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SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 6

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

PRAYER

HON. DAN K. WILLIAMS, member of the House of Representatives, offered the following prayer:

Let us pray:

God, our Father, indeed You are good. Your mercy endures forever. And, Father, great is Your power and great is Your restraint, and so this morning we stand amazed at Your grace.

This morning, Father, we ask that today would not simply be the dawning of a new day, a new session. We ask, Father, that this might be the beginning of a new spirit within our chamber. We ask, Lord God, only for that which You have promised for our members, for each leadership team, for our beloved Speaker. We ask for endurance, for patience, for grace, for wisdom.

And, Lord, we recognize that yesterday is gone and tomorrow has not yet come, but we do have today, and so as we begin our good work, may we see it as sacred service.

And now let the words of my mouth and the meditations of my heart be acceptable in Your sight. Lord, You are our strength, our redeemer, and we pray it in the name of Jesus. 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, February 28, 2023, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. Leaves of absence. Are there requests for leaves of absence?

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

The Chair recognizes the minority whip, who indicates that there are none.

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—202

Abney	Flick	Krupa	Rapp
Adams	Flood	Kulik	Rigby
Armanini	Frankel	Kutz	Roae
Banta	Freeman	Kuzma	Rossi
Barton	Friel	Labs	Rowe
Bellmon	Fritz	Lawrence	Rozzi
Benham	Gallagher	Leadbeter	Ryncavage
Benninghoff	Galloway	Mackenzie, M.	Salisbury
Bernstine	Gaydos	Mackenzie, R.	Samuelson
Bizzarro	Gergely	Madden	Sanchez
Bonner	Gillen	Madsen	Sappey
Borowicz	Giral	Major	Schemel
Borowski	Gleim	Mako	Scheuren
Boyle	Green	Malagari	Schlegel
Bradford	Gregory	Maloney	Schlossberg
Brennan	Greiner	Marcell	Schmitt
Briggs	Grove	Markosek	Schweyer
Brown, A.	Guent	Marshall	Scialabba
Brown, M.	Guzman	Matzie	Scott
Bullock	Haddock	Mayes	Shusterman
Burgos	Hamm	McAndrew	Siegel
Burns	Hanbidge	McNeill	Smith
C Freytiz	Harkins	Mehaffie	Smith-Wade-El
Cabell	Harris	Mentzer	Solomon
Causar	Heffley	Mercuri	Staats
Cephas	Hogan	Merski	Stambaugh
Cerrato	Hohenstein	Metzgar	Steele
Ciresi	Howard	Mihalek	Stehr
Conklin	Innamorato	Miller, B.	Struzzi
Cook	Irvin	Miller, D.	Sturla
Cooper	Isaacson	Moul	Takac
Curry	James	Mullins	Tomlinson
Cutler	Jones, M.	Munroe	Topper
D'Orsie	Jones, T.	Mustello	Twardzik
Daley	Jozwiak	Neilson	Venkat
Davanzo	Kail	Nelson, E.	Vitali
Davis	Kaufner	Nelson, N.	Warner
Dawkins	Kauffman	O'Mara	Warren
Deasy	Kazeem	O'Neal	Watro
Delloso	Keefer	Oberlander	Waxman
Delozier	Kenyatta	Ortity	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinhead	Pickett	Young
Evans	Kinsey	Pielli	Zabel
Fee	Klunk	Pisciottano	Zimmerman
Fiedler	Kosierowski	Probst	
Fink	Krajewski	Rabb	McClinton,
Fleming	Krueger	Rader	Speaker

ADDITIONS—0

NOT VOTING—0

LEAVES ADDED—1

Jones, M.

LEAVES CANCELED—1

Jones, M.

EXCUSED—0

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

GUESTS INTRODUCED

The SPEAKER. If members can take their seats, we have a few special guests to recognize. Please be seated.

In the gallery, we have guests of Representative Nick Pisciotano. His legislative interns are present. Let us welcome them to the House.

Seated to the left of the Speaker, we have a very special guest. And I would like everyone to hear about this guest, so if you could cease all conversation. Seated to the left of the rostrum, we are pleased to have a guest of Representative Mark Gillen. Today we have here on the floor of the Pennsylvania House of Representatives Mr. Ed Czechowski, a World War II Navy veteran. Thank you, members. Mr. Czechowski is 98 years old. He was a gunner on the Destroyer USS *Saufley*, where he shot down an attacking kamikaze. We thank you for all your service, and we are so glad to have you here today.

The House will be at ease.

The House will come to order.

LEAVE OF ABSENCE

The SPEAKER. The Chair is in receipt, from the minority whip, for Representative Mike JONES to be placed on leave, from York County. Without objection, he is on leave.

Resolution is received to make the next resolution unamendable.

CALENDAR

RESOLUTIONS

Mr. SCHWEYER called up **HR 9, PN 3**, entitled:

A Resolution providing for the adoption of a temporary rule relating to the consideration of a resolution providing for the 2023-2024 General Operating Rules of the House of Representatives.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes the prime sponsor of the resolution, Representative Schweyer.

Mr. SCHWEYER. Thank you, Madam Speaker.

Madam Speaker, HR 9 is identical in concept and virtually identical in language to a resolution that we considered and passed last week. It would prohibit amendments to the House rules resolution – not the rules, but the resolution – that we will be considering next. I am asking for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman and recognizes the minority leader.

Mr. CUTLER. Thank you, Madam Speaker. Congratulations.

Respectfully, I would urge a "no" vote on this resolution. It has got the same deficiencies that it did last week when we considered it in special session. Traditionally – for those new members, of which we have 52 – this resolution would be appropriate if and when there was a negotiated rules product. Given the fact that we received the rules proposal late last night, and then a subsequent series of texts, emails, and phone calls thereafter making additional changes, I would respectfully offer that it is not a truly negotiated product and we should have the opportunity to amend.

I would urge the members to please oppose this resolution so that we can adopt rules that would be agreeable to the body.

Thank you, Madam Speaker.

MOTION TO POSTPONE

The SPEAKER. The Chair recognizes the gentlelady from York County, Representative Klunk.

Ms. KLUNK. Thank you, Madam Speaker.

I rise to make a motion to postpone the vote of HR 9 until members who have filed amendments to HR 9, until they are up on the system and able to be filed. And I ask this because I have grave concerns with some of the language in the ethics section, and I would like to be able to offer an amendment to allow for an amendment to the rules to make some changes that I think are necessary to the ethics rules.

I appreciate the majority's efforts in adding language on sexual harassment, but I believe we need to make a couple more tweaks to just shore things up in that section. Thank you.

The SPEAKER. Thank you, and does the gentlelady have a date or time certain to which this should be postponed?

Ms. KLUNK. Thank you, Madam Speaker.

Let us say 3 hours. Hopefully, LRB (Legislative Reference Bureau) can return everything back to us in 3 hours, if not sooner.

The SPEAKER. To 2:30 p.m. today? Or 1:30?

Ms. KLUNK. 2:30 p.m. would be 3 hours. Thank you. There is a glare on the clock.

The SPEAKER. Well, I said all the lawyers, we cannot do the counting, all three of us; 2:30.

The gentlelady moves that HR 9 be postponed until 2:30 today.

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

The SPEAKER. On that question, members in favor of the motion will vote "aye," and members opposed, "no."

For what purpose does the gentleman rise, from Lebanon County?

Mr. DIAMOND. Thank you, Madam Speaker, and congratulations on your election as our presiding officer.

I rise for the purpose of inquiring as to whether I may speak on this motion.

The SPEAKER. The gentleman is in order and may proceed. Thank you.

Mr. DIAMOND. Thank you, Madam Speaker.

Madam Speaker, I would add to the gentledady from York County's concerns. I have found what I believe to be a perceptual error in a portion of the rules as proposed that we were provided and I would like to offer an amendment as well to clean that up, because I do not think it does – I do not think the rules do what the majority party actually thinks the rules will do by rewriting it that way. So I am filing an amendment as well, and I would ask the members to vote in favor of this motion to postpone.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Franklin County, Representative Schemel, on the motion.

Mr. SCHEMEL. Thank you, Madam Chair.

My comments were on the amendment itself, not on the motion. But I do support the motion and thank the Speaker for recognizing me.

The SPEAKER. Thank you.

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

The following roll call was recorded:

YEAS–99

Adams	Fritz	Lawrence	Rigby
Armanini	Gaydos	Leadbeter	Roae
Banta	Gillen	Mackenzie, M.	Rossi
Barton	Gleim	Mackenzie, R.	Rowe
Benninghoff	Gregory	Major	Ryncavage
Bernstine	Greiner	Mako	Schemel
Bonner	Grove	Maloney	Scheuren
Borowicz	Hamm	Marcell	Schlegel
Brown, M.	Heffley	Marshall	Schmitt
Cabell	Hogan	Mehaffie	Scialabba
Causar	Irvin	Mentzer	Smith
Cook	James	Mercuri	Staats
Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'Orsie	Kail	Miller, B.	Struzzi
Davanzo	Kaufner	Moul	Tomlinson
Delozier	Kauffman	Mustello	Topper
Diamond	Keefer	Nelson, E.	Twardzik
Dunbar	Kephart	O'Neal	Warner
Ecker	Kerwin	Oberlander	Watro
Emrick	Klunk	Ortitay	Wentling
Fee	Krupa	Owlett	White
Fink	Kutz	Pickett	Williams, C.
Flick	Kuzma	Rader	Zimmerman
Flood	Labs	Rapp	

NAYS–102

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sapprey
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer
Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman

Brown, A.	Green	Mayes	Siegel
Bullock	Guenst	McAndrew	Smith-Wade-El
Burgos	Guzman	McNeill	Solomon
Burns	Haddock	Merski	Steele
C Freytiz	Hanbidge	Miller, D.	Sturla
Cephas	Harkins	Mullins	Takac
Cerrato	Harris	Munroe	Venkat
Ciresi	Hohenstein	Neilson	Vitali
Conklin	Howard	Nelson, N.	Warren
Curry	Innamorato	O'Mara	Waxman
Daley	Isaacson	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	Zabel
Delloso	Kim	Pisciottano	
Donahue	Kinhead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker

NOT VOTING–0

EXCUSED–1

Jones, M.

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

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

The SPEAKER. Does anyone else want to speak?
The gentleman from Franklin County, Representative Schemel.

Mr. SCHEMEL. Thank you, Madam Speaker.

Madam Speaker, in the high conversation we heard yesterday upon your ascension to the dais, we heard about the dawning of a new day. That was a theme repeated today in the opening prayer. Thank you very much. But it seems like it is back to the future, Madam Speaker, where we are going to vote to not amend a bill that apparently has been changed and the members, at least of the minority party, have not even seen the language of the new bill. So how can I vote not to amend a bill I have not read? I do not know what changes have been made; that would be irresponsible. There are changes that I would like to see. There is an amendment I have prepared; that amendment would be out of order, Madam Speaker.

So I oppose this undemocratic move that is, again, in contravention of everything that we heard during the Speaker's listening tour of what Pennsylvanians want to see, which is that new dawn that was promised to us yesterday.

Thank you, Madam Speaker.

The SPEAKER. Thank you.

The Chair recognizes the gentleman from Lancaster County, Representative Brett Miller.

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

I rise in opposition to the resolution that is on the floor. And similar to the comments I offered the other day, the last time we saw this, just several days ago – a no-amendment resolution disallowing each of us the opportunity to give the voice to the 64,000 people of our respective districts – I urged a "no" vote then and I read from the record from January 3, 2017. I would like to read from the record from January 1, 2019, on this very resolution that was offered, and I will take up the comments beginning with Mr. Samuelson, who says: "I rise to speak

against..."at this time "Resolution 4. It is a one-sentence resolution. You can read it. It says that when we consider the House rules, this resolution is an unamendable resolution. So it is our very first vote on legislation of the 2019-2020 session, and we are being asked to say that the 203 members of this House are not allowed to amend the House rules. This is very undemocratic.

"We had a wonderful ceremony that we just concluded. We had wonderful remarks by our leaders. I know the Speaker said that we are starting with a clean slate, that we are open to advice as to what we can do better. The leader said that we are sitting on democracy's front porch, and the minority leader said that we want to keep the spirit of bipartisanship alive. But we have a number of proposals that have been in draft form, in amendment form, ready to go today. We have 10 proposals for how we could make the rules better. We realize that that would have to be a majority vote of the House of Representatives to approve any one of these 10 proposed changes, but if you vote 'yes' on Resolution 4 and shut down all debate before it even starts, you are saying we are not interested in any changes to the House rules.

"Now, think about this: If you look on your computer right now, you cannot find Resolution 1. That is the proposed House rules. You cannot find Resolution 4. Resolution 4 is in writing. It is sitting on your desk right now. Resolution 1, the proposed rules, here we are at 2 in the afternoon. We do not even have the official copy of Resolution 1. So we are talking about not allowing amendments on a document that does not yet exist. Yes, we have a draft amendment that we were handed 3 1/2 hours ago. My goodness, we had 3 1/2 hours to read a 66-page document as we were being sworn in, as we were listening to the official opening-day speeches. That is not enough time. This is a terrible process to try to jam this through on swearing-in day, and it is an even worse process to say that we are not interested in any amendments. We are going to vote for something that says you are not allowed to amend the House rules? I urge a 'no' vote. I ask all of my colleagues to vote 'no.' I ask the 43 members who were sworn in for the first time to vote 'no.' We should have this debate. We should be allowed to discuss proposed amendments to the House rules.

"Thank you...."

Going on. "Mr. FREEMAN. Thank you, Mr. Speaker.

"Mr. Speaker, I have a lot of respect for the gentleman who has assumed the office of majority leader. We served together on the House Local Government Committee. He is a very able member and I am sure he will prove to be a very able leader as well. But on this resolution we disagree and I disagree strongly.

"As the gentleman, Mr. Samuelson, pointed out, this resolution if adopted by the House will prohibit any amendments to the resolution that will then be brought up setting our House rules.

"Our House rules are one of the most important documents that we put in place at the beginning of the session. It frames how we operate, it determines how much or how little a rank-and-file member can weigh in on an issue, offer amendments, participate in the process. We, as a body, should be having a full debate about that. We, as a body, should be able to vote on amendments as the ones Mr. Samuelson referred to, that could improve the process, make it more open, more transparent, and ensure that we have an opportunity to make legislation flow better than in past sessions. But if we adopt Resolution 4 today, that will be shut down.

"Each and every member of this House has experienced a very unique opportunity. We, unlike most of the citizens of this Commonwealth, have been elected as Representatives of a

deliberative body, a deliberative body. I call upon you to hold on to your ability to be deliberative. Vote HR 4 down. Do not abdicate your responsibility as an elected Representative to shape this process and this institution. Vote 'no.' "

Madam Speaker, the comments that were entered into the record in 2017, and the comments that were entered into the record in 2019 that were just entered into here today, speak to the very issue that is on the floor. Each of us stands equal as Representatives, representing approximately 64,000 citizens of our Commonwealth. Each of them has a voice, and this amendment, if passed, will silence the voice of those individuals who we were elected to represent.

I urge a "no" vote on HR 9. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from York County, Representative Keefer.

Mrs. KEEFER. Thank you, Madam Speaker.

So I rise against this motion as well. Again, the rules were not up on the calendars or up on your screen. You cannot see them. There are still changes that were being made. I have an amendment that I would like to have filed to it as well that is still in LRB. They are working diligently, but again, we have limited time, and if we want to have a serious debate and discussion, especially on something no one here has read in its entirety or does not really understand what the impacts will be, we certainly should have an opportunity to discuss and to debate that. I mean, if you vote for this, for this resolution that says we cannot debate, we cannot amend the next resolution for our operating rules, you will be voting against a gift ban. You will be voting against some of these rules to amend for the sexual harassment. You will be voting against all of these opportunities where we can self-govern, where we can make sure that we have a functioning body that operates with due process and to the rule of law.

So I would ask all of my colleagues to oppose this amendment so that we can amend the rules and make sure that we have something that serves all of the constituents in the Commonwealth.

Thank you, Madam Speaker.

The SPEAKER. Thank you.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, HR 1 is on the Legislative Data Processing system and is accessible.

CONSIDERATION OF HR 9 CONTINUED

The SPEAKER. The Chair now recognizes the gentleman from Lebanon County, Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

I rise in opposition to Resolution 9, and I will agree that HR 1 is in fact now on our system. But as I have mentioned before, there is an issue with it that I believe is a perceptual issue, based on use of some language that I have seen been confused in this chamber before for what that language actually means. I have offered and filed a friendly amendment. I am trying to help the majority accomplish what they want to accomplish. I have offered a friendly – ask-around; I can work across the aisle – I have offered a friendly amendment to help you avoid a pitfall in the future. Had we put this off for 3 hours, we could have, you know, just waited to see what happened and you could see what

that amendment will be. But, you know, it is not ready yet. So I am trying to help you out.

And I know, Madam Speaker, I know what the numbers are in this chamber right now, but as my mother used to tell me, "Just because you can, doesn't mean you should."

I ask for a "no" vote from those members of the majority party who know that I speak honestly and forthrightly when I say I am trying to help you out.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

Glad I do not have a math problem today.

The Chair recognizes the gentlelady from York County, Representative Klunk.

Ms. KLUNK. Thank you, Mr. Speaker— Madam Speaker. Old habits die hard.

This morning I rise to oppose HR 9. Just a few moments ago I made a motion to try and postpone this vote because I have grave concerns with the underlying rules resolution of HR 1. I believe that we need amendments to HR 1 to fully effectuate the change that we have been working so hard on when it comes to protections of sexual harassment.

Madam Speaker, if HR 9 passes, my amendment to shore up HR 1's provisions for sexual harassment will not be allowed to be brought before this House. That deeply concerns me for potential victims of sexual harassment. Madam Speaker, if you look—

POINT OF ORDER

Mr. BRADFORD. Madam Speaker, if I may?

The good lady is far afield.

The SPEAKER. The gentleman is in order and is recognized.

Mr. BRADFORD. The good lady is quite far afield. The underlying rules package is not currently in front of this body at this time.

The SPEAKER. The gentleman's point of order is well taken and directs the gentlelady to stay focused on HR 9. We are not currently voting on rules at the moment.

POINT OF ORDER

The SPEAKER. The minority leader is recognized.

For what purpose does the gentleman stand?

Mr. CUTLER. Thank you, Madam Speaker.

Point of order.

The SPEAKER. You are in order and may be recognized.

Mr. CUTLER. While I understand the good gentleman's objection, I believe that the good lady from York is simply arguing the reason as to why not amending this resolution could be dangerous, and therefore, falls within the purview of appropriate debate that is currently before the House.

The SPEAKER. The Chair thanks the gentleman.

The gentlelady may continue.

Ms. KLUNK. Thank you, Madam Speaker.

If we pass HR 9, as I stated before, the amendments that I am currently working on to HR 1 would not be in order. If HR 9 passes, it would preclude my amendment to shore up the language on sexual harassment. In particular, if HR 9 does not pass, I will not be allowed to offer an amendment that would protect individuals from retaliation in instances of sexual harassment.

Madam Speaker, if I am not allowed to offer my amendment to HR 1, I cannot fix what is on page 100 of HR 1, which does not provide for a provision of sexual harassment. Madam Speaker, if you read, starting on page 100 of HR 1, it reads: "No Member, officer of the House or House employee shall retaliate against an individual in response to any of the following actions taken in good faith: (a) Filing: (i) a complaint of discrimination or harassment under Rules of the House or the policies and procedures of an employer." What is missing from that are the words "sexual harassment," Madam Speaker.

In (ii) it reads: "a charge of discrimination or harassment with a government agency or commission charged with enforcing laws relating to discrimination or harassment." What is missing from that section is sexual harassment.

Going on, in (iii) it says, "a civil action or arbitration relating—

POINT OF ORDER

Mr. BRADFORD. Madam Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. BRADFORD. Point of order.

The SPEAKER. The gentleman is in order and may be recognized.

Mr. BRADFORD. We are now well into debate about the underlying resolution, which we are happy to have those discussions and I will be glad to explain how harassment is now not just going to be sexual harassment, but racial harassment, harassment against our LGBTQ community. But again, I do not want to have that underlying debate until we finish the resolution that is currently in front of us.

I understand that these are issues that have been avoided for years. We should not avoid them another minute or another day, as the good lady has pointed out on many occasions. Let us get to the underlying debate and stop the stall tactics.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. You are in order and you may proceed.

Mr. CUTLER. Thank you again, Madam Speaker.

The good gentleman characterized the lady's legitimate questions regarding the reason for amendments as "stall tactics." I believe it is the past precedent of the House not to question the motives of members and would simply request that those past precedents and policies be followed.

The SPEAKER. The gentleman's point of order is well taken.

The Chair reminds the gentlelady speaking to explicitly lay out your reasons for opposition to this resolution, HR 9.

The gentlelady may continue.

Ms. KLUNK. Thank you, Madam Speaker.

I urge a "no" vote for HR 9 because we need an amendment to the rules. We need an amendment to the rules because on page 101, (iv) it says, "a criminal complaint relating to harassment with a law enforcement agency." And then further on it reads, down in (3), line 19, "...discrimination or harassment." We need an amendment to the rules, thus a "no" vote on HR 9, to fix that to include sexual harassment. And, Madam Speaker, we need that because the rules have been changed in HR 1, which is before us today, which is different than the draft rules that we got yesterday

that did not include a definition of "sexual harassment," which I did bring forward and I appreciate the majority working on that with us to ensure that there is a specific definition of "sexual harassment," because in my opinion, and I believe in the opinion of people who have been victims of sexual harassment, it needs a specific definition, and HR 1 provides for that.

If we pass HR 9 and HR 1 moves forward unamendable, these rules are unworkable and do not provide for protections for sexual harassment in instances of retaliation. Madam Speaker, that is why we need an amendment to HR 1 – again, why we need to vote "no" on HR 9 – to provide for enough time for an amendment to be filed to HR 9 so that we can amend these ethics rules to get this right for victims.

We have worked so hard to get to this moment here today and it would be a shame if we did not get it right for those victims, and that is why I urge a "no" vote on HR 9, Madam Speaker. We need to be able to amend HR 1 to amend the ethics rules specifically for sexual harassment.

Thank you, Madam Speaker.

The SPEAKER. Thank you. The Chair thanks the gentlelady.

PARLIAMENTARY INQUIRIES

The SPEAKER. The Chair recognizes the gentleman from Union County, Representative Rowe.

Mr. ROWE. Thank you very much, Madam Speaker, and again, congratulations to you.

Madam Speaker, parliamentary inquiry?

The SPEAKER. The gentleman may state his point of parliamentary inquiry.

Mr. ROWE. Hypothetically speaking, when we move on to HR 1, what will be the method for calling up any amendments offered to that resolution?

The SPEAKER. The Chair does not answer hypotheticals.

Mr. ROWE. Further parliamentary inquiry, Madam Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. ROWE. Madam Speaker, what is the procedure for calling up an amendment to HR 9? I know that there have been several drafted and filed.

The SPEAKER. Amendments have to be drafted to the proper bill number and print number and then filed.

Mr. ROWE. Thank you, Madam Speaker.

And in that instance, then, what is the method – will the Chair then call up those amendments, if they are so properly filed?

The SPEAKER. That is correct.

Mr. ROWE. Thank you, Madam Speaker.

On the resolution?

The SPEAKER. On the resolution.

Mr. ROWE. Thank you, Madam Speaker.

Madam Speaker, we are looking at an historic time where the House of Representatives is so closely divided, a one-seat margin. Madam Speaker, I think that offers us an opportunity. The general public says, oh, there is going to be so much contention – and there may indeed be that – but, Madam Speaker, it also offers us an opportunity to rather than pursuing party-line votes, we can pursue the type of bills and legislation that we can, as a body, consider with consensus. There are surely those hot-button issues that we will inevitably have party-line votes on, but, Madam Speaker, I do not think our first vote in regular session should be that. I think that our first vote should be a show of consensus, that we are willing to have those discussions, those

amendments that we are going to work together on, Madam Speaker. Let us set a tone. Let us not set the first vote as being a division, a party-line vote. Let us allow these amendments. Let us have these discussions so when we do go into regular session, we know that the rules that we have adopted were adopted in a fair and just manner.

Madam Speaker, some of the amendments offered, as were referenced earlier, are actually an improvement and should not be considered contentious. The current rules package as offered limits the amount of representation on committees by shrinking that number. I may represent small, rural counties, Madam Speaker, but they deserve to have just as much of a voice on these committees, and by limiting the number of members on committees, we are silencing the voices of constituents, Madam Speaker, and they deserve to be heard, and my amendment will fix that. It will change nothing else, it will simply adjust that issue.

Madam Speaker, we do have a close margin in this House, and the margins in our committees should reflect that. We should be able to have the same consensus on our committees that we will and should have here on the House floor.

Madam Speaker, I would just offer a word of caution as we set a precedent going forward. I understand this parliamentary procedure of not allowing amendments has been used in the past by both parties. Madam Speaker, typically those rules packages are offered as a matter of negotiation. They are normally adopted in a bipartisan manner. I do not expect us to see that today, Madam Speaker, and I think that we need to be wary of the precedent that this sets going forward. I would caution my good colleagues on this side of the aisle: You may be here for 2, 4, or 6 years, who knows, but in the future there may be a time when the roles are reversed. I would harken back to the time when President Obama was struggling to get his judicial nominations across the finish line and the Senate, under Democratic control, changed the rules to allow a simple majority adoption for judicial appointees. Then when President Trump took office, they used the same rules under the Republican Senate because they followed the precedent set by the Democrats, and as a result, President Trump was able to support and appoint three Supreme Court Justices. So I would offer that word of caution to my colleagues today, that the precedent you set as the majority today might come back to haunt you in the minority tomorrow.

I would ask for a "no" vote on the resolution.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh County, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

We heard yesterday that it was a new day and a fresh start in the Pennsylvania House of Representatives. Unfortunately, it appears what we are seeing today by making a resolution unamendable is a continuation of the same heavy-handed tactics we saw last week by the majority to shut down debate and squelch the voices of our constituents across the entirety of Pennsylvania.

One of the things that we would like to do is be able to offer amendments that have bipartisan support. We have heard about ethics reform. We have heard about a lot of other issues that are out there. One amendment that I am seeking to offer is to have a select committee on the strategic competition between Pennsylvania and the Chinese Communist Party. I had reached

out to the Speaker at the time, the Speaker from Berks. I reached out to the majority and minority leaders about this issue. We want to make sure that Pennsylvania's interests, the United States interests, those are being reflected in the rules of the House of Representatives. There is no lobbyist behind this initiative, there are no special interest groups behind this initiative, but we need to be the voices of the people of Pennsylvania and the people of the United States. At the Federal level, they have taken up a select committee like this in an overwhelmingly bipartisan fashion. It passed 365 to 65 at the Federal government level. That bipartisan support is something that we should be able to offer as an amendment to these resolutions. But if the bill is unamendable, we cannot offer that.

So again, we can look at the past. We can say how things were done years ago. We can say how things were done last week. But yesterday was a new day and a fresh start for Pennsylvania, and we should continue that here today. We should have discussion and we should have debate, but it is getting shut down.

Thank you, Madam Speaker, and I would encourage a "no" vote on this motion to make it unamendable.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRIES

The SPEAKER. The gentleman from Philadelphia County is recognized, for what purpose?

Mr. KENYATTA. Madam Speaker, are members still allowed to debate on HR 9 right now? Would debate still be in order?

The SPEAKER. That is correct.

Mr. KENYATTA. So we can debate? Members can debate this resolution right now?

The SPEAKER. Debate is in order right now for HR 9.

Mr. KENYATTA. Okay. I am sorry, Madam Speaker. I was confused because I kept hearing there was no debate.

And, Madam Speaker, on HR 4 from 2017, which people are now saying is problematic, Madam Speaker, how can a member get the votes from that time? How could a member pull up the votes from Resolution 4 from 2017?

The SPEAKER. From the Legislature Data Processing Web site you can find the floor vote for that House resolution from 2017.

Mr. KENYATTA. Okay. And we might be able to see how people on both sides of the aisle voted?

The SPEAKER. That would be correct.

Mr. KENYATTA. Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Mercuri.

Mr. MERCURI. Thank you, Madam Speaker.

Sorry for the delay, and congratulations.

I did want to add my voice to the debate on this resolution and offer my thoughts that the majority party does not have a monopoly on good ideas, and that to shut down amendments, which this resolution does on HR 1, does go in contravention to the discussion yesterday about working across the aisle and in collaboration. I have what I think is an innovative and important amendment to consider and I would love for it to have been heard, but unfortunately, it will have to be silenced. It does have to do with cybersecurity, and I think we do live in a new day and a new world and we know that there are threats from places like China that are developing ways to steal data from our government devices. And in the U.S. Congress, and in at least half of the State

legislatures across the country, they have adopted this rule, that I proposed as an amendment to HR 1, which will not be heard if this amendment, or if this resolution passes, that would prohibit the use of TikTok on government-issued devices. And I know that many of us may love that app, but it does give a back door to nefarious actors.

And I would urge, then, that we vote "no" on HR 9 so that we can hear that amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, HR 9 would prevent any and all amendments to HR 1. I know that we can have a robust debate when HR 1 comes up regarding the individual component parts thereof and perhaps areas that need addressed, but this resolution does not represent an agreed-to product, it does not represent agreed-to rules, and if you missed that opportunity as outlined by many of our members, I would urge a "no" vote for that reason, Madam Speaker, on HR 9 so that we can in fact have that conversation on all these issues that we were promised. Thank you.

The SPEAKER. Thank you.

The Chair recognizes the majority leader.

Mr. BRADFORD. Thank you.

Please support the resolution so we can have that robust debate without delay.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair is in receipt of a communication from the minority whip. Representative Mike Jones from York County is present and can be placed on the board.

CONSIDERATION OF HR 9 CONTINUED

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

The following roll call was recorded:

YEAS—102

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappety
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer
Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman
Brown, A.	Green	Mayes	Siegel
Bullock	Guenst	McAndrew	Smith-Wade-El
Burgos	Guzman	McNeill	Solomon
Burns	Haddock	Merski	Steele
C Freytiz	Hanbidge	Miller, D.	Sturla
Cephas	Harkins	Mullins	Takac
Cerrato	Harris	Munroe	Venkat
Ciresi	Hohenstein	Neilson	Vitali
Conklin	Howard	Nelson, N.	Warren
Curry	Innamorato	O'Mara	Waxman
Daley	Isaacson	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	Zabel
Delloso	Kim	Pisciottano	

Donahue Evans	Kinhead Kinsey	Probst Rabb	McClinton, Speaker
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NAYS—100

Adams	Fritz	Labs	Rapp
Armanini	Gaydos	Lawrence	Rigby
Banta	Gillen	Leadbeter	Roae
Barton	Gleim	Mackenzie, M.	Rossi
Benninghoff	Gregory	Mackenzie, R.	Rowe
Bernstine	Greiner	Major	Ryncavage
Bonner	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Cabell	Hogan	Marshall	Schmitt
Causar	Irvin	Mehaffie	Scialabba
Cook	James	Mentzer	Smith
Cooper	Jones, M.	Mercuri	Staats
Cutler	Jones, T.	Metzgar	Stambaugh
D'Orsie	Jozwiak	Mihalek	Stehr
Davanzo	Kail	Miller, B.	Struzzi
Delozier	Kaufner	Moul	Tomlinson
Diamond	Kauffman	Mustello	Topper
Dunbar	Keefer	Nelson, E.	Twardzik
Ecker	Kephart	O'Neal	Warner
Emrick	Kerwin	Oberlander	Watro
Fee	Klunk	Ortitay	Wentling
Fink	Krupa	Owlett	White
Flick	Kutz	Pickett	Williams, C.
Flood	Kuzma	Rader	Zimmerman

NOT VOTING—0

EXCUSED—0

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

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Lancaster rise?

Mr. STURLA. Thank you, Madam Speaker.

While there were 99 "no" votes and 102 "yea" votes, the board said it was 100 "no" votes and 101 "yea" votes. Can we get that checked, please?

The SPEAKER. The House will be at ease. Thank you.

The House will come to order.

The Speaker is in receipt of a point of clarification that is needed.

On HR 9, PN 3, there were 102 yeas, 100 nays. Apparently there was a malfunction in the electronic voting board and that will be looked into this week. The Speaker is clarifying this for the members' attention and awareness.

* * *

Mr. ROZZI called up **HR 1, PN 2**, entitled:

A Resolution adopting permanent rules for the House of Representatives.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes the prime sponsor of the resolution, the gentleman from Berks County, Representative Rozzi.

Mr. ROZZI. Thank you, Madam Speaker.

Reforming Harrisburg. Better rules means better lawmaking. The Rozzi rules package put forward today by House leaders will reform how the House works. These reforms will restore fairness that has been missing for many years and make Pennsylvania's government more responsive to all of its people.

Here are some of the key points:

Members of the minority party will have a chance to be heard, unlike before. The process to discharge a bill from committee is reformed so a bill cannot simply be amended or sent to another committee to short-circuit the process.

No committee chair will have the sole ability to stop a good bill with bipartisan support from being considered.

Fair committee composition. The split between majority and minority members on committees is more responsive to voters' wishes than ever before, reflecting the close partisan split in the full House.

For any committee hearing, the minority chairman is entitled to invite at least one testifier; no more sham public hearings where important views are silenced.

Expanded protections against harassment and discrimination, ensuring that anyone who deals with House members in their official capacity may file complaints, not just House members and House employees. We are getting that done. This majority party is getting that done unlike the previous 12 years, where the previous majority party never took this issue up.

Constitutional amendment reforms. Changing Pennsylvania's Constitution should never be done recklessly. Constitutional amendments and joint resolutions will be restricted to one subject.

Every proposed constitutional amendment must have at least one public hearing by a House committee before passage. A new rule will ensure that voter approval on constitutional amendments can take place only in fall municipal general elections, never in lower turnout spring primaries.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lebanon County, Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

I intended to interrogate the prime sponsor, but he answered my question with his very last statement. The intent of the majority party to limit public votes on constitutional amendments to fall elections rather than spring elections, Madam Speaker, that is not accomplished by the language that is included in rule 21(f). Why? Because that language uses the same language as the Election Code in section 605. The language "municipal or general election" does not preclude a municipal primary or a primary election during a general election year. These rules do not accomplish what the prime sponsor suggests they accomplish. That, Madam Speaker, was what my proposed amendment would have been to this bill to help you out with.

Additionally, Madam Speaker, section 1229 of the Election Code suggests that the General Assembly can call a special election for the purpose of having a constitutional amendment on a statewide ballot, and depending how you read that, it could be the only thing that the voters vote on. And I know, look, that would be a rare thing, but, Madam Speaker, I will point out that

just last month, 1/2 a mile away from Pennsylvania, there was a very dangerous train derailment. Had that derailment happened 1 mile east, or thereabouts, that would have been primarily in Pennsylvania, and maybe the results would have been that the Governor declares some sort of state of emergency and maybe something like that or worse would happen in Pennsylvania where the General Assembly would quickly need to act to provide financial assistance to victims of a situation like that through a constitutional amendment, like what has already been done in the 1970s when we had serious floods in Pennsylvania. The General Assembly passed constitutional amendments to quickly provide relief. Now, they did not do it in a special election, but they did it in quick fashion. If that situation would occur – we would have this big travesty in Pennsylvania where we need to amend our Constitution for something that we are not even contemplating at this very moment – the rule 21(f) in HR 1 would preclude this General Assembly from responsibly acting in response to an emergency.

So not only, Madam Speaker, does rule 21(f) not accomplish what the prime sponsor has claimed it would accomplish because it is not specific enough in its language – something I would have tried to help cure with an amendment that we cannot do – but it also precludes the General Assembly at some time in the future from potentially acting in a timely fashion to provide relief for victims of an unforeseen emergency of unforeseen proportions.

Madam Speaker, I wanted to help the majority fix this, but alas, we cannot. But if that concerns you, if you wanted to limit votes on constitutional amendments to primary elections or to general or November elections – and by the way, while the Election Code does talk about, specifically, municipal and special elections in a separate section of the Election Code, it does go further and it refers to November elections as opposed to municipal and general elections. So again, Madam Speaker, the term "municipal and general election" does not preclude a municipal primary or a general primary.

This does not accomplish what the prime sponsor says it accomplishes, and further, it precludes us in some unforeseen circumstance from acting to help the people of Pennsylvania. Therefore, Madam Speaker, because I was not allowed to amend this bill, and because this was ramrodded through without the ability to amend, I ask for a "no" vote on this very, very irresponsible set of rules which contains this very, very irresponsible inability for the General Assembly to respond to emergencies.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence County, Representative Bernstine.

Mr. BERNSTINE. Thank you, Madam Speaker.

Will the gentleman rise for brief interrogation?

The SPEAKER. The Chair agrees, and the gentleman may proceed.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, I have a couple questions as it deals with the rules here, specifically on page 98, and it talks about the protected classifications here that we will have here with the rules for the House of Representatives. One of those is genetic information. Madam Speaker, could you please share if that does include vaccine status and would that be a protected classification?

Mr. ROZZI. Technically, yes.

Mr. BERNSTINE. I could not hear, Madam Speaker.

Mr. ROZZI. Technically, yes.

Mr. BERNSTINE. Okay. The next question that I had was, and it talks about "protected classification: Race, color, religion, age, sex, sexual orientation, gender, gender identity or expression,..." and then it goes on. Madam Speaker, could you please explain the difference between sex, gender, gender identity, and gender expression?

Mr. ROZZI. They are all included. But we wanted to make sure that they were covered, specifically covered.

Mr. BERNSTINE. So, Madam Speaker, I am not sure that the question was answered. Could you express the difference between sex, gender, gender identity, and expression?

The SPEAKER. The gentleman answered the question.

You may continue.

Mr. BERNSTINE. Not so much.

Thank you, Madam Speaker.

Madam Speaker, my last question is – and I will give a specific example – but yesterday I had a guest that showed up and they showed up unannounced and they were from Beaver County, great folks, and were happy to come in, and I wanted to bring them on the floor to see the floor. Is there any rule in our House rules of allowing guests to come on the floor so they can see the work that we have done here?

Mr. ROZZI. The rules do not specifically address that question. That would be at the will of the Speaker.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, one last question, specifically just because I am trying to understand, when it talks about the sex, sexual orientation, gender, gender identity, or expression, would that be, for example, if I am in my office, and a guy named Tim works for me, and Tim decides that he is going to wear a dress, pink lipstick, and become Tina that day, and then the next day he decides something else—

POINT OF ORDER

Mr. BRADFORD: Point of order.

The SPEAKER. The gentleman shall suspend.

For what purpose does the majority leader rise?

Mr. BRADFORD. The gentleman is not only way, way, way far afield, but he is actually insulting and demeaning.

Mr. BERNSTINE. Madam Speaker, I was just trying to understand—

Madam Speaker, I was just trying to understand what that protected class and what is included in that.

The SPEAKER. The Chair understands the gentleman's questions, and while offensive, as these are very personalized issues, the Chair recognizes the gentleman to continue these questions.

Mr. BERNSTINE. Okay. So I just wanted to see if the gentleman would answer the question and what is included in that protection.

Mr. ROZZI. I think I am going to try to answer the question, but really, your ignorance is why we are actually putting this forward.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker.

Mr. ROZZI. It actually shows why it needs to be in the rules.

Mr. CUTLER. Point of order, Madam Speaker.

The SPEAKER. The gentleman will suspend.

For what purpose does the minority leader rise?

Mr. CUTLER. Madam Speaker, recognizing that we have not passed rules, I believe it is the past precedent of the House not to engage in inflammatory words or debate, and I would urge both gentlemen to please stick to the underlying matters without inflammatory language.

Mr. BRADFORD. Point of order?

The SPEAKER. Thank you, Leader.

The gentleman was referencing his lack of knowledge. It was not inflammatory and that is why the Chair stated these are deeply personal issues and if it is a deeply personalized issue, there is not one answer to be able to respond to the gentleman with the question.

For what purpose does the majority leader rise?

Mr. BRADFORD. Waive off. Thank you.

The SPEAKER. Thank you.

The gentleman may proceed.

Does the gentleman waive off?

Mr. BERNSTINE. I asked the question. I was just waiting for an answer. It seems—

The SPEAKER. An answer was provided. Is there another question?

Mr. BERNSTINE. Oh, no, just the ignorance part.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Lehigh, Representative Schlossberg.

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

Madam Speaker, I rise not only in support of the rules, but I guess to make a broader point right now. We have heard from the minority party for the past few weeks that there are real concerns about the need to actually legislate and make policy and adopt rules that are fair and that are just, and we can have those conversations, and policy differences are going to be the order of the day. We have a 102-100 margin; presumably 102-101 in the near future. But I have to ask a question. If we are going to actually legislate in a serious bipartisan manner, are we really going to sit here and answer questions about sexual orientation, gender identity, and vaccine status? We have real, serious issues to address. We do not have time for silly season, and that is what this conversation has devolved into.

I urge that we actually have a conversation about rules, policy that we vote up or down, one way or another, and then we do what you have asked us to do, which is get to work.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlelady from Bucks County, Representative Marcell.

The gentlelady is in order and may proceed.

Mrs. MARCELL. Thank you, Madam Speaker, and congratulations.

I am rising today to speak about my concerns with HR 1. Nobody in this chamber can deny we continue to have a sexual harassment problem in this building and we need to do something to change the culture in Harrisburg. I was hopeful that the majority was going to be genuine in trying to deal with the many situations we have heard, formally and informally, over the course of the last several weeks.

However, what is presented in these rules is not a solution. It is an unfortunate muddying of the waters. Madam Speaker, we have had every opportunity today to actually deal with the real problem affecting what goes on in this building, and there was a

lot of rhetoric spilled about standing up for victims of sexual harassment and ensuring the safety of women who not only come into this building to do business, but also those who come as guests.

A solid solution was introduced last session and only one member from the other side of the aisle cosponsored it. A solid solution was offered in special session and we were told now is not the time. Now, when we see what may be the operating rules for this entire legislative session, we are still waiting for a solid solution to this real problem of sexual harassment. Madam Speaker, I was hoping we would be able to vote for a solid solution today. Unfortunately, we will be voting on a continuation of the problem for a gaping hole in member accountability. The people of this Commonwealth and our children deserve better.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Thank you, Madam Speaker.

As a physician legislator, I am so thrilled that my Republican colleagues are interested in learning about the distinctions about the genetic code, about the nature of vaccines, about the nature of science, and I look forward to working with you under these rules so that we can have the informed nature of health care and science in our public policy, which has, unfortunately, been woefully missing over the last few sessions.

So I look forward to that work. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognize the gentlelady from Northampton, Representative Flood.

Ms. FLOOD. Thank you, Madam Speaker, and I offer you my sincerest congratulations.

Will the prime sponsor please rise for interrogation?

The SPEAKER. The gentleman indicates that he will. The gentlelady shall proceed.

Ms. FLOOD. Okay, great. On rule 9, with regard to smoking, the rule states that it prohibits the use of "electronic cigarettes, electronic nicotine delivery systems or related devices...." With regard to that, when you speak of related devices, does that include nicotine patches and gum, when we talk about related devices?

Mr. ROZZI. No.

Ms. FLOOD. No. Okay.

And also, the verbiage of the rule references e-cigarettes and nicotine delivery systems, which typically means tobacco, but in this day and age, people use marijuana through these devices. Does this rule prohibit the use of tobacco but it does not prevent the use of marijuana through those devices? It is not clearly stated.

Mr. ROZZI. There are laws that actually regulate the use of marijuana.

Ms. FLOOD. Yes, and I understand that, and I understand that because people can have, you know, medical marijuana cards and there is also, you know, it is illegal to smoke recreational marijuana. But if you can use that device for your medical marijuana, some people use electronic cigarettes as a way to wean off of using regular cigarettes as they are weaning off, and if you can use the patches and you can use the gum, I am just getting — trying to get some clarification on this.

The SPEAKER. Is the gentlelady still on interrogation? Is there a specific question?

Ms. FLOOD. Yes. The question was, is it appropriate – if you can use the marijuana pens if you have a medical marijuana card, is it appropriate also that if you are weaning off of tobacco and using e-cigarettes, is that allowed?

Mr. ROZZI. That would be up to the interpretation of the Speaker.

Ms. FLOOD. Okay. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

PARLIAMENTARY INQUIRIES

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia County, Representative White.

Ms. WHITE. Thank you, Madam Speaker, and congratulations again.

Madam Speaker, parliamentary inquiry?

The SPEAKER. You may state your parliamentary inquiry.

Ms. WHITE. What rules are in effect right now?

The SPEAKER. We are currently operating under the past precedent and customs of the Pennsylvania House of Representatives.

Ms. WHITE. Does that include last session's rules?

The SPEAKER. That is the best indication of our customs and precedent.

Ms. WHITE. Great. So in operating under the prior, last session's rules, is it the policy of the House currently that a member with a private or personal interest in a specific vote should abstain from that vote?

The SPEAKER. That is in past precedent, as well as last session's rules.

Ms. WHITE. Thank you, Madam Speaker.

A credible accusation of sexual harassment was made against a sitting member of this institution during the Speaker's listening tour. Is it appropriate for the accused member to vote on how his case will be adjudicated?

The SPEAKER. The Chair does not, for the second time today, engage in hypothetical situations on the floor of this House.

Ms. WHITE. Madam Speaker, I would like to interrogate the maker of this resolution.

The SPEAKER. The gentleman indicates you may proceed.

The gentleman declined.

Ms. WHITE. Madam Speaker, I have an additional parliamentary inquiry.

The SPEAKER. Please state it.

Ms. WHITE. Under rule 65 of this last session, "A member who has a personal or private interest in any measure or bill proposed or pending before the House shall disclose the fact to the House and shall not vote thereon." Why would a current sitting member be permitted to vote on HR 1 when they have a credible pending sexual harassment accusation against them?

The SPEAKER. That is not a parliamentary inquiry.

Ms. WHITE. Madam Speaker, parliamentary inquiry. House rule 65 from last session, does that currently apply today?

The SPEAKER. It is a part of the House's customs and precedents.

Ms. WHITE. So is it for me to understand that a current sitting member who is accused of having a credible accusation of sexual harassment will be permitted to vote on HR 1 today and be able to determine how they should be adjudicated in their case moving forward?

Mr. BRADFORD. Madam Speaker, parliamentary inquiry?

The SPEAKER. Please state your parliamentary inquiry. You are in order and may proceed.

Mr. BRADFORD. It would strike me that every member of this House should have a personal interest in making sure that no other member or any staff member of this House is the victim of any type of harassment, whether they be trans or whether they face any other type of discrimination or harassment. That should be our collective effort: to pass this without further delay and hyperbole.

Mr. CUTLER. Parliamentary inquiry?

The SPEAKER. The Chair did not hear a parliamentary inquiry but thanks the gentleman.

Please state your parliamentary inquiry.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, in referencing rule 65, it is my belief and my interpretation from prior sessions that we as members would have an affirmative duty to disclose such an allegation. If that is not disclosed, what remedies would we as members have to ensure the rules are enforced?

The SPEAKER. The Chair did not hear a parliamentary inquiry from the leader either.

Mr. CUTLER. Madam Speaker, under rule 65, what remedy would we as members have to ensure that disclosures occur?

The SPEAKER. Pursuant to Mason's Manual, section 250, paragraph 1: "A parliamentary inquiry is a request for information from the presiding officer with respect to procedure concerning some question before the house or that may be immediately brought before the house."

As your question pertains to a matter neither before the House nor able to be immediately brought before the House, what you are asking is in fact not a parliamentary inquiry and is out of order.

Furthermore, the Chair reminds the gentleman, Mason's Manual, section 250, paragraph 2, makes it clear that "It is not...the presiding officer's duty to answer general questions concerning parliamentary law."

Mr. CUTLER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER. You may proceed.

Mr. CUTLER. Madam Speaker, I am in receipt of a news article that specifically names the member. I was simply wondering if you are aware of it.

The SPEAKER. That is also not a parliamentary inquiry and the minority leader knows that.

Mr. CUTLER. Thank you, Madam Speaker.

The SPEAKER. And the Chair is very disappointed in this gamesmanship.

Mr. CUTLER. Madam Speaker, may we be briefly at ease in order to discuss the information I wish to share with you?

The SPEAKER. No, we may not.

The question is, will the House vote on HR 1.

On that question, those in favor of the resolution will vote "aye," and those opposed will vote "no."

Mr. CUTLER. Madam Speaker, seeking recognition to speak.

The SPEAKER. Members will proceed to vote.

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

(Members proceeded to vote.)

Mr. CUTLER. Madam Speaker. Madam Speaker. Point of order, Madam Speaker.

The SPEAKER. Nothing is in order but the vote.

Mr. CUTLER. Point of order, Madam Speaker.

The board—

The SPEAKER. Nothing is in order but the taking of the vote.

Mr. CUTLER. Respectfully, Madam Speaker, the board is yet again displaying an incorrect vote tally.

The SPEAKER. The staff up here is working on that. The Chair is aware. Thank you.

For the information of the members, the Speaker's vote is not being reflected on the electronic board. The Speaker's vote is "aye." The official printout will record the Speaker's vote. The Clerk will record the vote.

The following roll call was recorded:

YEAS—102

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappey
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer
Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman
Brown, A.	Green	Mayes	Siegel
Bullock	Guenst	McAndrew	Smith-Wade-El
Burgos	Guzman	McNeill	Solomon
Burns	Haddock	Merski	Steele
C Freytiz	Hanbidge	Miller, D.	Sturla
Cephas	Harkins	Mullins	Takac
Cerrato	Harris	Munroe	Venkat
Ciresi	Hohenstein	Neilson	Vitali
Conklin	Howard	Nelson, N.	Warren
Curry	Innamorato	O'Mara	Waxman
Daley	Isaacson	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	Zabel
Delloso	Kim	Pisciottano	
Donahue	Kinkead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker

NAYS—100

Adams	Fritz	Labs	Rapp
Armanini	Gaydos	Lawrence	Rigby
Banta	Gillen	Leadbeter	Roae
Barton	Gleim	Mackenzie, M.	Rossi
Benninghoff	Gregory	Mackenzie, R.	Rowe
Bernstine	Greiner	Major	Ryncavage
Bonner	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Cabell	Hogan	Marshall	Schmitt
Causar	Irvin	Mehaffie	Scialabba
Cook	James	Mentzer	Smith
Cooper	Jones, M.	Mercuri	Staats
Cutler	Jones, T.	Metzgar	Stambaugh
D'Orsie	Jozwiak	Mihalek	Stehr
Davanzo	Kail	Miller, B.	Struzzi
Delozier	Kaufner	Moul	Tomlinson
Diamond	Kauffman	Mustello	Topper
Dunbar	Keefer	Nelson, E.	Twardzik
Ecker	Kephart	O'Neal	Warner
Emrick	Kerwin	Oberlander	Watro

Fee	Klunk	Ortitay	Wentling
Fink	Krupa	Owlett	White
Flick	Kutz	Pickett	Williams, C.
Flood	Kuzma	Rader	Zimmerman

NOT VOTING—0

EXCUSED—0

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

The SPEAKER. The House will be at ease.

The House will come to order.

PARLIAMENTARY INQUIRY

Mr. O'NEAL. Point of order, Madam Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. O'NEAL. Madam Speaker, we have now recorded two votes on an electronic board in today's session and neither one of those votes was accurate. How, moving forward, can we ensure the accuracy of our system and ensure that our votes are being recorded correctly?

The SPEAKER. The official printout records it correctly, and the roll-call clerk is aware of this and working on the technical difficulty. Apparently, my promotion has caused some chaos to this electronic system.

Mr. O'NEAL. Madam Speaker, your election to Speaker has caused chaos with a lot of things in this building.

The SPEAKER. The gentleman will suspend.

The gentleman is not recognized and is not in order.

Mr. O'NEAL. You said it first, Madam Speaker.

COMMITTEE ON COMMITTEES APPOINTED

The SPEAKER. The Committee on Committees. The following members have been appointed to serve on the Committee on Committees: Representative Cephas is the chair, Representative Pielli, Representative Borowski, Representative Salisbury, Representative Abney, Representative Hill-Evans, Representative Smith-Wade-El, Representative McNeill, Representative Takac, Representative Madsen, Representative Pickett is the minority chair, Representative Cutler, Representative Dunbar, Representative Grove, Representative O'Neal, and the Speaker.

COMMITTEE APPOINTMENTS

The SPEAKER. Pursuant to rule 43, the Speaker appoints Representative Tim Briggs as the majority chairperson of the House Judiciary Committee and Representative Chris Pielli as the secretary, and is in receipt of a communication from the minority leader appointing Representative Rob Kauffman as the minority chairperson and Representative Paul Schemel as the minority secretary.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Speaker is in receipt of a report of the Committee on Committees, which the clerk will read.

The following report was read:

The Committee on Committees recommends the following members for the following committee:

Judiciary

Representative Tim Briggs, Chair
Representative Liz Hanbidge
Representative Joe Hohenstein
Representative Emily Kinkead
Representative Chris Rabb
Representative Melissa Shusterman
Representative Mike Zabel
Representative Kristine Howard
Representative Chris Pielli, Secretary
Representative Ben Sanchez
Representative Perry Warren
Representative La'Tasha Mayes

Representative Rob Kauffman, Minority Chair
Representative Tim Bonner
Representative Torren Ecker
Representative Robert Leadbeter
Representative Clint Owlett
Representative David Rowe
Representative Paul Schemel, Minority Secretary
Representative Joe Hamm
Representative Jim Rigby

Sincerely,
Representative Morgan Cephas,
Chair, Committee on Committees

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1 By Representatives ROZZI, McCLINTON, BRADFORD, D. MILLER, T. DAVIS, SCHLOSSBERG, KRUEGER, HARRIS and BIZZARRO

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

Referred to Committee on JUDICIARY, March 1, 2023.

No. 2 By Representatives ROZZI, McCLINTON, BRADFORD, D. MILLER, T. DAVIS, SCHLOSSBERG, KRUEGER, HARRIS and BIZZARRO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment; in matters affecting government units, further providing for exceptions to sovereign

immunity and for exceptions to governmental immunity; and making a repeal.

Referred to Committee on JUDICIARY, March 1, 2023.

SENATE BILL FOR CONCURRENCE

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

SB 1, PN 26

Referred to Committee on JUDICIARY, March 1, 2023.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the majority chairman of the Judiciary Committee, Representative Briggs, for the purposes of a committee announcement.

Mr. BRIGGS. Thank you, Madam Speaker, and that is exciting to say, so thank you.

The Judiciary Committee will have a special meeting immediately in the majority caucus room to take up HB 1, HB 2, and SB 1.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will meet immediately in the majority caucus room.

POINT OF ORDER

Mr. CUTLER. Point of order?

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I was one of two signatories on a motion to reconsider, but I have not heard that yet be read across the desk.

The SPEAKER. Pursuant to precedent of the House on June 24, 2008, while a reconsideration motion must be filed within 5 days, there is no time limit on when the Speaker must put forth a reconsideration motion before the House.

PARLIAMENTARY INQUIRIES

Mr. CUTLER. Parliamentary inquiry, if I may, Madam Speaker?

The SPEAKER. You may state your parliamentary inquiry.

Mr. CUTLER. Thank you, Madam Speaker.

Is that reconsideration motion required to be scheduled at some point during this session?

The SPEAKER. No, it is not.

Mr. CUTLER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER. You may proceed.

Mr. CUTLER. Given that debate was prematurely cut off while I was seeking recognition, what other remedy would be available—

The SPEAKER. The gentleman is out of order.

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. Debate was not prematurely cut off. There were no names on the list.

Mr. CUTLER. Madam Speaker, I was clearly seeking recognition and had indicated such.

Parliamentary inquiry is, given the nature at which debate ceased, if the reconsideration motion is not brought before the body, what remedy would be available to me as a member to seek recognition on the underlying debate?

The SPEAKER. Unanimous consent.

Mr. CUTLER. Madam Speaker, may I have I unanimous consent to speak briefly?

Mr. BRADFORD. Object.

Mr. CUTLER. Madam Speaker, point of order?

The SPEAKER. The leaders of this institution are generally given latitude to make comments and express the caucus's perspective; therefore, the Chair is going to recognize the gentleman for brief remarks on the rules that were just adopted.

RULING OF CHAIR APPEALED

Mr. CUTLER. Madam Speaker, may I make a motion prior to recognition regarding the ruling on how the motion to reconsider will be considered? I would like to appeal the ruling of the Chair.

The SPEAKER. The gentleman appeals the Chair's ruling that continues the precedent of June 24, 2008, that there is no time limit on when the Speaker must put a reconsideration motion before the House.

Shall the decision of the Chair stand as the judgment of the House? Those in favor of sustaining the Chair's decision will vote "aye"; those opposed will vote "no."

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. The Chair recognizes the minority leader.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, the reason that this should be reconsidered is quite simple. Under the recently adopted rules, a motion to reconsider a bill may be submitted and filed by two members. I understand and was here for the quoted precedent in 2008; however, what we were debating that day was the definition of a "day" and how many days it could be held and whether they were calendar days or legislative days. And while I am not getting into that distinction today since this is happening on the day of the occurrence, I would simply point out that by allowing the Speaker to have full discretion on if a motion to reconsider is ever called up, we have effectively gutted rule 26, and that would place the reconsideration of any item ever brought before the House solely in the control of the Speaker, which is in direct contradiction to the process that is outlined in rule 26. While I did not support these rules and was going to speak on them, there were component parts that were an improvement; however, I think summarily dismissing an entire rule that was just approved would be wrong.

I urge either a reconsideration of the ruling of when that motion would be considered, or we will be forced to appeal the ruling of the Chair, and I would ask for the members' support.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of sustaining the Chair's decision will vote "aye," and those opposed, "no."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—102

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappety
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer
Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman
Brown, A.	Green	Mayes	Siegel
Bullock	Guenst	McAndrew	Smith-Wade-El
Burgos	Guzman	McNeill	Solomon
Burns	Haddock	Merski	Steele
C Freytiz	Hanbidge	Miller, D.	Sturla
Cephas	Harkins	Mullins	Takac
Cerrato	Harris	Munroe	Venkat
Ciresi	Hohenstein	Neilson	Vitali
Conklin	Howard	Nelson, N.	Warren
Curry	Innamorato	O'Mara	Waxman
Daley	Isaacson	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	Zabel
Delloso	Kim	Pisciottano	
Donahue	Kinhead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker

NAYS—100

Adams	Fritz	Labs	Rapp
Armanini	Gaydos	Lawrence	Rigby
Banta	Gillen	Leadbeter	Roae
Barton	Gleim	Mackenzie, M.	Rossi
Benninghoff	Gregory	Mackenzie, R.	Rowe
Bernstine	Greiner	Major	Ryncavage
Bonner	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Cabell	Hogan	Marshall	Schmitt
Causar	Irvin	Mehaffie	Scialabba
Cook	James	Mentzer	Smith
Cooper	Jones, M.	Mercuri	Staats
Cutler	Jones, T.	Metzgar	Stambaugh
D'Orsie	Jozwiak	Mihalek	Stehr
Davanzo	Kail	Miller, B.	Struzzi
Delozier	Kaufner	Moul	Tomlinson
Diamond	Kauffman	Mustello	Topper
Dunbar	Keefer	Nelson, E.	Twardzik
Ecker	Kephart	O'Neal	Warner
Emrick	Kerwin	Oberlander	Watro
Fee	Klunk	Ortitay	Wentling
Fink	Krupa	Owlett	White
Flick	Kutz	Pickett	Williams, C.
Flood	Kuzma	Rader	Zimmerman

NOT VOTING—0

EXCUSED—0

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

STATEMENT BY REPUBLICAN LEADER

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Madam Speaker, I would like to return to a brief recognition regarding the rules discussion.

The SPEAKER. For your comments?

Mr. CUTLER. Yes, ma'am.

The SPEAKER. You may proceed.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, had I been recognized, I actually only planned to make three short points. One was that the rules that were adopted have a historic lack of proportionality. Madam Speaker, we have a 1-vote margin here on the House floor and yet a 3-vote margin will exist in committee. Respectfully, Madam Speaker, what we heard on the Speaker's listening tour – and I appreciated those efforts that were undertaken – was in each and every geographical area, both from Philadelphia to Pittsburgh to State College to Wilkes-Barre – I believe that was the four cities where the hearings ultimately gathered – consistently time and time again, I will read some of the phrases that were uttered at those hearings: "less power to leadership and chairs in handling bills," "less power to leadership," "less power to committees being able to block bills."

Madam Speaker, what we have now under these recently adopted rules essentially guts the discharge petition process. It expands the power of the majority. The discharge process is supposed to be one utilized by the minority – changes in reforms that we, ourselves, supported. Madam Speaker, those conversations have been ongoing since September, yet they were not carried into these rules.

Now, we were told by the prime sponsor that this majority has changed the rules of the House regarding sexual harassment and some of the other complaints therein, but let us dig into that a lit bit. Madam Speaker, respectfully, our majority did not need rules to do the right thing. When we had members, Madam Speaker, when we had members who were accused, we took action. We removed individuals from committee. We asked for them to resign. Madam Speaker, we have been told that these rules fix the issues, but I believe that the good lady from York County raised several valid concerns.

I wish that we could have had a more thorough debate, although, Madam Speaker, I am not blind to the realities of the board. I understand that the majority had their votes. Madam Speaker, sadly, that means that they will have to own the imperfect results of those rules.

That, Madam Speaker, is why I was seeking recognition prior to the vote and would simply ask for a return to past precedent, one that I followed when I was in your position, to always double-check with the leaders prior to rolling to the vote because they are given the courtesy of speaking last after all members.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentlelady from York County rise?

Ms. KLUNK. Thank you, Madam Speaker.

I rise for a parliamentary inquiry.

The SPEAKER. Please state your parliamentary inquiry.

Ms. KLUNK. Thank you, Madam Speaker.

My parliamentary inquiry is, when will we have an organization of the Ethics Committee? Just a few moments ago there was an organization and appointment of the Judiciary Committee, and considering some of the news that has come before this House over the past couple of weeks, I would believe that it would be expedient to appoint that committee and would ask when that appointment will be made?

The SPEAKER. The Chair encourages the gentlelady to please speak to the majority leader.

Ms. KLUNK. Thank you, Madam Chair.

The SPEAKER. Thank you for your comments.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. BRADFORD. Thank you, Madam Speaker.

I have had the privilege of serving in this body for the last 12 years as a member of the minority party, and I realize that the minority party almost certainly opposes the rules package. I thank the intellectual honesty of the good gentleman from Lancaster to point out where I, in the past, have risen to oppose the rules package, and he is right to mention that. I would be right, though, to mention that those rules packages actually reversed prior reforms. That is not what this rules package does. This is probably the most reform-minded rules package this body has seen in over a dozen years.

Sometimes I think, listening to what we have heard over the last hour, that irony is dead, because the architects of the very dysfunction that has overtaken this body claim the mantle of reform and point at shiny objects; for those who brought this institution to its knees now claim some higher calling.

Let us talk about what is really in these rules. Committee ratios have shrunk. Are they as close as some would like? No. But they are a compromise, because as the good minority whip reminded me, they have no votes for Democratic House rules, so the ratio shrinks to three.

It provides for a mechanism for a bipartisan discharge petition. In a sleight of hand that only the minority leader could possibly engage in after a dozen years of bastardizing the discharge petition— I hate to break it to—

Mr. CUTLER. Point of order, Madam Speaker.

Mr. BRADFORD. —the minority party, "bastardize" is not a bad word, Madam Speaker.

The SPEAKER. The gentleman will suspend.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Madam Speaker, I recognize it was under the prior Speaker, but I believe many of your members objected to the use of "sleight of hand" when I did it. I would simply ask that the precedent be applied evenly.

The SPEAKER. The gentleman's point of order is well taken. The gentleman may proceed.

Mr. BRADFORD. Thank you. What came from the minority party when it abused the majority when it came to the discharge petition was legislative Whac-a-Mole, where bills just moved from committee to committee and the minority party never got any chance to engage in meaningful debate. Come on, Madam

Speaker. We all remember what you guys did, and own it and recognize what we proposed may not be perfect and it may not be the reform that some want, but it is a far cry from the abuses of the former majority party. It is real reform.

And for our members who want more time to review bills – and we have seen from the days of Speaker O'Brien a steady erosion of how many hours would be allowed for debate and review before a bill could be voted on – for the first time in over a dozen years, that time period is increased, not decreased, and it is being done under this Democratic majority, not under the abuses that we saw from the failed past Republican majority, a Republican majority that would bundle constitutional amendments together to create a Sophie's choice between victims of sexual harassment and voter suppression; bad-faith partisan politics in order to kneecap and handicap access to justice to those who have been raped as children. And they called that reform.

No more. These rules today, passed with 102 Democrats and not a single Republican, end that practice, because we have seen – and I just want to remind the gentleman, because we saw it so glaringly in special session last week – there are already those voices in the Senate majority who have said victims will not get access to justice until we get our voter suppression constitutional amendment. That will not happen under these rules. That is real reform.

And, you know, rightfully so, after a decade of inaction and crocodile tears from this Republican majority on the issue of harassment – and not just sexual harassment, racial harassment – and on full display in front of everybody as clear-as-day attacks on our trans brothers and sisters, no harassment will be allowed in this majority. Let us be clear. Let us be clear. It is so obvious. Defamation, engaging in scurrilous rumor; that is not what we want. What we want is due process and a process, and that is what these rules put in place. Perfect? No. But reform? Yes. And a heck, a heck of a lot better than 12 years of Republican inaction ever brought to this body. This expands the language of harassment. This moves this body forward. And after months of inaction caused by the dirty tricks of the former majority, this body is finally ready to move forward on policies under these rules that move Pennsylvania forward.

Let us get to Judiciary. Let us prove that what we did in special session, we can do in regular session, which is give access to justice. And then let us get about the work people want to get done with protections for all Pennsylvanians, all members, all staff that gives us a path forward on everything from minimum-wage increases to everything that this failed majority bottled up in committee, refused to talk about. We would have mass shootings and we would have talk about, oh, that was crickets. That is what we would hear, right? Come on now. This is real reform, with bipartisan reforms that allow the minority to engage in ways they were never able to before. That is what progress is. Perfection? No. Perfection is almost impossible in this body, but it is progress. It is reform. We should be proud of it. We should stand and say what we did today is real progress for Pennsylvania.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY REPUBLICAN LEADER

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Madam Speaker, for the opportunity to further respond to some additional comments made by the good gentleman from Montgomery County.

The SPEAKER. The gentleman is in order and may proceed.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, let us talk briefly about these rules that are described as "real reform." We will speak specifically about the issue that the good gentleman from Lebanon County raised. I understand the desire not to group constitutional amendments. I understand that. But Article XI, section 1, of our Constitution says, "...and such proposed...amendments shall be submitted to the qualified electors of the State in such manner, and at such time at least three months after being so agreed to by the two Houses, as the General Assembly shall prescribe;..." Madam Speaker, specifically in section 1229 of our County Code regarding special elections, every special election on a proposed constitutional amendment is actually mentioned. What these reform rules fail to understand is the fact that there are other emergency issues that could be considered an emergency constitutional amendment that could in fact not wait until the general election.

Madam Speaker, Madam Speaker, the good gentleman liked to decry the rules when we were in the majority, called it a "failed majority." I understand the good gentleman's position – and I have been looking forward to the opportunity to have a debate because I respect the gentleman from Montgomery County, and we have had several, multiple great discussions here on the floor, enjoyable times on PCN (Pennsylvania Cable Network). And we admittedly see the world very differently. I understand that. But we finally have the opportunity to debate it and I appreciate that. But as much as he might complain, he voted for them. I find that fascinating, Madam Speaker.

The fact is, as in prior sessions when I was leader in 2019-2020, we negotiated the rules, and I understand that not everybody may have liked it and not everybody got what they had desired. That is the by-product of a negotiation. What we saw today was lack of amendments, truncated debated, and less-than-a-full discussion on the underlying issues.

Madam Speaker, I think the good lady from York County raised some very legitimate issues regarding sexual harassment, and that is not innuendo or rumor, that is what was reported at one of the Speaker's open sessions. We have an obligation, not just to those who work here, but those on the outside. In fact, when we were debating the rules for special session, I was promised a discussion. We did not get the chance to have that today. We did not have that today because debate was ceased when we immediately went to the vote.

Madam Speaker, furthermore, we were not able to explore the parliamentary inquiries regarding properly filed amendments. I did not hear a motion to proceed. Although given the majority's desire to resort to that tactic twice during special session, I did not see it. And for the record, Madam Speaker, while I am still reviewing, the entire time that I was in this position in the majority, we only called the question twice. Congratulations, that was a whole session's worth. You all did it on the first day on the first two issues.

I welcome the discussion. I welcome the ability to exchange ideas here through a fair amendment process. What I fear, Madam Speaker, is these rules do not provide that. These rules do not answer the good lady from York County's questions, or the issues legitimately raised by the gentleman from Lebanon regarding the state of emergencies.

So I understand that this is the start of a new session. I wish we had had the opportunity to debate the rules a little longer, but I understand the will of the majority. And I meant what I said yesterday in my release congratulating you, Madam Speaker. I wish you well and I stand here ready to work with both you and the good gentleman, the majority leader, on those issues that we agree with, and on those that we do not, let us have a robust debate. Thank you.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentlelady from York County rise?

Ms. KLUNK. Thank you, Madam Speaker.

Further parliamentary inquiry based on my previous one. Based on rule 3 E, the Committee on Ethics states, it states that "The Committee shall consist of eight Members, four of whom shall be members of the majority party appointed by the Speaker, and four of whom shall be members of the minority party appointed by the Minority Leader."

Madam Speaker, you referred me to talk to the majority leader, and based on the rule, I am just not sure what I am supposed to ask him.

The SPEAKER. That is not a parliamentary inquiry. You may speak to your counsel.

Do you have a parliamentary inquiry?

Ms. KLUNK. Parliamentary inquiry, Madam Chair.

The SPEAKER. You may state it and proceed.

Ms. KLUNK. Based on rule 3 E, the Committee on Ethics, which I stated in my previous parliamentary inquiry, when can we expect the appointment of an Ethics Committee and an organization of an Ethics Committee?

The SPEAKER. Pursuant to Mason's Manual, section 250, paragraph 1: "A parliamentary inquiry is a request for information from the presiding officer with respect to procedure concerning some question before the house or that may be immediately brought before the house." As your question pertains to a matter neither before the House nor able to be immediately brought before the House, what you are asking is in fact not a parliamentary inquiry and is out of order.

Furthermore, the Chair reminds the gentlelady that Mason's Manual, section 250, paragraph 2, makes it clear that "It is not...the presiding officer's duty to answer general questions...."

Ms. KLUNK. I waive off. Thank you.

The SPEAKER. The Chair thanks the majority leader – excuse me, the majority chairman of Judiciary.

RECESS

The SPEAKER. The House stands in recess until 2:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

HB 1, PN 4

By Rep. BRIGGS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

JUDICIARY.

HB 2, PN 5

By Rep. BRIGGS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment; in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity; and making a repeal.

JUDICIARY.

SB 1, PN 385 (Amended)

By Rep. BRIGGS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

JUDICIARY.

PARLIAMENTARY INQUIRIES

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. A parliamentary inquiry prior to the adoption of the report. That is all, Madam Speaker. I was not quite sure when that might be in order.

The SPEAKER. The reports have already been agreed to, but the gentleman may state his parliamentary inquiry.

Mr. CUTLER. Madam Speaker, under the recently adopted rules, under rule 21, page 29, line 24, of the legislative draft, it said that "No joint resolution proposing an amendment to the Constitution of Pennsylvania shall be given second reading on the calendar until it has been the subject of a public hearing...."

My parliamentary inquiry was simply, does a voting meeting count as a public hearing?

The SPEAKER. No, it does not.

Mr. CUTLER. Madam Speaker, was such a public hearing held then?

The SPEAKER. Not at this moment. First consideration was provided to that constitutional amendment today.

Mr. CUTLER. Thank you. Thank you, Madam Speaker.

The SPEAKER. You are welcome.

REPORT OF COMMITTEE ON JUDICIARY

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, the House Judiciary Chair, Representative Briggs.

Mr. BRIGGS. Thank you, Madam Speaker.

I just wanted to report to the body that the House Judiciary Committee, in addition to those three bills, met and perfected our organization.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

HOUSE SCHEDULE

The SPEAKER. For the information of the members, there will be a nonvoting session on tomorrow.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair is in receipt of a motion by the gentleman, Representative Haddock, that the House now adjourn until Thursday, March 2, 2023, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:37 p.m., e.s.t., the House adjourned.