

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 30, 2022

SESSION OF 2022

206TH OF THE GENERAL ASSEMBLY

No. 53

### HOUSE OF REPRESENTATIVES

#### AFTER RECESS

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

#### THE SPEAKER (BRYAN CUTLER) PRESIDING

#### ADJOURNMENT

The SPEAKER. The Speaker is in receipt of a motion made by the gentleman, Representative Williams, that this House do now adjourn until Wednesday, November 30, 2022, at 10 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 9:59 a.m., e.s.t., the House adjourned.

The House convened at 10 a.m., e.s.t.

#### PRAYER

HON. BRYAN CUTLER, Speaker of the House of Representatives, offered the following prayer:

Father God, as we gather here today on the last day of session to conclude this session's business, I just want to thank You for the opportunity and the blessings that You have bestowed upon us as members.

For our friends that have moved on at the end of the session, we ask for Your continued guidance and blessing upon them. And for the new friends that we will welcome in the start of the new session, we look forward to working with them and the future blessings that You will bestow upon them.

We just ask, Lord, that You continue to guide us, give us wisdom to make choices for the benefit of the Commonwealth, and ask, Lord, that Your grace and Your love continue to shower down upon us. I ask this all in Your Son's holy name. Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, November 29, 2022, will be postponed until printed.

### FILMING PERMISSION

The SPEAKER. For the information of the members, Matt Rourke and Heather Khalifa from the Philadelphia Inquirer, working on behalf of the Associated Press, have been given access to the floor for the purposes of still photography.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2928** By Representatives RABB, GUZMAN, SANCHEZ, FIEDLER, WARREN and CEPHAS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms and for licensing of dealers and providing for security camera, for lost and stolen firearm reporting requirements and for inspection of retail firearm dealer licensees and grant program; establishing the Retail Licensee Inspection Fund and the Firearm Dealer Safety Grant Program; imposing penalties; and making an appropriation.

Referred to Committee on JUDICIARY, November 29, 2022.

**No. 2929** By Representatives RABB, HOHENSTEIN, KINKEAD, GUENST and SANCHEZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for books and other educational resource materials in public school entities.

Referred to Committee on EDUCATION, November 29, 2022.

**No. 2930** By Representatives RABB, LEE, HOHENSTEIN, FRANKEL, SANCHEZ, HOWARD, McNEILL, KRAJEWSKI, KENYATTA, SIMS, HILL-EVANS, CIRESI, INNAMORATO and OTTEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in matters affecting government units, further providing for exceptions to sovereign immunity and providing for claims for wrongful conviction and imprisonment; and establishing the Exonerate Community Trust Fund.

Referred to Committee on JUDICIARY, November 29, 2022.

**No. 2931** By Representatives RABB, HOHENSTEIN and D. WILLIAMS

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 54 (Names) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, further providing for Accelerated Rehabilitative Disposition prohibited; in criminal homicide, further providing for the offense of murder; in assault, further providing for the offense of stalking and for the offense of unauthorized administration of intoxicant; in sexual offenses, further providing for definitions and for the offense of rape, repealing provisions relating to the offense of involuntary deviate sexual intercourse and further providing for the offense of sexual assault, for the offense of institutional sexual assault, for the offense of sexual assault by sports official, volunteer or employee of nonprofit association, for the offense of aggravated indecent assault and for general rule relating to loss of property rights; in wiretapping and electronic surveillance, further providing for definitions and for order authorizing interception of wire, electronic or oral communications; in public indecency, further providing for the offense of prostitution and related offenses; in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms; in minors, further providing for transmission of sexually explicit images by minor; in criminal history record information, further providing for expungement and for juvenile records; in child custody, further providing for consideration of criminal conviction; in protection from abuse, further providing for definitions; in child protective services, further providing for definitions, for exclusions from child abuse and for employees having contact with children and adoptive and foster parents; in domestic and sexual violence victim address confidentiality, further providing for penalties; in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; in depositions and witnesses, further providing for spouses as witnesses against each other and for hearsay; in juvenile matters, further providing for definitions, for inspection of court files and records, for law enforcement records, for conduct of hearings, for transfer to criminal proceedings and for assessment of delinquent children by the State Sexual Offenders Assessment Board; in court-ordered involuntary treatment of certain sexually violent persons, further providing for definitions and for court-ordered involuntary treatment; in sentencing, further providing for sentences for second or subsequent offenses, for sentences for offenses against elderly persons, for sentences for offenses against infant persons, for sentences for offenses committed while impersonating a law enforcement officer, for sentencing for trafficking of persons, for definitions, for sexual offenses and tier system, for termination of period of registration for juvenile offenders, for assessments, for registration and for assessments; in judicial change of name, further providing for change by order of court; in Pennsylvania Board of Probation and Parole, further providing for parole procedure; and, in interstate compacts, further providing for supervision of persons paroled by other states.

Referred to Committee on JUDICIARY, November 29, 2022.

### JOURNALS APPROVED

The SPEAKER. Without objection, all the Journals not now in print will be approved.

### COMMUNICATION FROM JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. The Speaker submits for the record the Short Summary in response to Act 2 of 2022 Report of the Opioid Abuse Child Impact Task Force.

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

### REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of, from the Select Committee on Restoring Law and Order, their third report dated November 29, 2022, for the benefit of the members.

The Chair thanks the members of the committee for their important work that they engaged in.

(Report was submitted for the record. For report, see Appendix.)

The SPEAKER. For the information of the members, I know that the Committee is due in the Senate at 10:30, so it is the Chair's intention to read what is required for the delivery of the articles immediately thereafter, you know, probably like 20 after. It is the Chair's intention to let Representative Stephens give his brief parting remarks on behalf of his time in service here, as well as for the benefit of his family and those of us who are in attendance here today.

### SENATE MESSAGE

#### RESOLUTION ADOPTED

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

The Senate has adopted SR 387, PN 2021, a resolution directing the House of Representatives to Exhibit the Articles of Impeachment against The Honorable Lawrence Samuel Krasner, District Attorney of Philadelphia, and hereby informs the House of Representatives that the Senate will be ready to receive, at 10:30 a.m., the 30th day of November, 2022, the managers appointed by the House for the purpose of exhibiting the aforesaid Articles of Impeachment.

### FAREWELL ADDRESS BY MR. STEPHENS

The SPEAKER. At this time the Chair will invite Representative Todd Stephens to the rostrum for his remarks.

Representative Stephens has served the 151st Legislative District in Montgomery County since 2010. He is the chairman of the House Ethics Committee and serves on the Judiciary, Government Oversight, Consumer Affairs, Transportation, and Children and Youth Committees.

Prior to joining the legislature, he served as a prosecutor for nearly 10 years as a Montgomery County assistant district attorney and a special assistant United States attorney for the Eastern District of Pennsylvania. Todd earned his law degree from Widener University School of Law – great school – while working full-time in the Montgomery County Prothonotary's Office while running his own small business. He graduated from Shippensburg University with a degree in government.

Todd, his wife, Nicole, and their two sons, Will and Ben, reside in Horsham Township.

Representative Stephens, welcome.

Mr. STEPHENS. Thank you, Mr. Speaker.

It has been the honor of a lifetime representing the people of the 151st Legislative District in the Pennsylvania House of Representatives for the last 12 years. Because my race was not

finalized until after our last voting session day, I appreciate your allowing me to speak today. Nobody who serves in this chamber and remains here for 12 years does so on their own, and I wanted to be sure to publicly thank all those who helped me on this amazing 12-year journey.

First, thank you to the wonderful people of the 151st Legislative District. For the past 12 years you have trusted me to be your voice here in the House of Representatives. And this was not something that I have taken lightly. Throughout my career, voters in my district have voted overwhelmingly for Democrats at the top of the ticket. In fact, the voters in my district voted for President Obama, Governor Wolf twice, Secretary Clinton, and President Biden, and by large margins. President Biden won my district 60/40 in 2020, but voters split their tickets in each of those elections to vote for me. While I am profoundly grateful for every vote I received, I am humbled by the number of people who have told me over the years that I was the only Republican that they had voted for.

I am so thankful to the voters who took the time to get to know me and consider my record rather than blindly voting along party lines. Even this year, in the new district drawn to be just 36 percent Republican, with only a few months to get to know me and my record, and where the Republican gubernatorial candidate received just 29 percent of the vote, I still received 49.8 percent of the vote, losing by just 60 votes out of over 33,500 votes cast. It is particularly gratifying to know that in my old district, where the voters know me best, I would have won by nearly 2,000 votes. I am especially grateful to the voters in Montgomery Township, particularly in the Village of Neshaminy Falls, who have become like family to me, and Horsham Township, where my friends and neighbors have stood by me since the beginning. Thank you for believing in me and trusting me to represent you here in the House.

Though I am disappointed I will not be returning to Harrisburg to serve the community where I was born, raised, and am raising my own family, I am proud of my accomplishments here. One of the best aspects of this job is the wide range of issues that you can work on. I came here as a career prosecutor who wanted to focus on protecting victims of crime. And while I did author several criminal justice bills, including several to address child abuse and gun violence, it is the work I did to address the PFAS (perfluoroalkyl and polyfluoroalkyl substances) water contamination at the former Willow Grove Naval Air Station that has had the biggest and most immediate impact. Residents in communities around the base were consuming water with massive amounts of harmful PFAS chemicals, and now, thanks to a program I introduced, we are meeting the highest PFAS water standards in the country and are investing in the infrastructure necessary to redevelop that critically important site. Thanks to the building trades who were great partners supporting that initiative.

As a son of two public school teachers and a graduate of public schools myself, providing record-setting education funding for our schools without raising taxes is another initiative I was proud to support. Special thanks to Jim Vaughan and Kelli Thompson and Alan Malachowski from PSEA (Pennsylvania State Education Association) for all your support along the way.

Having been raised on a horse farm, I have always been an animal lover, so when a Boston Terrier named Libre was found horribly abused, I worked to improve our animal protection laws. That law – dubbed "Libre's Law" in his honor – was named the most comprehensive animal protection law in the country the

year it was enacted. I could not have done this without the amazing support of the Humane Society of the United States, Heidi Prescott, Kristen Tullo, Elissa Katz, and Sarah Speed.

During the pandemic, when vaccines were scarce, I worked with a local pharmacy to run vaccine clinics, vaccinating thousands of our most vulnerable neighbors. Thanks to the great folks at Wellness Pharmacy Services, Horsham Square Pharmacy, and Eric's Rx Shoppe for their assistance.

And it has been incredibly rewarding to continue my work in the criminal justice field as the chairman of the Pennsylvania Commission on Sentencing for the past several years. I will certainly look back at my accomplishments as a State Representative with pride.

I am also thankful for all my colleagues in this chamber. We are a wonderfully diverse State in every way imaginable – geographically, economically, religiously, ethnically, culturally, and yes, politically. Every single Pennsylvanian from every square inch of Pennsylvania is represented in this room, and I have had the good fortune of getting to know so many wonderful people from both sides of the aisle.

When I first got here, there was a sense of camaraderie among all the members. We would rally in the alley, we would sing at Karaoke Caucus, and get together for the Budget Bash. I had some great chairmen who taught me how to work across the aisle to get things done, including Ron Marsico; John Taylor, who worked with Bill Keller famously; and Bob Godshall. I learned a lot from them and I really enjoyed putting together what I referred to as "the Rubik's Cube" of legislation – trying to get everything arranged so that all the colors lined up just right for the bill to pass.

It can be tough as a moderate Republican representing a blue district. At home you are criticized for being too conservative, and in Harrisburg, my Republican colleagues would often refer to me as their "favorite Democrat." In the end, I did not come here to represent any political party. I was elected to represent the people of my district, and I worked hard to always put their interests first.

I had about a dozen bills signed into law over my 12 years here and they have all received bipartisan support, with most having been signed by Governor Wolf. I have thoroughly enjoyed working with Governor Wolf and his staff. While we have not always agreed, we focused on areas where we shared common ground and worked together to make the Commonwealth a better place. I think that is a standard all elected officials should aim to meet.

While I have been humbled by the number of colleagues from both sides of the aisle who reached out to wish me well following the election, unfortunately, the pandemic really took its toll on many institutions, including this one. Once we were no longer coming together in person, the collegiality I referenced earlier was replaced with one-upmanship and name-calling. And as the saying goes, "You can't shake hands with a clenched fist." I am hopeful that our elected officials will restore the dignity, respect for one another, and civility in the discourse that we all deserve. Only then will we be able to address some of the serious problems facing this Commonwealth.

I do feel the need to address a tale that has existed here in this House for some time. Legend has it that in days gone by, there was a place in the bowels of the Capitol where members and staff from both political parties would come together following session to enjoy refreshments from the far reaches of Pennsylvania and engage in friendly competition such as dart –

not darts, but dart – rubber band bowling, miniature golf with elevated tee boxes, Cards Against Humanity, and Left Right Center. It is said that they would often play music, especially selections from recently departed musicians, while they discussed the important legislative, social, political, or pop culture issues of the day. Some have said they even cooled their heels in a fountain to beat the heat at times, but that they always had lifeguards present to prevent any trouble. While I cannot confirm the existence of such a place, what I can say is that if such an underground bunker existed in this building, it sounds like it would have contributed greatly to the bipartisan harmony we need to restore our government today.

We all bring our unique backgrounds and experiences here to the House, and I have thoroughly enjoyed getting to know so many great people from all walks of life. Where else can a bar owner from Northumberland County, an insurance broker from Schuylkill County, a truck driver from Carbon County, a Yale-educated lawyer from Chester County, and a former prosecutor from Montgomery County meet and become the best of friends? Kurt Masser, Mike Tobash, Doyle Heffley, Warren Kampf, and I have had many great times together, and I have learned some incredibly valuable lessons from our time together.

I have learned that you should always identify your guests when riding elevators in Pittsburgh. I have learned that you cannot book another Uber in Philly if someone stole your first Uber and is out getting cheesesteaks. In Gettysburg, I learned that the ice can be treacherous in the wintertime. I also learned that it is important to remember the code for the charging station you put your phone in, and that the wrong sweater can haunt you for the rest of your life. I have learned that you should always keep a hard hat handy when visiting the Pittsburgh building trades – even in the hotel. I have learned that there are no icebergs in the St. Lawrence seaway, but plenty in Harrisburg. I have also learned that it is important to keep a toboggan and some boilo in your truck just in case you encounter snow. I learned that soupy is not soup; in fact, it is meat. I have learned that people really need to be careful when pushing baby strollers across Front Street. I have learned that if your dog dies, you can always count on your true friends to be there for you. And I have learned that legislative ski nights can be a blast, even if you never make it to the mountain. Finally, I learned a very important lesson, and that is to never lend Doyle Heffley a sweatshirt during the Roundup, and if you do, definitely do not ask for it back. In the end, I am thankful for all the great times that the four of us have shared together, and I am certain these friendships will last a lifetime.

Additionally, I would like to thank our staff. From the mail room to the messengers to the security staff to the cleaning staff to the clerks and everyone in between, thank you. You keep this place running and are too often the unsung heroes. Every day I learn about a new facet that is going on behind the scenes that I never knew existed. After 12 years I thought I had a good handle on how things went around here, but even yesterday I learned a new feature that goes on behind the scenes just to keep the gears turning here in government.

We have some incredibly bright and talented people working here in the House and I have had the privilege of working with them over the years. At the risk of missing someone important, Tom Dymek, Rod Corey, Jim Mann, Jill Vecchio, Jessica Gray, Ashley Grimm, Ali Thomas, Whitney Metzler, Anna King, Glendon King, Jen Weeter, Josiah Shelly, Susan Boyle, Kerry Golden, Steve Miskin, Dave Foster, Matt Hilliard, Danielle Guyer, Clancy Myer, Shannon Walker, Jake Smeltz, and Tony

Aliano have all helped me so much throughout my career, and I am forever indebted to you and am glad to call many of you my friends.

In addition to our fantastic staff, from the beginning with Zach, Michael, Ed, and Dee, to the end with Laura, Bill, Tiffany, and Shea, I have been blessed to have some outstanding district office staff who worked tirelessly over the years to serve the constituents of the 151st District. I am incredibly proud of what many of my former staffers have gone on to accomplish. Today my former staffers are serving in the following roles and positions: There are five lawyers, two lobbyists, one trade association executive, one deputy communications director for the Governor of California, one statewide candidate and education advocate, one construction executive, one public works director, one domestic violence prevention advocate, and one district director for a State Senator. I cannot thank them enough for their dedication and commitment to the people of my district and to me personally. In particular, I want to thank Zach Shamberg and Tim Ward, who are both here today. Zach ran my first successful campaigns, served as my first district office manager, and is now the CEO (chief executive officer) of the Pennsylvania Health Care Association, the leading trade association for our long-term care providers in Pennsylvania. And Tim Ward began in my district office as an intern, worked his way up to district office manager, ran my final successful campaigns, then left to go work for Zach, leading the government affairs efforts at the Pennsylvania Health Care Association. Tim has become my most trusted adviser and a terrific friend. He has always given me sound advice, and I know I can count on him any time. While they all achieved these esteemed positions through their own work, I can only hope that I helped them in some small way to reach these goals.

I also want to extend my thanks and appreciation to all of my supporters, campaign staff, donors, and volunteers, with a special thank you to Anthony Spangler, Shannon Oscar, Meredith Buettner, Hank Hollowell, and Rob Brooks. I am indebted to each of you for your support and generosity over the years for all the advice offered, envelopes stuffed, doors knocked, signs assembled and installed, phone calls made, and everything else.

There is one final member of my staff – this is where it will get hard – whom I cannot thank enough. Francesca Summa has served as my administrative assistant in Harrisburg for over 9 years. When you are an independent-minded member like me in a tough district, you do not always do things the conventional way around here and you cannot always count on your caucus to help guide you. As a matter of fact, sometimes you need to work surreptitiously without the caucus knowing, so you cannot exactly ask how to do things. No matter what I asked Francesca to figure out, she did so effectively and always with a friendly disposition. She maintained the office finances, managed my reimbursements, wrote volumes of correspondence, submitted thousands of PennDOT documents, assisted constituents, managed my legislation, ensured my leave slips and proxies were delivered appropriately, filed bills and amendments, managed the Ethics Committee, managed my calendar – which, by the way, for those that do not know, the calendar of a legislator is I believe the most challenging job that exists. It was not really a joke, but any time I touched the calendar, it got fouled up. I cannot tell you the number of times over the years where she said to me, "Just please leave it alone and call me and tell me what you need done with it." She has managed me, been my lunch partner, my confidant, my trusted adviser, and is like family to me. Francesca,

words cannot express how grateful I am for your help, support, and friendship over the past 9 years. I am forever indebted to you, and I wish you all the best in the future.

Of course, these last 12 years would not have been possible without the amazing support of my wife, Nicole; my sons, Will and Ben; my parents, Bill and Judy Stephens; my sister, Terry; and our entire family. My wife, mother, father, and sister have worked the polls for me every election day, standing in the cold or in the heat, in the sun or in the rain for long hours to encourage people to vote for me. More importantly, especially in this business, they always had my back and supported me in every way possible along this journey. Truthfully, I was only able to achieve this dream of being a State Representative because of the work ethic my mother instilled in me and the tolerance and understanding my father instilled in me. Thanks to you all.

I recall early on in my career hearing then State Representative Josh Shapiro comment that life in public service is harder on families than it is on the public official. That is so true. When I was first elected, Nicci and I had just gotten married. Now we have two boys, Will and Ben, who are 10 and 8 years old. I can only imagine – because I was not there – how challenging it was raising two newborns over the years while I was off legislating or campaigning or recognizing deserving constituents or all of the above. I would always try to talk to the boys before they went to bed when I was away. I recall taking phone calls in coat closets here in Harrisburg restaurants or standing in the rain on Second Street trying to find a quiet alleyway where I could talk for even just a few minutes. Meanwhile, Nicci was at home being the Uber driver, the homework assistant, the chef, the scheduler, the bath assistant, the clothing manager, and everything else that young children require. Nicci, thank you for working so hard and sacrificing so much so I could continue pursuing my dream of being a State Representative.

Will and Ben have mixed emotions about me no longer being a State Rep. They enjoyed some wonderful experiences because of this job. They got to hold bear cubs with the Game Commission. They have been to several Penn State games, Eagles games, and training camp. As an aside, Ben's biggest concern about me no longer being a State Rep is that he desperately wants Miles Sanders's autograph on his jersey, and he is worried that now if we do not go to training camp, he will not have that opportunity. But, Ben, I am working on it; do not worry, buddy. We have been to Temple football games, and both my boys have met Governors Corbett and Wolf several times. Will even got to celebrate his birthday on the House floor one year on swearing-in day, when swearing-in day was on January 1, Will's birthday.

Fun fact: As Nicci and I were debating names for our sons, and we already had Will – and Will is a junior; my name is William Todd Stephens and he is William Todd Stephens, Jr. – and we needed a name for our second son. And as we were contemplating names, I was sitting on the House floor one day – I was back in my old seat over here and staring up at this Apotheosis behind me – and I saw William Penn and Ben Franklin standing right next to one another up there, and I said to Nicci that night, I said, "I think we should put Ben in the mix as one of the possible names," and lo and behold, here we are with Will and Ben some 10 and 8 years later.

I am glad they had those experiences, but to me, they are no substitute for all the games, camping trips, ski trips, movie nights, pool days, and other family experiences I missed out on while I was working, and I am very much looking forward to spending

more time with them. My family has had to make a lot of sacrifices over the years in order for me to serve our community, and I appreciate how understanding and supportive they have been.

In closing, I am incredibly grateful for having had the opportunity to serve in this Pennsylvania House of Representatives and I am proud of what I was able to accomplish, but I could not have done it without all the people I mentioned here. I am not sure what the future holds for me. I look forward to writing the next chapter of my professional life while focusing on the most important jobs I have, being a husband and a father to two amazing boys.

Thank you for your love and support over the years. I wish you all the best. May God bless each and every one of you. Thank you.

The SPEAKER. Representative Stephens, thank you for sharing those words of wisdom. I think you hit the nail right on the head. Our families oftentimes sacrifice to extents that most individuals may not understand. Our staff, all of them, is who makes us very successful as well.

At this time we will invite the family up and the staff and will rotate through some pictures, as is our custom.

(Commemorative gavel was presented.)

## ARTICLES OF IMPEACHMENT DELIVERED TO SENATE

The SPEAKER. But given the hour, pursuant to the adoption of the Articles of Impeachment that is contained in HR 240, and the appointment of managers also pursuant to the said resolution, the Senate on November 29, 2022, informed the House that the Senate will be ready to receive the managers appointed by the House for the purposes of exhibiting Articles of Impeachment at 10:30 a.m. on the 30th day of November 2022.

The Speaker does hereby present to the managers HR 240, signed by the Speaker, for delivery to the Senate.

Will the managers of our impeachment committee please come to the podium, and the committee will now proceed with the discharge of its duties.

The House will be at ease.

The House will return to order.

## WRIT OF SPECIAL ELECTION

The SPEAKER. The Speaker would like to submit for the record the Writ of Special Election for the 32d Legislative House District.

The following writ of special election was submitted:

TO LEIGH M. CHAPMAN, ACTING SECRETARY OF THE COMMONWEALTH, AND TO RICH FITZGERALD, BETHANY HALLAM, AND SAMUEL DeMARCO, III, CONSTITUTING THE BOARD OF ELECTIONS OF ALLEGHENY COUNTY.

GREETINGS: WHEREAS, A VACANCY EXISTS IN THE OFFICE OF REPRESENTATIVE OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE THIRTY-SECOND LEGISLATIVE DISTRICT OF THE COUNTY OF ALLEGHENY, CAUSED BY THE DEATH OF ANTHONY M. DeLUCA, THE REPRESENTATIVE

FROM SAID DISTRICT, ON THE 9<sup>TH</sup> DAY OF OCTOBER, TWO THOUSAND TWENTY-TWO.

NOW, THEREFORE, I, BRYAN CUTLER, SPEAKER OF THE HOUSE OF REPRESENTATIVES BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA, AND BY THE ACT OF ASSEMBLY IN SUCH CASE MADE AND PROVIDED, DO HEREBY COMMAND:

THAT YOU CAUSE AN ELECTION TO BE HELD IN THE SAID COUNTY OF ALLEGHENY, ON THE 7<sup>TH</sup> DAY OF FEBRUARY, TWO THOUSAND TWENTY-THREE TO CHOOSE A PERSON TO REPRESENT SAID LEGISLATIVE DISTRICT IN THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, FOR THE REMAINDER OF THE TERM EXPIRING NOVEMBER 30<sup>TH</sup>, TWO THOUSAND TWENTY-FOUR, AND THAT YOU GIVE DUE AND PUBLIC NOTICE OF SAID ELECTION THROUGHOUT SAID DISTRICT, IN THE FORM AND MANNER DIRECTED BY LAW.

GIVEN UNDER MY HAND AND THE SEAL OF THE HOUSE OF REPRESENTATIVES AT HARRISBURG, PENNSYLVANIA, THIS 30<sup>TH</sup> DAY OF NOVEMBER, TWO THOUSAND TWENTY-TWO.

BRYAN D. CUTLER  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
(SEAL)  
ATTEST:  
BROOKE WHEELER  
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. The House will be at ease.

The House will return to order.

### PARLIAMENTARY INQUIRIES

The SPEAKER. For what purpose is the gentleman, Representative Lawrence, seeking recognition?

Mr. LAWRENCE. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. You are in order and may state your parliamentary inquiry, sir.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, at the conclusion of session today, will the House adjourn sine die?

The SPEAKER. Under our Constitution, the legislative session ends on November 30 in the even-numbered years. That is Article II, sections 2 and 3. If we do not adopt a resolution to the effect of sine die, we will terminate naturally under the Constitution at 11:59 p.m.

Mr. LAWRENCE. Very good.

So further parliamentary inquiry, Mr. Speaker.

The SPEAKER. You are in order and may state your parliamentary inquiry, sir.

Mr. LAWRENCE. When do members of the House traditionally return to session?

The SPEAKER. Under the Constitution, the House must convene no later than on the first Tuesday in January, which this year would be – this upcoming session, excuse me, would be January 3, 2023. Traditionally, that is when members take their oath of office and are seated on that day. At that time the Chief Clerk would be the presiding officer up until the point that a Speaker is elected.

Mr. LAWRENCE. So if a matter were to arise that requires the attention of the House in the time that intervenes between sine die and the House returning to session in January, how would that be handled? Are there any contingencies in the law that might attend to such a circumstance or envision such a circumstance?

The SPEAKER. During the intervening period, between December 1, which is the start of the new session, and January 3, the first Tuesday in which we will be sworn in, any business that would arise that would require the attention of the Speaker – for example, this happened previously – the Speaker ceases to exist tonight when the session ends. It will be reconstituted when we reconvene for the purposes of electing a Speaker on swearing-in day. In the interim, the bipartisan management law allows for the majority leader to be the one who would accept service for lawsuits, for example, during that period, which has happened on occasion.

Mr. LAWRENCE. So the majority leader would become the presiding officer?

The SPEAKER. No, the majority leader would not become the presiding officer. It would be more administrative or ministerial in nature for the purposes of accepting, for example, lawsuits during that time period if we are sued. The Speaker's Office will be vacant until January 3.

Mr. LAWRENCE. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER. You are in order and may proceed.

Mr. LAWRENCE. Mr. Speaker, as I am sure you are aware, there is a vacancy in the 32d Legislative District, with the unfortunate passing of the late gentleman, a very good man. But there exists, as a result of his unfortunate passing, a vacancy. Thus, is there – I want to think about how I want to phrase this – with that vacancy in order, it would be my understanding that there would be 101 members-elect in both caucuses, so would there be a majority in either caucus in that circumstance?

The SPEAKER. As of December 1, as presently constituted, both caucuses would be at 101 employees with the vacancy. Given the fact that there is no clear majority, that is the reason that we issued the Writ of Special Election earlier, which was read into the record, so that that, one, the residents of that district could have representation as quickly as possible under the existing law; and, two, to ensure that that seat is filled in a timely manner. However, in terms of the vacancy and the numerical reality, a constitutional majority is 102, and both parties currently would be at 101 as of tomorrow.

Mr. LAWRENCE. So one further parliamentary inquiry, Mr. Speaker, if I may?

The SPEAKER. You are in order and may proceed, sir.

Mr. LAWRENCE. If the Legislative Officers and Employees Law provides that the majority leader is the one to step in and perform the duties of the Office of the Speaker in that interim period and there is no majority leader, then where does that leave the House of Representatives? I realize it is an unprecedented situation, at least to my knowledge. Where would that leave the House of Representatives?

The SPEAKER. Given that there would be no clear majority, that means there is in fact no majority leader, which was why the Speaker felt that it was necessary to get the special election scheduled as soon as possible, so that that issue could be determined.

Mr. LAWRENCE. Thank you, Mr. Speaker.

No further inquiry.

The SPEAKER. The Chair thanks the gentleman.  
The House will be at ease.

The House will please return to order.

### **SENATE MESSAGE**

#### **RESOLUTION ADOPTED**

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

The Senate has adopted SR 388, PN 2023, a resolution directing a Writ of Impeachment Summons to be issued to the Honorable Lawrence Samuel Krasner, District Attorney of Philadelphia.

### **RECESS**

The SPEAKER. The House will now recess to the call of the Chair.

\* \* \*

After the recess of the House, the following document was received and is herewith made a part of the House Journal:

### **HOUSE BILL INTRODUCED AND REFERRED**

**No. 2932** By Representatives FRANKEL, SANCHEZ, HILL-EVANS, KINSEY, MADDEN, STURLA, HERRIN, SCHLOSSBERG, HOHENSTEIN, HARKINS, RABB, KRAJEWSKI, GUENST, SIMS, DALEY, A. DAVIS, BRIGGS, FIEDLER, N. NELSON, OTTEN and CEPHAS

An Act prohibiting governmental action against parents, legal custodians and legal guardians of minors in the provision of certain information and services to minors; and providing for certain protection from child abuse claims.

Referred to Committee on CHILDREN AND YOUTH,  
November 30, 2022.

\* \* \*

The House of Representatives recessed on Wednesday, November 30, 2022, subject to being reconvened at the call of the Speaker of the House. The House was not reconvened, and the session of the General Assembly expired on November 30, 2022, in accordance with Article II, section 2, of the Constitution of Pennsylvania.