early. Then the county board of elections can stand up a temporary in-person voting location not previously published – not previously noticed to the public – based on who has voted already. That, Mr. Speaker, is called electioneering. Not precincts known to us in advance, but stood up after the fact without prior notice; without prior notice to the Secretary of State, based on who has already voted. That is what it means to give the counties options and convenience.

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

Mr. E. NELSON. Mr. Speaker, I rise to oppose this amendment, and it is ironic what was not mentioned. I oppose this amendment because it would eliminate State funding and create a pathway for even greater continued private funding of our elections.

Earlier in the previous amendment, you know, the qualified gentledady from the other side of the aisle said we should be working to improve Act 77 and enhance funding, yet this amendment strips out public funding for our counties and it continues the practice of what we saw of the highly abusive and ethically questionable practice of advance notice to certain counties before the election. Advance notice, Mr. Speaker, of private money; millions of dollars that the Secretary of State, the Governor's Office, and the lobbyists from DC contacted certain counties, certain blue counties in advance, advance notice of money, and that money resulted in millions of dollars going to a select few, prior even to the announcement that there were grants being available to all counties.

Mr. Speaker, that is right: it is not illegal right now to do insider trading in our election system, and that is what happened in 2020. There is no question, there is no question that \$10 million went to Philadelphia before other counties even knew, or that \$2.2 million went to Delaware before counties even knew. In Philadelphia, \$2.2 million were invested in early voting. So it is not surprising to me, Mr. Speaker, that this amendment would continue that practice – fundamentally wrong that all counties are not included.

I think the gentledady said, enough time to work with all counties. I would ask, in the prior election, was there not enough time to work with all counties? Why, Mr. Speaker, were just five blue counties provided advance notice and advance funding, one of which voted 74 percent for a given President?

This amendment must be defeated and we must end the practice of unequal treatment and private funding in our elections. It is wrong. But, Mr. Speaker, we cannot stop there, because what the gentledady did not mention when she said a mandatory minimum of drop boxes is also no cap on drop boxes. As the good gentleman earlier said, they could come up at any time, anywhere, and there could be as many as possible, with electioneers paid for by private money from national special interests. This would be a devastating process to fair and equal elections.

Mr. Speaker, we should not just defeat this amendment, but this should be unanimous across the board, because this type of practice, implemented by either party, changes the way our citizens and their faith in our elections are moving forward. So

not only should we defeat it, but we should prevent it from ever happening again. Let us oppose this amendment. Thank you.

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

Mrs. ISAACSON. Thank you, Mr. Speaker.

Let me start by saying that we should not be referring on the House floor to any particular county by color. We are all 67 counties. We are not blue counties or red counties; that is not how we should be treating each other on this floor, because we are not supposed to be dealing with partisanship when we are supposed to be doing something like making laws.

Now, when you want to go and pick one county over another, perhaps we should consider the density and people wanting to make sure that we have the proper funding to make sure elections go off regardless of which candidate wins, and that is what we should be talking about. Perhaps we should have had more funding coming from the government to each county to make sure and ensure free and fair elections for everyone, and not have to worry about whether outside interests who had an interest in making sure elections were fair were making sure the proper funds were there to pull off elections.

So I would suggest that, as we go forward with debating this amendment or any other amendment, we start talking about the responsibilities that we as government should be providing with everybody and stop trying to pick on any one particular county over another, and where the funding comes to ensure that elections are maintained freely and fairly.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Seeing no one else seeking recognition, we will return— The gentleman, Representative Webster, is now seeking recognition. You are in order and recognized on the amendment, sir.

Mr. WEBSTER. Thank you, Mr. Speaker. I will be very brief.

We have tried to sort of torture some reasons to sort of misrepresent this amendment. I will tell you – and the members of the State Government Committee certainly know this – that I think it was 34 hearings across this summer and the early fall; I lost count at like 52 expert witnesses. I lost count after that. There were many more. And in brief, what those expert witnesses argued for in hearing after hearing in the Pennsylvania House State Government Committee was this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair would simply request of the members, you know, please make it noticeable when you are seeking recognition. It would certainly help us manage the debate a little more smoothly. I know I, for one, am very much looking forward to the request-to-speak button that will be added in the upcoming update to our voting boards; hopefully this summer, as long as it all goes well.

Seeing no one else seeking recognition, the gentlelady waives off for the second time on the amendment, and I will recognize the prime sponsor of the bill, prior to going to the leaders.

You are in order and may proceed, Representative Grove.

Mr. GROVE. Thank you, Mr. Speaker.

I appreciate the last speaker's remarks as to what the hearings said. On Thursday, March 4, in front of us we had Jonathan Marks, the Deputy Secretary for Elections and Commissions, and a member of the committee asked about the deadline under current law – the deadline for registration to vote would go from 30 days to 15 days prior to the election – and Mr. Marks responded, "Forrest Lehman, the county election director,

certainly he would be better able to answer how it felt and how it went from the county's perspective...."

So let us move to Forrest Lehman, director of elections and registration for Lycoming County; again, Thursday, March 4. The question was posed by me to him: "From a county perspective, we had mass new registrations last election cycle. Coupled with that, we had election reforms in Act 77 and Act 12, one of which was reducing the deadline for voters to register from 30 to 15 days prior to the election. In thinking about those two things coming into conflict with each other, and the reality of that happening, how did that impact counties, and do you have any recommendations on trying to improve that process?"

Mr. Lehman responded, "Yeah. The 15-day close of registration was a huge impact on counties last year. And I should be clear. Counties did not ask for the close of registration to be moved from 30 days to 15 days. I think if we had been asked, we probably would've said that – we would've advised against it. In the past, the 30-day close of registration, it coincided with the start of mailing out absentee ballots. So counties were able to put down the burden of processing voter registrations and then take up the burden at the same time then, of administering voting by mail. But one transitioned into the other.

"The 15-day close of registration has created this new two-week period of what I can only describe as administrative chaos in counties, where we have had to simultaneously keep up with last-minute voter registration application volume and vote-by-mail applications at the same time, while we are also supposed to be doing all the other things to get ready for the election – testing and sealing our voting equipment, preparing precinct supplies for in-person voting.

"During those two weeks, we are getting voter registration applications and vote-by-mail applications from voters that – they contain conflicting information that is consuming just absurd amounts of staff time to resolve...."

He further went on to say, "...it's got counties spinning around in circles, and it's very, very difficult."

That is just moving voter registration deadlines from 15 to 30 days. This goes a step further by doing same-day voter registration, extending out elections up to 40 days for drop boxes, extending out in-person voting, and creating duplicative forms of voting, which is going to destroy the counties' administrative ability to actually administer elections. Furthermore, it actually strips out the operational funding to help counties actually do these things.

Mr. Speaker, the most egregious aspects of this amendment eviscerate any integrity provision whatsoever in the underlying bill. A phone number on a drop box is not election security. Great: you can destroy ballots, you can illegally vote, and you can call someone. Congratulations. Illegal votes happen and there is nothing to do to stop it.

We found that out in York County this last election cycle. That should not be the case. You need to make sure you have professionally trained election workers – which the underlying bill has, but the amendment strips out – running our elections; proper training, making sure you have the right people at the right time.

Mr. Speaker, we have had a long week. We will take this up on full debate later. I will just leave you with this on this amendment: this amendment will open the flood gates of election insecurity to Biblical levels. For 40 days and 40 nights, those wanting to illegally vote in an election will gather two by two to vote illegal ballots from across our lands. I hope you will join me

in opposing this amendment and getting to the underlying bill so we can improve access to voters, increase security, and modernize our election process.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—89

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

NAYS—111

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

|           |               |          |              |
|-----------|---------------|----------|--------------|
| Farry     | Lawrence      | Puskaric | Wentling     |
| Fee       | Lewis         | Quinn    | Wheeland     |
| Flood     | Mackenzie, M. | Rader    | White        |
| Fritz     | Mackenzie, R. | Rapp     | Williams, C. |
| Gaydos    | Major         | Rigby    | Zimmerman    |
| Gillen    | Mako          | Roae     |              |
| Gillespie | Maloney       | Rossi    | Cutler,      |
| Gleim     | Marshall      | Rothman  | Speaker      |
| Gregory   |               |          |              |

NOT VOTING—0

EXCUSED—2

Dowling                      Masser

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 as amended?

The SPEAKER. The gentleman, Representative Maloney, has amendment 2393. The Chair has been informed the gentleman intends to withdraw the amendment. The Chair thanks the gentleman.

The gentleman, Representative Puskaric, has amendment 2481 – withdraws. The Chair thanks the gentleman.

The gentleman, Representative Quinn, has amendment 3020. Does he intend to offer the amendment? The gentleman withdraws. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 2071, PN 2392**, entitled:

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, establishing the Pennsylvania Broadband Development Authority to provide broadband Internet access to unserved and underserved residents; and providing for powers and duties of the authority and for grant awards.

On the question,

Will the House agree to the bill on second consideration?

Mr. **MATZIE** offered the following amendment No. **A03054**:

Amend Bill, page 1, line 4, by inserting after "unserved" and underserved  
 Amend Bill, page 2, line 4, by inserting after "unserved" and underserved  
 Amend Bill, page 2, line 9, by striking out "A nongovernmental" and inserting  
An  
 Amend Bill, page 2, line 11, by striking out the period after

"process)" and inserting

, including, but not limited to, a cooperative, nonprofit organization, public-private partnership, private company, public or private utility, public utility district or local government.

Amend Bill, page 2, by inserting between lines 17 and 18

"Community anchor institution." An entity, including any school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization or community support organization, that facilitates greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals and aged individuals, that lack access to gigabit-level broadband service.

Amend Bill, page 2, lines 20 through 26, by striking out all of said lines

Amend Bill, page 2, line 28, by inserting after "having"

a latency sufficient to support real-time, interactive applications

and

Amend Bill, page 3, line 1, by striking out "or"

Amend Bill, page 3, line 3, by striking out "whichever is greater." and inserting

; or

(3) minimum speeds otherwise required to comply with funding opportunities from the Federal Government, whichever is greater.

Amend Bill, page 3, line 5, by inserting after "unserved"

or underserved

Amend Bill, page 3, lines 11 through 28, by striking out all of said lines and inserting

"Underserved area." A project area that is not an unserved location and lacks access to reliable broadband service offered with a speed of not less than 100 megabits per second for downloads and 20 megabits per second for uploads and a latency sufficient to support real-time, interactive applications.

"Unserved area." A project area that has no access to broadband service or lacks access to reliable broadband service with a speed of not less than 25 megabits per second for downloads and three megabits per second for uploads and a latency sufficient to support real-time, interactive applications.

Amend Bill, page 4, line 24, by striking out the period after "section" and inserting

, unless otherwise extended by the General Assembly. No later than six months prior to the dissolution of the authority under this subsection, the authority shall submit a report to the General Assembly. The report shall include a status of all projects under this chapter, a recommendation of whether the authority needs additional time to accomplish the purposes of this chapter and the anticipated timeline for completion of the authority's work.

Amend Bill, page 5, line 15, by striking out "chair" and inserting executive director

Amend Bill, page 5, lines 19 and 20, by striking out "executive director of the Governor's Office of Broadband Initiatives" and inserting Secretary of General Services

Amend Bill, page 5, line 21, by striking out "One individual appointed by the Governor" and inserting

The Secretary of the Budget or a designee

Amend Bill, page 5, line 30, by striking out "appointed"

Amend Bill, page 6, line 1, by striking out "may" and inserting shall

Amend Bill, page 6, line 7, by striking out "Five" and inserting

Six

Amend Bill, page 6, line 9, by striking out "five" and inserting

six

Amend Bill, page 6, lines 10 and 11, by striking out "being appointed" and inserting

as specified

Amend Bill, page 6, line 12, by striking out "or" where it occurs the second time and inserting

and

Amend Bill, page 6, lines 13 through 30; page 7, lines 1 through 14; by striking out "for any of the" in line 13, all of lines 14 through 30 on page 6 and all of lines 1 through 14 on page 7 and inserting

under section 6121(1), (2), (3), (4), (5) and (6) (relating to corporate powers and duties in general).

Amend Bill, page 7, line 19, by striking out "once a month" and inserting

a quarterly basis

Amend Bill, page 8, line 3, by striking out "may" and inserting shall

Amend Bill, page 8, lines 9 through 12, by striking out "The members of the board" in line 9 and all of lines 10 through 12

Amend Bill, page 8, line 24, by striking out "December" and inserting

March

Amend Bill, page 9, line 7, by striking out "may" and inserting shall

Amend Bill, page 9, lines 20 through 24, by striking out "disbursal" in line 20 and all of lines 21 through 24 and inserting

the authority's purposes under this chapter, including the following:

(1) Adopt bylaws, if necessary.

(2) Make and execute contracts, grants and other instruments.

(3) Apply for and receive money from any source consistent with the purposes of this chapter, including letters of intent and proposals under section 6122(f) (relating to specific powers and duties).

(4) Establish priorities for and allocate and disburse money received consistent with the purposes of this chapter.

(5) Establish subcommittees composed of members of the board or nonmembers of the board to consult with and advise the authority.

(6) Adopt a Statewide broadband plan.

(7) Perform other operational activities necessary or appropriate to further the purposes of this chapter.

Amend Bill, page 10, line 23, by striking out "guidance" and inserting

best practices

Amend Bill, page 10, line 24, by striking out "guidelines" and inserting

best practices

Amend Bill, page 11, lines 2 and 3, by striking out "an enforceable" and inserting

a

Amend Bill, page 11, line 4, by inserting after "buildout" , including equitable access and digital literacy components.

Amend Bill, page 11, line 6, by striking out "nongovernmental entities" and inserting

applicants

Amend Bill, page 11, line 7, by inserting after "Government."

The Statewide broadband plan shall also incorporate opportunities to utilize Commonwealth assets to the extent practicable.

Amend Bill, page 11, lines 10 and 11, by striking out "submit a localized broadband plan to the authority and"

Amend Bill, page 11, lines 14 and 15, by striking out "a program" and inserting

one or more programs

Amend Bill, page 11, line 19, by striking out "A nongovernmental entity" and inserting

An applicant

Amend Bill, page 11, line 25, by striking out "nongovernmental entity" and inserting

applicant

Amend Bill, page 11, line 26, by striking out "of 25%" and inserting

amount

Amend Bill, page 11, line 27, by inserting after "project" as determined by the authority in accordance with Federal law and guidance

Amend Bill, page 11, lines 29 and 30, by striking out "a nongovernmental entity" and inserting an applicant

Amend Bill, page 12, lines 2 and 3, by striking out "A nongovernmental entity" and inserting

unless otherwise determined by the authority. An applicant

Amend Bill, page 12, line 9, by striking out the comma after "Federal" and inserting

or

Amend Bill, page 12, line 10, by striking out "or local government"

Amend Bill, page 12, line 14, by striking out "annual"

Amend Bill, page 12, line 16, by striking out "annual"

Amend Bill, page 12, line 17, by striking out "90" and inserting 60

Amend Bill, page 12, line 18, by striking out "150" and inserting 120

Amend Bill, page 12, lines 21 through 30; page 13, lines 1 through 30; page 14, lines 1 through 9; by striking out "all of the following information:" in line 21, all of lines 22 through 30 on page 12, all of lines 1 through 30 on page 13 and all of lines 1 through 9 on page 14 and inserting

information required by Federal law or guidance or any other information required by the authority. The authority shall develop an application form and post and make the application form available on the authority's publicly accessible Internet website.

Amend Bill, page 14, line 10, by striking out "five" and inserting 10

Amend Bill, page 14, line 12, by striking out "applications received" and inserting

proposed unserved or underserved areas and the community anchor institutions

Amend Bill, page 14, lines 15 through 20, by striking out "Within 45 days of the authority" in line 15 and all of lines 16 through 20 and inserting

Before awarding grant funds under section 6123, the authority shall ensure a transparent, evidence-based and expeditious challenge process under which a unit of local government, nonprofit organization or broadband service provider may challenge a proposed project

Amend Bill, page 14, line 22, by striking out "A" and inserting

After resolving each challenge under this subsection, and not later than 60 days before awarding grant funds under section 6123, the authority shall provide public notice of the final classification of each unserved and underserved location or community anchor institution within the Commonwealth. A unit of local government, nonprofit organization or other

Amend Bill, page 14, line 27, by inserting after "unserved" or underserved

Amend Bill, page 15, line 5, by inserting after "unserved" or underserved

Amend Bill, page 15, line 16, by inserting after "unserved" or underserved

Amend Bill, page 16, lines 12 and 13, by striking out "except as required under applicable Federal or State law."

Amend Bill, page 16, lines 14 through 17, by striking out "including open-access network" in line 14 and all of lines 15 through 17 and inserting

except as required under applicable Federal or State law.

Amend Bill, page 16, lines 18 through 21, by striking out "Applicants shall be" in line 18, all of lines 19 and 20 and "grants under section 6123." in line 21 and inserting

Applicants shall deploy the broadband network and begin providing service to each customer that desires service not later than four years after the date in which the applicant receives a grant unless

otherwise extended by the authority as allowed by Federal law and guidance.

Amend Bill, page 16, line 23, by striking out "a reasonable length of time" and inserting

four years, unless otherwise extended by the authority.

Amend Bill, page 16, line 24, by striking out "and" and inserting or

On the question,

Will the House agree to the amendment?

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

Mr. MATZIE. Thank you, Mr. Speaker.

This is an agreed-to amendment that was negotiated amongst all four caucuses. This important amendment ensures a more inclusive process for awarding grant money and a better deployment plan overall. I would appreciate the members' support. Thank you.

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

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, this is indeed a bipartisan, agreed-to amendment. I want to thank the good chairman for offering the amendment, and to everyone who worked on this truly bipartisan measure, and ask for support for the amendment.

Thank you, Mr. Speaker.

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

Mrs. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of amendment 03054. This truly has been a really bipartisan effort, and this amendment will make the bill stronger and allow us to adhere to all the Federal regulations so that Pennsylvania is poised to accept those Federal dollars.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—200

|             |           |               |         |
|-------------|-----------|---------------|---------|
| Armanini    | Fritz     | Mackenzie, M. | Rossi   |
| Benham      | Gainey    | Mackenzie, R. | Rothman |
| Benninghoff | Galloway  | Madden        | Rowe    |
| Bernstine   | Gaydos    | Major         | Rozzi   |
| Bizzarro    | Gillen    | Mako          | Ryan    |
| Boback      | Gillespie | Malagari      | Sainato |

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Dowling            Masser

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 gentleman, Representative Matzie, will be withdrawing the additional 30 amendments. The Chair – and I believe I can say this on behalf of all of the members – thanks you.

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.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 773, PN 1022**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

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 Quinn.

Mr. QUINN. Thank you, Mr. Speaker.

On February 16, 2019, Deana Eckman was killed in a head-on collision while driving with her husband, Chris. The other driver had been convicted of five DUIs (driving under the influence); not one, not two, not three, not even four, but five DUIs. The crash in which he killed Deana was his sixth DUI. Deana was 45 years old, vibrant and beloved by a wide circle of family and friends. She was an incredible woman. As details of her killer's story came out, it was learned that the individual who took her life was allowed to serve his prior sentences for his multiple DUIs concurrently. I want to make sure you understand exactly what that means. Had the court imposed consecutive sentences on Deana's murderer, he would have still been imprisoned at the time of the accident.

The very point of this legislation, named for Deana, is to better protect those that we love. This is going after the worst-of-the-worst DUI offenders. The legislation will not affect the person who makes the mistake of driving after an extra beer or a glass of wine. It is targeted at the high BAC (blood alcohol content), repeat DUI offenders who intentionally and willfully get behind the wheel time and time again. These high BAC, habitual offenders are clearly a danger to others. Had Deana's killer been sentenced consecutively, Deana would be alive today, and perhaps he would have gotten the help he needed while in prison.

Losing a child upends the natural order of life and is always a tragedy. In Deana's memory, please vote "yes" on HB 773. Thank you.

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

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, we are back at this again after having tried this last session, and I do appreciate the fact that this year, in this session, the bill is slightly different than the one we entertained last year, and the removal of some of those even more onerous provisions gives me some comfort in casting a "yes" vote today for 773.

The outline provided by the gentleman from Delaware County with respect to the accident that occurred is heartbreaking, and there is nobody in this chamber, I am certain, that would attempt to defend those horrific actions. Having said all that, Mr. Speaker, there are things we should do, and I will not repeat them out of the attempt to stick to the rules here. I hope that this chamber is willing to entertain some of the things that were discussed yesterday or Monday with respect to the amendments; they are important. And last year those amendments were added to the bill. This year, out of respect and an effort to try and get this to the finish line, they were withdrawn.

So, Mr. Speaker, I ask for a "yes" vote for HB 773. I am hopeful that the Senate will take it up quickly, along with some of the other measures that need to be addressed with respect to our driving laws in this Commonwealth. Thank you.

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

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to point out that this legislation is opposed by the American Civil Liberties Union. It cites the use of mandatory consecutive sentences with regard to one of their objections, and also, I quote, "HB 773 would contribute to this unrelenting expansion, effectively diverting power away from judges into the hands of prosecutors and police...contributing to the ever-greater incarceration of hundreds of thousands of Pennsylvanians." They say that "Requiring that sentences be stacked..." – in other words, served consecutively – "diminishes the power of judges to make decisions on a case-by-case basis...."

You know, Mr. Speaker, I used to practice criminal defense law when I was a lawyer, prior to coming to the legislature. I have always had a concern when a law in this legislature was named after a particular person and a particular incident was used to persuade, because it tends to sort of inflame our passions, go to our emotions instead of the rational part of our brain, which we should be using. Yes, this is a tragic situation. It is always dangerous to use anecdotal evidence to try to make a case that applies to all 12.7 million Pennsylvanians. The reality is, we elect judges; we elect judges to do justice. Within the parameters we give them, they should be able to look at the individual facts and circumstances of each person who comes before them charged with a crime and do justice in that circumstance.

So I have some concerns with this bill. Thank you, Mr. Speaker.

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

Mr. C. WILLIAMS. Thank you, Mr. Speaker.

Deana Eckman was 46; 46 years old and killed in a head-on collision caused by a drunk driver who had a blood alcohol content level of 0.199 – more than twice the legal definition of drunk driving. He was speeding down Market Street in Upper Chichester Township at 80 miles an hour and hit her dead-on in my district – in my district. He had five previous DUI convictions. For his fifth DUI conviction, he was sentenced to 1 to 5 years, to be served concurrently, with the sentences for his third and fourth DUI convictions, for which he was just receiving a sentence.

You want to talk about judicial discretion, here is an idea: a defendant has discretion over whether or not he is going to get a DUI for the fifth time. There is discretion to get behind the wheel

driving drunk and kill somebody at 80 miles an hour. It is not anecdotal; it happened in my district. It is not anecdotal. Anecdotal means taking one fact pattern and making law out of it.

Let me tell you something, I flew an F-18 in combat. Our rule book was this thick. We called it NATOPS (Naval Air Training and Operating Procedures Standardization). Every rule, every emergency procedure in there was written in blood; somebody had to die for us to have a new rule. It is not anecdotal. You want discretion, do not drink and drive.

For those that do not know, concurrent sentencing means that when you commit a crime and are sentenced by a judge, you serve it at the same time as you serve sentences for other crimes. This law would require you to serve one sentence and then another one and then another one. That is what consecutive sentencing is.

Deana, of course, lost her life. Her family has been devastated. Forty-six years old. We heard a list last night of hundreds who lost their lives too early, way too early. Deana belongs in that category. Deana belongs in that category.

Let me tell you about someone else, one of my dearest friends who climbed into that van that night and held Deana's hand as she died. One of my dearest friends, himself a Marine Corps combat veteran. My son is a volunteer firefighter, a youth firefighter, and the first time he was on the scene for someone who lost their life, he did not know what to do with that. We sat in my truck in my driveway and called Larry Weathers, because I knew he could explain it to my son, what service and duty are about. Larry is carrying that every day. This family is involved in other suits. Larry is a constant witness for them and cannot get away from this. That is not anecdotal; that is real life.

Unintended consequences of five DUIs; getting behind the wheel and blasting down Market Street at 80 miles an hour. Pass this law.

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 do not rise as the majority leader on this, I rise as a former county coroner on behalf of a lot of the families that would love to be able to stand here and share their stories. But I am not going to share a bunch of stories other than the fact that I was probably the only elected official that wishes I would have been put out of business in those days. There is nothing more traumatic than knocking on someone's door and telling them that one of their loved ones was not coming home that night or the next night or ever again.

When we hear about these things and read about them in the paper, the next day we turn the page and we go on with life, but those people's lives are devastated and changed forever – every holiday, every birthday, seeing that toothbrush in the holder that is no longer going to be used, that person's towel, that empty chair at the dinner table. If there was ever a bill that I think that we could be ending this week out voting in a bipartisan manner for, this is probably one of them.

It is unacceptable; five-time DUI, .199 alcohol level. Anybody in this room not know that is wrong? Anybody that drives and has a license, which we sign for saying that we understand the laws, now we will respect them, but yet five times. The second time should have probably been a longer sentence and maybe the third and fourth and fifth time would not have happened. But sadly, at the end of the day, because of consecutive sentencing, that did not occur.

We need to pass this; we need to pass it today. And whether you agree with every particular part of that, the one known fact in reality is, because of the consecutive sentencing of a five-time offender, Deana and her family were sentenced to a lifetime of grief, sorrow, and pain. We can do better. Let us show Pennsylvanians that we can do better and vote to support HB 773. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Vitali, for the second time on final passage.

Mr. VITALI. I just want to make one correction so everyone is clear. It has been stated by numerous previous speakers "five-time DUI." This bill involves two, two offenses, and that is on page 2, line 13. We are talking about two DUIs that trigger the consecutive sentence, not five; just to be clear.

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—168

|             |            |            |             |
|-------------|------------|------------|-------------|
| Armanini    | Gaydos     | Maloney    | Ryan        |
| Benninghoff | Gillen     | Markosek   | Sainato     |
| Bernstine   | Gillespie  | Marshall   | Samuelson   |
| Bizzarro    | Gleim      | Matzie     | Sanchez     |
| Boback      | Gregory    | McClinton  | Sappey      |
| Bonner      | Greiner    | McNeill    | Saylor      |
| Borowicz    | Grove      | Mehaffie   | Schemel     |
| Boyle       | Guenst     | Mentzer    | Schlossberg |
| Bradford    | Guzman     | Mercuri    | Schmitt     |
| Briggs      | Hamm       | Metcalfe   | Schroeder   |
| Brooks      | Hanbidge   | Mihalek    | Schweyer    |
| Brown, A.   | Heffley    | Millard    | Shusterman  |
| Brown, R.   | Helm       | Miller, B. | Silvis      |
| Burns       | Hennessey  | Mizgorski  | Smith       |
| Carroll     | Herrin     | Moul       | Snyder      |
| Causar      | Hershey    | Mullery    | Solomon     |
| Ciresi      | Hickernell | Mullins    | Sonney      |
| Conklin     | Howard     | Mustello   | Staats      |
| Cook        | Irvin      | Neilson    | Stambaugh   |
| Cox         | James      | Nelson, E. | Stephens    |
| Culver      | Jones      | Nelson, N. | Struzzi     |
| Davanzo     | Jozwiak    | O'Mara     | Sturla      |
| Davis, T.   | Kail       | Oberlander | Thomas      |
| Day         | Kaufner    | Ortitay    | Tomlinson   |
| Deasy       | Kauffman   | Otten      | Toohil      |
| Delloso     | Keefer     | Owlett     | Topper      |
| Delozier    | Kerwin     | Pashinski  | Twardzik    |
| DelRosso    | Kim        | Peifer     | Warner      |

|            |               |             |              |
|------------|---------------|-------------|--------------|
| DeLuca     | Kirkland      | Pennycuick  | Warren       |
| Diamond    | Klunk         | Pickett     | Webster      |
| Driscoll   | Knowles       | Pisciottano | Welby        |
| Dunbar     | Kosierowski   | Polinchock  | Wentling     |
| Ecker      | Krueger       | Puskaric    | Wheeland     |
| Emrick     | Kulik         | Quinn       | White        |
| Evans      | Labs          | Rabb        | Williams, C. |
| Farry      | Lawrence      | Rader       | Williams, D. |
| Fee        | Longietti     | Rapp        | Young        |
| Fitzgerald | Mackenzie, M. | Rigby       | Zabel        |
| Flood      | Mackenzie, R. | Roae        | Zimmerman    |
| Frankel    | Madden        | Rossi       |              |
| Freeman    | Major         | Rothman     | Cutler,      |
| Fritz      | Mako          | Rozzi       | Speaker      |
| Galloway   | Malagari      |             |              |

NAYS—32

|           |            |           |            |
|-----------|------------|-----------|------------|
| Benham    | DeLissio   | Kenyatta  | Miller, D. |
| Bullock   | Fiedler    | Kinlead   | O'Neal     |
| Burgos    | Gainey     | Kinsey    | Parker     |
| Cephas    | Harkins    | Krajewski | Rowe       |
| Cruz      | Harris     | Lee       | Sankey     |
| Daley     | Hohenstein | Lewis     | Sims       |
| Davis, A. | Innamorato | Merski    | Vitali     |
| Dawkins   | Isaacson   | Metzgar   | Wheatley   |

NOT VOTING—0

EXCUSED—2

|         |        |
|---------|--------|
| Dowling | Masser |
|---------|--------|

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.

RESOLUTIONS

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

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

On the question,  
Will the House adopt the resolution?

Mr. STEPHENS offered the following amendment  
No. **A02955**:

Amend Resolution, page 4, line 20, by striking out "December 31, 2021" and inserting  
June 30, 2022

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

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

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, the amendment very simply moves the date back, the deadline back for the Sentencing Commission to actually conclude the study and deliver results to the General

Assembly so that we might have an opportunity to take any meaningful action that would result from the study, and I would urge the members to support 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—200

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

|            |           |          |              |
|------------|-----------|----------|--------------|
| Evans      | Krajewski | Puskaric | Williams, D. |
| Farry      | Krueger   | Quinn    | Young        |
| Fee        | Kulik     | Rabb     | Zabel        |
| Fiedler    | Labs      | Rader    | Zimmerman    |
| Fitzgerald | Lawrence  | Rapp     |              |
| Flood      | Lee       | Rigby    | Cutler,      |
| Frankel    | Lewis     | Roae     | Speaker      |
| Freeman    | Longietti |          |              |

NAYS—0

NOT VOTING—0

EXCUSED—2

Dowling                      Masser

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 adopt the resolution as amended?

The SPEAKER. The gentleman, Representative Stephens, offers HR 111, new PN 2433, on page 12 of today's House calendar.

The question is, will the House adopt the resolution?

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

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, HR 111 simply directs the Pennsylvania Commission on Sentencing, which is a bipartisan body made up of judges, legislators, defense attorneys, prosecutors, and a law professor, to study how firearms cases are being handled in the Commonwealth of Pennsylvania. We heard last night a very long list, a very sad list, of victims of gun violence in our city of the first class, where we are seeing a real epidemic of gun violence, and that is consistent across many of our other cities as well. Specifically looking to the city of Philadelphia, this year nearly 500 people have been killed through gun violence. In 2020, 499 people were killed with firearms.

**POINT OF ORDER**

The SPEAKER. The gentleman will please suspend.

For what purpose does the gentleman rise?

Mr. VITALI. Mr. Speaker, I rise to a point of order. I do not think that is on our screen.

The SPEAKER. The gentleman will state your point of order. The Chair thanks the gentleman and we will check the computer system for you, sir.

**RESOLUTION PASSED OVER TEMPORARILY**

The SPEAKER. Representative Vitali, we are contacting the LRB (Legislative Reference Bureau) to check on the estimated time of arrival. We will temporarily go over the resolution at this time. The gentleman has not, however, yielded the floor and will be recognized for the first time again when we return to it.

\* \* \*

Mrs. BROWN called up **HR 152, PN 2342**, entitled:

A Resolution urging the Congress of the United States, the United States Department of Transportation and the Governor of the Commonwealth of Pennsylvania to take action on the nationwide school bus driver shortage.

On the question,  
Will the House adopt the resolution?

(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—152

|             |               |            |              |
|-------------|---------------|------------|--------------|
| Armanini    | Gleim         | Marshall   | Ryan         |
| Benninghoff | Gregory       | Matzie     | Sainato      |
| Bernstine   | Greiner       | McNeill    | Samuelson    |
| Bizzarro    | Grove         | Mehaffie   | Sankey       |
| Boback      | Guenst        | Mentzer    | Sappey       |
| Bonner      | Hamm          | Mercuri    | Saylor       |
| Borowicz    | Hanbidge      | Metcalfe   | Schemel      |
| Boyle       | Heffley       | Metzgar    | Schlossberg  |
| Briggs      | Helm          | Mihalek    | Schmitt      |
| Brooks      | Hennessey     | Millard    | Schroeder    |
| Brown, R.   | Herrin        | Miller, B. | Schweyer     |
| Burns       | Hershey       | Mizgorski  | Shusterman   |
| Carroll     | Hickernell    | Moul       | Silvis       |
| Causar      | Howard        | Mullery    | Smith        |
| Ciresi      | Irvin         | Mullins    | Snyder       |
| Cook        | James         | Mustello   | Solomon      |
| Cox         | Jones         | Nelson, E. | Sonney       |
| Culver      | Jozwiak       | O'Mara     | Staats       |
| Davanzo     | Kail          | O'Neal     | Stambaugh    |
| Davis, A.   | Kaufer        | Oberlander | Stephens     |
| Day         | Kauffman      | Ortitay    | Struzzi      |
| DeLissio    | Keefer        | Otten      | Thomas       |
| Delozier    | Kerwin        | Owlett     | Tomlinson    |
| DelRosso    | Klunk         | Pashinski  | Toohil       |
| DeLuca      | Knowles       | Peifer     | Topper       |
| Diamond     | Kosierowski   | Pennycuick | Twardzik     |
| Dunbar      | Krueger       | Pickett    | Warner       |
| Ecker       | Kulik         | Polinchock | Welby        |
| Emrick      | Labs          | Puskaric   | Wentling     |
| Evans       | Lawrence      | Quinn      | Wheeland     |
| Farry       | Lewis         | Rader      | White        |
| Fee         | Longietti     | Rapp       | Williams, C. |
| Flood       | Mackenzie, M. | Rigby      | Williams, D. |
| Freeman     | Mackenzie, R. | Roae       | Zabel        |
| Fritz       | Madden        | Rossi      | Zimmerman    |
| Gainey      | Major         | Rothman    |              |
| Gaydos      | Mako          | Rowe       | Cutler,      |
| Gillen      | Maloney       | Rozzi      | Speaker      |
| Gillespie   | Markosek      |            |              |

NAYS—48

|           |            |          |             |
|-----------|------------|----------|-------------|
| Benham    | Delloso    | Kenyatta | Nelson, N.  |
| Bradford  | Driscoll   | Kim      | Parker      |
| Brown, A. | Fiedler    | Kinthead | Pisciottano |
| Bullock   | Fitzgerald | Kinsey   | Rabb        |

|           |            |            |          |
|-----------|------------|------------|----------|
| Burgos    | Frankel    | Kirkland   | Sanchez  |
| Cephas    | Galloway   | Krajewski  | Sims     |
| Conklin   | Guzman     | Lee        | Sturla   |
| Cruz      | Harkins    | Malagari   | Vitali   |
| Daley     | Harris     | McClinton  | Warren   |
| Davis, T. | Hohenstein | Merski     | Webster  |
| Dawkins   | Innamorato | Miller, D. | Wheatley |
| Deasy     | Isaacson   | Neilson    | Young    |

NOT VOTING—0

EXCUSED—2

Dowling                      Masser

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1308, PN 2423**, entitled:

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

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—200

|             |           |               |           |
|-------------|-----------|---------------|-----------|
| Armanini    | Fritz     | Mackenzie, M. | Rossi     |
| Benham      | Gainey    | Mackenzie, R. | Rothman   |
| Benninghoff | Galloway  | Madden        | Rowe      |
| Bernstine   | Gaydos    | Major         | Rozzi     |
| Bizzarro    | Gillen    | Mako          | Ryan      |
| Boback      | Gillespie | Malagari      | Sainato   |
| Bonner      | Gleim     | Maloney       | Samuelson |

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Dowling            Masser

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 1995, PN 2319**, entitled:

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

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 DelRosso.

Ms. DeLROSSO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak on final passage of the bill. This bill amends the Administrative Code to further provide for the duties of the Department of Drug and Alcohol Programs to ensure they go through the regulatory review process when they implement any new or additional requirements for drug and alcohol treatment providers, more specifically, and new requirements for credentialing, staffing ratios, and any major program changes which impact providers' financial ability to provide services of care. While the ASAM (American Society of Addiction Medicine) criteria was expected by the providers, including an improved patient peer review assessment tool, DDAP added State guidance and recommendations which further added burdens on an industry already struggling with a workforce issue. By allowing the proper regulatory process, we have time to review and develop appropriate changes which will affect drug and alcohol facilities and improve their outcomes. We want to ensure regulations are practical and acceptable, with appropriate stakeholder input and legislative oversight. If the providers cannot meet the expectations of DDAP, they will have to close their doors and leave open beds during a time when substance abuse disorder still remains a crisis in our local communities. We cannot let that happen.

Today I want to thank my colleagues, and I am asking for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. The Speaker will recognize 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-115

|             |         |          |         |
|-------------|---------|----------|---------|
| Armanini    | Greiner | Mehaffie | Rowe    |
| Benninghoff | Grove   | Mentzer  | Ryan    |
| Bernstine   | Hamm    | Mercuri  | Sainato |
| Boback      | Heffley | Metcalfe | Sankey  |
| Bonner      | Helm    | Metzgar  | Saylor  |

|           |               |            |              |
|-----------|---------------|------------|--------------|
| Borowicz  | Hennessey     | Mihalek    | Schemel      |
| Brooks    | Hershey       | Millard    | Schmitt      |
| Brown, R. | Hickernell    | Miller, B. | Schroeder    |
| Burns     | Irvin         | Mizgorski  | Silvis       |
| Causer    | James         | Moul       | Smith        |
| Cook      | Jones         | Mullery    | Snyder       |
| Cox       | Jozwiak       | Mustello   | Sonney       |
| Culver    | Kail          | Nelson, E. | Staats       |
| Davanzo   | Kaufer        | O'Neal     | Stambaugh    |
| Day       | Kauffman      | Oberlander | Stephens     |
| Delozier  | Keefer        | Ortitay    | Thomas       |
| DelRosso  | Kerwin        | Owlett     | Tomlinson    |
| Diamond   | Klunk         | Peifer     | Toohil       |
| Dunbar    | Knowles       | Pennycuick | Topper       |
| Ecker     | Labs          | Pickett    | Twardzik     |
| Emrick    | Lawrence      | Polinchock | Warner       |
| Farry     | Lewis         | Puskaric   | Wentling     |
| Fee       | Longietti     | Quinn      | Wheeland     |
| Flood     | Mackenzie, M. | Rader      | White        |
| Fritz     | Mackenzie, R. | Rapp       | Williams, C. |
| Gaydos    | Major         | Rigby      | Zimmerman    |
| Gillen    | Mako          | Roae       |              |
| Gillespie | Maloney       | Rossi      | Cutler,      |
| Gleim     | Marshall      | Rothman    | Speaker      |
| Gregory   |               |            |              |

NAYS—85

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

NOT VOTING—0

EXCUSED—2

|         |        |
|---------|--------|
| Dowling | Masser |
|---------|--------|

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 1823, PN 2370**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in historic properties, further providing for powers over certain historic property and providing for Washington Crossing Historic Park.

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—200

|             |            |               |             |
|-------------|------------|---------------|-------------|
| Armanini    | Fritz      | Mackenzie, M. | Rossi       |
| Benham      | Gainey     | Mackenzie, R. | Rothman     |
| Benninghoff | Galloway   | Madden        | Rowe        |
| Bernstine   | Gaydos     | Major         | Rozzi       |
| Bizzarro    | Gillen     | Mako          | Ryan        |
| Boback      | Gillespie  | Malagari      | Sainato     |
| Bonner      | Gleim      | Maloney       | Samuelson   |
| Borowicz    | Gregory    | Markosek      | Sanchez     |
| Boyle       | Greiner    | Marshall      | Sankey      |
| Bradford    | Grove      | Matzie        | Sappey      |
| Briggs      | Guenst     | McClinton     | Saylor      |
| Brooks      | Guzman     | McNeill       | Schemel     |
| Brown, A.   | Hamm       | Mehaffie      | Schlossberg |
| Brown, R.   | Hanbidge   | Mentzer       | Schmitt     |
| Bullock     | Harkins    | Mercuri       | Schroeder   |
| Burgos      | Harris     | Merski        | Schweyer    |
| Burns       | Heffley    | Metcalfe      | Shusterman  |
| Carroll     | Helm       | Metzgar       | Silvis      |
| Causer      | Hennessey  | Mihalek       | Sims        |
| Cephas      | Herrin     | Millard       | Smith       |
| Ciresi      | Hershey    | Miller, B.    | Snyder      |
| Conklin     | Hickernell | Miller, D.    | Solomon     |
| Cook        | Hohenstein | Mizgorski     | Sonney      |
| Cox         | Howard     | Moul          | Staats      |
| Cruz        | Innamorato | Mullery       | Stambaugh   |
| Culver      | Irvin      | Mullins       | Stephens    |
| Daley       | Isaacson   | Mustello      | Struzzi     |
| Davanzo     | James      | Neilson       | Sturla      |
| Davis, A.   | Jones      | Nelson, E.    | Thomas      |
| Davis, T.   | Jozwiak    | Nelson, N.    | Tomlinson   |
| Dawkins     | Kail       | O'Mara        | Toohil      |
| Day         | Kaufer     | O'Neal        | Topper      |
| Deasy       | Kauffman   | Oberlander    | Twardzik    |
| DeLissio    | Keefer     | Ortitay       | Vitali      |
| Delloso     | Kenyatta   | Otten         | Warner      |
| Delozier    | Kerwin     | Owlett        | Warren      |
| DelRosso    | Kim        | Parker        | Webster     |
| DeLuca      | Kinhead    | Pashinski     | Welby       |
| Diamond     | Kinsey     | Peifer        | Wentling    |
| Driscoll    | Kirkland   | Pennycuick    | Wheatley    |
| Dunbar      | Klunk      | Pickett       | Wheeland    |
| Ecker       | Knowles    | Pisciottano   | White       |

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Dowling            Masser

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.

**VOTE CORRECTION**

The SPEAKER. The Speaker recognizes the gentleman, Representative Harris, for a record correction.

Mr. HARRIS. Thank you, Mr. Speaker.

On HB 773 the gentleman from Philadelphia, Representative Rabb, should be in the negative.

The SPEAKER. The Chair thanks the gentleman and his comments will be spread upon the record.

**CALENDAR CONTINUED**

**CONSIDERATION OF HR 111 CONTINUED**

The SPEAKER. The Speaker has been notified that HR 111 is now available on the system, for the members who wish to rereview that topic.

And I will now return to the gentleman from Montgomery County, Representative Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Returning back to HR 111, as we heard last night – and I will not rehash much of the debate – we have had a considerable uptick in the number of firearms homicides in the city of Philadelphia and in other cities across Pennsylvania, and so HR 111 simply directs the Commission on Sentencing, which is a body which is comprised of members of the House and Senate, judges, a prosecutor, a defense attorney, and a law professor, to study what is happening with firearms cases in Pennsylvania.

Just in 2020 there have already been 50 percent more women murdered in the city of Philadelphia with firearms. There have been 2,000 people shot just this year, just in the city of Philadelphia. Just in the last 7 days, there have been 40 people shot in the city of Philadelphia. Noteworthy, according to media reports, the conviction rate for violations of the Uniform Firearms Act in Philadelphia went from 71 percent in 2015 all the way down to 53 percent in 2020. So we are seeing a dramatic change, an uptick in the number of people shot, an uptick in the number of homicides, and we are seeing a dramatic reduction in the conviction rate. It behooves us as a General Assembly to

understand why that is happening. Why is it that more people are being shot? Why is it that fewer people are being convicted? What is going on? And the Sentencing Commission is uniquely positioned to do that objective analysis and deliver a report for us.

Mr. Speaker, since 2015 only 21 percent of the 8,500 shootings in the city of Philadelphia resulted in an arrest, and less than 9 percent reached a conviction. The withdrawal rate on Firearms Act violations went from 18 percent to 38 percent over that same period of time.

It is incredibly important that we get a handle on what is driving this dramatic increase in firearm fatalities and this dramatic decrease in convictions for those crimes, and I would urge the members to support the resolution.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Is the gentlewoman, Representative Bullock, seeking recognition? You are in order and may proceed.

Mrs. BULLOCK. Thank you, Mr. Speaker.

I stand today in opposition of this resolution. I understand the gentleman's concern about my county and the violence in the county in which I live in, and I would hope that we would listen to the county in which I live in and the resources that we have asked for to address gun violence in our county. This is not what we have asked for. We have had several conversations on this House floor asking for the kind of resources we believe will keep our communities safe. We have asked on numerous occasions to address gun violence in a way in which we believe will keep our communities safe, yet we have not addressed it nor has the gentleman asked anyone from the county of Philadelphia to work with them on this particular resolution.

And for those reasons I will be in opposition. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Representative White, on the resolution.

Ms. WHITE. Thank you, Mr. Speaker.

Actually, I am a Representative from Philadelphia and I have spoken to the maker of this bill, and I am very proud that he has offered it because I am very, very deeply concerned that, you know, yesterday we heard a lot of conversations about gun violence in the city of Philadelphia. I have been speaking about gun violence in the city of Philadelphia for over a year now, since our prior police commissioner had served. It is very disappointing to see the rates of violence – gun violence, in particular – homicide rates spiking, our law enforcement officers actually going out and focusing on finding and capturing these people who have illegal firearms that are using them to commit crimes in our city.

The death and destruction are horrific. We have to do more, but we also have to be real about the numbers and the data behind it. That is what this resolution does. It will help us gather information so we can better make decisions moving forward to address this very, very deeply concerning issue across the entire city of Philadelphia.

I hope that the members will support this and do so in a bipartisan fashion.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,  
Will the House adopt the resolution as amended?

(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—133

|             |               |            |              |
|-------------|---------------|------------|--------------|
| Armanini    | Greiner       | Mehaffie   | Ryan         |
| Benninghoff | Grove         | Mentzer    | Sainato      |
| Bernstine   | Hamm          | Mercuri    | Sankey       |
| Boback      | Heffley       | Metcalfe   | Sappey       |
| Bonner      | Helm          | Metzgar    | Saylor       |
| Boyle       | Hennessey     | Mihalek    | Schemel      |
| Brooks      | Hershey       | Millard    | Schmitt      |
| Brown, R.   | Hickernell    | Miller, B. | Schroeder    |
| Burns       | Irvin         | Mizgorski  | Silvis       |
| Carroll     | James         | Moul       | Smith        |
| Causar      | Jones         | Mullery    | Snyder       |
| Ciresi      | Jozwiak       | Mullins    | Solomon      |
| Cook        | Kail          | Mustello   | Sonney       |
| Cox         | Kaufer        | Neilson    | Staats       |
| Culver      | Kauffman      | Nelson, E. | Stambaugh    |
| Davanzo     | Keefer        | O'Mara     | Stephens     |
| Day         | Kerwin        | O'Neal     | Struzzi      |
| Delozier    | Klunk         | Oberlander | Thomas       |
| DelRosso    | Knowles       | Ortitay    | Tomlinson    |
| DeLuca      | Kosierowski   | Owlett     | Toohil       |
| Diamond     | Kulik         | Pashinski  | Topper       |
| Driscoll    | Labs          | Peifer     | Twardzik     |
| Dunbar      | Lawrence      | Pennycuik  | Vitali       |
| Ecker       | Lewis         | Pickett    | Warner       |
| Emrick      | Longietti     | Polinchock | Welby        |
| Farry       | Mackenzie, M. | Puskaric   | Wentling     |
| Fee         | Mackenzie, R. | Quinn      | Wheeland     |
| Flood       | Major         | Rader      | White        |
| Fritz       | Mako          | Rapp       | Williams, C. |
| Gaydos      | Malagari      | Rigby      | Zimmerman    |
| Gillen      | Maloney       | Roae       |              |
| Gillespie   | Markosek      | Rossi      | Cutler,      |
| Gleim       | Marshall      | Rothman    | Speaker      |
| Gregory     | Matzie        | Rowe       |              |

#### NAYS—67

|           |            |            |              |
|-----------|------------|------------|--------------|
| Benham    | Delloso    | Isaacson   | Pisciottano  |
| Bizzarro  | Evans      | Kenyatta   | Rabb         |
| Borowicz  | Fiedler    | Kim        | Rozzi        |
| Bradford  | Fitzgerald | Kinthead   | Samuelson    |
| Briggs    | Frankel    | Kinsey     | Sanchez      |
| Brown, A. | Freeman    | Kirkland   | Schlossberg  |
| Bullock   | Gainey     | Krajewski  | Schweyer     |
| Burgos    | Galloway   | Krueger    | Shusterman   |
| Cephas    | Guenst     | Lee        | Sims         |
| Conklin   | Guzman     | Madden     | Sturla       |
| Cruz      | Hanbidge   | McClinton  | Warren       |
| Daley     | Harkins    | McNeill    | Webster      |
| Davis, A. | Harris     | Merski     | Wheatley     |
| Davis, T. | Herrin     | Miller, D. | Williams, D. |
| Dawkins   | Hohenstein | Nelson, N. | Young        |
| Deasy     | Howard     | Otten      | Zabel        |
| DeLissio  | Innamorato | Parker     |              |

NOT VOTING—0

EXCUSED—2

Dowling

Masser

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

The SPEAKER. The Chair would like to end session this afternoon the same way we began, by thanking you for engaging in serious debate on a series of issues today. I would also like to take this opportunity, knowing that once we gavel out today, we will not see each other again until after the Thanksgiving holiday, so I wish everyone a happy Thanksgiving, and more importantly, safe travels from here to your home.

We will be keeping the desk open for some housekeeping, as well as rule 17 speakers. If they wish to come down to the well of the House, we will begin recognizing them upon the conclusion of housekeeping.

#### BILLS RECOMMENDED

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

HB 1342;  
HB 1800;  
HB 2058;  
HB 2071;  
SB 208; and  
SB 869.

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 1482;  
HB 1738;  
HB 1842;  
HB 2044;  
HB 2051;  
HB 2069;  
HB 2070; and  
SB 738.

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

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

The House proceeded to second consideration of **HB 1254, PN 1328**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for in-person instruction or tuition grant program required.

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

**BILL TABLED**

The SPEAKER. The majority leader moves that HB 1254 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 1254 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. Turning to rule 17 speakers. For the information of the members, as you come to the well of the House, this is the time on the last day of the session week where we can speak on issues. That time is limited typically; however, that is, like in many other instances, an issue that does not apply to each of the individual leaders. So for that reason I will call on Representative Leader McClinton first so that she can speak, and the other members will have the appropriate time clock placed on them.

The reason for that is because, as leaders, they would be free to say this at any point during session, and I believe and appreciate the good Representative's offer to do her speech at the end of session during this important time.

**STATEMENT BY MS. McCLINTON**

The SPEAKER. At this time the Speaker recognizes Leader McClinton on the erosion of the institution of the House of Representatives.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, I stand here in defense of the democratic process and in defense of the Pennsylvania House of Representatives as an institution.

Over the last decade, both as a private citizen and now as an elected Representative, I have watched this institution erode. The principles that define our House, the principles that guided Speakers from Benjamin Franklin to K. Leroy Irvis, are that of

deliberate decency. They are that of respect and professionalism. They are that of collegiality.

But as our politics have become more polarized and our tenures shorter, our ability to see our colleagues as just that – as colleagues – has disappeared, and rather than collaboratively working towards legislative solutions for the betterment of our entire Commonwealth, too often we are looking for political victories rather than policies that can lead to real progress.

As Mason's Manual, section 90, paragraph 2, makes it clear, "It is a fundamental rule of parliamentary procedure governing all legislative bodies that the opportunity to deliberate – and, if possible, convince their fellow members – is the right of the minority, of which right they cannot be deprived by the will of the majority." But all too often we see the rights of the minority to deliberate being trampled.

In committees, despite Mason's Manual, section 638, paragraph 1(a), specifying that "No motions to close or limit debate are allowed," we see members in this body successfully moving to the previous question to completely shut off debate.

We see committee meetings being called off of the floor providing members with no notice of the agenda and no opportunity to offer amendments or adequately prepare to debate legislative proposals.

We see committee chairmen who have proudly boasted that no matter what the proposal, if the proposal is sponsored by a member of the minority party, that proposal will never see the light of day. We see other committee chairmen threatening to do the exact same thing.

We see these individuals being appointed to powerful committees, and we see bills being referred to these committees despite knowing that such a referral is a sure death for any minority party proposal, regardless of how meritorious that proposal may be.

We see rulings from the Chair essentially eviscerating the right of the body to discharge a proposal from a disruptive committee, thus removing the only tool the House has to take back a bill from a tyrannical chairman. We see committee staff being instructed not to cooperate or share information with their minority party counterparts. We see the minority party being denied the right to invite testifiers to public hearings.

And that, at the end of the day, we see the results of these actions. This session the House Environmental Resources Committee was referred 68 House bills, and no bills of the minority party were reported to the House floor. The House Health Committee was referred 124 bills, and no bills of the minority party were reported to the House floor. The House State Government Committee was referred 196 House bills, and only 3 bills of the minority party were reported to the House floor, one of which was a land transfer and one of which I was the prime sponsor and specifically asked the chairman not to run the bill due to the issue already being settled. The House Judiciary Committee was referred 288 House bills, of which only 2 bills of the minority party were reported to the House floor.

And unfortunately, Mr. Speaker, the disenfranchisement of the minority is not limited to committees only. In fact, on November 11, 2021, a spokesperson for the majority caucus boasted: "Of the 83 pieces of legislation enacted in 2021...zero have been prime sponsored by House Democrats." How troubling is it that a spokesman for the majority leader would boast that not a single bill of the minority party has been enacted into law?

In 2007 the Democratic Party, despite being in the majority, elected a Republican Speaker. The Democratic majority and the Speaker created the Speaker's Reform Commission, and from that commission they were able to bring our institution back to the ideals of a deliberative process fair to both the majority and the minority.

Among many important achievements of that commission, our House rules were amended to provide members and the public 24 hours to study bills prior to a vote, to prohibit laying amendments on the table without taking the underlying bill with it, and to prohibit our Rules Committee from having the power to amend bills returning on concurrence from the Senate while the whole House lacks that power. But over the last decade, despite those improvements in that time, all those important reforms have vanished.

Just this week, Mr. Speaker, we saw a bill rammed through committee with no notice, and then on the floor had numerous minority party amendments tabled, without taking the underlying bill with it. Worse yet, for the very first time in our history that I am aware of, the motion to table the minority amendments grouped all the amendments together in one vote, and the House was denied its right to divide the question, thus denying each amendment the ability to be considered or debated by the House on its own merits.

This occurred despite Mason's Manual, section 310, paragraph 4, which reads, "When a proposal is susceptible to separation into two or more subjects or parts, a member may call for its division so that each may be voted upon separately without being compelled to accept matters embraced in other subjects or parts of the proposal....It is sufficient if each is distinct and complete in itself and of such a nature that a member might reasonably wish to vote for one and against another."

Inexplicably, multiple rulings were made to uphold such an unparliamentary motion, and the minority was denied its ability to have the House even consider its proposals on their merits.

Numerous other amendments to the same bill were ruled out of order due to an interpretation of the single-subject rule that even the strictest constructionist could not support. For example, we had a bill whose title described its single subject as "in firearms and other dangerous articles." We had amendments that regulated firearms. Yet somehow those amendments were ruled out of order for containing a different subject.

We had members, including leaders who are traditionally afforded latitude in deference to the office that we hold, routinely interrupted by dilatory points of order, and sometimes interrupted multiple times by the same dilatory points of order – even after the Speaker's attention was brought to it.

We had a ruling that proclaimed that rule 20, which contains the identical language to Article III, section 3, of the Pennsylvania Constitution, should somehow be interpreted differently than the Constitution and does not provide a means by which a bill itself can be ruled out of order for violating the single-subject clause.

We had citations to Mason's Manual which upon investigation did not stand for what was claimed.

All this in a transparent attempt to silence the minority and to avoid voting on the substance of minority legislative proposals.

Mr. Speaker, we can do better. Mr. Speaker, we must do better. We are mere caretakers of the Pennsylvania House of Representatives. We have an obligation to pass this institution on to the next generation in a better condition than we received it,

but if we continue down this path, we will not have an institution to pass on. We will have nothing more than a tyranny of the majority.

Let us return to civility. Let us return to the democratic process. Let us return to the House of Representatives that Benjamin Franklin entrusted to us. Let us be decent. Let us be deliberative. Let us be respectful. Let us be collegial. Let us be professional. And if we cannot do that, if we do not do everything necessary to achieve that, we are undeserving of the offices that we have been entrusted with. Let us do better.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

### STATEMENT BY MS. OBERLANDER

The SPEAKER. The Chair recognizes the gentlewoman, Representative Oberlander, on Pancreatic Cancer Awareness Month.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I will be joined by my colleague and friend, the Representative from Beaver County, and it is an honor to have you with me.

Mr. MATZIE. Thank you.

Ms. OBERLANDER. Today we are standing before you in order to let the public of Pennsylvania and the House of Representatives know that we are "recognizing November 2021 as Pancreatic Cancer Awareness Month in this Commonwealth; and

"Whereas, Pancreatic Cancer Awareness Month was created to raise awareness of pancreatic cancer, as well as to focus on public policy, research funding, patient services, and the development of effective treatments. Pancreatic cancer is the third-leading cause of cancer death in the United States, with its high mortality rate due to a lack of detectable symptoms during its early stages. As a result, it can spread quickly throughout the body, making it difficult to detect and harder to treat during later stages; and

"Whereas, According to federal statistics, more than 1257 individuals worldwide will be diagnosed with pancreatic cancer every day, and while death rates are declining for many other cancers, death rates are increasing for pancreatic cancer. In Pennsylvania, 2540 cases and 2220 deaths were reported in 2019, and pancreatic cancer is estimated to be the third-deadliest cancer in this Commonwealth in 2021. November 18, 2021, marks World Pancreatic Cancer Day, when individuals, communities and organizations around the world unite to shine a light on pancreatic cancer and share the universal message to be aware of symptoms."

As I said, it is a privilege to be here with my friend and colleague, and I know that he has brought attention to this issue every single year for quite some time due to his own personal story. I will tell you that this year is more personal than others. I have a 31-year-old constituent with a very young family who was just recently diagnosed, and she is in the process of the intense treatments of chemo and all of the things that go with pancreatic cancer, and so today, please join with me in drawing awareness to this deadly cancer.

Thank you for your gracious attention. Thank you.

The SPEAKER. The Chair thanks the lady and thanks the gentleman. I know that this is a deeply personal issue for both of them, as I have talked to both of them previously, as I, too, lost a friend to pancreatic cancer.

**STATEMENT BY MR. HOHENSTEIN**

The SPEAKER. The Chair recognizes the gentleman, Representative Hohenstein, on honoring Scout Troop 120, whom we had the privilege of visiting with earlier today.

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

And thank you also for the courtesy of meeting with the troop. They thoroughly enjoyed hearing from you, and actually, the statement I am going to read does refer to part of your district.

I am going to read from something that was written by Scoutmaster Bob Gizinski about the troop's experience.

It all started in 2016 when Troop 120 was looking for new adventures to take the kids on and ended up camping at Fort Washington State Park. The ranger had stopped by in the morning to check on us. She had given me a map of the park. Upon looking at the map, it caught my eye that there were 120 State parks in PA. Thoughts of older Scouters came to mind. Shortly after thinking about the stories they have told of their Scouting experiences, I knew that this was the quest we needed to take to visit all the State parks. What better story a Scout can tell throughout their life than that they visited all 120 State parks while with Troop 120.

We had planned routes during meetings and made reservations to camp, then off we went that summer, renting a van, loading up our trailer, hitting the highways and byways along with quite a few dirt roads. We set up camp and visited nearby parks and surrounding areas, and then packed up and did it again and again. We fished and saw amazing scenery and beautiful parks like Mount Pisgah, hiked rocky trails, and stood upon a 94-foot waterfall at Ricketts Glen. We swam in crystal clear water at Worlds End, taking 7 days and visiting 26 parks in the northeast region. Then the following year, we went to a Boy Scout summer camp, and then in 2018, off we went again. We started from around Scranton and visited parks across the State, past Pittsburgh. Yet again, what an amazing journey, from watching ducks walk on fish at Pymatuning, visiting the first commercial oil well at Oil City, standing 301 feet in the air on a train trestle over a gorge at Kinzua Bridge, to visiting the nature center at Sinnemahoning State Park, where the ranger was a Scouter herself and was amazed our troop was taking on this adventure. Our trek took 10 days and 2,800 miles, where we visited 46 parks.

In 2019 it was off to summer camp again, and then in 2020, COVID-19 hit our troop hard, putting a damper on our journey. From losing our Assistant Scoutmaster, Jodi, to not being able to even camp. It was a tough year. But we finished our goal in 2021, taking 7 days and about 2,000 miles. We did the whole lower half of the State, where kids slid down natural rock slides in Ohiopyle, to seeing the amazing views at Susquehannock. That is in your district, Mr. Speaker. Visiting the remainder of the parks close to home throughout the years on weekend trips, we completed the task.

Our journey did come with some challenges as well, from losing brakes on our trailer, driving down some of the highest points in Pennsylvania, driving through parks that are not meant for a van and a trailer, spending hours at a Walmart in the middle of nowhere getting tires put on the rental van. All in all, taking kids, where some of them had never even been out of Philadelphia, trekking across the entire State was a wonderful experience. This will provide memories that will last a lifetime that will continue on with our troop and with the troop in the future.

Yours in Scouting, Bob Gizinski, Scoutmaster, Troop 120.

And I just want to close, Mr. Speaker, by saying that my desire to honor this troop was not simply because they took on this great task, but also in the community, day to day, week to week, these kids are there exhibiting the spirit of service that I think is an example for all of us. They are always there for park cleanups, they do color guard for our Veterans Day observances and Memorial Day observances, and they are a consistent presence in our community.

So thank you, Mr. Speaker, for allowing me to honor Troop 120.

The SPEAKER. The Chair thanks the gentleman and concurs that there are beautiful views from the Susquehannock State Park.

**STATEMENT BY MR. FREEMAN**

The SPEAKER. The Speaker recognizes the gentleman, Representative Freeman, on the erosion of the institution of the House of Representatives.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to express concerns I have with the procedures of the House as regards to consideration of amendments, a topic that our minority leader, Representative McClinton, had touched on. My comments are offered in the spirit of constructive commentary, with great respect for the Speaker, and also with my own deep and abiding regard for this institution that I have been part of for 35 years – a deep regard for the institution I know the Speaker shares with me.

In many respects, my concerns are part of a growing concern that has troubled me in the conduct of the floor for some time now. I am referring to the way in which amendments to bills have been tabled, most recently with amendments to SB 565. Earlier in this session we adopted our House rules for the current session. I voted "no" on their adoption because of the provision that was added that permitted the tabling of amendments without tabling the bill in chief. In our previous session, it was not permitted to table amendments without also tabling the bill in chief. That provision of our rules had emerged out of the work of the bipartisan Rules Reform Commission that was created under Speaker O'Brien to reform our House rules to make them fairer in their application and to ensure proper notification of members on the bills that would be brought up for a vote in the House, among other very worthy reforms.

The rule that was adopted to prohibit the tabling of an amendment without also tabling the bill was the direct result of efforts to curb the arbitrary tabling of amendments permitted by a previous Speaker. That Speaker had used the tabling of amendments in order to sidestep consideration of amendments. It makes no sense as a parliamentary procedure to table an amendment while allowing the bill in chief to advance through the legislative process. That only serves to relegate the tabled amendments to legislative purgatory, as they are no longer able to be inserted into the bill. In effect, tabling amendments while allowing the bill in chief to continue through the legislative process is a defeat of the proposed amendment in all but name.

My concern with this process of tabling amendments gets to the very heart of the work of this House. As I mentioned in my comments on Monday here on the floor, we are all members of a deliberative legislative body, and we lose an important aspect of that deliberative process and responsibility if proposed amendments can be sidestepped by tabling. It deprives a rank-and-file member of the only avenue they have to put forth a

proposal of importance to them and to their district if they are unable to get a bill reported from committee. What is most onerous is that as a deliberative body, we should be able to debate and vote on the merit of amendments, not sidestep them. Some of those amendments may present a tough vote for a member to make; however, we were sent here to cast tough votes, and more importantly, to engage in civil and free debate and dialogue on proposals of public policy without being shut down from doing so.

Which gets me to my other concerns with our procedures on the floor. I should note that I have the highest regard for our current Speaker. He strives to be fair and ensure proper conduct and civil debate on the floor, and I know that he cares as deeply about this institution as I do; however, there has been a tendency on the part of the majority party to rein in the comments of members as they seek to explain and build an argument for their amendments. That undercuts their ability to make their case. It inhibits debate and can undermine an effective argument for their proposal.

Which brings me to my final point of concern. This House has become way too polarized in recent years. It is increasingly difficult to achieve meaningful bipartisan policy objectives in such an environment. I consider myself very lucky to have as my majority chairman on the House Local Government Committee a member whom I respect and has proven himself to be collaborative and fair in his conduct of committee business. He has allowed both Democratic and Republican members to get their bills considered by the committee, as it should be. We are aided in that effort by the Local Government Commission, whose professional staff and professional approach to legislation makes for a sound legislative product. However, some committees do not report Democratic bills, and some reported Democratic bills languish on the House calendar without a vote.

My hope and request today are that, as an institution, we respect the ability of every member, regardless of party, to be able to have their amendments considered without being sidestepped by an arbitrary parliamentary maneuver; that we engage in thoughtful and civil debate; that we afford to all members the chance to have their proposals considered in committee and on the floor. For being a member of a legislative body, our charge is to be deliberative and our responsibility as elected Representatives is to represent the people who sent us here to express their concerns, their hopes, and their aspirations. That is the essence of representative democracy that we should honor and abide by in this institution.

Mr. Speaker, the majority will always have their way, but the minority should always have their say.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and shares the same respect for not just the institution, but the speaker. Thank you.

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. The Speaker is in receipt of a motion made by Leader McClinton that this House do now adjourn until Monday, December 13, 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 4:11 p.m., e.s.t., the House adjourned.s