

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JANUARY 26, 2022

SESSION OF 2022

206TH OF THE GENERAL ASSEMBLY

No. 7

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:

Let us pray.

Lord, we give You thanks for this day. We ask that You bless the members of this body so we may continue to serve our districts back home. Give us wisdom and charity, that we may work together for the common good and benefits of the citizens we serve.

Please continue to bless those that administer each day to the health needs of those that suffer from COVID. We continue to pray for those who labor to find treatment and cures. May all that is done this day in the people's House be for Your greater honor and glory. 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, January 25, 2022, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 709, PN 679 By Rep. GROVE

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in ethics in public contracting, providing for definitions and for disclosure of contributions by contractors.

STATE GOVERNMENT.

HB 1925, PN 2187

By Rep. GROVE

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in source selection and contract formation, further providing for debarment or suspension.

STATE GOVERNMENT.

HB 2159, PN 2667 (Amended)

By Rep. GROVE

An Act amending Titles 35 (Health and Safety) and 62 (Procurement) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for laws suspended during emergency assignments; in general provisions, further providing for public access to procurement records; and, in source selection and contract formation, further providing for emergency procurement.

STATE GOVERNMENT.

HB 2269, PN 2632

By Rep. GROVE

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in source selection and contract formation, further providing for debarment or suspension.

STATE GOVERNMENT.

SB 1019, PN 1321

By Rep. GROVE

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.

STATE GOVERNMENT.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2278 By Representatives BERNSTINE, HILL-EVANS, GUENST, ROTHMAN, ORTITAY, GAYDOS, SAYLOR, KEEFER, WARNER, STURLA and HEFFLEY

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for fees and qualifications for licensure, for education programs, approved lists, distribution and student credits where school removed from list and for certified registered nurse practitioners and qualifications.

Referred to Committee on PROFESSIONAL LICENSURE, January 26, 2022.

No. 2279 By Representatives FREEMAN, SCHLOSSBERG, HANBIDGE, DeLUCA, SCHWEYER, KINKEAD and KIM

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for reporting by candidate and political committees and other persons.

Referred to Committee on STATE GOVERNMENT, January 26, 2022.

No. 2280 By Representatives FREEMAN, SCHLOSSBERG, HOHENSTEIN, HILL-EVANS, KINSEY, SANCHEZ, LONGIETTI, ROZZI, SCHWEYER, DRISCOLL, SAINATO, FITZGERALD, SHUSTERMAN, DALEY and KIM

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax credits for rehabilitation and reconstruction of certain factory and mill buildings and for a business tax credit.

Referred to Committee on FINANCE, January 26, 2022.

No. 2281 By Representative DIAMOND

An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Kyle A. and Tamara J. Boltz certain lands situate in Union Township, Lebanon County, in exchange for Kyle A. and Tamara J. Boltz's granting and conveying certain lands to the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, to be added to those existing lands at Swatara State Park.

Referred to Committee on STATE GOVERNMENT, January 26, 2022.

No. 2282 By Representatives BIZZARRO, SANCHEZ, HILL-EVANS, SCHLOSSBERG, DELLOSO, LEE, ROZZI, SAINATO, PISCIOTTANO and CIRESI

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for certification of community paramedicine providers, for community paramedicine service coverage by casualty insurance carriers and for medical assistance reimbursement.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 26, 2022.

No. 2283 By Representatives KINKEAD, HILL-EVANS, SANCHEZ, N. NELSON, ZABEL, SCHLOSSBERG, KINSEY, MADDEN, BURGOS, DeLUCA, ISAACSON, BRADFORD, ROZZI, CIRESI, DELLOSO, STURLA, DIAMOND and SHUSTERMAN

An Act providing for privacy, transparency and compensation regarding the disclosure of information collected by genetic material testing entities; and providing for powers and duties of the Office of Attorney General.

Referred to Committee on CONSUMER AFFAIRS, January 26, 2022.

No. 2284 By Representatives LAWRENCE, GILLEN, GROVE, B. MILLER, ROAE, RYAN, TOPPER, WHEELAND and ZIMMERMAN

An Act providing a procedure for the approval of a lease-backed debt obligation.

Referred to Committee on APPROPRIATIONS, January 26, 2022.

COMMUNICATION FROM DEMOCRATIC LEADER

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

January 26, 2022

Dear Speaker Cutler:

Pursuant to the Rules of the House for the 2021-22 Legislative Session, I am hereby appointing Representative Frank Burns Democratic Chairman of the Professional Licensure Committee.

Sincerely,
Joanna McClinton
Democratic Leader

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 253**, **PN 2653**, and **HB 1122**, **PN 2657**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 979**, **PN 1706**, with information that the Senate has passed the same without amendment.

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 979, PN 1706

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for limitation on the regulation of firearms and ammunition; and, in preemptions, providing for regulation of firearms and ammunition.

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

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence.

The Chair recognizes the gentlewoman, Representative Oberlander. There are no leaves. The Chair thanks the lady.

The Chair recognizes the Democratic whip, Representative Harris, who indicates also that there are no leaves.

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	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	Kaufer	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	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

LEAVE CANCELED—1

Gregory

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

Turning to committee and caucus announcements.

RULES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, the majority leader, for a Rules Committee announcement.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The Rules Committee will meet in the majority caucus room at 11:20. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Rules Committee will meet in the majority caucus room at 11:20.

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 immediately after the Rules Committee meets in the majority caucus room, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately after the Rules Committee meets in the majority caucus room.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will caucus at 12 o'clock in the majority caucus room. We would be prepared to be back on the floor at 1 o'clock; that is 12 o'clock in the majority caucus room, back at 1.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

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

Democrats will caucus virtually at noon; virtually at noon.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Seeing no further announcements, this House will stand in recess until 1 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Representative Gregory, has requested to be removed from leave for the remainder of the week. Without objection, the leave is so granted.

BILLS REREPORTED FROM COMMITTEE

HB 1059, PN 2658 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 declarations of estimated tax.

APPROPRIATIONS.

HB 1341, PN 2396 By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1594, PN 2659 By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 2072, PN 2668 (Amended) By Rep. SAYLOR

An Act providing for payment of delinquent Children's Health Insurance Program premium balances.

APPROPRIATIONS.

HB 2219, PN 2589 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 temporary regulatory flexibility authority, further providing for COVID-19 regulatory flexibility authority; and making an editorial change.

APPROPRIATIONS.**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 253, PN 2653 By Rep. BENNINGHOFF

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account; and providing for opioid abuse child impact task force and for ARPA health care workforce supports.

RULES.

HB 1122, PN 2657 By Rep. BENNINGHOFF

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in Pennsylvania Game Commission, further providing for organization of commission; and, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

RULES.**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 764, PN 2646**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1479, PN 1598**, with information that the Senate has passed the same without amendment.

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 1479, PN 1598

An Act designating a portion of Pennsylvania Route 31 from Strikertown Road to Renaissance Lane in South Huntingdon Township, Westmoreland County, as the John Michael Beyrand Memorial Highway.

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 478**, **PN 503**, entitled:

An Act amending the act of October 27, 1979 (P.L.241, No.78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," further providing for title of the act; adding a short title; and providing for contracts for 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 **SB 479**, **PN 504**, entitled:

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, in municipal financial distress, further providing for designation and for performance of coordinator; and, in receivership in municipalities, further providing for receiver.

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 1867**, **PN 2112**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for military-connected students.

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 739**, **PN 1089**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for definitions and for assistance to fire companies and EMS companies.

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 2143**, **PN 2536**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in county correctional institutions, further providing for establishment.

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

Mr. N. NELSON offered the following amendment
No. **A03279**:

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting

Section 1. Section 1731(a) of Title 61 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph and the section is amended by adding a subsection to read:

Amend Bill, page 1, by inserting between lines 10 and 11

(a) General rule.—

* * *

(6) Notwithstanding the provisions of paragraph (2), the board may appoint an additional two to four members who must be residents of the county for which the board is established.

Amend Bill, page 3, lines 7 and 8, by striking out "December 31, 2021, or immediately, whichever is later" and inserting immediately

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

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

Mr. N. NELSON. Thank you, Mr. Speaker.

I like the underlying bill's intent. I think when we look at our county correctional facilities, the importance and the imperative that we provide the appropriate oversight rests on our shoulders. Members of our communities are looking to us to ensure that there is appropriate, accountable governance of our county correctional facilities.

This amendment would ensure that our approach to accountable, yet public, oversight of those correctional facilities is enhanced. What we will talk about is, some of the correctional facilities in our State not only have the elected officials that are drawn up under the basis of the bill of which we are amending, but they also have participation from members of the public, members of the community that that board so appoints. Some of those perhaps even include representatives from the community colleges in which that county exists, that ensure that members of our communities who are currently serving time in our correctional facilities are receiving the adequate educational opportunities to which they could be afforded. Some are ensuring that those boards of oversight include public defenders who are there to ensure that members in our communities are receiving the legal options that they should be afforded. It is justice.

And this amendment is actually providing just an option. This is not requiring two to four members; this is allowing each of our county governing bodies to, if they so choose, add members of the public within that county. This is simply good government.

This is allowing us to always keep in mind that there are better options, that there are experts within our communities who bring to bear viable experience, knowledge, and service.

I ask that you all join me in allowing them to serve. Thank you.

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

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

With due respect to my colleague from Montgomery County, I appreciate his offering this idea but I would like to recommend that the members vote "no" for several reasons.

First of all, this amendment I believe is deficient in how it is drafted. While it does reference that individuals could be put on the prison board from that particular county, it lacks in the specificity in terms of who those people are, how long they can serve, the length of their term, if there are any conflict-of-interest provisions that need to be added, and so forth.

So for that reason, and the fact that it is deficient, I would ask the members to vote "no" on amendment A3279.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing nobody else seeking recognition, the Chair will recognize the prime sponsor of the amendment for the second time.

Mr. N. NELSON. I thank the gentleman from Lancaster for his engagement in this. I would challenge that the criteria of which he is requesting members to vote "no" do not exist anywhere in the bill in fact. What we are suggesting here is that the board have the option of allowing members to serve. What he is requesting that we do is when giving the board, elected officials, our judges within our counties, when providing our commissioners within our counties the opportunity to extend to other members the opportunity to serve, that we should then tell them how they must do it. It feels like more rules. It feels like more guidance. It feels like more mandates that the good sir is passing down.

What we are trying to do right now is just make our correctional facilities both transparent and safe. What we are doing right now is fighting for appropriate government and fighting for the ability to allow our county elected officials to work with the communities to which they serve. This is an option, an option that our local elected colleagues can take on their own.

I ask for a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Speaker recognizes the gentleman, Representative Brett Miller, for the second time.

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

I, again, appreciate the gentleman and his intent of allowing an option. I just want to say that this bill is not in any way a statement as to whether or not this should be something to be considered. What it is is the fact that this amendment does not contain the specificity that is required for who would be on that board, and for that reason I ask the members to vote "no."

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 good 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—89

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

NAYS—112

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. N. NELSON offered the following amendment No. **A03309**:

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting

Section 1. Section 1731(a) of Title 61 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph and the section is amended by adding a subsection to read:

Amend Bill, page 1, by inserting between lines 10 and 11

(a) General rule.—

* * *

(6) Notwithstanding the provisions of paragraph (2), the board may appoint an additional two to four members who must be residents of the county for which the board is established.

Amend Bill, page 2, line 27, by inserting after "A" election to be

Amend Bill, page 2, line 28, by striking out "COUNTY THAT ADVANCES IN CLASS TO BECOME A"

Amend Bill, page 2, line 29, by striking out "ON OR AFTER OCTOBER 1, 2021, SHALL" and inserting may elect by resolution to

Amend Bill, page 3, lines 7 and 8, by striking out "December 31, 2021, or immediately, whichever is later" and inserting immediately

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

The SPEAKER. On that question, the Chair recognizes Representative Napoleon Nelson.

Mr. N. NELSON. Thank you, Mr. Speaker.

This bill will give everybody another opportunity to do the right thing here. This amendment is to amend HB 2143, PN 2495. Knowing that we have all done our homework, when you look at HB 2143, PN 2495, you will see that we are adding a paragraph. This paragraph states that all counties that are rising into the 2-A class on or after – was it October? – must abide by the structure for prison oversight that is already defined for counties of the third, fourth, and fifth class.

The challenge is, this was not actually the maker's initial bill. If you would look at, and as we all did our homework, PN 2536, the original bill that was offered that would absolutely benefit those counties of the second, the third class that are rising into the 2-A, that initial printer's number said that counties that may elect to operate under this new law are those that include counties of the second class A. It was actually three words was added to the law.

Something that happened, I assume in committee, made the initial author's three-word bill into a nice, long paragraph that grandfathers in existing 2-A counties, that makes a requirement that had not previously been discussed or established for all future 2-A counties. If you represent a county of the 2-A class, if you represent a county of the third class, if your county has, oh, I do not know, about 250,000 residents, if we are concerned about our counties growing, then this bill is for you, because what the bill now does is it sets a mandate for what your government must

do at the local level. It binds hands. And what it also does is it prevents your county's prison oversight from actual improvements.

The other 2-A counties are already having a board of prison oversights that really makes sense. They have innovated. This bill allows your county to innovate. This bill allows your county executives to make their own decisions. This bill allows your county to know that we are not here in Harrisburg establishing more mandates, more rules, and more requirements

I ask for an affirmative vote.

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

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

This amendment contains the language about adding two to four members that was described in the previous amendment, and I will not repeat my comments on that except to say that I believe that it is deficient in this amendment too.

Lancaster County, a part of which I represent, is currently in the process of moving from a third-class county to a second-class-A county, and it was brought to our attention by the county solicitor that second-class-A counties do not have a standardized board of prison inspectors and that Lancaster County would like to keep their current arrangement.

This bill was introduced solely to help Lancaster as they change classifications this year, and Chester County after the next census. It was not designed to change how other 2-A counties operate their prison boards. Making additional changes, as contemplated here, should be more fully vetted among all the counties and be part of a broader discussion on prison boards in general.

To show the complicated issues involved, Delaware County operates their prison boards under a home-rule charter, Bucks County operates theirs under a Federal court order, and Montgomery County operates theirs under a special law. Any changes will need to involve each county and a full evaluation of the history and relevant issues that pertain to each county in order to make well-informed changes.

Further, the issues being contemplated by this amendment are addressed in HB 343, offered by the good gentleman, and they can be carried forth in his particular legislation. HB 2143 was never intended to address the additional elements contemplated in this amendment. It was designed to meet an immediate need facing Lancaster County due to a gap in the law.

HB 2143 is a straightforward bill that will allow Lancaster County to transition to 2-A status and maintain the continuity of its current prison board structure. This amendment not only contains several deficiencies, but it detracts from that goal.

I respectfully ask the members for a "no" vote on A03309. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Seeing no one else seeking recognition, the Chair will recognize the prime sponsor of the amendment for the second time.

Mr. N. NELSON. Thank you, Mr. Speaker.

With all due respect to the prior comments, I am not sure my colleague remembers what happened in committee, because in committee, what was a very simple, straightforward bill – again, HB 2143, PN 2536 – would have enabled his county to keep the current prison oversight structure that it desired. It would have provided time to continue to understand the implications of our

prison oversight structure. It would have allowed us to study what prison oversight structures would be most meaningful to our counties throughout the Commonwealth.

I was a big fan of PN 2536. What happened in committee was that all of those wonderful attributes were actually stripped out of the bill. Remember those three words that I mentioned before that allowed a second-class-A county to continue to adopt and hold to the prison oversight structure that it had been operating were actually removed from the bill. It was clear and it allowed us to study and learn. What it was replaced with is something that was a mandate; it was a dictate. You are not now able to understand how to best design your prisons. You are not able to understand what is happening already in Bucks County, what is happening already in Delaware County, or even what is happening in Montgomery County under the special law.

By the way, this special law that dictates the prison oversight structure in Montgomery County – I am glad the Representative brought that up – was passed in 1865. While every one of your counties, except for my colleagues from Montgomery, have a prison oversight structure that is defined by statute, that was defined with prior experience and thinking and intent around how we care for those residents in our communities who are currently serving time in our county correctional facilities. Montgomery County's prison oversight board, our laws were passed in 1865. All of you, if you were to go back home, when you go back home this evening, check out your board of prison oversight or prison inspectors. If you are not in a home-rule county, you will find that your president judge, your county commissioners, your sheriff, your controller is serving on that board of prison oversight. That is exactly what Lancaster would like to do.

I will add that members of Dauphin County would like to, perhaps, add a few members of the public, because I think they will find it beneficial. In Montgomery County, we have six members that are established. They are all residents. There is no one of any accountability to the public. There is no one in Montgomery County's board of prison inspectors that has even had to introduce themselves to the 830,000-odd residents in Montgomery County. They were hand-picked by the president judge and the board of commissioners themselves under a cloud of darkness.

Our board of prison oversight or prison inspectors in Montgomery County, the special law from 1865 is an oops. This is what we are here to do. We are here to correct laws. There is a loophole that we are trying to address. Representative here is trying to address that loophole by allowing third-class counties that are rising into the 2-A class to hold onto their current structure, because we never defined what prison oversight for a 2-A class county ought to be.

My 2-A class county is suffering from it. We have been robbed of 155 years of legislative experience and knowledge in this Commonwealth. We have been robbed of that. We are still operating on a law that was passed in 1865. There is a way that we can fix that. We can accept this amendment, or we can go back to the three words, the three words that was the underlying printer's number, 2536. I know we cannot go back to the three words of the underlying and initial legislation in PN 2536, but we can accept this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Brett Miller, for the second time on the amendment.

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

And I do appreciate the gentleman's passion on this issue. I would like to simply remind the members that during the Local Government Committee meeting, when we had this discussion, the amendment which he was just describing was passed unanimously in the Local Government Committee. So that is an important detail I think that needs to be brought to bear.

Secondly, as I said previously, the gentleman does have a bill, HB 343, where the particular issues that he is addressing can be raised and furthered within his legislation.

Finally, Mr. Speaker, this legislation impacts any county who is in this particular situation, and it is a good piece of legislation, and therefore, I would ask that the members vote "no" on this amendment, A03309, and I appreciate the time.

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 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—90

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

NAYS—111

Armanini	Greiner	Masser	Rothman
Benninghoff	Grove	Mehaffie	Rowe
Bernstine	Hamm	Mentzer	Ryan
Boback	Heffley	Mercuri	Sankey

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. N. NELSON offered the following the amendment
No. **A03365**:

Amend Bill, page 2, line 27, by inserting after "A"
election to be

Amend Bill, page 2, line 28, by striking out "COUNTY THAT
ADVANCES IN CLASS TO BECOME A"

Amend Bill, page 2, line 29, by striking out "ON OR AFTER
OCTOBER 1, 2021, SHALL" and inserting
may elect by resolution to

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

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

Mr. N. NELSON. I know what you are thinking: we have done this twice already. I appreciate the prior speaker's recommendation that we perhaps consider my bill that would do all of the things that I have spent the past 10 minutes talking to you about. It has been assigned to the Judiciary Committee, I believe. It is my understanding that the Judiciary Committee has already had filed hundreds of Democratic bills, of which two have received consideration. I believe wholly that PN 2536 for HB 2143 would have made one of those bills not necessary. We voted that down twice.

Because I am not sure when in the world we actually will consider my bill in Judiciary, I am going to make us vote on it for a third time.

Thank you very much. I ask for a "yes" vote.

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

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

I will not go into the details of what I said previously, but basically for the same reasons that I outlined already, I would just simply ask the members to vote "no." 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 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—90

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

NAYS—111

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

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

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to second consideration of **HB 19, PN 2639**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions, for respiratory therapists, for perfusionist, for genetic counselor and for prosthetists, orthotists, pedorthists and orthotic fitters; providing for behavior analysts and assistant behavior analysts; and further providing for licenses and certificates and general qualification.

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

Mr. **MEHAFFIE** offered the following amendment No. **A03571**:

Amend Bill, page 20, line 27, by inserting after "ANALYSTS." An individual who meets the criteria specified in this definition may be employed or supervised by another professional licensed in this Commonwealth whose statutory or regulated scope of practice includes applied behavior analysis if the licensed professional practices within the boundaries of the profession's code of ethics.

Amend Bill, page 25, line 29, by striking out all of said line and inserting

(c) Licensure required.—

(1) Two years after the effective date

Amend Bill, page 26, by inserting between lines 5 and 6

(2) Within two years after the effective date of this section, an individual who has practiced applied behavior analysis for three of the five years immediately preceding the effective date of this section shall be eligible for licensure if the applicant submits to the board proof of the required experience and complies with subsection (a)(1), (2), (3), (4), (7) and (8) or (b)(1), (2), (3), (4), (7) and (8).

Amend Bill, page 28, lines 7 through 13, by striking out all of lines 7 through 12 and "(9)" in line 13 and inserting

(8)

Amend Bill, page 32, by inserting between lines 2 and 3

(j) Other renewals.—A license issued under subsection (c)(2)

shall be subject to biennial renewal. The board may issue a license renewal to a licensee under subsection (c)(2) upon the submission of all of the requirements in subsection (i), not including the requirement under subsection (i)(2).

Amend Bill, page 32, line 3, by striking out "(J)" and inserting (k)

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

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

Mr. MEHAFFIE. Thank you, Mr. Speaker.

My amendment makes a few technical changes, as requested by stakeholders, and adds a provision to permit current practitioners to be eligible for licensure.

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 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—201

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

Dawkins	Kail	Nelson, N.	Topper
Day	Kaufer	O'Mara	Twardzik
Deasy	Kauffman	O'Neal	Vitali
DeLissio	Keefer	Oberlander	Warner
Deloso	Kenyatta	Ortitay	Warren
Delozier	Kerwin	Otten	Webster
DelRosso	Kim	Owlett	Welby
DeLuca	Kinthead	Parker	Wentling
Diamond	Kinsey	Pashinski	Wheatley
Dowling	Kirkland	Peifer	Wheeland
Driscoll	Klunk	Pennycuik	White
Dunbar	Knowles	Pickett	Williams, C.
Ecker	Kosierowski	Pisciottano	Williams, D.
Emrick	Krajewski	Polinchock	Young
Evans	Krueger	Puskaric	Zabel
Farry	Kulik	Quinn	Zimmerman
Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler,
Fitzgerald	Lee	Rapp	Speaker
Flood	Lewis	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—0

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.

FILMING PERMISSION

The SPEAKER. If I may have the attention of the members.
The gentleman, Dan Gleiter, from PennLive and the Patriot-News, has requested and been granted access for still photos for the next 10 minutes of floor proceedings.

GUESTS INTRODUCED

The SPEAKER. Additionally, turning to visitor recognition. Located in the gallery, the Chair is pleased to welcome Doug and Karen Zegel from Doylestown. They are the founders of the Patrick Risha CTE (chronic traumatic encephalopathy) Awareness Foundation, in memory of their son. They are the guests of Representative Labs. Welcome.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 105, PN 2611**, 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?

Mr. **BOYLE** offered the following amendment No. **A03507**:

Amend Bill, page 2, line 2, by striking out all of said line and inserting
shall apply:
(1) To transactions occurring in tax years beginning Amend Bill, page 2, by inserting between lines 3 and 4
(2) Only to exchanges of property which occur in this Commonwealth.

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

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

Mr. **BOYLE**. Thank you, Mr. Speaker.

My amendment would establish that this would only apply to exchanges of property that occur within the Commonwealth. As currently written, this bill would actually allow for the possibility of tax avoidance schemes by moving profits out of State. My amendment would prevent that occurrence.

Thank you, Mr. Speaker.

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

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the good gentleman from Philadelphia bringing forward this amendment. I believe his intent is to limit the effect of the bill to an exchange of properties within Pennsylvania.

Regrettably, the amendment is poorly drafted and refers instead to exchanges of property that just happen to occur in Pennsylvania. So under the amendment before us, if two entities – one, say, with a property in Idaho, and one, say, with a property in Vermont – met in a conference room in Pennsylvania to execute an exchange of that property, the Tax Reform Code of 1971 would now speak into that transaction.

Since the amendment is poorly drafted, I would encourage a negative vote.

Thank you, Mr. Speaker.

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

Mr. **COX**. Thank you, Mr. Speaker.

In addition to the drafting problems addressed by the prior speaker, while I understand the concern from the gentleman from Philadelphia, what he is trying to address, I believe there are Federal constitutional issues that may arise if we address this in the manner that is proposed in this amendment.

As such, I would respectfully request a "no" vote from our members on this amendment. 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—89

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

NAYS—112

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

NOT VOTING—0

EXCUSED—0

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?

The SPEAKER. For the information of the members, amendments 3455 and 3457 have been ruled out of order.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

VOTE CORRECTION

The SPEAKER. The Speaker recognizes the gentlewoman, Representative Oberlander, for a correction of the voting record.

Ms. OBERLANDER. Thank you, Mr. Speaker.

On behalf of the gentleman from Westmoreland County, Representative Brooks, on HB 2143, amendment 03279, he was recorded in the negative and would like to be recorded in the positive.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady, and those remarks will be noted in the record.

RESOLUTION

Ms. BOBACK called up **HR 166, PN 2503**, entitled:

A Resolution urging the State Council on Interstate Educational Opportunity for Military Children and the Military Interstate Children's Compact Commission to expand eligibility in the Interstate Compact on Educational Opportunity for Military Children to members of the National Guard and Reserve who are not or did not serve on active duty.

On the question,

Will the House adopt the resolution?

Mrs. **PENNYCUICK** offered the following amendment No. **A03544**:

Amend Resolution, page 3, by inserting between lines 16 and 17 **RESOLVED**, That the Pennsylvania House of Representatives urge the State Council on Interstate Educational Opportunity for Military Children and the Military Interstate Children's Compact Commission to expand the eligibility period in the Interstate Compact on Educational Opportunity for Military Children for:

(1) children of active duty members of the uniformed services, National Guard and Reserve on active duty orders, commissioned officers of the National Oceanic and Atmospheric Administration and Public Health Service and members or veterans who are medically discharged or retired for a period of two years following the discharge or retirement; and

(2) students of members who perish on active duty for a period of two years following the member's death; and be it further

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.

My amendment, A03544, will simply add provisions to additionally urge the national compact commission to extend the 1-year period to a 2-year period in which the compact provisions can apply to the following: children of active-duty members who are medically discharged or retired, and students of members who are killed in the line of active duty. I ask the members for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Representative Boback, on the amendment.

Ms. BOBACK. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ms. BOBACK. Thank you, Mr. Speaker.

HR 166 urges the State Council on Interstate Educational Opportunity for Military Children to make the National Guard and Reserve members eligible for the Military Interstate Children's Compact. Our National Guard and Reserve members across the State have become such a vital component of our active-duty military structure, and are also in need of these compact provisions for their school-age children across the State. Thus, our interstate compact commission has requested this course of action, and I ask for your support of the resolution. Thank you.

Thank you, 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—201

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1947, PN 2223**, entitled:

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

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

The SPEAKER. The Speaker has been notified that the gentleman, Representative O'Neal, has amendment 3572, which he is withdrawing. The Chair thanks the gentleman.

On the question recurring,
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 O'Neal.

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

Mr. Speaker, this bill is pretty straightforward. It simply states that a local municipality cannot ban any specific type of fuel source within the borders of the municipality. The reason why we need to do this is because the fuel sources that are going into our residences and businesses within municipalities are serviced by regulated utility providers. Those regulated utilities service an area that is much greater than the municipal boundaries, and the decisions that are being made at the local level at these municipal bans affect residents outside the municipal borders. That is the reason why only the State can make these decisions when it comes to energy policy and what should and should not be used throughout the Commonwealth. So when it really comes down to it, this is about preserving consumer choice when it comes to the fuel sources we want in our homes and in our businesses.

So one of the things that you might hear about – and I am sure our good colleague from Delaware County will read us some position papers from the Sierra Club and what have you – is you will hear about how this must happen to save our climate. We must ban the use of natural gas in the homes in order to save our climate. Oh, but at the same time, it is not happening in Pennsylvania; they just want to preserve the right to do it in the future I guess is the point.

So the reality is, it is happening in Pennsylvania. It might not be happening through ordinances, but it is happening through local climate action plans. As a matter of fact, I have one right here that is from an organization called CONNECT (Congress of Neighboring Communities). There is a climate action plan put together by the University of Pittsburgh, and CONNECT is an organization that includes a number of municipalities throughout Allegheny County, and as a matter of fact, on page 44 of the

CONNECT Climate Action Plan, it specifically says, it specifically says, "Require electric heating and appliances in new construction and residential buildings." So that is a climate action plan developed for CONNECT, which is a consortium of numerous municipalities throughout Allegheny County here in Pennsylvania.

In addition to that, Pennsylvania's own, DEP's (Department of Environmental Protection) Pennsylvania Climate Action Plan encourages this same process of ensuring that we electrify all of our utilities in homes and commercial businesses. The reality, according to the Pennsylvania Climate Action Plan, the reality is, carbon emissions from residences and commercials account for less than 11 percent of total emissions – 7 percent from residential use, 4 percent from commercial use. At the same time, this same plan, currently issued by our current DEP, says that if we do nothing, carbon emissions from residential and commercial use will decrease, by 2050, 24 percent.

And all-electrification is the most expensive option we can take in order to reduce carbon to begin with. It is so expensive that it actually – so you measure expense for carbon emissions based in dollar per metric ton. The cost to do all-electrification, according to the DEP, is \$501 per metric ton. You compare that to energy efficiency methods to reducing carbon, and they range between \$90 and \$250 – excuse me, a savings of \$90 to \$250 per metric ton. This same plan, the DEP plan, also says, if we go down this route, we will actually eliminate 5100 jobs annually by doing this.

So when it comes down to it, this is not the best option to reduce carbon to begin with. It is one of the most expensive options, and ultimately, we should be conserving consumer choice and leveling the playing field regardless of fuel source in the homes.

My legislation does not prevent the municipalities from any zoning ordinances or controlling how things happen in their municipal borders. It simply says they cannot pick winners and losers. It also would not prevent the use of solar as well. So it does not affect any current authority, and it simply, as I stated previously, it simply prevents the banning of any specific fuel source, and I ask for your support.

The SPEAKER. The Chair thanks the gentleman and recognizes the good gentleman, Representative Vitali, on final passage. The gentleman wishes to have Representative Freeman precede him?

Mr. VITALI. I think that would be best since he is the appropriate chairman, and then I will go next, if that is okay.

The SPEAKER. That is absolutely fine. We will return to you very soon, Representative Vitali.

The Chair recognizes the good gentleman, Representative Freeman, on final passage.

Mr. FREEMAN. Thank you, Mr. Speaker, and I thank the gentleman for his remarks. Even though we disagree on this issue, we have had cordial discussions on the proposal. We have not been able to reach any kind of compromise language, but I appreciate his efforts to meet with me and to discuss those matters, and hopefully, we will have other conversations in the future.

Today I rise to oppose HB 1947. This legislation would impose a preemption on local governments, as regards connection to utility services, based on the type of source of energy that they would deliver. This legislation is simply not necessary. There are no cases of any municipality in Pennsylvania taking action, legally enforceable action to prohibit

energy sources or utility services. This bill is a solution in search of a problem that simply does not exist and cannot exist under Pennsylvania law, given the lack of legal authority for a municipality to regulate such matters.

The bill before us has been promoted largely by the gas industry in response to actions taken in other States where municipalities have different grants of authority. It is not applicable here in Pennsylvania. Let me reiterate that: This proposal does not make sense because it is not applicable in Pennsylvania. Municipalities simply do not have the authority to regulate utilities or their source of energy. That legal authority lies with the Public Utility Commission, not with municipalities. Local governments have no grant of legal authority to do so here in Pennsylvania. However – and it is a very important consideration – however, the overly broad language of this bill has very real negative, unintended consequences for municipalities. Because the language of this bill is so overly broad and vague in many of its points, it could be construed to prohibit local governments from taking positive actions to promote programs and various incentives in their community that would promote renewable energy, promote conservation measures to reduce energy costs to consumers, and this bill will also undermine legally sanctioned climate change action plans here in Pennsylvania.

And I note that the gentleman did refer to a climate action plan that he was concerned with. Again, to clarify, climate action plans are largely advisory. They are hoped-for goals. They do not have the mandate of law, at least not in terms of the one he referenced in terms of their objectives. So again, there is no need for this legislation. However, it could undermine those good efforts on the local effort to promote energy conservation, promote renewable energy, and put in place climate change action plans that can get a community focused on how to reduce carbon emissions.

The broad and subjective language of this bill will subject municipalities to legal challenges by energy interests or simply promoting the incentives of renewable energy, conservation measures, and plans to facilitate the reduction of carbon emissions. In short, this subjective language will result in legal actions that local taxpayers will have to pay for to fight.

I should note that this bill is opposed by local governments and also by environmental organizations across the State. In terms of those groups opposing this legislation: the Pennsylvania Municipal League, the Pennsylvania State Association of Boroughs, the Pennsylvania State Association of Township Commissioners, the city of Pittsburgh; environmental groups such as PennFuture, the Clean Air Council, PA chapter of the Sierra Club, PennEnvironment, Conservation Voters of Pennsylvania, as well as many other environmental groups. This is broadly opposed by local government organizations and by environmental groups. And in addition, I should note that Governor Wolf has indicated that he will veto this bill in its current form because of its negative consequences to municipalities and the promotion of sound environmental and energy efforts.

When HB 1947 was on second consideration here in this chamber, I attempted to address these concerns with amendments to narrow the scope of the bill and the bill's language in the hopes that municipal actions that they objected to could be confined to ordinances and resolutions – the only legal instruments municipalities have of effecting policy decisions in terms of a legal standing. I also offered language that would have tried to

make sure that the broad and vague language referring to discrimination, in the discrimination section, and a broad notion of policy could be removed so the negative unforeseen consequences that I spoke of could not be effected at the local level. And I also offered an amendment that would not allow this legislation to undermine efforts to promote energy efficiency, renewable energy initiatives, and programs that were likely to help the environment and communities at large. However, those amendments failed on second consideration.

The failure to include such reasonable safeguards in this bill means that local government associations and environmental groups remain opposed. They are uniformly opposed, and as such, I am urging the members to vote "no" on HB 1947 for this unnecessary legislation which holds very negative consequences for our municipalities and for the enactment of good energy policy here in Pennsylvania.

I urge a "no" vote. Thank you, Mr. Speaker.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to the bill and agree with everything said by the previous speaker, so I will just try to summarize the opposition.

As mentioned, the Pennsylvania Municipal League opposes this. They underscore the point: "In Pennsylvania, the Public Utility Commission has jurisdiction over the regulation of utilities; therefore, local regulatory action is prohibited." They say, "...very likely" this legislation will "create confusion and expose municipalities to litigation because it is broad, subjective and unclear." So they oppose it. The Pennsylvania Boroughs Association, I quote their letter: "...there is no pressing need for this legislation and passage could only cause harm to municipalities by exposing them to costly litigation." We "...ask you to oppose...House Bill 1947." As mentioned, the administration is opposed. The city of Philadelphia, by ordinance passed in April, opposes this legislation. And as mentioned, environmental groups oppose and have stated in their January 10 letter, this "... will REDUCE your score in the next Pennsylvania Environmental Scorecard."

So I would ask for a "no" vote.

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

Mr. KNOWLES. Thank you very much, Mr. Speaker.

Mr. Speaker, with all due respect, I disagree with the honorable, esteemed chairman of the Local Government Committee, as well as the gentleman from Delaware County. I really want to commend the maker of the bill. It is great legislation. I have always been of the opinion that, you know, that all of fuel should be treated equally. It is not our job to pick winners and losers. That is not our job. Our job is to make sure that there is a level playing field and that everybody gets a fair shake, and, Mr. Speaker, that is exactly what HB 1947 will do. It will treat the city of Philadelphia the same as it does good old Tamaqua.

So, Mr. Speaker, I would strongly encourage my colleagues to vote "yes" on HB 1947.

Thank you, Mr. Speaker.

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

Ms. HERRIN. Thank you.

I just have one point and one point only. I was very struck by the comment from the maker of this bill who said that this is a bill that protects choice and protects choice of the energy sources that we want to use, and it is actually the opposite. This is a bill that prevents local municipalities from choosing their energy sources. It restricts them, it handcuffs them, it preempts them, and it is very likely a response to ordinances that are happening across this country which are electrification ordinances that require new construction to have electric systems – electric HVAC (heating, ventilating, and air conditioning) systems and electric stoves – in their homes, and this is the direct result of the people of these local communities voicing their choices for the types of energy sources that they want.

And this bill restricts the local control and it restricts the local voices and it prevents people from selecting the cleaner energy sources that they want. And for that reason I ask my colleagues to vote "no" on this legislation. Thank you.

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

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

As many of you know, after being a Federal prosecutor, for the last 10 years I was a utility lawyer for a utility in Pennsylvania that, like all of the other utilities in Pennsylvania, takes very seriously its climate responsibilities to the Commonwealth and to the region, takes very seriously its environmental responsibilities. Your local electricity utility purchases all of its electricity through a default service proceeding. In recent years, those default service proceedings have been intervened by environmental groups making the claim that the utility ought to be buying cleaner energy – which it would like to do, but that is not how electricity sales occur in Pennsylvania. Electricity is purchased on the wholesale market by way of a pool, where they control nothing about the mixture of energy sources in your electricity grid. Let me repeat that: Your utility can control nothing about the mixture of fuels used to produce electricity in Pennsylvania. Instead, the procurement process under Title 66 in Pennsylvania requires that the mix of products bought on the wholesale market be prudent and least cost over time. That is the standard. No municipality in Pennsylvania – I am glad our friends on the other side of the aisle, several of them, admitted that nothing can happen in Pennsylvania by a municipality to impact the regulations over a utility before the utility commission. It may not happen.

So as a consequence, to my dear friend from Chester County, if any municipality instructs that a neighborhood or a city use only renewables, as an example, that utility must take the municipality to court to have that ordinance declared unconstitutional and get injunctive relief. The cost of that litigation goes to the ratepayers. That utility is entitled to recover every single cent that it spends in litigation to have that ordinance declared unconstitutional, and then they recover those costs from you.

I would say that this bill is a practical matter – not an environmental versus energy matter – but is a practical matter to express our intent that the entire legislative body of utility law is preempted by Title 66 and the regulations promulgated by the Pennsylvania Utility Commission.

Thank you very much.

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—118

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

NAYS—83

Benham	Delloso	Kinsey	Pisciottano
Bizzarro	Driscoll	Kirkland	Rabb
Boyle	Evans	Kosierowski	Rozzi
Bradford	Fiedler	Krajewski	Samuelson
Briggs	Fitzgerald	Krueger	Sanchez
Brooks	Frankel	Lee	Sappey
Brown, A.	Freeman	Madden	Schlossberg
Bullock	Galloway	Malagari	Schweyer
Burgos	Guenst	Markosek	Shusterman
Carroll	Guzman	McClintont	Sims
Cephas	Hanbidge	McNeill	Solomon
Ciresi	Harkins	Merski	Sturla
Conklin	Harris	Miller, D.	Vitali
Cruz	Herrin	Mullery	Warren
Curry	Hohenstein	Mullins	Webster

Daley	Howard	Neilson	Welby
Davis, A.	Innamorato	Nelson, N.	Wheatley
Davis, T.	Isaacson	O'Mara	Williams, D.
Dawkins	Kenyatta	Otten	Young
Deasy	Kim	Parker	Zabel
DeLissio	Kinlead	Pashinski	

NOT VOTING—0

EXCUSED—0

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.

SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 253, PN 2653**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account; and providing for opioid abuse child impact task force and for ARPA health care workforce supports.

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

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

The Chair now recognizes Representative Owlett for a brief description of Senate amendments.

Mr. OWLETT. Thank you, Mr. Speaker.

For nearly 2 years, health-care professionals across this Commonwealth have been on the front lines fighting against COVID-19, and I think it is fair to say that they have done an awesome job. The hard work, dedication, and determination have been inspiring, and we cannot thank them enough for all that they have done and continue to do for the citizens of the Commonwealth. So I am pleased to be here today and work together across the aisle to help honor these heroes that have been serving our communities and our kids.

As amended by the Senate, HB 253 makes much-needed investments in our health-care system. It will invest \$210 million in all of our hospitals – \$100 million being shared among all hospitals and \$110 million being shared among designated critical-access hospitals, high-Medicaid-use hospitals, and behavioral health professionals. Coming from a rural district in Tioga and Bradford and Potter Counties, I cannot emphasize enough how important this is to our critical-access hospitals. They truly answered the call, not just during COVID-19 over the last 2 years, but each and every day. This is a much-needed and well-deserved investment that will help continue the mission of caring for our citizens here in Pennsylvania.

The bill also allocates \$15 million in nurse student loan forgiveness; again, a well-deserved show of appreciation to our nurses. And it also incentivizes them and encourages more nurses

in this field, something we have heard a lot about from our hospitals, and we appreciate PHEAA's (Pennsylvania Higher Education Assistance Agency) help in determining this number.

While it is abundantly clear that every person working in the health-care industry right now is a valued member, our frontline care workers are amazing, and I think that we all agree that there is something extra special about our nurses who have been tending to the day-to-day needs of the patients that are our family and our friends. They have been providing comfort and companionship at a time when patients were not permitted to visit with their loved ones – we have all heard of those heart-wrenching stories. Our nurses are doing amazing work and they are heroes, not just in our hospitals, but in our nursing homes and in our long-term care facilities as well. We need to recognize them here today and just say thank you for their truly impactful career.

Finally, I want to stress the importance of another element of this bill, one that is near and dear to my heart and is the contents of the main bill that is coming back over that we passed last year. HB 253 will help take strides toward providing better care to children and parents impacted by substance-use disorder. This is the legislation that was created to start the task force that will focus on implementing safety, well-being, and permanency of substance-exposed infants and young children who, under no choice of their own, have been adversely impacted by a parent's drug abuse. This group will also provide us with strategies for prevention and support that we can again work together to bring about the policy changes needed to help both mom and baby. Protecting the health and safety of our citizens, and especially our children, amongst our Commonwealth should be our top priorities, and today we are delivering on that commitment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Rothman, on concurrence in Senate amendments.

Mr. ROTHMAN. Thank you, Mr. Speaker.

What a tremendous day on two great issues that are very important to all of us in the Commonwealth. The last 2 years our health-care heroes – make no mistake, these are heroes – have done so much to bear the burden of this pandemic, and sadly, one of the things that has gotten worse during the pandemic is the opioid crisis. So the fact that we are now taking two issues and bringing them together – my good friend from Tioga County, thank you, Representative, for doing this. I thank all members of both aisles and both bodies in this building and the Governor for putting this money to the hospitals and to the health-care industry. At the same time, I hope that we are now going to come up with some protocol on how hospitals deal with infants born addicted to opiates.

So I urge my colleagues and thank my colleagues for support for this very important legislation, and thank you, thank you for your time today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Kinkead, on concurrence in Senate amendments.

Ms. KINKEAD. Thank you, Mr. Speaker.

As the proud sister of a nurse, I am incredibly grateful that we are passing this legislation. I am incredibly grateful for the support that everyone here has demonstrated in supporting our health-care heroes. My sister has spent her career working in

long-term care facilities, and so this is very near and dear to my heart. So I appreciate everyone's support on this.

And I will just say that I hope that the next thank-you that we can give to our health-care heroes is the passage of the patient protection act. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentlewoman, Representative Kosierowski, on concurrence in Senate amendments.

Mrs. KOSIEROWSKI. Thank you, Mr. Speaker.

Today I am here to stand to support this legislation, HB 253. I am pretty sure I am the only registered nurse here in the House of Representatives. I actually worked per diem on the floors in the hospitals during COVID. This piece of legislation is something we all should support. They are desperately in need of our help. Nurses are burned out. Certified nurse assistants are burned out. The hospitals are overwhelmed. This piece of legislation is something to show our thanks concretely to them, and next we really need to pay attention to our long-term care centers and our home health nurses that are visiting homes of patients with COVID.

So I hope all of you today will vote "yes" on HB 253. And take it from the nurse in the House: I truly, really do support this, so you should listen to the most trusted profession here in Pennsylvania, our nurses. So I am asking you to support this piece of legislation. Thank you.

The SPEAKER. The Chair thanks the lady.

Those voting to concur will vote "aye"; those voting to nonconcur will vote—

The leaders wish to speak? I apologize. I did not see you standing next to the mike.

Representative Harris, we will recognize you first. You are in order and may proceed on concurrence.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the past 2 years have been unlike any before. The demand on our health-care system has been enormous and our frontline care worker providers who have worked tirelessly have shouldered one of the greatest burdens. This \$225 million relief package uses Federal American Rescue Plan dollars and is an investment in the system and the professionals who have given so much to support and care for our communities before and since the pandemic.

Mr. Speaker, today we are finally seeing progress in this General Assembly to make responsible and meaningful investments in our communities using American Rescue Plan Act funds; in this case, to provide much-needed relief to our frontline workers.

Mr. Speaker, this pandemic has laid bare the absolute necessity of a strong nursing and direct patient-care workforce and just how much we rely on them to take care of our families and our loved ones when they are sick. They are on the front lines, Mr. Speaker, in this pandemic and throughout our entire health-care system, and we should be doing everything we possibly can to retain and recruit at the bedside, where they are absolutely, desperately needed.

In addition, \$110 million will be provided to hospitals that provide behavioral health services, serve a high amount of medical assistance clients, or are in some of our most rural parts of the State so they, too, can retain and recruit the staff they need at the bedside. Mr. Speaker, we know that behavioral health services were in high demand before the pandemic, and that that demand has only grown, and these providers have remained committed to serving our communities.

In addition, the Student Loan Relief for Nurses Program, announced by Governor Wolf in the fall of 2021, has been flooded with applications. Additional funds of \$15 million, \$15 million will be used to increase the amount of student loan forgiveness that can be provided to nurses in various settings. Pennsylvania has a large pool of dedicated, hardworking nurses who have worked and continue to work throughout the COVID-19 pandemic. We need to let these nurses know that Pennsylvania appreciates and needs them.

Finally, Mr. Speaker, this is proof that when we work together across party lines, across this legislature, and with our Executive, we can accomplish great things for the people of Pennsylvania. This is by far one of the smartest investments we can make with these resources. Mr. Speaker, this is a great first step, and we look forward to many more.

And we ask that everyone supports the concurrence of HB 253. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the good gentleman and recognizes the gentleman, Leader Benninghoff, on concurrence.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

We have heard a lot about what has happened the last 2 years and our frontline health-care workers, and I, also, in addition to the nurses, want to acknowledge the what I call the allied personnel. There are a lot of people that it takes to run a hospital, and yes, they have literally given a lot in these last couple years and continue to do that now and even before. COVID was just the opportunity to really highlight how fortunate we really are to have them. Time and time again they have been asked to give more and more of themselves, less and less time with their families, and we do respect that and appreciate that.

I also believe that as policymakers and appropriators, while our fiscal resources may be vast at times, our tools are somewhat limited. Therefore, I believe it is incumbent upon us in this building to help provide the necessary resources to these facilities to encourage participation in the health-care field, as well to ensure the survival of these critical-care health-care providers, and most of all, patient safety.

Early in my career, some of you know, I worked in a hospital, as did our Speaker. I believe both of us have adopted a significant appreciation for those who continue to do that and for those who choose to go in the health-care profession, as I had encouraged my own children to do. I do not think we can underestimate the dedication of our doctors, nurses, and all the other people in the hospitals – physical therapists, housekeeping, and maintenance. It takes a lot of people to keep these places running.

Keeping in mind the challenges that we have in health-care personnel did not begin with COVID. It has been an ongoing challenge that we have in a State that is probably the third largest aging State in the nation. People are living longer and their health-care problems and challenges are much greater. Fridays, Saturdays, and Sundays, when people look forward to going home for the weekend or for the holidays, hospitals have to continue to run.

I do not want to belabor it, but I think it is worth recognizing a little bit about the funding package which will hopefully be signed into law today or tomorrow by the Governor. It does help not just everyday hospitals – large, small; rural, urban – but also our behavioral health centers and critical-access hospitals, as the author of this bill said. Very, very important for us to do that.

I also think it is important to remind those, some of who would have liked us to spend all the American Rescue dollars at one time when it came in last year, that that prudent budgeting made

today's opportunities available. And it is good decision-making, because we do not know where the economy may go. We do not necessarily expect to have a second variation of the pandemic occur, but they all happened and that did happen, and therefore, all the more reason that we prudently put some money aside so that we can make this money available, whether it is the \$210 million to address staffing issues, \$100 million to advance critical-care hospitals, or the \$15 million for the PHEAA dollars to help get other people in the health-care industry.

There is a lot to be said, but at the end of the day, this is an opportunity for us to all vote, hopefully, in unison and completely, unanimously on this great, important initiative to help provide assistance to our health-care facilities and our hospitals, and most of all, help to retain this staff. Through the last couple years, we have seen people leave, go into other professions, some take early retirements, but for a multitude of reasons we have had a significant decrease, and many hospitals struggle on a day-to-day basis, and sadly, many have had to resort to using agencies, at times costing far more than their other staff. So here is a good opportunity for us to stand together, vote to support those who take care of us and are there available for us 24/7, 365 days.

Thank you, Mr. Speaker. I would ask for a unanimous vote on HB 253.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the 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—201

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Driscoll	Klunk	Pennycuick	White
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Ecker	Kosierowski	Pisciottano	Williams, D.
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Farry	Kulik	Quinn	Zimmerman
Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler,
Fitzgerald	Lee	Rapp	Speaker
Flood	Lewis	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

GUEST INTRODUCED

The SPEAKER. Turning back to visitor recognition. I would like to point out that we have a guest in the gallery, and we are pleased to welcome back to the House Robin Adams. She is a guest of Representative Owlett who came down to advocate for the original HB 253 because she was the founder of Asa's Place, an advocate for infants diagnosed with NAS (neonatal abstinence syndrome). Welcome, and thanks for being here for that important vote.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1122, PN 2657**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in Pennsylvania Game Commission, further providing for organization of commission; and, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

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

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

The Chair now recognizes Representative Gillespie for a brief description of Senate amendments.

Mr. GILLESPIE. Thank you, Mr. Speaker.

HB 1122 passed unanimously out of the House last year in May. The Senate made one amendment to the bill. They have inserted language similar to bills introduced by both House Game and Fish Chairman Neilson and Senate Chairman Laughlin to provide for a more equitable representation of Game Commission board members. This is accomplished by reducing the size of the largest current district, district 8, which covers more than twice the population of any other district, creating a new district which will be district 9.

REMARKS SUBMITTED FOR THE RECORD

Mr. GILLESPIE. Mr. Speaker, I will submit the rest of my remarks that define the new district for the record, and I am asking for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

This new district will include the Counties of Carbon, Monroe, Schuylkill, Berks, Northampton, and Lehigh; with Carbon and Monroe moving from former district 7, and Schuylkill, Berks, Northampton, and Lehigh moving from the former district 8 into the new district 9.

District 7 will retain the Counties of Susquehanna, Wyoming, Luzerne, Lackawanna, Wayne, and Pike.

District 8 will retain the Counties of Chester, Bucks, Montgomery, Philadelphia, and Delaware.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman, Representative Neilson, on concurrence.

Mr. NEILSON. Thank you, Mr. Speaker.

Must be the bipartisan day in the House and Senate – and what a great day – and just to make it go a little faster, I, too, would like to submit my comments for the record.

The SPEAKER. The Speaker thanks the gentleman for some of my favorite words on House floor debate, and I also appreciate the spirit of bipartisanship.

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

Thank you, Mr. Speaker.

I rise in support of HB 1122, introduced by Chairman Gillespie and amended in the Senate. This bill provides an important, deserved benefit to hunting education teachers who render their time and expertise to promote and preserve Pennsylvania's important hunting traditions.

Additionally, as amended in the Senate, this bill creates a new district in the Game Commission by splitting what is currently the largest district, district 8, into two separate districts. This important measure

will place counties which share more closely aligned wildlife populations and land management goals within their own distinct districts. This affords citizens of the Commonwealth within both districts better representation on the Game Commission's Board of Commissioners. The language of the amendment is agreed to by all four caucuses and the Governor's Office.

For these reasons I encourage all of my colleagues to vote in support of HB 1122.

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 253, PN 2653

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for money in account; and providing for opioid abuse child impact task force and for ARPA health care workforce supports.

HB 1122, PN 2657

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in Pennsylvania Game Commission, further providing for organization of commission; and, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1594, PN 2659**, 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 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 Representative Tomlinson.

Miss TOMLINSON. Thank you, Mr. Speaker.

Retail theft is an issue we see and hear about in the news daily. This bill addresses that by putting checkpoints in place to stop the sale of stolen items. I am proud to have worked on this legislation. Although we have many more things to fix and a lot more work to do to address this retail crime surge, I do believe that the work we have done here is a great start.

I would kindly ask all of my colleagues for a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

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

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

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

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

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Delloso	Kenyatta	Ortitay	Warren
Delozier	Kerwin	Otten	Webster
DelRosso	Kim	Owlett	Welby
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Diamond	Kinsey	Pashinski	Wheatley
Dowling	Kirkland	Peifer	Wheatland
Driscoll	Klunk	Pennycuick	White
Dunbar	Knowles	Pickett	Williams, C.
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Farry	Kulik	Quinn	Zimmerman
Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler, Speaker
Fitzgerald	Lee	Rapp	
Flood	Lewis	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—0

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 1059, PN 2658**, 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 declarations of estimated tax.

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:

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Emrick	Krajewski	Polinchock	Young
Evans	Krueger	Puskaric	Zabel
Farry	Kulik	Quinn	Zimmerman
Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler,
Fitzgerald	Lee	Rapp	Speaker
Flood	Lewis	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—0

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 2072**, **PN 2668**, entitled:

An Act providing for payment of delinquent Children's Health Insurance Program premium balances.

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:

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Ecker	Kosierowski	Pisciottano	Williams, D.
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Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler,
Fitzgerald	Lee	Rapp	Speaker
Flood	Lewis	Rigby	

NAYS-0

NOT VOTING-0

EXCUSED-0

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 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 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-201

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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 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 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—201

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

Day	Kaufner	O'Mara	Twardzik
Deasy	Kauffman	O'Neal	Vitali
DeLissio	Keefer	Oberlander	Warner
Delloso	Kenyatta	Ortitay	Warren
Delozier	Kerwin	Otten	Webster
DelRosso	Kim	Owlett	Welby
DeLuca	Kinhead	Parker	Wentling
Diamond	Kinsey	Pashinski	Wheatley
Dowling	Kirkland	Peifer	Wheeland
Driscoll	Klunk	Pennycuick	White
Dunbar	Knowles	Pickett	Williams, C.
Ecker	Kosierowski	Pisciottano	Williams, D.
Emrick	Krajewski	Polinchock	Young
Evans	Krueger	Puskaric	Zabel
Farry	Kulik	Quinn	Zimmerman
Fee	Labs	Rabb	
Fiedler	Lawrence	Rader	Cutler, Speaker
Fitzgerald	Lee	Rapp	
Flood	Lewis	Rigby	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. For the information of the members, there will be no further floor votes this afternoon. I would simply like to thank the members for that strong show of bipartisanship to finish the week, and I will certainly credit the two chairs from the Fish and Game Committee. I think they were the ones who set the tone. The Chair thanks the gentlemen.

Those individuals who are listed under rule 17 speakers, if you want to proceed to the well of the House, we are going to go ahead and do some housekeeping and then we will recognize you.

BILLS RECOMMENDED

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

- HB 19;
- HB 105;
- 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 1328;
 HB 1330;
 HB 1440;
 SB 291; and
 SB 915.

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 777,
 HB 846; and
 SB 82.

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 777;
 HB 846; and
 SB 82.

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

The SPEAKER. The Speaker will once again ask the rule 17 speakers to come to the well of the House and we will recognize you in the order that we have on the list.

THE SPEAKER PRO TEMPORE (JESSE TOPPER) PRESIDING

STATEMENT BY MS. LABS

The SPEAKER pro tempore. On the subject of CTE Awareness Day, the Chair recognizes the lady from Bucks, Ms. Labs.

Ms. LABS. Thank you, Mr. Speaker.

Chronic traumatic encephalopathy, also known as CTE, is a degenerative brain disease that appears in individuals with a history of repetitive brain trauma over a number of years. CTE is caused by a buildup of an abnormal protein in the brain, which leads to brain cell death. It is associated most with athletes and military veterans who have endured repeated trauma to the head over an extended period of time, but it also appears in survivors of domestic abuse and those with epilepsy.

Although CTE can only be diagnosed postmortem, symptoms such as memory loss, tremors, addictions, progressive dementia, depression, suicidal thoughts, impaired judgment, and paranoia may affect the patient for a number of years. This disease is aggressive and detrimental to a patient's health, but with the help and support of advocacy groups, health-care providers, and researchers, we may better know the causes and symptoms of CTE.

I am grateful to know people leading the fight against this disease. Doug and Karen Zegel lost their son, Patrick, to CTE. In his honor, they began a nonprofit organization, the Patrick Risha CTE Awareness Foundation. This organization was created in Patrick's memory with the goal to prevent future CTE, provide a resource to better understand the disease, how it is caused, and how to stop it. The Patrick Risha CTE Awareness Foundation and other organizations celebrate CTE Awareness Day across the United States in order to reflect on those lost to this disease, help those suffering, and most importantly, determine how to stop it.

For their incredible work, and in Patrick's honor, I am proud to present this citation recognizing January 30, 2022, as "CTE Awareness Day" in Pennsylvania. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

STATEMENT BY MR. GROVE

The SPEAKER pro tempore. On the subject of redistricting, the Chair recognizes the gentleman from York, Mr. Grove.

Mr. GROVE. Thank you, Mr. Speaker.

I rise today to discuss both State and congressional redistricting and the blatant gerrymandering taking place by our colleagues on the other side of the aisle.

I would like to point to a headline in the publication "The Hill" from December 10, 2021. Quote, "Democrats decry gerrymandering – unless they control the maps," end quote. I might also add that this is the mantra of Democrat Party front groups like Fair Districts PA and Draw the Lines, which never seem to have issues when Democrats draw maps.

While the article focuses on States like Illinois and New Mexico, the same has rung true here in Pennsylvania since the publication of that article. We knew, dating back to last October, that according to the House minority leader, their predetermined path to the majority lay in redistricting; specifically, using political gerrymandering. On the Legislative Reapportionment Commission, Democrats are in charge, outnumbering Republicans three to two, and the preliminary House map is clearly a partisan gerrymander.

According to the Philadelphia Inquirer, Pennsylvania's natural political geography has Democrats topping out at 93 seats when traditional, constitutional, and neutral redistricting criteria are utilized. Every single study, Mr. Speaker, shows that Democrats under the LRC's preliminary House map would achieve a far higher seat count than what our State's natural political geography gives them.

How is this achieved? One of the main ways that this is achieved is by splitting cities like Harrisburg, Lancaster, Reading, and Allentown. The effect of those splits, as we have heard in testimony and read in numerous articles, is the dilution of minority voting power that essentially protects White Democrat incumbents. This is the use of raw power by Democrats on the Legislative Reapportionment Commission to reduce

minority voter influence, engaging in racial gerrymandering, and actually cement a less diverse General Assembly. The preliminary map does not increase the number of Hispanic majority minority districts, even though it could. The chairman and his map drawer created new districts using race as the predominant factor, which violates the 14th Amendment of the U.S. Constitution, the Voting Rights Act, and the newly adopted Article I, section 29, of the constitutional rights of Pennsylvanians.

I want to repeat, just so I am clear: The Democrats on the Legislative Reapportionment Commission reduced minority voting power to try to secure their majority over the course of the next decade. They are either shamefully ignorant of the racial implications and their violation of Federal law, or willfully trying to dilute minority voting power to grab more power for their party bosses and donors.

Unfortunately, Democrat gerrymandering has not stopped there. In a quick review of the maps submitted to the Commonwealth Court yesterday, without public input or any transparency, it is clear House Democrats are up to their old gerrymandering tricks with congressional districts as well.

In western Pennsylvania, there is the claw that gerrymanders the city of Pittsburgh in with Butler and Beaver Counties to try and grab another Democrat district. I am actually being very polite in the description of this district, because if you read comments on social media, you will get a full dose of middle school health class.

It is not as though their fun stopped only in the West. In central Pennsylvania, you have the Democrat pedestal that splits four different counties to pack Democrat voters and crack Republican voters. This creates a noncompact fishing hook district, which clearly violates constitutional principles of redistricting.

Or how about breaking up the communities in the Pocono Mountains region of this Commonwealth, creating Maui's Fish Hook from the Disney picture, "Moana," stretching from the New York State border to the middle of Berks County.

But then again, Democrats ignoring the Constitution to achieve partisan gains is not new. I have often wondered why House Democrats have not released a congressional map as an amendment through the legislative process. We now know. It is such an egregious map; they were embarrassed by its ridiculousness.

The textbook definition of gerrymandering is to "manipulate the boundaries of an electoral constituency so as to favor one party or class." Mr. Speaker, if the dictionary wants a picture of a gerrymander next to the definition, the Democrats in this chamber and on the Legislative Reapportionment Commission have certainly given some great examples to choose from.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. Concluding the speakers, the Chair will now seek a motion to adjourn until February 7. That motion will be made by the lady from Bucks, Mrs. Thomas. The House will adjourn until Monday, February 7, 2022, at 12 m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:59 p.m., e.s.t., the House adjourned.