

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 25, 2022

SESSION OF 2022

206TH OF THE GENERAL ASSEMBLY

No. 6

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)
PRESIDING**

PRAYER

HON. FRANCIS X. RYAN, member of the House of Representatives, offered the following prayer:

Mr. Speaker, thank you so much.

Members, I would ask you to please join with me in prayer as we gather today, in a prayer of discernment.

As leaders, elected by our respective constituents in the Commonwealth of Pennsylvania, I ask that we seek the presence of God together, united in the common good, despite our political differences, to discern His agenda, His answers, His plans, and His purposes.

In our discernment, may we ask God to make us a people of prayer, depending upon God to reveal His purposes and His plans. Grant us the will to listen to one another. May we always be thankful, especially during difficult and uncertain circumstances.

Father, help us to understand that it is not my will, but Yours be done. May we be humble as we deal with one another. Lord, we seek the wisdom of the Holy Spirit to guide us in public service and understand that which is difficult for us to understand so that we can fully comprehend the needs and the fears of others as we make decisions affecting so many.

Father, finally, may we remember that godly discernment takes place in complete unity about the perfect will of the Father.

In Jesus' name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 24, 2022, will be postponed until printed.

SENATE BILL FOR CONCURRENCE

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

SB 1019, PN 1321

Referred to Committee on STATE GOVERNMENT, January 25, 2022.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1571, PN 2648 (Amended) By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special plates for recipients of Air Medal.

TRANSPORTATION.

HB 1958, PN 2649 (Amended) By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in licensing of drivers, further providing for school, examination or hearing on accumulation of points or excessive speeding, for driving while operating privilege is suspended or revoked and for establishment of schools.

TRANSPORTATION.

HB 2126, PN 2464 By Rep. HENNESSEY

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to aviation, further providing for Aviation Restricted Account; and making a related repeal.

TRANSPORTATION.

HB 2216, PN 2582 By Rep. HENNESSEY

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for Pennsylvania Infrastructure Bank and for Pennsylvania Infrastructure Bank Fund; and making related repeals.

TRANSPORTATION.

SB 153, PN 127

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for maximum gross weight of vehicles.

TRANSPORTATION.

SB 736, PN 840

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for use of farm vehicle plates.

TRANSPORTATION.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1304, PN 1396**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

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

In the Senate,
January 25, 2022

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene the week of Monday, February 7, 2022, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, February 7, 2022, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILL SIGNED BY SPEAKER

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

HB 1304, PN 1396

An Act designating a bridge, identified as Bridge Key 48382, on that portion of S.R. 4021 over the Stonycreek River, Hooversville Borough, Somerset County, as the Private First Class Howard Hahn Memorial Bridge.

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

LEAVES OF ABSENCE

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

The Chair recognizes the gentlewoman, Representative Oberlander, who indicates that there are no additional. The Chair thanks the lady.

The Chair recognizes the gentleman, Representative Harris, 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	Frankel	Mackenzie, M.	Roae
Benham	Freeman	Mackenzie, R.	Rossi
Benninghoff	Fritz	Madden	Rothman
Bernstine	Galloway	Major	Rowe
Bizzarro	Gaydos	Mako	Rozzi
Boback	Gillen	Malagari	Ryan
Bonner	Gillespie	Maloney	Sainato
Borowicz	Gleim	Markosek	Samuelson
Boyle	Greiner	Marshall	Sanchez
Bradford	Grove	Masser	Sankey
Briggs	Guent	Matzie	Sappery
Brooks	Guzman	McClinton	Saylor
Brown, A.	Hamm	McNeill	Schemel
Brown, R.	Hanbidge	Mehaffie	Schlossberg
Bullock	Harkins	Mentzer	Schmitt
Burgos	Harris	Mercuri	Schroeder
Burns	Heffley	Merski	Schweyer
Carroll	Helm	Metcalfe	Shusterman
Causar	Hennessey	Metzgar	Silvis
Cephas	Herrin	Mihalek	Sims
Ciresi	Hershey	Millard	Smith
Conklin	Hickernell	Miller, B.	Snyder
Cook	Hohenstein	Miller, D.	Solomon
Cox	Howard	Mizgorski	Sonney
Cruz	Innamorato	Moul	Staats
Culver	Irvin	Mullery	Stambaugh
Curry	Isaacson	Mullins	Stephens
Daley	James	Mustello	Struzzi
Davanzo	Jones	Neilson	Sturla
Davis, A.	Jozwiak	Nelson, E.	Thomas
Davis, T.	Kail	Nelson, N.	Tomlinson
Dawkins	Kaufner	O'Mara	Topper
Day	Kauffman	O'Neal	Twardzik
Deasy	Keefer	Oberlander	Vitali
DeLissio	Kenyatta	Ortity	Warner
Delloso	Kerwin	Otten	Warren

Delozier	Kim	Owlett	Webster
DelRosso	Kinhead	Parker	Welby
DeLuca	Kinsey	Pashinski	Wentling
Diamond	Kirkland	Peifer	Wheatley
Dowling	Klunk	Pennycuik	Wheeland
Driscoll	Knowles	Pickett	White
Dunbar	Kosierowski	Pisciottano	Williams, C.
Ecker	Krajewski	Polinchock	Williams, D.
Emrick	Krueger	Puskaric	Young
Evans	Kulik	Quinn	Zabel
Farry	Labs	Rabb	Zimmerman
Fee	Lawrence	Rader	
Fiedler	Lee	Rapp	Cutler,
Fitzgerald	Lewis	Rigby	Speaker
Flood	Longietti		

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Gregory

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 844, PN 828 By Rep. COX

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, in scope of bargaining, further providing for proper subjects of collective bargaining.

LABOR AND INDUSTRY.

HB 845, PN 2650 (Amended) By Rep. COX

An Act providing for transparency in public employment collective bargaining.

LABOR AND INDUSTRY.

HB 1104, PN 1144 By Rep. COX

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

LABOR AND INDUSTRY.

HB 1790, PN 2030 By Rep. COX

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for consideration of applications and inspections; and, in training and certification of inspectors, providing for corrective action.

LABOR AND INDUSTRY.

HB 2042, PN 2350 By Rep. COX

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, further providing for definitions; in employee rights, providing for payments to employee organizations; and making related repeals.

LABOR AND INDUSTRY.

HB 2048, PN 2357 By Rep. COX

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, in definitions, further providing for definitions; and, in scope of bargaining, providing for political contributions.

LABOR AND INDUSTRY.

GUESTS INTRODUCED

The SPEAKER. Turning to visitor recognition. Located in the gallery, the Chair is pleased to welcome guests of Representative Dunbar and Representative Brooks, the Penn-Trafford High School Football Team. They are the PIAA Class 5A State Champions. The Warriors won their first WPIAL title, played in and won their first PIAA playoff game, and won their first-ever PIAA State championship in a thrilling 17-14 overtime win. Congratulations to all the team members and the coaches on this extraordinary season and for securing your place in State football history.

LEGISLATIVE FELLOWS AND ARCHIVES INTERNS INTRODUCED

The SPEAKER. Also located in the gallery, the Speaker is pleased to welcome the Pennsylvania House Fellowship and House Archives interns for the spring 2022 semester. The House Fellowship Program, sponsored by the House of Representatives through the Bipartisan Management Committee and the Office of the Chief Clerk, has nine students who are participating in the spring program. Please rise and be recognized as we call your name.

We have Iulia Cazan, a student from Drexel University, who is working with the Republican Transportation Committee and Chairman Tim Hennessey.

Hunter Cramer attends Shippensburg University and has been assigned to Democratic Caucus Chairman Dan Miller's office.

Josh King, a student from Thomas Edison State University, is working with the Republican Local Government Committee and Chairman Jerry Knowles.

We have David Duggan, a student from Temple University, who is working with the Democratic Judiciary Committee and Chairman Tim Briggs.

Maximus Levinsky attends Allegheny College and has been assigned to the Democratic Health Committee and Chairman Dan Frankel.

Devin Peart, a student from Mount St. Mary's University, is working with the Republican Urban Affairs Committee and Chairwoman Rosemary Brown.

Andrew Portas attends Villanova University and has been assigned to the Republican Veterans Affairs Committee and Chairwoman Boback.

Addison Price, a student at Gannon University, is working with the Democratic Aging and Older Adult Services Committee and Chairman Steve Samuelson.

And Chase Richards attends Lebanon Valley College and has been assigned to the Republican Finance and Commerce Committees working with Chairman Mike Peifer and Chairman Brad Roae.

The House Archives Internship has two students participating this spring semester: Michael Wolfe, a student at Penn State Harrisburg, who is pursuing a degree in American studies; and Ryan Dennehy, who also attends Lebanon Valley College and is pursuing a degree in history and political science.

Best wishes to all of you with a great semester with the House here, and thank you for the work.

GUESTS INTRODUCED

The SPEAKER. Located in the gallery, the Chair is pleased to welcome Laila Campbell, a student at Spring Grove High School, who captured first place in the Class AAA girls 100-meter and 200-meter dash events during the 2021 PIAA State Track and Field Championships. She also won the silver medal for the 100-meter dash at the 2021 U.S.A. Track and Field National Junior Olympics with a time of 12 seconds. She is the guest of Representatives Grove, Klunk, Ecker, and Jones. Congratulations.

Also located in the gallery, the Chair is pleased to welcome the Spring Grove Rockets Girls Volleyball Team, who are the guests of Representatives Grove, Klunk, Ecker, and Jones. They defeated Hampton High School for the PIAA Class AAA State Championship title. This is the first State championship title for the Spring Grove girls volleyball program. Congratulations on an outstanding season.

Located in the gallery, the Chair is pleased to welcome Alex Koch and his grandparents, Walter and Mary Kononenko. Alex is shadowing Representative Wendi Thomas for the day. He is a dual citizen of the United States and Germany but lives full-time in Germany, and he is visiting his grandparents here in Bucks County. And I had the privilege of showing him around the House floor a little earlier today. So welcome.

Located in the well of the House, the Chair is pleased to welcome guest page Sophia Cappawana. She is a junior at the Commonwealth Charter Academy and a member of the junior council for the Duncannon Borough. She is here with her father, John, who is the mayor of Duncannon; her mother, Molly; and a family friend, Sharon Boyer. They are the guests of Representative Stambaugh. They shared with me earlier that the Appalachian Trail runs right in front of their house. Welcome.

Also located in the gallery, the Chair is pleased to welcome Pierce Leaman, who is shadowing me for the day. Welcome, Pierce. He is a sophomore at Lancaster County Christian School and interested in government and politics. I hope you enjoy your day.

Turning to committee and caucus announcements.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet in the majority caucus room at 11:32.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at 11:32 in the majority caucus room.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will caucus at 12:30 in the majority caucus room. We will be prepared to be back on the floor at 1:30; that is 12:30 in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

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

Democrats will caucus virtually at 12:30; virtually, 12:30.

The SPEAKER. The Chair thanks the gentleman.

RECESS

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 199, PN 2654 (Amended) By Rep. SAYLOR

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

APPROPRIATIONS.

HB 285, PN 2655 (Amended) By Rep. SAYLOR

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

APPROPRIATIONS.

HB 324, PN 298 By Rep. SAYLOR

An Act amending the act of May 30, 1984 (P.L.345, No.69), known as the First Class City Business Tax Reform Act, further providing for definitions.

APPROPRIATIONS.

HB 333, PN 2656 (Amended) By Rep. SAYLOR

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

APPROPRIATIONS.

HB 624, PN 586 By Rep. SAYLOR

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for unwanted telephone solicitation calls prohibited.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 291, PN 1273 By Rep. SAYLOR

An Act providing for the capital budget for the fiscal year 2021-2022.

APPROPRIATIONS.

GUEST INTRODUCED

The SPEAKER. Turning back to visitors very quickly.

The Speaker is pleased to welcome, in the rear of the House, a guest of Representative Ciresi, but he is also a coworker, staffer R.J. Ward. Welcome, and thank you for all that you do.

I have said it before and I will say it again, as staff we know that you really have the hardest part of this job because oftentimes, you know, you are working on our behalf and you get yelled at for some of the votes that we make as members, and then we get thanked for all of the things that you do. And in reality, it is staff like you who makes this possible, so thank you.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2219, PN 2589**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in temporary regulatory flexibility authority, further providing for COVID-19 regulatory flexibility authority; and making an editorial change.

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 533, PN 1100**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, prohibiting certain regulatory action during disaster emergencies.

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 1341, PN 2396**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for maximum gross weight of vehicles and for maximum axle weight of vehicles.

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

* * *

The House proceeded to second consideration **HB 1445, PN 1569**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in additional special funds and restricted accounts, providing for COVID-19 response transfers for assistance to the Commonwealth's emergency medical services.

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 1059, PN 1630**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for withholding tax requirement for nonemployer payors, for information statement for nonemployer payors, for information statement for payees and for declarations of estimated tax, providing for electronic payment and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees.

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

Mr. **HICKERNELL** offered the following amendment No. **A02855**:

Amend Bill, page 1, lines 12 through 18, by striking out "WITHHOLDING TAX REQUIREMENT FOR" in line 12 and all of lines 13 through 18 and inserting declarations of estimated tax.

Amend Bill, page 1, lines 24 and 25; page 2, line 1; by striking out all of said lines on said pages and inserting

Section 1. Section 325(a) and (d) introductory paragraph of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, are amended to read:

Amend Bill, page 2, lines 2 through 30; pages 3 and 4, lines 1 through 30; page 5, lines 1 through 29; by striking out all of said lines on said pages and inserting

Section 325. Declarations of Estimated Tax.—(a) (1) Every resident and nonresident individual, trust and estate shall at the time hereinafter prescribed make a declaration of his or its estimated tax for the taxable year, containing such information as the department may prescribe by regulations, if his or its income, other than from income on which tax is withheld under this article, can reasonably be expected to exceed [eight thousand dollars (\$8,000).] the following dollar amount for the applicable taxable year:

<u>TAXABLE YEAR</u>	<u>DOLLAR AMOUNT</u>
<u>2022 and prior</u>	<u>\$8,000</u>
<u>2023</u>	<u>9,500</u>
<u>2024</u>	<u>11,000</u>
<u>2025</u>	<u>14,000</u>
<u>2026</u>	<u>17,000</u>
<u>2027</u>	<u>20,000</u>

(2) For taxable years beginning after December 31, 2027, the dollar amount under paragraph (1) shall increase annually by five hundred dollars (\$500). The department shall submit a notice containing the new dollar amount for the taxable year to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

* * *

(d) Except as hereinafter provided, the date for filing a declaration of estimated tax shall depend upon when the resident or nonresident individual, trust or estate determines that his or its income on which no tax has been withheld under this article can reasonably be expected to exceed [eight thousand dollars (\$8,000) in the taxable year,] the dollar amount under subsection (a), as follows:

* * *

- Amend Bill, page 5, line 30, by striking out "5" and inserting 2
- Amend Bill, page 6, line 2, by striking out "6" and inserting 3

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

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

Mr. HICKERNELL. Thank you, Mr. Speaker.

This amendment makes a number of changes to HB 1059. It removes some provisions from the bill that were enacted last year in conjunction with the budget. It also gradually increases the estimated income tax threshold to \$20,000 over a 5-year period, and adjusts for inflation thereafter.

I am pleased to say that we have worked with the Department of Revenue on this amendment and they are fully supportive, and I would ask the members for a positive vote on amendment A02855. Thank you.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Gregory

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1594, PN 2593**, entitled:

An Act amending the act of December 17, 1968 (P.L. 1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for collection, verification and disclosure of information by online marketplaces to inform consumers.

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

Miss **TOMLINSON** offered amendment No. **A03523**:

Amend Bill, page 10, line 8, by inserting after "THE" where it occurs the second time

second

Amend Bill, page 11, line 29, by inserting after "MARKETPLACE."

provided, the requirements of this subsection shall not prevent an online marketplace from preventing fraud, abuse or spam through such communication

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

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Tomlinson, on the amendment.

Miss TOMLINSON. Thank you, Mr. Speaker.

With this amendment, we have reached an agreement with all stakeholders. It has minor changes. I would kindly ask all of my colleagues for a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the lady.

The Speaker recognizes the gentleman, Representative Matzie, on the amendment.

Mr. MATZIE. Thank you, Mr. Speaker.

This is an agreed-to amendment. I urge the members' full support. Thank you.

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Gregory

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. The Speaker has been informed that the gentleman, Representative DeLuca, has withdrawn amendment 3384. The Chair thanks the good gentleman.

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 624, PN 586**, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for unwanted telephone solicitation calls prohibited.

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 Schroeder.

Mrs. SCHROEDER. Thank you, Mr. Speaker.

This bill is quite simple. It requires regular communication between the Attorney General's Office and the Department of Aging when new scams targeting seniors are reported and/or investigated. The quicker local agencies under the Department of Aging are made aware of these scams, the quicker they can alert seniors in their areas by contacting our triple A's, the Area Agencies on Aging.

Our older adult population will always be a target of these bad actors and we need to do all that we can to ensure their protection against financial schemes. The goal here is to get information to our local communities quicker to have less victims being scammed.

Please vote "yes" on HB 624. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Gregory

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 324, PN 298**, entitled:

An Act amending the act of May 30, 1984 (P.L.345, No.69), known as the First Class City Business Tax Reform Act, further providing for definitions.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Ms. WHITE. Thank you, Mr. Speaker.

One of the most important tools Philadelphia uses to retain business and lure new businesses in is a provision that allows businesses to carry forward net operating losses against their local Business Income and Receipts Tax for a 3-year period.

As many of you know, Philadelphia is a city with an intricate and contradictory tax structure that entices companies with tax abatement, then adds heavy levies for the simple privilege of operating there. One of the more beneficial laws we have allowed the city to enact is the right for businesses to carry forward net operating losses to counter the Business Income and Receipts Tax. This mechanism allows businesses to reduce their tax burden and shift money that would be spent on these taxes to invest in infrastructure and jobs. And the greater the job growth in Philadelphia, the stronger we make our State economy. But as you know, the city's taxing power is granted to it by the Commonwealth. That is why it is so important that we pass this legislation.

In December of 2018, the Philadelphia City Council voted 15 to 2 to extend for 20 years the ability of companies to carry forward net operating losses against their local Business Income and Receipts Tax. This would be a major boost to job creators in the city by allowing them to plan their finances well into the future, but city council needs our approval.

Thank you, and I encourage a "yes" vote.

The SPEAKER. The Chair thanks the lady.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

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

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

The SPEAKER. For the information of the members, the House will be temporarily at ease while we review the time that we can consider the remaining bills following amendment.

The House will please return to order.

REMARKS BY SPEAKER

The SPEAKER. Members, please take your seats. We are going to have a slight break from legislative business to recognize a friend and colleague who will be leaving this chamber at the end of the month.

Representative Wheatley, as many of you know, earlier this week had submitted his letter of resignation – I believe effective the end of the month – as he will be going to Pittsburgh to undergo a new journey outside the State legislature, but as the chief of staff for the new mayor, also a former colleague. So congratulations, Jake.

I know that Representative Wheatley has been here for 19 years. He was here a term or two before me when I arrived here, but he was a welcoming face my first term here, and it seems like a pretty long time ago because sometimes I think it was. We had actually worked on several bills together in regards to access to psychotropic medicines on behalf of individuals with mental health issues, and it was a unique position that we found ourselves in in that we both, once under Governor Rendell and then again under Governor Corbett, we found ourselves arguing with the administration based on those bills because we felt that it was in the interest of the patients to advance those bills.

And I will say this, Representative Wheatley, I always appreciated your support. I appreciated your friendship. And I think I can say on behalf of the chamber that we will miss you and wish you well in your newest adventure, and I am sure we will all be out to see you at some point in that new role. So congratulations.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. We will be presenting Representative Wheatley with a gavel, as is our custom for departing members, and we will enjoy working with you here the rest of this week and then wish you the best. Take care, Representative Wheatley.

FAREWELL ADDRESS SUBMITTED FOR THE RECORD

Mr. WHEATLEY submitted the following remarks for the Legislative Journal:

Mr. Speaker, fellow colleagues, today is a very difficult day for me in that I truly love the honor of being able to be the eyes, ears, and voice of my community for the past 19 years here in the State's Capitol. The legacy of representation of this district and the history of the communities that I have served is absolutely incredible, and having had the opportunity to learn from former Speaker K. Leroy Irvis, who

represented this district, and then to sit and be mentored by former Democratic Appropriations Committee Chairman Dwight Evans, now Congressman Evans, made these 19 years of service seem like a constant classroom on governing, relationship building, and the true meaning of being a public servant.

I am not one for long-winded speeches and pontification, but I would like to take a moment to thank all of the staffers who have been a part of serving the 19th Legislative District. There were far too many, but they all desire a level of thanks and appreciation for their service to our citizens. I especially need to thank Jamie Barton. Jamie came on when I became chairman, and with her steady and easy personality taught me how to just relax and allow things to come without having to be so darn forceful. Her spirit is tremendous and her willingness to do whatever is needed to get the job done is unmatched. I, for one, truly appreciate you and your talents and would only encourage our leaders to find ways to put more money into the salaries of our dedicated administrative staff personnel, because what you do day in and day out is so invaluable. Keep your head up, keep striving, and serving, Jamie.

To Lori, April, Mark, Steven, Renee, Brandi, Samantha, Karen, Cara, Kirk, Angie, Leonard, Saeed, Sacoya, Chavaysha, Beth Ann, Jamie B., and Jamie Y., and so many others who all pitched in and helped to move the people's concerns and agenda forward – I could not have been successful without the talents of so many who have worked alongside me and helped me to become a better servant for our residents. Thank you to each and every one of my staff. Leonard, Chavaysha, Marlene, and Jamie Barton, thanks for sticking it out with me to the end.

To my colleagues in this august chamber, thank you. Thank you for your commitment to making Pennsylvania better. We each come here with the spirit of service and a commitment to be the active voice of our citizens. I remember when I was first elected and then called to the house of Speaker Irvis. He asked me did I realize the tremendous responsibility that I was about to take on. He reminded me that before my name was now the "Honorable State Representative" that I had the obligation to think about my district for sure, but that my decisions also had to be based on what is best for the State and not just my little corner of it. He said "State Representative" comes before the number of my legislative district, and that this Commonwealth and the State House of Representatives required me to be a statesman and not a politician. Because of that charge and this house being the people's House, I called my district office the people's office to remind everyone, including myself, of what we are and whom we were serving.

Serving others is what we are all about. I joined the Marine Corps to serve this country, and I chose to run for this office to continue to serve. Most if not all of us are here because of that passion to serve. Let us keep that front and center as we go about our collective works together. This is not a Republican House or a Democratic House; it is the people's House. They deserve a house where we come to debate our ideas and work across party lines to find commonalities to govern. I know each and every one of you wants to be able to help make this place work, and it only requires a listening ear, a caring heart, and a spirit of compromise.

Although I am moving on to a different place of service, I want you all to know that you have each touched my heart in some way and helped make me a much better man and public servant.

Thank you all.

The SPEAKER. The House will be back at ease.

The House will please return to order.

For the information of the members, HB 199, HB 285, and HB 333 on supplemental A House calendar cannot be voted until 3:18 p.m.

Also for the information of the members, two of those three bills, 199 and 333, are currently already on the computer system; 285 we are still waiting on LDP (Legislative Data Processing) to do that. But the Speaker has been notified that the majority leader wishes to make a motion to proceed on the two bills that are currently on the system and the one that we are waiting on.

**MOTION TO PROCEED TO CONSIDERATION
UNDER RULE 24**

The SPEAKER. Mr. Leader, you are recognized for the purposes of a motion.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I do rise formally to make a motion that we might proceed to address HB 199, HB 285, and HB 333, when timely appropriate. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

The Democratic leader waives off.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—189

Armanini	Fitzgerald	Mackenzie, M.	Rothman
Benninghoff	Flood	Mackenzie, R.	Rowe
Bernstine	Frankel	Madden	Rozzi
Bizzarro	Fritz	Major	Ryan
Boback	Galloway	Mako	Sainato
Bonner	Gaydos	Malagari	Sanchez
Borowicz	Gillespie	Maloney	Sankey
Boyle	Gleim	Markosek	Sappey
Bradford	Greiner	Marshall	Saylor
Briggs	Grove	Masser	Schemel
Brooks	Guenst	Matzie	Schlossberg
Brown, A.	Guzman	McClinton	Schmitt
Brown, R.	Hamm	Mehaffie	Schroeder
Bullock	Hanbidge	Mentzer	Schweyer
Burgos	Harkins	Mercuri	Shusterman
Burns	Harris	Merski	Silvis
Carroll	Heffley	Metcalfe	Sims
Causser	Helm	Metzgar	Smith
Cephas	Hennessey	Mihalek	Snyder
Ciresi	Herrin	Millard	Solomon
Conklin	Hershey	Miller, D.	Sonney
Cook	Hickernell	Mizgorski	Staats
Cox	Hohenstein	Moul	Stambaugh
Cruz	Howard	Mullins	Stephens
Culver	Irvin	Mustello	Struzzi
Curry	Isaacson	Neilson	Sturla
Daley	James	Nelson, E.	Thomas
Davanzo	Jones	Nelson, N.	Tomlinson
Davis, A.	Jozwiak	O'Mara	Topper
Davis, T.	Kail	O'Neal	Twardzik
Dawkins	Kaufer	Oberlander	Vitali
Day	Kauffman	Ortitay	Warner
Deasy	Keefer	Owlett	Warren
DeLissio	Kenyatta	Parker	Webster
Delloso	Kerwin	Pashinski	Welby
Delozier	Kim	Peifer	Wentling

DelRosso	Kinsey	Pennycuick	Wheatley
DeLuca	Kirkland	Pickett	Wheeland
Diamond	Klunk	Pisciottano	White
Dowling	Knowles	Polinchock	Williams, C.
Driscoll	Kosierowski	Puskaric	Williams, D.
Dunbar	Krajewski	Quinn	Young
Ecker	Krueger	Rabb	Zabel
Emrick	Kulik	Rader	Zimmerman
Evans	Labs	Rapp	
Farry	Lawrence	Rigby	Cutler,
Fee	Lewis	Roae	Speaker
Fiedler	Longietti	Rossi	

NAYS—11

Benham	Innamorato	McNeill	Otten
Freeman	Kinhead	Miller, B.	Samuelson
Gillen	Lee	Mullery	

NOT VOTING—0

EXCUSED—1

Gregory

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 199, PN 2654**, entitled:

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

On the question,

Will the House agree to the bill on 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 Dunbar.

Mr. DUNBAR. Thank you, Mr. Speaker.

Very simply, this bill makes State law consistent with Federal law and allows individual taxpayers a deduction to offset against royalty income the same as they get on their Federal returns.

I would appreciate an affirmative vote. Thank you.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 199. I am not an expert on tax law, but from what I have gathered, this would allow Pennsylvania persons, which include Pennsylvania corporations and other business entities like partnerships and other affiliations, to claim something known as the percentage depletion deduction.

Mr. Speaker, I also want to note that the Department of Revenue, the Pennsylvania Department of Revenue opposes this bill. They are opposed to this bill. And I will quote their representative, Andrew Moser. Due to cost concerns, quote, "The Federal percentage depletion" allowance "would allow the taxpayer to continue to take percentage depletion even after all the basis has been recovered." They say, "While this is likely a revenue loss, a lack of data on the current usage of depletion methods make a precise estimate difficult." So there is an uncertainty as to what this is going to cost the Commonwealth.

I can also tell you that the Natural Resources Defense Council opposes this, and I presume other environmental groups will, although we do not have their official notification yet. I will note that, based on information I have from environmental groups, the percentage depletion is one of the biggest oil and gas subsidies in the Federal budget, and possibly the worst since it results, effectively, in taxpayers paying many drillers to drill.

In addition, because percentage depletion is not based on capital costs, total deductions can exceed capital costs. And I have not honestly heard – I heard a broad explanation from the speaker, or the maker of the bill, but I have not really heard why something like this is needed, why the Commonwealth should forgo additional revenues and further subsidize oil and gas interests. I have not really heard an articulation of the need for that.

Mr. Speaker, I think that if you truly believe in climate change, you truly believe in our need to get to climate neutrality by mid-century, if you currently believe this is a real problem, the last thing we should be doing is increasing tax breaks to the fossil fuel industry, and that is precisely what this bill does and I would urge a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Seeing no other members seeking recognition, we will return to the prime sponsor for the second time on final passage.

Mr. DUNBAR. Thank you, Mr. Speaker. Just a couple points of clarity for the gentleman. I appreciate his input.

Corporations can already take this deduction. They take it on their corporation return. These are individual taxpayers that this affects. The reason why we have to do this for individual taxpayers is, for many of them, they do not know what their basis in their property is so they cannot calculate depletion, so they can just take a percentage here.

Again, I would ask for an affirmative vote.

Oh, and one last thing I wanted to add. He did leave out one line of the Department of Revenue's report on how much revenue this would be. Their last line says that it is likely a very small revenue loss. With that, I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

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

The SPEAKER. The Chair thanks the good 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—118

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

NAYS—82

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

NOT VOTING—0

EXCUSED—1

Gregory

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 333, PN 2656**, entitled:

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

On the question,
Will the House agree to the bill on 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 Eric Nelson.

Mr. E. NELSON. Thank you, Mr. Speaker.

I rise today requesting support for Pennsylvania's small business owners. Our goal here is to continue our effort to simplify the Tax Code and streamline things for our pass-through businesses – that would be our S corps, our farmers with sole proprietorships, our LLCs (limited liability companies) – and really, Mr. Speaker, the goal is just to bring Pennsylvania in line with current Federal standards to incent new investment in Pennsylvania.

This bill is to help create jobs and help allow our Pennsylvania employers to be able to invest in themselves. It is revenue-neutral, and I hope we have full support of members in this body.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman, Representative Boyle, seeking recognition?

Mr. BOYLE. I want to make one point in relation to the member's—

The SPEAKER. The gentleman will suspend.

You are in order and may proceed on final passage.

Mr. BOYLE. Thank you, Mr. Speaker.

I just wanted to make one point in relation to some of the commentary from the member from Westmoreland County. According to the Department of Revenue, this would cost the State \$17.9 million in fiscal year 2022-23. The member from Westmoreland said it was revenue-neutral. I just wanted to correct the record.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, we will return to the prime sponsor for the second time on final passage.

Mr. E. NELSON. Thank you, Mr. Speaker.

And I appreciate the new chair's opportunity at highlighting what is a major flaw within our current operations here, where when that bill was run and cast, we did not do dynamic modeling.

This bill actually creates opportunities. It creates jobs and it creates a way for businesses to invest, which stimulates the economy. That score, whether we deduct something in 1 year or whether we deduct something in 5 years, it is the same deduction. It is revenue-neutral, and it is problematic that members in government consider this to be their money. Whether it is deducted year 1 or across 5, 7, or 20 years, the amount that is deducted does not change

What does change, Mr. Speaker, is the incentive for businesses to buy equipment and locate it at manufacturing plants, on farms, on construction sites here in Pennsylvania. So if we would have been able to apply dynamic modeling, hands down this would actually generate revenue for Pennsylvania, in my opinion. We do not have that modeling at this time, and so therefore, this is revenue-neutral, with opportunity of increased revenues down the road.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—125

Armanini	Gillen	Marshall	Rowe
Benninghoff	Gillespie	Masser	Ryan
Bernstine	Gleim	Matzie	Sainato
Bizzarro	Greiner	Mehaffie	Sankey
Boback	Grove	Mentzer	Saylor
Bonner	Hamm	Mercuri	Schemel
Borowicz	Heffley	Metcalfe	Schmitt
Brooks	Helm	Metzgar	Schroeder
Brown, R.	Hennessey	Mihalek	Silvis
Burns	Hershey	Millard	Smith
Causer	Hickernell	Miller, B.	Snyder
Cook	Irvin	Mizgorski	Sonney
Cox	James	Moul	Staats
Culver	Jones	Mustello	Stambaugh
Davanzo	Jozwiak	Neilson	Stephens
Davis, T.	Kail	Nelson, E.	Struzzi
Day	Kaufner	O'Neal	Thomas
Delozier	Kauffman	Oberlander	Tomlinson
DeRosso	Keefer	Ortitay	Topper
DeLuca	Kerwin	Owlett	Twardzik
Diamond	Klunk	Peifer	Warner
Dowling	Knowles	Pennycuick	Welby
Driscoll	Kulik	Pickett	Wentling
Dunbar	Labs	Polinchock	Wheeland
Ecker	Lawrence	Puskaric	White
Emrick	Lewis	Quinn	Williams, C.
Farry	Longiatti	Rader	Zabel

Fee	Mackenzie, M.	Rapp	Zimmerman
Flood	Mackenzie, R.	Rigby	
Fritz	Major	Roae	Cutler,
Galloway	Mako	Rossi	Speaker
Gaydos	Maloney	Rothman	

NAYS—75

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

NOT VOTING—0

EXCUSED—1

Gregory

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

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

The SPEAKER. The Speaker has been notified that HB 285, PN 2655, is now available on the system.

* * *

The House proceeded to third consideration of **HB 285, PN 2655**, entitled:

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

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 good gentleman, Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for an affirmative vote on HB 285. It brings our Tax Code in line with Federal law that allows

companies that are going to become an employee stock ownership plan, it allows them to take advantage of the same type of tax advantages that are in the Federal Tax Code at the State level.

Of the 50 States, only 2 States are not currently aligned with the Federal Tax Code that allows for that advantage. And ESOPs, the employee stock ownership plans, are really a win-win situation when you allow for a tax benefit like this because it is good for the employees who become part owner in the company. It allows the owner of the company to have an option to sell the company off in a way that allows it to stay here in Pennsylvania so that we do not lose jobs to other States, and it allows employees to realize an opportunity to gain more wealth in the long run for their retirement years. ESOPs are really a win-win. I think it should be embraced by all of us on both sides of the aisle, and I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—146

Armanini	Gillespie	Markosek	Rigby
Benninghoff	Gleim	Marshall	Roae
Bernstine	Greiner	Masser	Rossi
Bizzarro	Grove	Matzie	Rothman
Boback	Guenst	McClinton	Rowe
Bonner	Guzman	McNeill	Ryan
Borowicz	Hamm	Mehaffie	Sainato
Bradford	Harkins	Mentzer	Sankey
Brooks	Harris	Mercuri	Saylor
Brown, R.	Heffley	Metcalfe	Schemel
Burns	Helm	Metzgar	Schlossberg
Carroll	Hennessey	Mihalek	Schmitt
Causer	Hershey	Millard	Schroeder
Ciresi	Hickernell	Miller, B.	Schweyer
Conklin	Irvin	Miller, D.	Shusterman
Cook	James	Mizgorski	Silvis
Cox	Jones	Moul	Smith
Culver	Jozwiak	Mullery	Snyder
Davanzo	Kail	Mullins	Sonney
Davis, T.	Kaufman	Mustello	Staats
Day	Kauffman	Neilson	Stambaugh
Delozier	Keefer	Nelson, E.	Stephens
DelRosso	Kerwin	O'Mara	Struzzi
DeLuca	Klunk	O'Neal	Thomas
Diamond	Knowles	Oberlander	Tomlinson
Dowling	Kosierowski	Ortity	Topper
Driscoll	Kulik	Owlett	Twardzik

Dunbar	Labs	Pashinski	Warner
Ecker	Lawrence	Peifer	Wentling
Emrick	Lewis	Pennycuick	Wheeland
Farry	Longietti	Pickett	White
Fee	Mackenzie, M.	Pisciottano	Williams, C.
Flood	Mackenzie, R.	Polinchock	Zabel
Fritz	Major	Puskaric	Zimmerman
Galloway	Mako	Quinn	
Gaydos	Malagari	Rader	Cutler,
Gillen	Maloney	Rapp	Speaker

NAYS—54

Benham	Delloso	Kinhead	Samuelson
Boyle	Evans	Kinsey	Sanchez
Briggs	Fiedler	Kirkland	Sappey
Brown, A.	Fitzgerald	Krajewski	Sims
Bullock	Frankel	Krueger	Solomon
Burgos	Freeman	Lee	Sturla
Cephas	Hanbidge	Madden	Vitali
Cruz	Herrin	Merski	Warren
Curry	Hohenstein	Nelson, N.	Webster
Daley	Howard	Otten	Welby
Davis, A.	Innamorato	Parker	Wheatley
Dawkins	Isaacson	Rabb	Williams, D.
Deasy	Kenyatta	Rozzi	Young
DeLissio	Kim		

NOT VOTING—0

EXCUSED—1

Gregory

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.

ANNOUNCEMENT BY MR. MASSER

The SPEAKER. It is the Speaker's understanding that the gentleman, Representative Masser, has conferred with the leaders and would like to be briefly recognized for unanimous consent and an announcement.

Mr. MASSER. Thank you, Mr. Speaker.

It is with great delight I can tell the members that my family has now rounded out our basketball team with the arrival of 5-pound 9-ounce point guard, Olive Camille. Mom and baby are doing great, and I wanted to welcome her to the team.

The SPEAKER. Congratulations, Representative Masser.

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

BILLS RECOMMITTED

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

HB 1059;
 HB 1341;
 HB 1445;
 HB 1594;
 HB 2219; and
 SB 533.

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 19;
 HB 1577;
 HB 1862;
 HB 1867;
 HB 2143;
 SB 478;
 SB 479; and
 SB 739.

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 662;
 HB 1733; and
 SB 251.

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

BILLS TABLED

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

HB 662;
 HB 1733; and
 SB 251.

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

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

* * *

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

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

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

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 Representative Rozzi, who does move that this House do now adjourn until Wednesday, January 26, 2022, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 2:43 p.m., e.s.t., the House adjourned.