

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 3, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 18

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (JOANNA E. McCLINTON)
PRESIDING**

PRAYER

HON. LISA A. BOROWSKI, member of the House of Representatives, offered the following prayer:

Thank you, Madam Speaker, and good morning, colleagues.

This legislature, like the chamber we occupy, is grand and beautiful. We are beautiful in our diversity and our desire to do what we believe is right for those we serve. We are at our best when we remain focused on serving the best interests of those who sent us here. Today, as we come together from across the State with our differing backgrounds and experiences, may we continue to commit to our deliberations with open minds and open hearts.

"Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It does not dishonor others, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres."

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, May 2, 2023, will be postponed until printed.

Members, please take your seats. We have some very important guests to acknowledge.

GUESTS INTRODUCED

The SPEAKER. In the gallery this morning, our colleague, Representative Stehr, has brought to the House Our Lady of Lourdes Regional School Girls Basketball Team. These students qualified for the PIAA Class 1A State Basketball Championship, where they earned a silver medal. Our Lady of Lourdes, please stand, and congratulations.

Our colleague, Representative Leadbeter, has brought, up in the gallery, the Southern Columbia State Football Champions. They earned the 2022 PIAA State Class AA Football Championship and the District IV Title. This is their sixth straight State title. Southern Columbia, please stand. Congratulations.

Representative Dunbar has brought to the floor of the House, seated in the gallery, the Penn-Trafford High School Rifle Team. They captured the school's first State championship by winning first place. Penn-Trafford, please stand, and congratulations.

We are truly delighted to have in our presence, seated in the rear of the House, the members of Alpha Kappa Alpha Sorority, Inc., the first and the finest, who exemplify sisterhood and scholarship in all they do. And I must brag, they have been pouring out the Alphafection for the last several weeks. And, ladies, I am so grateful for your example, and I am personally grateful for your love. Please stand, members of Alpha Kappa Alpha. We are so delighted to have you here.

Let me not neglect to say, there are so many members of our caucus, our staff leadership members who are members of this distinguished group, and we are grateful to have you.

And one member of the group has been not only a member for a very long time, but recently turned 100 years old. Seated to the left of the Speaker's rostrum, we are so grateful to have in our presence Mrs. Hettie Simmons Love. She and her daughter, Karen Love, are members of Alpha Kappa Alpha. They are here for AKA Day in the Capitol, and we wish you a happy 100th birthday, even though it is passed. We are so grateful.

We, interestingly enough, have another distinguished member of Alpha Kappa Alpha, who is here in her own right. Mrs. Tamara Abney is Mrs. Pennsylvania for 2022. She is also the leading lady of the 19th Legislative District. Not only is she a tremendous mother to her two sons, Aerius and Amari, but she also keeps her full-time business going while being the better half of our colleague, Representative Aerion Abney. Mrs. Pennsylvania, please stand up. Congratulations.

The House will be at ease.

The House will come to order.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

HB 1028, PN 1025

By Rep. MATZIE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in railroads, providing for prohibition on blocking of crossings, for limitation on length of freight or work trains, for authorization to monitor safety practices and operations by collective bargaining representatives, for safe staffing levels for trains or light

engines, for wayside detector systems, for study of transportation of hazardous materials or waste and for reporting system for transportation of hazardous materials or waste; and imposing penalties.

CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 27, PN 201 By Rep. DALEY

A Resolution designating May 20, 2023, as "Jimmy Stewart Day" in Pennsylvania.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

HR 51, PN 741 By Rep. DALEY

A Resolution honoring Jacobus Franciscus "Jim" Thorpe by designating May 28, 2023, as "Jim Thorpe Day" in Pennsylvania.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

HR 52, PN 742 By Rep. DALEY

A Resolution recognizing February 27, 2023, as "Dominican Republic Independence Day" in Pennsylvania.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

HR 58, PN 748 By Rep. DALEY

A Resolution recognizing September 15, 2023, as "Roberto Clemente Day" in Pennsylvania and encouraging the celebration of his life as a humanitarian, veteran and Hall of Fame baseball player.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

HR 87, PN 1038 By Rep. DALEY

A Resolution directing the Legislative Budget and Finance Committee to conduct a study and issue a report on the current status, management and benefits of conservation corridors in this Commonwealth.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

COMMITTEE OFFICER CHANGES

The SPEAKER. The Chair is in receipt of information that Representative Abney has resigned the secretary position on the Insurance Committee.

The Chair appoints Representative Venkat as secretary of the Insurance Committee.

GUESTS INTRODUCED

The SPEAKER. In the gallery, we are so happy to welcome to the floor of the Pennsylvania House this morning guests of our colleagues, Representatives Fiedler and Heffley. They are hosting students from across the Commonwealth who participate in after-school programs through the Pennsylvania Statewide Afterschool Youth Development programs. Please stand, and welcome to the floor of the House.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

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

The Chair recognizes the minority chair, who indicates 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—201

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	Sappery
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.	Guenst	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
Causer	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	Ortitay	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	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 577, PN 1137 (Amended) By Rep. GALLOWAY

An Act establishing the Keystone Saves Program, the Keystone Saves Program Fund, the Keystone Saves Administrative Fund and the Keystone Saves Program Advisory Board; and providing for powers and duties of the Treasury Department, for investment and fiduciary responsibilities and for program implementation.

COMMERCE.

HB 922, PN 1138 (Amended) By Rep. GALLOWAY

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, further providing for Second Stage Loan Program.

COMMERCE.

BILL REPORTED AND REREFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES

HB 116, PN 99 By Rep. GALLOWAY

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for unlawful retention policy.

Reported from Committee on COMMERCE with request that it be rereferred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES.

The SPEAKER. Without objection, the bill will be so rereferred.

BILL REPORTED AND REREFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

HB 126, PN 109

By Rep. GALLOWAY

An Act providing for the establishment of first-time homebuyer savings accounts for first-time homebuyers in this Commonwealth; and imposing duties on the Department of Revenue.

Reported from Committee on COMMERCE with request that it be rereferred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

The SPEAKER. Without objection, the bill will be so rereferred.

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 953, PN 950**, entitled:

An Act repealing the act of September 1, 1965 (P.L.420, No.215), known as The Frozen Dessert Law.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 689, PN 1139 (Amended)

By Rep. BRIGGS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for definitions, for general regulations, for petition for limited access, for clean slate limited access, for exceptions, for effects of expunged records and records subject to limited access and for employer immunity from liability.

JUDICIARY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON LOCAL GOVERNMENT

HB 88, PN 77

By Rep. BRIGGS

An Act amending Titles 45 (Legal Notices) and 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in legal advertising, providing for redundant advertising on Internet by political subdivisions or municipal authorities; and, in open meetings, further providing for public notice.

Reported from Committee on JUDICIARY with request that it be rereferred to Committee on LOCAL GOVERNMENT.

The SPEAKER. Without objection, the bill will be so rereferred.

GUESTS INTRODUCED

The SPEAKER. In the gallery, we are so excited, our next guests of students have arrived.

Our colleague, Representative Munroe, has brought to us the Archbishop Wood Girls Basketball Team. They won the State championship. And of course, Representative Munroe, and all of us, are very proud of your efforts. Congratulations, and welcome to the floor of the House.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority caucus chair for a caucus announcement, Representative Schlossberg.

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

House Democrats will caucus at 12 o'clock. We will be prepared to come to the floor at 1:15.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will caucus at 11:45; that is 11:45, Republicans will caucus.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, who is the chair of Appropriations, Representative Harris.

Mr. HARRIS. Thank you, Madam Speaker.

The House Appropriations Committee will meet in the majority caucus room immediately at the break. Appropriations Committee meeting, the majority caucus room, immediately at the break.

Thank you, Madam Chair.

The SPEAKER. The Chair thanks the gentleman.

The House Appropriations Committee will meet in the majority caucus room immediately at the break.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, the Transportation chair, Representative Neilson, for a committee announcement.

Mr. NEILSON. Thank you, Madam Speaker.

The House Transportation Committee will meet immediately in room 515, Irvis, to consider HB 1031 and HR 97, and any other business that may come before the committee.

The SPEAKER. The Chair thanks the gentleman.

The House Transportation Committee will meet immediately in room 515, Irvis Office Building.

RECESS

The SPEAKER. The House will stand in recess until 1:15, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:30 p.m.; further extended until 1:45 p.m.; further extended until 2 p.m.

AFTER RECESS**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 246, PN 209**

By Rep. FREEMAN

An Act imposing a duty on municipal corporations to provide notification to property owners of changes to special flood hazard area maps of the Federal Emergency Management Agency.

LOCAL GOVERNMENT.

HB 298, PN 254

By Rep. FREEMAN

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, further providing for supplemental benefits.

LOCAL GOVERNMENT.

HB 405, PN 1149 (Amended)

By Rep. FREEMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for assessment of lands divided by boundary lines.

LOCAL GOVERNMENT.

HB 450, PN 418

By Rep. FREEMAN

An Act amending the act of April 23, 2002 (P.L.298, No.39), known as the Main Street Act, further providing for the duration of grants.

LOCAL GOVERNMENT.

HB 787, PN 736

By Rep. FREEMAN

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices.

LOCAL GOVERNMENT.

HB 1031, PN 1047

By Rep. NEILSON

An Act designating the boat access located on the West Branch of the Susquehanna River in Muncy Creek Township, Lycoming County, as the Representative Garth Everett Muncy Access Area.

TRANSPORTATION.

**RESOLUTION REPORTED
FROM COMMITTEE****HR 97, PN 1117**

By Rep. NEILSON

A Resolution recognizing May 13, 2023, as "National Train Day" in Pennsylvania.

TRANSPORTATION.

BILLS REREPORTED FROM COMMITTEE**HB 156, PN 1029** By Rep. HARRIS

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in fertilizer, further providing for definitions and for application of fertilizer to turf.

APPROPRIATIONS.

HB 363, PN 1032 By Rep. HARRIS

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the exclusion of veterans' benefit payments from income for Commonwealth programs.

APPROPRIATIONS.

HB 829, PN 1039 By Rep. HARRIS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for interlocking business prohibited and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

APPROPRIATIONS.

HB 950, PN 1136 By Rep. HARRIS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for workers' rights.

APPROPRIATIONS.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 100 By Representatives CURRY, KENYATTA, RABB, KINSEY, PROBST, DELLOSO, HILL-EVANS, SANCHEZ, MAYES, KAZEEM, BULLOCK, MALAGARI, BELLMON, CERRATO, MULLINS and KHAN

A Resolution recognizing and honoring the members of Delta Sigma Theta Sorority, Inc., for more than a century of commitment to social activism, academic excellence and civic engagement in this Commonwealth on the occasion of "Delta Day" at the State Capitol.

Referred to Committee on STATE GOVERNMENT, May 3, 2023.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1092 By Representatives HILL-EVANS, MADDEN, SANCHEZ, SCHLOSSBERG and DELLOSO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for disqualification.

Referred to Committee on TRANSPORTATION, May 3, 2023.

No. 1093 By Representatives HAMM, ZIMMERMAN, ROWE, R. MACKENZIE, KAUFFMAN, STAMBAUGH, LEADBETER, GLEIM, FLICK, MOUL, OTTEN, ECKER, ORTITAY, T. JONES, SMITH, FINK and KEEFER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for application for driver's license or learner's permit; and, in fees, further providing for certified copies of records.

Referred to Committee on JUDICIARY, May 3, 2023.

No. 1094 By Representatives MUNROE, M. MACKENZIE, BRENNAN, R. MACKENZIE, MADDEN, SCHLOSSBERG, VENKAT, HILL-EVANS, GILLEN, SANCHEZ, WARREN, CERRATO, WEBSTER, HOWARD, PIELLI, HADDOCK, BOROWSKI, GUENST and JAMES

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for military child advance enrollment.

Referred to Committee on EDUCATION, May 3, 2023.

No. 1095 By Representatives JOZWIAK, ROZZI, R. MACKENZIE, GILLEN, DELLOSO, SMITH, CIRESI, JAMES, RADER and FLICK

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for compensation of Governor and Lieutenant Governor, State Treasurer, Auditor General, Attorney General, commissioners of the Pennsylvania Public Utility Commission and heads of departments.

Referred to Committee on JUDICIARY, May 3, 2023.

No. 1096 By Representatives MALAGARI, McANDREW, MADDEN, SANCHEZ, HILL-EVANS, LEADBETER, FREEMAN, BURGOS, HANBIDGE, GUENST, CEPEDA-FREYITZ and CERRATO

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for limiting number of retail licenses to be issued in each county.

Referred to Committee on LIQUOR CONTROL, May 3, 2023.

No. 1098 By Representatives RIGBY, JAMES, STAATS, CAUSER, ZIMMERMAN, OTTEN, O'MARA and BOROWSKI

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for title of act; and adding provisions relating to telecommunicators.

Referred to Committee on LABOR AND INDUSTRY, May 3, 2023.

No. 1099 By Representatives LEADBETER, FLEMING, KAUFFMAN and MOUL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in domestic animals, providing for posted notice with information on dangerous transmissible diseases.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 3, 2023.

No. 1100 By Representatives SAMUELSON, KIM, SMITH-WADE-EL, HILL-EVANS, MADDEN, DELLOSO, GALLAGHER, FREEMAN, CAUSER, RABB, HANBIDGE, CEPEDA-FREYITZ, DONAHUE, SALISBURY, VENKAT, TAKAC, PIELLI, McNEILL, SANCHEZ, KAZEEM, BENHAM, MADSEN, SCHLOSSBERG, WAXMAN, PROBST, NEILSON, HARKINS, MERSKI, CONKLIN, STURLA, WEBSTER, SHUSTERMAN, ABNEY, MAYES, SAPPEY, D. MILLER, ISAACSON, ROZZI, FLEMING, BRENNAN, KHAN, SCOTT, KINKEAD, OTTEN, BOYLE, T. DAVIS, BOROWSKI, PISCIOTTANO, BURGOS, DALEY, MULLINS, BELLMON, SOLOMON, VITALI, STEELE, MALAGARI, R. MACKENZIE, GUENST, PARKER, GERGELY, WARREN, FIEDLER, HOHENSTEIN, GIRAL, D. WILLIAMS, BRIGGS, O'MARA, YOUNG, PASHINSKI, SCHWEYER, HOWARD, McClINTON, SIEGEL, INNAMORATO, MUNROE, BURNS, HADDOCK, CERRATO, KENYATTA, CURRY, GUZMAN, KRAJEWSKI, KULIK, KOSIEROWSKI and FRANKEL

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in tax relief in cities of the first class, further providing for supplemental senior citizen tax reduction; and, in senior citizens property tax and rent rebate assistance, further providing for property tax and rent rebate and for filing of claim.

Referred to Committee on FINANCE, May 3, 2023.

CALENDAR CONTINUED

RESOLUTIONS

Mr. GALLAGHER called up HR 50, PN 1040, entitled:

A Resolution designating the month of April 2023 as "Autism Acceptance Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Table with 4 columns of names: Abney, Adams, Armanini, Banta, Barton, Bellmon, Benham, Benninghoff, Flick, Flood, Frankel, Freeman, Friel, Fritz, Gallagher, Galloway, Krupa, Kulik, Kutz, Kuzma, Labs, Lawrence, Leadbeter, Mackenzie, M., Rapp, Rigby, Roae, Rossi, Rowe, Rozzi, Ryncavage, Salisbury

Table with 4 columns of names: Bernstine, Bizzarro, Bonner, Borowicz, Borowski, Boyle, Bradford, Brennan, Briggs, Brown, A., Brown, M., Bullock, Burgos, Burns, C Freytiz, Cabell, Causer, Cephas, Cerrato, Ciresi, Conklin, Cook, Cooper, Curry, Cutler, D'Orsie, Daley, Davanzo, Davis, Dawkins, Deasy, Delloso, Delozier, Diamond, Donahue, Dunbar, Ecker, Emrick, Evans, Fee, Fiedler, Fink, Fleming, Gaydos, Gergely, Gillen, Girald, Gleim, Green, Gregory, Greiner, Grove, Guenst, Guzman, Haddock, Hamm, Hanbidge, Harkins, Harris, Heffley, Hogan, Hohenstein, Howard, Innamorato, Irvin, Isaacson, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufer, Kauffman, Kazeem, Keefer, Kenyatta, Kephart, Kerwin, Khan, Kim, Kinkead, Kinsey, Klunk, Kosierowski, Krajewski, Krueger, Mackenzie, R., Madden, Madsen, Major, Mako, Malagari, Maloney, Marcell, Markosek, Marshall, Matzie, Mayes, McAndrew, McNeill, Mehaffie, Mentzer, Mercuri, Merski, Metzgar, Mihalek, Miller, B., Miller, D., Moul, Mullins, Munroe, Mustello, Neilson, Nelson, E., Nelson, N., O'Mara, O'Neal, Oberlander, Ortitay, Otten, Owlett, Parker, Pashinski, Pickett, Pielli, Pisciotano, Probst, Rabb, Rader, Samuelson, Sanchez, Sappey, Schemel, Scheuren, Schlegel, Schlossberg, Schmitt, Schweyer, Scialabba, Scott, Shusterman, Siegel, Smith, Smith-Wade-El, Solomon, Staats, Stambaugh, Steele, Stehr, Struzzi, Sturla, Takac, Tomlinson, Topper, Twardzik, Venkat, Vitali, Warner, Warren, Watro, Waxman, Webster, Wentling, White, Williams, C., Williams, D., Young, Zimmerman

NAYS-0

NOT VOTING-0

EXCUSED-0

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

* * *

Mr. STAATS called up HR 71, PN 890, entitled:

A Resolution recognizing the week of April 9 through 15, 2023, as "National Public Safety Telecommunicators Week" in Pennsylvania in honor of those whose diligence and professionalism keep our communities and residents safe.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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.	Guenst	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	Ortitay	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinthead	Pickett	Young
Evans	Kinsey	Pielli	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 338, PN 1090**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for report of theft or loss of firearm; and imposing penalties.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. It is the Chair's understanding that Representative Bernstine withdraws amendment 00447. Is that correct? The Chair gets confirmation that is correct. The Chair thanks the gentleman.

The amendment, for the record correction, is amendment 00434 that is withdrawn by the good gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. **MIHALEK** offered the following amendment No. **A00429**:

Amend Bill, page 1, lines 3 and 4, by striking out "; and imposing penalties"

Amend Bill, page 3, lines 6 through 13, by striking out all of said lines

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Mihalek.

Ms. MIHALEK. Thank you, Madam Speaker.

I am withdrawing this amendment.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **C. WILLIAMS** offered the following amendment No. **A00430**:

Amend Bill, page 1, line 10, by striking out "An owner or other person lawfully" and inserting

Any person

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Craig Williams.

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

The underlying bill requires a lawful firearm owner to report the fact of a lost or stolen firearm. I want to emphasize that the language of the bill specifically references a lawful firearm

owner. What the bill does not do is say that any person ought to report a lost or stolen firearm, and the question I have is, why should not criminals be under the same obligation? And by that I mean somebody who is a prohibited person, a prior felon in possession, unlawful immigrant, somebody with a domestic violence order should have the exact same cause and requirement to report a lost or stolen firearm. The law ought to apply equally.

Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS—21

Benninghoff	Grove	Lawrence	Schlegel
Cutler	Hogan	Marcell	Tomlinson
Delozier	Jones, M.	Mercuri	Twardzik
Dunbar	Kail	Mihalek	White
Emrick	Labs	Miller, B.	Williams, C.
Gaydos			

NAYS—180

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

NOT VOTING—0

EXCUSED—0

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

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

GUEST INTRODUCED

The SPEAKER. This afternoon, to the left of the Speaker's rostrum, the Chair is pleased to welcome to the floor of the Pennsylvania House the chair of the Delaware County Council, Dr. Monica Taylor. Welcome. We are so glad to have you today.

CONSIDERATION OF HB 338 CONTINUED

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

Ms. GAYDOS offered the following amendment
No. A00436:

Amend Bill, page 1, lines 3 and 4, by striking out "providing for report of theft or loss of firearm;" in line 3 and all of line 4 and inserting further providing for sale or transfer of firearms.

Amend Bill, page 1, lines 7 through 15; page 2, lines 1 through 30; page 3, lines 1 through 13; by striking out all of said lines on said pages and inserting

Section 1. Section 6111(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:
§ 6111. Sale or transfer of firearms.

(b) Duty of seller.—No licensed importer, licensed manufacturer or licensed dealer shall sell or deliver any firearm to another person, other than a licensed importer, licensed manufacturer, licensed dealer or licensed collector, until the conditions of subsection (a) have been satisfied and until he has:

(1.5) Posted a sign containing information regarding the importance and methods of reporting lost or stolen firearms. At least one sign must be posted in a conspicuous manner clearly visible to the public and employees of the licensed importer, manufacturer or dealer of firearms. The following shall apply:

(i) A sign under this paragraph shall be no smaller than 8 1/2 by 11 inches.

(ii) The Office of Attorney General shall design the sign under this paragraph to include any information it determines is relevant to reporting lost or stolen firearms.

(iii) The sign shall be posted in English, Spanish and any other language mandated, on the effective date of this paragraph, under 52 U.S.C. § 10301 (relating to denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation) in the county where the sign will be posted.

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

The SPEAKER. On that question, the Chair recognizes Representative Gaydos.

Ms. GAYDOS. Thank you, Madam Speaker.

Gun safety is essential. Kids and adolescents are at increased risk for injury when guns in the home are not locked up. Everyone should have guns in safe storage when not in use. There is no question, we want people to safely store guns. We also want to continue educating gun owners on the importance of storing firearms.

Madam Speaker, if people do not know the right way to store a gun, they are more likely to be in violation of the law. I believe that criminalizing without educating is shortsighted and unfair. I also believe that mandating without incentivizing is a wrong way to govern. I have submitted a couple different approaches to gun safety, including this amendment, to increase education on the responsibility of reporting lost and stolen firearms, but unfortunately, my colleagues on the other side of the aisle do not support this approach. They also decided not to consider my other amendments to make this legislation better.

AMENDMENT WITHDRAWN

Ms. GAYDOS. So without the support necessary to pass this amendment, I respectfully withdraw this amendment, A436.

The SPEAKER. The Chair thanks the gentlelady.

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

The SPEAKER. The House will be at ease.

The House will come to order.

GUESTS INTRODUCED

The SPEAKER. Colleagues, in the gallery, we are thrilled to welcome to the floor of the Pennsylvania House our colleague, Representative Adams, who has brought up the Maple Lake Homeschool Co-op. Their students are here. Please stand, Maple Lake. Welcome. We are so glad to have you as our guests.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 714**, **PN 660**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to sale or transfer of firearms, further providing for Pennsylvania State Police and providing for duty to report to United States Immigration and Customs Enforcement.

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

The SPEAKER. The Chair understands Representative Kerwin is withdrawing amendment A00419. The Chair thanks the gentleman.

The Chair understands that Representative Bernstine is withdrawing amendment A00447. The Chair thanks the gentleman.

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

Mr. C. WILLIAMS offered the following amendment No. **A00418**:

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Section 6111(d.1)(3) and (f)(2) of Title 18 of the Pennsylvania Consolidated Statutes are repealed:

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

(d.1) Concurrent jurisdiction to prosecute.—The following apply in a city of the first class where the Attorney General has operated a joint local-State firearm task force:

* * *

[(3) This subsection shall not apply to any case instituted two years after the effective date of this subsection.]

* * *

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

The SPEAKER. On that question, the Chair recognizes the maker of the amendment, Representative Craig Williams.

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

This amendment would reinstitute concurrent jurisdiction for the Office of Attorney General in the city of the first class, Philadelphia, to specifically prosecute felon-in-possession gun cases. The underlying bill is a universal background check to discover whether or not somebody may lawfully possess a gun. It is both a Federal and a State crime for somebody to be in unlawful possession of a gun, whether it be prior felony conviction, illegal immigration, domestic violence abuse, or mental disorders. It is a felony crime in Pennsylvania and in Federal law to unlawfully possess a gun.

In the city of the first class, gun possession cases prosecutions have been plummeting, and we have been doing everything that we can from this chamber to make sure that the city of the first class, Philadelphia, has adequate resources to prosecute prior felon and conviction cases, which is why we passed a budget last year that included funding for more assistant district attorneys, and we have also previously passed a Gun Violence Task Force on this issue. And this is not the first time we have given the Attorney General concurrent jurisdiction to prosecute in Philadelphia, and that is all my amendment does.

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

The SPEAKER. The Chair thanks the gentleman.

GERMANENESS QUESTIONED

The SPEAKER. On that question, the Chair recognizes the majority leader, Representative Bradford.

Mr. BRADFORD. Madam Speaker, I move that A00418 is not germane to HB 714.

The SPEAKER. The gentleman, Representative Bradford, has raised the question of whether amendment A00418 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject of the bill shall be decided by the House.

On the question,
Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, the Chair recognizes the maker of the motion, Representative Bradford.

Mr. BRADFORD. Madam Speaker, as you know, HB 714 provides for universal background checks for firearms, specifically the private sale of long guns. A00418 provides for a separate and very complicated local question regarding the city of Philadelphia – who should have the authority to prosecute certain crimes. Obviously, we look forward to having that discussion, probably in an appropriate venue; this not being it. House rule 27 prohibits this very sort of logrolling.

As such, I ask my colleagues to join me in voting that A00418 is not germane to HB 714.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the maker of the amendment, Representative Craig Williams.

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

Again, the underlying bill deals with universal background checks. A universal background check is caused when somebody goes in to purchase a firearm, and in that moment, goes through an automated background check to determine whether or not they are a prohibited person from possessing a gun. The amendment directly relates to prosecuting prohibited persons from possessing a gun. It is not only germane, but it is directly on topic. And the reason that we need to pass this amendment, again, is because we had more than 500 homicide deaths at the end of a gun in the city of Philadelphia and we need the Attorney General's Office there prosecuting prior felon-in-possession cases.

This is germane because it directly relates to prohibited persons. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, while germaneness and the Constitution's single-subject rule are not always synonymous, the single-subject court cases have spoken very clearly, and I believe the good gentleman from Montgomery County has gotten the issue of germaneness incorrect on this amendment.

So let us, too, take a look at what the court has said what is germane and not germane. In the city of Philadelphia, the court adopted a practical germaneness test where the single-subject requirement is satisfied so long as the legislation at issue possesses some single unifying subject which all provisions of the act are relevant. Hypothesizing reasonably broad topics is appropriate to ensure that Article III does not result in the judiciary exercising tyranny over the efforts of the legislature. That was *Pennsylvanians Against Gambling Expansion*, also known as the *PAGE* case.

The fundamental constitutional question is, are the various components of the bill – and in this case, the amendment – do they have a unifying scheme? The good gentleman from Chester County has outlined what that unifying theme is. The underlying bill deals with background checks. One of the number one offenses in the city of the first class is persons who are prohibited to possess a firearm. That falls squarely in the jurisdiction of law and prosecution that is outlined in this amendment, and more importantly, Madam Speaker, this is not a new endeavor. This is

an endeavor that many people have voted for before in terms of the concurrent jurisdiction; therefore, the amendment is germane and the amendment should be supported accordingly.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the maker of the motion, Representative Bradford.

Mr. BRADFORD. In the interest of being concise, I believe the gentleman made a very solid argument on the topic of single subject. Obviously, the amendment is being objected for under germaneness.

I would suggest that the House move on. We will have an opportunity, though, for the gentleman from Delco to have this bill brought up, if he would like to offer it as separate legislation, and we look forward to having a very thoughtful discussion on the topic.

Mr. CUTLER. Madam Speaker, I would welcome that.

I believe the good gentleman might have missed the opening remarks, where sometimes germaneness and the constitutional single-subject rule are not always synonymous, but in this case, they are; therefore, it is germane and should be supported accordingly.

The SPEAKER. The Chair thanks both of the gentlemen.

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—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	Kaufer	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

NAYS—101

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	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinkead	Probst	Speaker
Evans	Kinsey	Rabb	

NOT VOTING—0

EXCUSED—0

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

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

Mr. **MACKENZIE** offered the following amendment
No. **A00425**:

Amend Bill, page 1, line 4, by inserting after "firearms"
and providing for duty to report to United States Immigration and
Customs Enforcement

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

Section 2. Title 18 is amended by adding a section to read:
§ 6129. Duty to report to United States Immigration and Customs
Enforcement.

If it is discovered after a background check that the potential
purchaser or transferee is prohibited from possessing a firearm in
accordance with section 6105(c)(5) (relating to persons not to possess,
use, manufacture, control, sell or transfer firearms), that information
shall be reported to the United States Immigration and Customs
Enforcement.

Amend Bill, page 2, line 3, by striking out "2" and inserting
3

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

The **SPEAKER**. On that question, the Chair recognizes
Representative Mackenzie.

Mr. **MACKENZIE**. Thank you, Madam Speaker.

Amendment A00425 would require that information be
reported to the Immigration and Customs Enforcement, also
known as ICE, if an individual fails a background check to
purchase a firearm because they are illegally in the country. This
relates directly to the underlying bill and background checks, and
so I would ask for an affirmative vote to strengthen this protection
and make sure that those that are illegally in the country be
properly reported to ICE. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—127

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

NAYS—74

Abney	Frankel	Krueger	Sanchez
Bellmon	Friel	Madden	Schlossberg
Benham	Gallagher	Madsen	Schweyer
Borowski	Giral	Mayes	Scott
Boyle	Green	McAndrew	Shusterman
Briggs	Guzman	McNeill	Siegel
Brown, A.	Harkins	Merski	Smith-Wade-El
Bullock	Hohenstein	Mullins	Steele
Burgos	Howard	Neilson	Sturla
C Freytiz	Innamorato	Nelson, N.	Takac
Cephas	Isaacson	Otten	Vitali
Cerrato	Kazeem	Parker	Warren
Curry	Kenyatta	Pashinski	Waxman
Daley	Khan	Pielli	Webster
Dawkins	Kim	Probst	Williams, D.
Donahue	Kinkead	Rabb	Young
Evans	Kinsey	Rozzi	
Fiedler	Kosierowski	Salisbury	McClinton,
Fleming	Krajewski	Samuelson	Speaker

NOT VOTING—0

EXCUSED—0

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

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

Bill as amended was agreed to.

The **SPEAKER**. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 731, PN 1091**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for locking device for firearms; providing for safe storage of firearm when not in use; and imposing penalties.

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

Ms. **MIHALEK** offered the following amendment No. **A00433**:

Amend Bill, page 1, line 1, by striking out "Title" and inserting Titles

Amend Bill, page 1, line 1, by inserting after "Offenses)" and 24 (Education)

Amend Bill, page 1, line 4, by inserting after "USE;" providing for school safety;

Amend Bill, page 4, by inserting between lines 4 and 5 Section 2.1. Title 24 is amended by adding a chapter to read:

**CHAPTER 3
SCHOOL SAFETY**

Sec.

301. Definitions.

302. Firearm safety education programs for students.

§ 301. Definitions.

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

"School entity." A school district, joint school district, charter school, regional charter school, cyber charter school, intermediate unit or area career and technical school.

§ 302. Firearm safety education programs for students.

Beginning with the 2024-2025 school year, each board of directors of a school entity may provide firearm safety education programs for students. The department shall establish curriculum guidelines for a standardized firearm safety education program. The guidelines shall include accident prevention and the programs shall be made available to students enrolled in kindergarten and grades one through eight.

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

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds the calling up of amendment A00433.

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

The SPEAKER. It is the Chair's understanding that Representative Warner withdraws amendment A00435. The Chair thanks the gentleman.

It is the Chair's understanding that Representative Bernstine withdraws amendment A00449. The Chair thanks the gentleman.

The Chair understands that Representative Cutler withdraws amendment A00450. The Chair thanks the gentleman. It is the Chair's understanding that Representative Cutler also withdraws amendment A00451. The Chair thanks the gentleman.

It is the Chair's understanding that Representative Warner withdraws amendment A00454. The Chair thanks the gentleman. The House will be at ease.

The House will come to order.

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

AMENDMENT RULED OUT OF ORDER

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: amendment A00433. The Chair rules the following amendment out of order.

RULING OF CHAIR APPEALED

The SPEAKER. The Chair recognizes Representative Mihalek.

Ms. MIHALEK. Thank you, Madam Speaker.

I would like to appeal the ruling of the Chair on ruling amendment 00433 on HB 731 out of order.

The SPEAKER. The gentelady, Representative Mihalek, appeals the decision of the Chair that amendment A00443 violates House rule 20. House rule 20 provides that no bill shall be passed containing more than one subject. The single subject of HB 731 is creating a criminal penalty for failing to safely store a firearm. Amendment A00443 provides broadly for a firearm safety education program for students, which is a separate and distinct subject.

On the question,

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

The SPEAKER. On that question, the Chair recognizes Representative Mihalek.

Ms. MIHALEK. Thank you, Madam Speaker.

The law requires a unifying scheme to accomplish a single purpose. Reading straight from the cosponsorship memo on HB 731, it talks about firearm safety. "Firearm-related injuries are the second-leading cause of death among minors in the United States....It is vital that we protect the people of Pennsylvania."

My amendment also concerns firearm safety. The safest way to store a firearm is to make sure our kids are aware and they know what to do should they come across an unsecured firearm.

The SPEAKER. The Chair thanks the gentelady.

On the question recurring,

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

The following roll call was recorded:

YEAS—101

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappery
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer

Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman
Brown, A.	Green	Mayer	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	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinkead	Probst	Speaker
Evans	Kinsey	Rabb	

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.

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

The SPEAKER. It is the Chair's understanding that Representative Gaydos withdraws amendment A00438. The Chair thanks Representative Gaydos.

The House will be at ease.

The House will come to order.

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

It is the Chair's understanding that all the remaining amendments are withdrawn. The Chair thanks the makers of the amendments.

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

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds her announcement that HB 714 received second consideration.

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

Mr. MACKENZIE offered the following amendment
No. A00459:

Amend Bill, page 1, line 4, by inserting after "firearms"
and further providing for Pennsylvania State Police
Amend Bill, page 2, line 3, by striking out all of said line and
inserting
Section 2. Section 6111.1(f)(1)(i) of Title 18 of the Pennsylvania
Consolidated Statutes is amended and the section is amended by adding
a subsection to read:
§ 6111.1. Pennsylvania State Police.

* * *

(b.1) Notice to Attorney General and ICE.—If an instantaneous records check performed under this section indicates that a potential purchaser or transferee of a firearm is illegally or unlawfully in the United States, the Pennsylvania State Police shall transmit to the Attorney General and the United States Immigration and Customs Enforcement a notice that the potential purchaser or transferee may have attempted to receive a firearm in violation of section 6105(c)(5) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms) and 18 U.S.C. § 922(g)(5) (relating to unlawful acts). The Pennsylvania State Police shall include with the notice all relevant information possessed by the Pennsylvania State Police.

* * *

(f) Notification of mental health adjudication, treatment, commitment, drug use or addiction.—

(1) Notwithstanding any statute to the contrary, judges of the courts of common pleas shall notify the Pennsylvania State Police, on a form developed by the Pennsylvania State Police, of:

(i) the identity of any individual who has been adjudicated as an incompetent or as a mental defective or who has been involuntarily committed to a mental institution under the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, or who has been involuntarily treated as described in section 6105(c)(4) [(relating to persons not to possess, use, manufacture, control, sell or transfer firearms)] or as described in 18 U.S.C. § 922(g)(4) [(relating to unlawful acts)] and its implementing Federal regulations; and

* * *

Section 3. This act shall take effect in 60 days.

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

The SPEAKER. On that question, the Chair recognizes Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

Amendment A00459 is important, in addition to the amendment that was previously adopted, because it is illegal and a felony for somebody here in the country illegally to even possess a firearm. So in addition to that being reported to ICE, I think it is also important that that criminal offense be reported to the State Attorney General, and that is what this amendment would do.

So again, I would ask for an affirmative vote on A00459. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—141

Adams	Friel	Lawrence	Rigby
Armanini	Fritz	Leadbeter	Roae
Banta	Galloway	Mackenzie, M.	Rossi
Barton	Gaydos	Mackenzie, R.	Rowe
Benninghoff	Gergely	Major	Rozzi
Bernstine	Gillen	Mako	Ryncavage
Bizzarro	Gleim	Malagari	Schemel
Bonner	Gregory	Maloney	Scheuren
Borowicz	Greiner	Marcell	Schlegel
Borowski	Grove	Markosek	Schmitt
Bradford	Guenst	Marshall	Scialabba
Brennan	Haddock	Matzie	Scott
Brown, A.	Hamm	Mehaffie	Shusterman
Brown, M.	Harkins	Mentzer	Smith
Burns	Harris	Mercuri	Solomon
Cabell	Heffley	Merski	Staats
Causar	Hogan	Metzgar	Stambaugh
Ciresi	Irvin	Mihalek	Stehr
Conklin	James	Miller, B.	Struzzi
Cook	Jones, M.	Miller, D.	Sturla
Cooper	Jones, T.	Moul	Takac
Cutler	Jozwiak	Mullins	Tomlinson
D'Orsie	Kail	Munroe	Topper
Davanzo	Kaufer	Mustello	Twardzik
Davis	Kauffman	Nelson, E.	Venkat
Deasy	Keefer	O'Mara	Warner
Delloso	Kephart	O'Neal	Watro
Delozier	Kerwin	Oberlander	Wentling
Diamond	Kim	Ortitay	White
Dunbar	Klunk	Owlett	Williams, C.
Ecker	Kosierowski	Pashinski	Williams, D.
Emrick	Krupa	Pickett	Zimmerman
Fee	Kulik	Pisciottano	
Fink	Kutz	Probst	McClinton,
Flick	Kuzma	Rader	Speaker
Flood	Labs	Rapp	

NAYS—60

Abney	Fiedler	Khan	Rabb
Bellmon	Fleming	Kinkead	Salisbury
Benham	Frankel	Kinsey	Samuelson
Boyle	Freeman	Krajewski	Sanchez
Briggs	Gallagher	Krueger	Sappery
Bullock	Giral	Madden	Schlossberg
Burgos	Green	Madsen	Schweyer
C Freytiz	Guzman	Mayes	Siegel
Cephas	Hanbidge	McAndrew	Smith-Wade-El
Cerrato	Hohenstein	McNeill	Steele

Curry	Howard	Neilson	Vitali
Daley	Innamorato	Nelson, N.	Warren
Dawkins	Isaacson	Otten	Waxman
Donahue	Kazeem	Parker	Webster
Evans	Kenyatta	Pielli	Young

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 917, PN 905**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adopting the Uniform Family Law Arbitration Act.

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

Ms. **KLUNK** offered the following amendment No. **A00443**:

Amend Bill, page 3, line 24, by inserting a double quote after "Person."

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

The SPEAKER. On that question, the Chair recognizes Representative Klunk.

Ms. **KLUNK**. Thank you, Madam Chair.

This is a technical, agreed-to amendment. Thank you.

The SPEAKER. The Chair recognizes Representative Bradford.

Mr. **BRADFORD**. I just wanted to thank the lady for her attention to detail.

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

The following roll call was recorded:

YEAS—201

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.	Guenst	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	Kaufer	Nelson, N.	Warner
Dawkins	Kauffman	O'Mara	Warren
Deasy	Kazeem	O'Neal	Watro
Delloso	Keefer	Oberlander	Waxman
Delozier	Kenyatta	Ortitay	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinthead	Pickett	Young
Evans	Kinsey	Pielli	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1018, PN 960**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for abandonment of firearms, weapons or ammunition; in community and

municipal courts, further providing for masters; adding provisions relating to extreme risk protection orders; imposing duties on the Office of Attorney General; and imposing penalties.

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 27: amendment A00446.

For what purpose does the gentledady rise?
Mrs. BOROWICZ. Madam Speaker, I was just asking about— I think you called up my amendment. Was that ruled out of order?

The SPEAKER. That is correct.
Mrs. BOROWICZ. Okay. Thank you. I just wanted to verify. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentledady.

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

Ms. **MIHALEK** offered the following amendment No. **A00421**:

Amend Bill, page 12, line 10, by inserting after "officer" must find that the respondent has been involuntarily committed for mental health treatment in accordance with the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, and is currently undergoing treatment. The duration of any extreme risk protection order issued under this section shall not exceed the period of time that the respondent is undergoing treatment in accordance with the Mental Health Procedures Act. The court or hearing officer

Amend Bill, page 12, line 11, by inserting after "shall" then

Amend Bill, page 13, line 9, by striking out "and"
Amend Bill, page 13, line 14, by striking out the period after "exist" and inserting

: and
(3) the respondent has been involuntarily committed for mental health treatment in accordance with the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, and is currently undergoing treatment.

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

The SPEAKER. On that question, the Chair recognizes Representative Mihalek.

Ms. MIHALEK. Thank you, Madam Speaker.
This amendment requires that an individual be involuntarily committed for treatment under the Mental Health Procedures Act, also known as a 302, before a court or hearing officer may issue an "extreme risk protection order" under the bill. This amendment would provide due process for those individuals who have been identified as a clear and present danger to themselves or to the community.

AMENDMENT WITHDRAWN

Ms. MIHALEK. However, I am going to withdraw my amendment at this time because I still do not think that the RPO (risk protection order) bill as written adequately protects our due process rights under the law. Thank you.

The SPEAKER. The Chair thanks the gentledady.

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

Mr. C. WILLIAMS offered the following amendment
No. A00453:

Amend Bill, page 22, lines 3 through 7, by striking out "Abuse of process." in line 3 and all of lines 4 through 7 and inserting

False allegations by petitioner.

(a) Offense.—It shall be a felony of the third degree for a petitioner to knowingly, intentionally or recklessly make a false statement under this section for an improper purpose.

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

The SPEAKER. On that question, the Chair recognizes Representative Craig Williams.

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

For those of us who are lawful firearms owners, the biggest concern about this bill is due process, and let me be more specific. It is the claim of a false allegation of any issue that would disadvantage us in the possession of our lawful firearms. I also think that many of us are worried about the weaponization of this bill going forward, both politically and in our home communities, whereby people who are out to take possession of lawful firearms from lawful firearms owners would make spurious claims in an effort to do so. Then the legal burden shifts back to the lawful firearm owner to get his or her gun back, which is itself the due process issue that concerns so many of us.

My amendment allows for a crime to be filed, a criminal complaint to be filed by the lawful firearm owner for a baseless accusation against him. And you will note that this is distinguished from a simple false official statement in that I have had added a mens rea, or criminal intent, to the end of it, that it be proven that it was with an improper motive, and I think this goes a long ways towards assuring lawful gun owners that they will be able to keep their guns when they have done absolutely nothing wrong.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative O'Mara.

Ms. O'MARA. Thank you, Madam Speaker.

As the primary sponsor of this bill, I wanted to thank my colleague from Delaware County, and I support this amendment and encourage my colleagues to vote "yes" as well. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

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

The following roll call was recorded:

YEAS—119

Banta	Freeman	Malagari	Rader
Barton	Friel	Marcell	Rigby
Bizzarro	Fritz	Markosek	Rowe
Bonner	Galloway	Marshall	Rozzi
Borowicz	Gaydos	Matzie	Samuelson
Borowski	Gergely	McAndrew	Scheuren
Boyle	Gillen	McNeill	Schlegel
Bradford	Gleim	Mehaffie	Schlossberg

Brennan	Gregory	Mentzer	Schmitt
Brown, A.	Grove	Mercuri	Scialabba
Burns	Guenst	Merski	Scott
Cerrato	Haddock	Metzgar	Siegel
Ciresi	Hanbidge	Mihalek	Solomon
Conklin	Harkins	Miller, B.	Staats
Cook	Harris	Miller, D.	Steele
Curry	Hogan	Moul	Stehr
Cutler	James	Mullins	Struzzi
D'Orsie	Kail	Munroe	Sturla
Davis	Kim	Mustello	Takac
Deasy	Klunk	Neilson	Tomlinson
Delloso	Kosierowski	Nelson, E.	Topper
Delozier	Krueger	Nelson, N.	Venkat
Donahue	Krupa	O'Mara	Warner
Dunbar	Kulik	O'Neal	Wentling
Ecker	Labs	Ortitay	White
Emrick	Lawrence	Owlett	Williams, C.
Evans	Leadbeter	Pashinski	Young
Fee	Madden	Pickett	
Fleming	Madsen	Pisciottano	McClinton,
Flick	Mako	Probst	Speaker
Flood			

NAYS—82

Abney	Fink	Kenyatta	Roae
Adams	Frankel	Kephart	Rossi
Armanini	Gallagher	Kerwin	Ryncavage
Bellmon	Giral	Khan	Salisbury
Benham	Green	Kinthead	Sanchez
Benninghoff	Greiner	Kinsey	Sapprey
Bernstine	Guzman	Krajewski	Schemel
Briggs	Hamm	Kutz	Schweyer
Brown, M.	Heffley	Kuzma	Shusterman
Bullock	Hohenstein	Mackenzie, M.	Smith
Burgos	Howard	Mackenzie, R.	Smith-Wade-El
C Freytiz	Innamorato	Major	Stambaugh
Cabell	Irvin	Maloney	Twardzik
Causar	Isaacson	Mayes	Vitali
Cephas	Jones, M.	Oberlander	Warren
Cooper	Jones, T.	Otten	Watro
Daley	Jozwiak	Parker	Waxman
Davanzo	Kaufner	Pielli	Webster
Dawkins	Kauffman	Rabb	Williams, D.
Diamond	Kazeem	Rapp	Zimmerman
Fiedler	Keefer		

NOT VOTING—0

EXCUSED—0

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 1, PN 385**, entitled:

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.

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

Mr. **ECKER** offered the following amendment No. **A00141**:

Amend Bill, page 1, Prior Passage Line, by inserting after "2021-2"
, 2022-1

Amend Bill, page 1, line 1, by striking out "AN AMENDMENT" and inserting separate and distinct amendments

Amend Bill, page 1, line 5, by inserting after "electors" and for action on concurrent orders and resolutions

Amend Bill, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. The following separate and distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 11 of Article I be amended to read:

Amend Bill, page 4, lines 25 through 30; page 5, lines 1 through 17; by striking out all of said lines on said pages and inserting

(2) That section 9 of Article III be amended to read:

§ 9. Action on concurrent orders and resolutions.

Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on the questions of adjournment, disapproval of a regulation or termination or extension of a disaster emergency declaration as declared by an executive order or proclamation, or portion of a disaster emergency declaration as declared by an executive order or proclamation, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

Section 2. The following procedure applies to the proposed constitutional amendments in this joint resolution:

(1) Upon first passage by the General Assembly of the amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(2) Upon the second passage of the amendments by the General Assembly, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania. The Secretary of the Commonwealth shall:

(i) Submit the amendment under section 1(1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(ii) Submit the amendment under section 1(2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

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

The SPEAKER. On that question, the Chair recognizes Representative Ecker.

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

The SPEAKER. For what purpose does the minority leader, Representative Cutler, rise?

Mr. CUTLER. Thank you, Madam Speaker.

For the purposes of making a motion.

The SPEAKER. The gentleman is in order and may proceed. Please state your motion.

Mr. CUTLER. Madam Speaker, I would like to make a motion to revert to prior printer's number 26 on SB 1.

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

The SPEAKER. The gentleman moves that SB 1 be reverted to a prior print number, PN 26.

On that question, the Chair recognizes the gentleman, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, very simply, this would return SB 1 to the format in which it arrived here in the House. That is the same format that includes three of the amendments that have passed previously, those three amendments being the statute of limitations, which I know that we as a chamber have dutifully worked on for some time; two, the provisions regarding the voter ID; and three, the provisions regarding the changes to the regulatory process to ensure that the legislature has a full and thorough voice in that process.

For those reasons, Madam Speaker, I would ask the members to support the motion to revert to the prior printer's number.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you.

I would ask all members to oppose the reversion. Obviously, we have made tremendous progress in getting justice for victims of childhood sexual abuse. We should not go backward at this time. We can deal with these issues at another time.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—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
Causer	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	Kaufer	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

NAYS—101

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	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinhead	Probst	Speaker
Evans	Kinsey	Rabb	

NOT VOTING—0

EXCUSED—0

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 agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Ecker. The Chair recognizes the gentleman.
Mr. ECKER. Madam Speaker, I withdraw this amendment.
The SPEAKER. The Chair thanks the gentleman.

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

Mr. ECKER offered the following amendment No. A00142:

Amend Bill, page 1, Prior Passage Line, by inserting after "2021-2"
2" , 2022-1

Amend Bill, page 1, line 1, by striking out "AN AMENDMENT" and inserting separate and distinct amendments

Amend Bill, page 1, line 5, by inserting after "electors" and for qualifications of electors

Amend Bill, page 1, lines 11 through 13, by striking out "SECTION 1. THE FOLLOWING AMENDMENT TO THE CONSTITUTION" in line 11 and all of lines 12 and 13 and inserting Section 1. The following separate and distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 11 of Article I be amended to read:

Amend Bill, page 4, lines 25 through 30; page 5, lines 1 through 17; by striking out all of said lines on said pages and inserting

(2) That section 1 of Article VII be amended to read:
§ 1. Qualifications of electors.

(a) Every citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact.

1. He or she shall have been a citizen of the United States at least one month.

2. He or she shall have resided in the State 90 days immediately preceding the election.

3. He or she shall have resided in the election district where he or she shall offer to vote at least 60 days immediately preceding the election, except that if qualified to vote in an election district prior to removal of residence, he or she may, if a resident of Pennsylvania, vote in the election district from which he or she removed his or her residence within 60 days preceding the election.

(b) In addition to the qualifications under subsection (a) of this section, a qualified elector shall provide a valid identification at each election in accordance with the following:

1. When voting in person, the qualified elector shall present a valid identification before receiving a ballot to vote in person.

2. When not voting in person, the qualified elector shall provide proof of a valid identification with his or her ballot.

(c) If a qualified elector does not possess a valid identification, he or she shall, upon request and confirmation of identity, be furnished with a government-issued identification at no cost to the qualified elector.

(d) For purposes of this section, the term "valid identification" means an unexpired government-issued identification, unless otherwise provided for by law.

Section 2. The following procedure applies to the proposed constitutional amendments in this joint resolution:

(1) Upon first passage by the General Assembly of the amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(2) Upon the second passage of the amendments by the General Assembly, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania. The Secretary of the Commonwealth shall:

(i) Submit the amendment under section 1(1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(ii) Submit the amendment under section 1(2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

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

The SPEAKER. On that question, the Chair recognizes Representative Ecker.

Mr. ECKER. Thank you, Madam Speaker.

Madam Speaker, this amendment will add the ability for us to send to the people of Pennsylvania to decide whether or not voter identification should be expanded in Pennsylvania. Voter identification currently happens in Pennsylvania; in fact, the first time you go to the ballot box in any registered precinct, you have to show identification. This will just expand – this particular amendment, if passed by the people of Pennsylvania, will just expand voter identification to every time you approach the ballot box.

This is not disenfranchising anybody. This is allowing us to secure our elections and making sure that folks show up, prove they are who they say they are. This is something that the people of Pennsylvania support overwhelmingly. This is something that the people of Pennsylvania should have an opportunity to decide at the ballot box, and that is why I would ask for an affirmative vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the majority leader, Representative Bradford.

Mr. BRADFORD. Much like the reversion, this amendment, if approved, would again frustrate justice for victims of childhood sexual abuse, create needless delay for folks that have already had too much, and frankly, attempts to create political hostages out of those very victims.

Let us defeat this amendment and let us get justice for victims.

The SPEAKER. The Chair thanks the gentleman.

On that amendment, the Chair recognizes Representative Cutler.

Mr. CUTLER. My apologies, Madam Speaker.

I know that it is usually the provisions that we would speak and then the majority leader would wrap up; however, I do think this amendment deserves our support. As the good gentleman has outlined, it is a process that we already have in law and would simply be extended.

For those reasons I think it should be included. And this is not an either/or. It is not as if this amendment goes in that the underlying issue will no longer be considered, because they will be. The court has already upheld that process when we passed the emergency provisions relating to the Governor's powers and the racial equality amendment in a similar fashion. Therefore, we should do this amendment and the underlying bill that would provide justice so that the voters have a say in both issues.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Representative Bradford.

Mr. BRADFORD. I would like to make a motion, Madam Speaker.

The SPEAKER. The gentleman is in order and you may state your motion.

Mr. BRADFORD. The plain language of Article XI, section 1, mandates the General Assembly vote on each proposed amendment to the Pennsylvania Constitution separately. I would contend that this would fly in the face of that. Article XI, section 1, mandates the process that the General Assembly must follow to amend the Constitution to provide, in relevant part – if I could read this whole thing real quick: "Amendments to this Constitution may be proposed in the Senate or House of Representatives; and if the same shall be agreed to by a majority of the members elected to each House, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and the Secretary of the Commonwealth shall cause the same to be published three months before the next general election, in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, the Secretary of the Commonwealth shall cause the same to be published in the manner aforesaid; and such proposed amendment or 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; and, if such amendment or amendments shall be approved by a majority of those voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted oftener than once in five years. When two or more amendments shall be submitted they shall be voted upon separately."

For those reasons I ask that this motion be approved – be sustained.

The SPEAKER. The gentleman, Representative Bradford, raises the point of order that amendment A00142 is unconstitutional.

The Chair, the Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. On the question of constitutionality of the amendment, the Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, both this underlying bill and the amendment are in fact constitutional and would conform to the separate vote requirement of Article XI, section 1, that the good gentleman has raised, because it would ultimately present separate constitutional amendments as separate questions; that is, as separate votes for consideration by the people of Pennsylvania during an election cycle.

Each of these separate amendments are in compliance with the Pennsylvania Supreme Court precedent, functions in interrelated fashion to accomplish its objective, whether it is an amendment related to this, like the good gentleman has put forward, or as this bill has already been amended by the majority to only be the statute of limitations piece.

The reason that this complies, Madam Speaker, is because the separate nature of the questions applies to us as voters. Again, the process by which we considered the racial equality amendment and the emergency powers amendments in prior sessions was upheld by the courts. So to now say that that process is illegal, you are opening up the door to challenge those amendments as well.

We should zealously protect our legislative authority and we should defeat the motion or the question of constitutionality and get to the underlying issue, which is ultimately about getting that issue before the voters.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the amendment to be constitutional—

This is a reminder to the members: on questions of order, rank-and-file members can only speak once.

The Chair recognizes Representative Heffley.

Mr. HEFFLEY. Thank you, Madam Speaker.

Madam Speaker, this motion, if enacted, takes away democracy. It takes away the voice of the people. The people of this Commonwealth should have the right to vote to decide whether or not they want voters to provide voter ID.

The SPEAKER. The gentleman will suspend.

The question before the House is constitutionality of the amendment, not the underlying bill.

Mr. HEFFLEY. Thank you, Madam Speaker.

The constitutionality of this amendment has been proven by the previous amendments that were enacted by the voters on the emergency declaration, which had two different parts in that amendment.

What we are doing here is denying the right of the voters to have a voice in democracy, and I would have to ask, what is the majority leader so afraid of that he wants to deny the right of the voters to vote on the—

The SPEAKER. The gentleman will suspend.

Mr. HEFFLEY. Thank you, Madam Speaker.

The SPEAKER. Members will not question the motives of a fellow member.

Those voting "aye" will vote to declare the amendment to be constitutional. Those voting "no" will be voting to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—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
Causser	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

NAYS—101

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	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinhead	Probst	Speaker
Evans	Kinsey	Rabb	

NOT VOTING—0

EXCUSED—0

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendment was not sustained.

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

Mr. ECKER offered the following amendment No. A00143:

Amend Bill, page 1, Prior Passage Line, by inserting after "2021-2"

J.R. 2022-1

Amend Bill, page 1, lines 1 through 5, by striking out all of said lines and inserting
Proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth, for action on concurrent orders and resolutions and for qualifications of electors.

Amend Bill, page 1, lines 8 through 16; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 17; by striking out all of said lines on said pages and inserting

Section 1. The following separate and distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 11 of Article I be amended to read:

§ 11. Courts to be open; suits against the Commonwealth.

(a) All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct.

(b) An individual for whom a statutory limitations period has already expired, or whose claim would otherwise be barred or limited by a statutory cap on damages, sovereign immunity or by governmental or official immunity, shall have a period of two years, without bar or limitation by such caps or immunities, from the time that this subsection becomes effective to commence an action arising from childhood sexual abuse, in such cases as provided by law at the time that this subsection becomes effective.

(2) That section 9 of Article III be amended to read:

§ 9. Action on concurrent orders and resolutions.

Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on the questions of adjournment, disapproval of a regulation or termination or extension of a disaster emergency declaration as declared by an executive order or proclamation, or portion of a disaster emergency declaration as declared by an executive order or proclamation, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

(3) That section 1 of Article VII be amended to read:

§ 1. Qualifications of electors.

(a) Every citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact.

1. He or she shall have been a citizen of the United States at least one month.

2. He or she shall have resided in the State 90 days immediately preceding the election.

3. He or she shall have resided in the election district where he or she shall offer to vote at least 60 days immediately preceding the election, except that if qualified to vote in an election district prior to removal of residence, he or she may, if a resident of Pennsylvania, vote in the election district from which he or she removed his or her residence within 60 days preceding the election.

(b) In addition to the qualifications under subsection (a) of this section, a qualified elector shall provide a valid identification at each election in accordance with the following:

1. When voting in person, the qualified elector shall present a valid identification before receiving a ballot to vote in person.

2. When not voting in person, the qualified elector shall provide proof of a valid identification with his or her ballot.

(c) If a qualified elector does not possess a valid identification, he or she shall, upon request and confirmation of identity, be furnished with a government-issued identification at no cost to the qualified elector.

(d) For purposes of this section, the term "valid identification" means an unexpired government-issued identification, unless otherwise provided for by law.

Section 2. The following procedure applies to the proposed constitutional amendments in this joint resolution:

(1) Upon first passage by the General Assembly of the amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(2) Upon the second passage of the amendments by the General Assembly, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania. The Secretary of the Commonwealth shall:

(i) Submit the amendment under section 1(1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(ii) Submit the amendment under section 1(2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(iii) Submit the amendment under section 1(3) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Ecker.

Mr. ECKER. Thank you, Madam Speaker.

Madam Speaker, this amendment also is important to the people of Pennsylvania. One of the key rules of the legislative branch is oversight. Right now the legislators' ability to oversee the executive branch has been diminished. Regulations are being passed by the executive branch at an increasing rate and our ability to have oversight over those regulations has been challenged. The key to any good democratic republic is that there are checks and balances, and the power of the Executive needs to be checked by the legislative branch.

This amendment would allow this General Assembly to weigh in on regulations that are having an impact on the people of Pennsylvania. The legislative branch, which is elected by the people of Pennsylvania, would have an opportunity to have some oversight over regulators who are not accountable to anybody.

Madam Speaker, I believe the people of Pennsylvania should have the opportunity to decide who is writing the laws – the people they elect, or those that are sitting in offices who they do not know their names. Madam Speaker, I would ask that this be voted in the affirmative and be included in SB 1.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you.

I make a motion that the amendment as proposed is unconstitutional. Again, allowing separate and distinct amendments to the Constitution offered in one bill or added through the amendment process would violate Article XI, section 1.

The SPEAKER. The Chair thanks the gentleman.

On that motion, the gentleman, Representative Bradford, raises the point of order that amendment A00143 is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

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

Mr. CUTLER. Thank you, Madam Speaker.

We will dive a little bit deeper into the Article XI debate, since the good gentleman has raised it once again, when in actuality, I think it would be much more expedient just to vote the amendment.

In 2002 the Pennsylvania Commonwealth Court's *Mellow* decision, the court explained the procedure to be used in proposing such constitutional amendments is exclusively committed to the legislature. In 2005 the Pennsylvania Supreme Court's *Grimaud* decision, the court further clarified – and this is important, because this is literally the issue at debate here today – in 2005 the Pennsylvania court said, "Because the plain language of Article XI, § 1 does not require the legislature to engage in a specific procedure while proposing amendments, we will not inquire into these internal procedures nor look beyond the recorded votes, for judicial review is precluded pursuant to the Political Question Doctrine."

In 2016 the Pennsylvania Commonwealth Court, in two separate opinions, in *Costa v. Cortes* quoted *Mellow*, and also cited *Grimaud* for this same proposition in explaining the amendment of the Pennsylvania Constitution "...is not a legislative act at all, but a separate and specific power granted to the General Assembly...Other than the express requirements set forth in Article XI, the procedure to be used in proposing such amendments is exclusively committed to the legislature...."

Madam Speaker, to me it is clear that this procedure is soundly in our wheelhouse. I recognize that it may be more expedient simply to say that it is unconstitutional, but that is a misreading of the Constitution and that is a very important fact. I understand that we have bent some rules here recently, and we raised those issues yesterday when it came to bills, but the Constitution is the one truth that we should stand for.

Madam Speaker, this process is allowable and has been utilized previously; that is important. Now, I understand that the votes will be where the votes will be, but to simply claim that something is unconstitutional when the court has validated it three times would be inaccurate, and I urge support of the constitutional amendment so we can actually get to the debate of the amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes Representative Bradford. Mr. BRADFORD. Thank you, Madam Speaker.

I would just remind the good gentleman that sometimes the makers of the precedent of the past find it is easier to recall how this body operated when they were the giver as opposed to the receiver. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the amendment constitutional. Those voting "no" will vote to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—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
Causer	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

NAYS—101

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappery
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	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinhead	Probst	Speaker
Evans	Kinsey	Rabb	

NOT VOTING—0

EXCUSED—0

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendment was not sustained.

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

The SPEAKER. It is the Chair's understanding that all remaining amendments on SB 1 have been withdrawn. The Chair thanks the makers of the amendments.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 156, PN 1029**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in fertilizer, further providing for definitions and for application of fertilizer to turf.

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

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Parliamentary inquiry, Madam Speaker.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. CUTLER. Madam Speaker, as we head to final passage, my parliamentary inquiry is for the consideration of bills under Article III, section 4. What is the constitutional majority for passage?

The SPEAKER. 101.

Mr. CUTLER. Madam Speaker, is it fair to assume that is because of the two vacancies that are currently here; therefore, the constitutional threshold is lowered?

The SPEAKER. That is correct.

Mr. CUTLER. Thank you, Madam Speaker.

The SPEAKER. You are more than welcome.

CONSIDERATION OF HB 156 CONTINUED

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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	Madson	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.	Guenst	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	Ortitay	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	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 363, PN 1032**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the exclusion of veterans' benefit payments from income for Commonwealth programs.

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

(Bill analysis was read.)

The **SPEAKER**. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative Markosek.

Mr. **MARKOSEK**. Thank you, Madam Speaker.

I rise today in support of this bill. This bill has passed this body last session I believe 201 to 0. It has also passed the Senate 49 to 0. So I am just asking everyone today to please back this bill.

Thank you very much.
The **SPEAKER**. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?
The **SPEAKER**. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

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.	Guenst	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
Causser	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	Kaufe	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	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 829, PN 1039**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for interlocking business prohibited and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

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

(Bill analysis was read.)

The **SPEAKER**. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative Gergely.

Mr. **GERGELY**. Thank you, Madam Speaker.

I would like to thank the chairman from Allegheny County and the chairwoman from Lancaster County for their support through committee. This bill is good for employers and employees, which in turn, is good for our economy. Consideration in support of this bill would be greatly appreciated.
Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

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

NAYS—2

Mihalek	Zimmerman
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NOT VOTING—0

EXCUSED—0

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

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

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The House proceeded to third consideration of **HB 950, PN 1136**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for workers' rights.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative Fiedler.

Ms. FIEDLER. Thank you so much, Madam Speaker, and thank you to my colleagues for considering this important legislation.

A couple of days ago, I had the opportunity in Philadelphia to sit down for the workers memorial event. Every year it is tremendously, tremendously difficult for many people in the room to sit there while the daily reality of workers is laid out, the tremendous sacrifices that workers have made just so they can get the job done.

As we know, workers are under tremendous pressure to work more quickly, to be more efficient, to stretch their paychecks even further to cover the rising costs of just about everything – housing, food, and child care, just to name a few. Workers are often pressured to do their jobs in incredibly unsafe conditions for much less money than their labor is worth, and to deal with unpredictable work schedules on top of it. Simply put, I believe workers deserve fair pay, safe working conditions, health care, and predictable work schedules that allow them time outside of work to spend time with their family and their community. Simply put, they deserve to be treated with respect.

That was true for the more than 100 workers who died in the Triangle Shirtwaist Factory fire, most of whom were women, and it has been true for generations of miners, factory workers, teachers, and construction workers. Today the fight for livable wages and benefits and safe working conditions continues for Pennsylvania's home health workers, newsroom employees, warehouse workers, baristas, and many more.

Workers are people, and regardless of their labor, they deserve to be treated with dignity and respect. They also fuel our economy. The workers' rights amendment that we have put in front of us today is critical to supporting Pennsylvania workers and their families by guaranteeing, simply, workers the right to organize and collectively bargain. I ask my colleagues for an affirmative vote in support of workers and their families.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Roni Green.

Ms. GREEN. Thank you, Madam Speaker.

I rise in strong support of HB 950. As a worker, former public-sector union member, and former labor representative for tens of thousands of workers across this Commonwealth, I know that unions represent workers and those workers, our constituents, live right next door to us – all of us. They are the nurses and doctors at our hospitals and clinics. They are the first responders keeping our communities safe, firemen and police. They are the teachers and teacher aides that care for our children, sometimes spending more hours with them than we do. They are the grocery store attendants and clerks; bus drivers and bus attendants, transporting our children and seniors. They are our custodians that clean our buildings and offices; cafeteria workers and cooks that prepare our food. And they are our laborers and construction workers that continue to repair and rebuild our infrastructure.

They have the right to organize. Again, they have the right to organize, to have representation of their choice, the right to organize and negotiate with any employer a contract for livable and sustainable wages; have a right to organize for affordable health care; the right to retire with a pension that will allow them to live with dignity; and the right to organize and have representation that will ensure that workers have a clean, safe work environment.

Madam Speaker, I believe that this is the reason workers leave their homes every day – to take care of themselves and their families. Not to be disrespected or to be forced to work in unsafe building conditions, and not to work for a minimum wage that has not been increased in 14 years that forces workers to work two and three jobs when one job must be sufficient.

So I want to be clear for all workers – union and nonunion – that you should and will today have the right to organize without fear of repercussion.

I encourage a "yes" vote for HB 950. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On that question, the Chair recognizes Representative Mike Jones.

On that question, the Chair recognizes Representative Kail.

Mr. KAIL. Thank you, Madam Speaker.

Madam Speaker, recently I read a report that there is a very high likelihood that this nation is going to go into a recession this summer. We have also read reports about power plants shutting down in Homer City, where union members are going to be losing jobs – thousands of them. We have heard reports about projects not occurring in Clinton County because of environmentalist extremists. Madam Speaker, I am very pleased to hear that we all can agree that we want to support workers. The issue that I have today is that if we really wanted to support workers, we would be repealing RGGI (Regional Greenhouse Gas Initiative). If we really wanted to support workers, we would be changing how we permit in this Commonwealth, a process that takes away—

The SPEAKER. The gentleman will suspend.

POINT OF ORDER

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

Mr. HOHENSTEIN. Point of order.

The SPEAKER. The gentleman is in order and may state his point of order.

Mr. HOHENSTEIN. I believe the subject of this bill is the constitutional amendment about the right to organize. It has nothing to do with RGGI or similar legislation. I ask that the gentleman be instructed to stay on topic.

The SPEAKER. The gentleman's point of order is noted.

I encourage the speaker, Representative Kail, to stay on the topic of the bill, HB 950, and not be far afield.

POINT OF ORDER

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

Mr. CUTLER. Thank you, Madam Speaker.

Two points of order. I believe that the first one deals with the fact that the prime sponsor discussed worker safety and the good gentleman is in fact on topic.

The second one would be related to the decorum memo that came from your office regarding points of order should be raised by the two leaders and not rank-and-file members. I would simply request that the good gentleman be informed of that.

The SPEAKER. The Chair does recommend that the leaders raise points of order as a courtesy, and the first point of order was not a point of order. So the leader is reminded of what the rules of this House are and what types of issues can be brought up as points of order.

Representative Kail, please stay on the subject of HB 950. You may continue, sir.

Mr. KAIL. Thank you, Madam Speaker.

And the very simple point that I am trying to make is our workers want opportunity for family-sustaining jobs, not political posturing.

Madam Speaker, I will say—

The SPEAKER. The gentleman will suspend. The gentleman will not question the motive of a fellow member of this body.

Mr. KAIL. Thank you, Madam Speaker.

The SPEAKER. The gentleman is in order.

Mr. KAIL. Madam Speaker, I will close on this very pertinent point. Over the course of the last 12 years our caucus held the majority in this body, and I just want to note that over the course of those years, there were exactly zero votes coming from our caucus on right to work. This bill, this amendment is not necessary. I urge a "no" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Dawkins.

PARLIAMENTARY INQUIRY

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. The gentleman is in order and may state his point of order.

Mr. CUTLER. Madam Speaker, parliamentary inquiry regarding points of order.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, if the good gentleman from Philadelphia's point of order – while recognized as being appropriate, but respectfully requesting that the leaders do it regarding the gentleman's source of topics – under Mason's Manual, section 230, the purpose of point of order "...is the parliamentary device

that is used to require a legislative body to observe its own rules....," which I believe is what the good gentleman from Philadelphia was raising. My point of order was simply on the same topic, and my inquiry is, why are the two different?

The SPEAKER. The gentleman was making comments in what was called a point of order. That was a commentary provided to this floor and this body. It was not a point of order, and the gentleman is welcome to review the notes from what was stated just a few minutes ago, if necessary.

Mr. CUTLER. Madam Speaker, respectfully – and I am happy to have this discussion offline – one of my main jobs is to defend our members, and when they are interrupted inappropriately, according to not just the rules, but also the decorum memo from your office—

The SPEAKER. The gentleman will suspend.

Mr. CUTLER. —I will defend them.

The SPEAKER. The gentleman will suspend.

The gentleman will not question the rulings of the Chair.

The Chair recognizes Representative Dawkins on the bill's final passage.

Mr. DAWKINS. Thank you, Madam Speaker.

I rise today in strong support of HB 950, a proposed constitutional amendment that would enshrine in our State Constitution workers' rights to organize a union and collectively bargain to negotiate their wages, hours, and working conditions, and to protect their economic welfare and safety at work. This amendment will also prevent future enactment of so-called right-to-work legislation.

Madam Speaker, I will keep this short. For far too long this House has focused on undermining unions and the rights of the workers while still taking their contributions. It is time, long time for this State of Pennsylvania, one of the most pro-worker states in our nation, by passing HB 950, we will begin by this constitutional amendment guaranteeing workers the right to organize collectively and bargain.

I just want to thank all of my members in the Labor Committee for advancing this piece of legislation to the floor. I want to thank the maker. And I want to thank our leaders, because this is what strong leadership can do. We have seen this week that we have been able to pass pro-union bills for the first time in a very long time, and I am proud to stand with all the working men and women in this nation.

But this shows if you stand with labor or not, and I urge you to vote for 950. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Jones.

Mr. JONES. Thank you, Madam Speaker.

I rise as the proud son of a lifetime UAW (United Auto Workers) worker to share a very brief anecdote from our sister body in Illinois.

In November 2022 Illinois passed the workers' rights amendment guaranteeing the rights of all Illinois workers to organize. On the heels of its passage, nearly 70 percent of the Speaker's legislative, research, and appropriations staff signed a petition to unionize. In November 2022, January 2023, and again in April 2023, they asked the Speaker's office to voluntarily recognize the Illinois Legislative Staff Association. However, after having declared it "...a new day in Springfield," the Speaker denied all of their requests.

So in recognition of the presumed historic passage and likely unanimous support of the House Democratic Caucus on HB 950, should a majority of our beloved, highly regarded House

Democrat staff choose to unionize, I rise to request that the Speaker and Democratic Caucus as a whole support them in their efforts.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Gleim on final passage of the bill.

On final passage of the bill, the Chair recognizes Representative Gleim.

Mrs. GLEIM. Thank you, Madam Speaker.

At the hearing that we had on this bill, this amendment is based on the recently enacted constitutional amendment in Illinois. Illinois is the only State in the entire nation that has this language. Illinois is going bankrupt. They are almost insolvent. According to my research, since this was enacted – okay? – over 100,000 people have left Illinois. Madam Speaker, why would we want to emulate that?

The Illinois Policy Institute, a nonprofit, nonpartisan policy research organization, did a study of their State laws to review the potential impact of this amendment, and they identified more than 350 State laws that could be impacted by the constitutional amendment. In PA, we did no such study. We have absolutely no idea what impact this amendment will have on our State laws.

In PA, we have laws intended to protect children from sexual predators. The Illinois Policy Institute study identified some similar provisions in that State that may be in jeopardy as a result of the right-to-organize amendment, provisions that require background checks on employees that work with children, including school employees; provisions that prohibit sexual offenders from working with children.

The danger comes from the language in the amendment that prohibits lawmakers from legislating any limitations on what can be put into a union contract. That is because the way this amendment is written, it would allow government unions to nullify State laws simply brought by including contrary provisions in their union contracts. Here is how this could work. The broad language of this amendment does not just guarantee a right to bargain over typical labor issues such as wages and benefits; instead, it adds generic terms such as "safety at work" and "economic welfare" to the mix of negotiable subjects, making the issues that can be negotiated virtually unlimited.

After giving unions the fundamental right to demand virtually anything, this amendment guarantees government unions a permanent right to go on strike to get their demands met. What is more, the contracts created under the amendment will carry the weight of the Constitution, allowing government unions to override State laws. If union leaders do not like a specific State provision, such as a background check for government workers, they can simply contradict the law in a union contract. Whatever language is in the union contract wins out.

Madam Speaker, I rise in opposition of HB 950. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Keefer on final passage of HB 950.

Mrs. KEEFER. Thank you, Madam Speaker.

My concern for this bill is that the amendment includes this specific language: "No law shall be passed that interferes with, negates or diminishes the right of employees to organize and bargain collectively over their wages, hours and other terms and conditions of employment and work place safety, including any law or ordinance that prohibits the execution or application of agreements between employers and labor organizations that

represent employees requiring membership in an organization as a condition of employment."

So who does this apply to? Does it apply to private-sector employees, because private-sector employees are already covered under the National Labor Relations Act? This proposed constitutional amendment would be preempted by 40-year-old case law, Federal case law that we have.

And so then we go to public sector. Does it apply to public-sector employees? Our Constitution has already – well, the U.S. Supreme Court, rather, has already weighed in with the *Janus* decision, preempting the language for public employees.

So the language of the amendment is clearly preempted by the First Amendment to the United States Constitution and Federal law. While we have obvious – it should be obvious to all of us, right, because we take an oath to uphold the Constitution, but yet we are going to try to enact something that is already in contradiction to the U.S. Constitution. We do have a supremacy clause, which does say the U.S. Constitution preempts anything in State Constitutions. So we are proposing here to amend our State Constitution with language that would be in direct odds with the United States Constitution.

I would encourage my members to oppose this bill. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On final passage, the Chair recognizes Representative Dan Miller.

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

Madam Speaker, I am excited today. I am excited. I am excited.

You know, when I was a member of the Steelworkers, when I was a member of my teachers union and when we first got health care when I was 17, my mom got a union job. I always remembered where change happened, where we were given an opportunity to succeed, and where our family had an opportunity to crawl out of the poverty that we were in because we were given, and my mom earned, a union job. And I sit here now in a State and a country that is ripe with income inequality – greater than almost any time in our history – and the message that we should be sending to every worker is to exercise your rights, is to exercise your rights in your workplace, and we want to be sure that nothing is infringing you in doing that.

And we are sitting here in a time when millions of dollars in any workplace is spent on stopping worker rights. And we come across, as someone had mentioned, something about, well, you know, right to work was never advanced. I lost track of the number of bills that this body, over years past, has introduced to stop unionization efforts and to limit worker rights—

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. The gentleman will state his point of order.

Mr. CUTLER. Madam Speaker, I believe that the underlying issue at hand is the constitutional amendment, and the good gentleman is speaking about other legislation that is not currently before the body. I would simply like him to be instructed to stay on the topic.

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

The gentleman speaking will stay on topic.

For what purpose does the leader rise, Representative Bradford?

Mr. BRADFORD. With all due respect to the good minority leader, I believe the prior speaker opened up the door to discuss his stellar labor record.

The SPEAKER. The Chair hopes we can all stick to the topic of HB 950.

PARLIAMENTARY INQUIRIES

Mr. CUTLER. Parliamentary inquiry, Madam Speaker?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. CUTLER. Madam Speaker, according to Mason's Manual, when points of order are raised and addressed and/or disposed – I similarly raised a point of order on an originally raised point of order previously and you informed the body that my point of order was not appropriate. I am simply seeking clarification on why the good gentleman, the majority leader's point of order would be somehow different.

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" some "procedure concerning some question before the house or that may be immediately brought before the house."

Mr. CUTLER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER. Once a point of order is made – I was still speaking, so that Representative Cutler knows. I was still speaking. I am not finished – once a point of order is made and the Chair has made a ruling on that point of order, unless the maker of the point of order appeals, then the ruling of the Chair stands. A second point of order on the same topic is out of order.

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

Mr. CUTLER. Further parliamentary inquiry, Madam Speaker.

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

Mr. CUTLER. Was the good gentleman from Montgomery County's follow-up point of order in order?

The SPEAKER. The gentleman from Montgomery County – I think many of us heard – was making comments in response to the point of order that was made originally. He did not make a new point of order.

Mr. CUTLER. Madam Speaker, further parliamentary inquiry.

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I hope you will indulge me for a minute regarding my confusion regarding the similarity between the two situations and yet two disparate rulings. My parliamentary inquiry is, if – and I believe under section 231, Mason's Manual, successive points of order can in fact be raised, one upon the other – if that is the case, the parliamentary inquiry is, what was the substantive difference between my prior point of order, which you designated as being out of order, and the good gentleman from Montgomery County? To be clear, I think we both were in order. I am simply looking for clarification for the legislative record.

The SPEAKER. Subsequent points of order may be made if they are regarding different topics than were originally raised in the original point of order.

Mr. CUTLER. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

HB 950 on final passage, the Chair recognizes Representative Rowe.

Oh; forgive me. Representative Miller was still speaking when we had several subsequent points of order and parliamentary inquiries.

The Chair recognizes Representative Dan Miller. You may continue.

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

Prevailing wage reform comes out of one side of this body. When it comes to paycheck deception, comes out of one side of this body. Objections to public OSHA (Occupational Safety and Health Administration) comes out of one side of this body.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

Mr. D. MILLER. Challenges with misclassification—

The SPEAKER. The gentleman can state his point of order.

Mr. CUTLER. I believe that you previously instructed all the members to stay on topic of the bills and the bill is a constitutional amendment about the right to organize. The good gentleman is bringing in literally a virtual truckload of other issues that are not before the body. Could the good gentleman please be instructed to stay on point?

Mr. BRADFORD. Madam Speaker, if I could—

Mr. CUTLER. Or does this open the door to all the other members to have a similar debate?

Mr. BRADFORD. Madam Speaker, I believe there have been enough prolabor valedictories by both sides. If we are being honest at this point, this is getting into the point of dilatory and we need to move on with the debate. Both sides have proud prolabor records and I think they want to put them up against each other for whatever reason. Let them do that. Let us have this debate and move forward with the vote and show where we are.

The SPEAKER. The speaker, Mr. Miller, will stay on topic on HB 950, and you may proceed.

Mr. D. MILLER. To close up.

Thank you, Madam Speaker.

And I appreciate the truckload comment in relation to those anti-union efforts. That is exactly why we need this constitutional amendment, because the reality of it is, the last 10 to 12 years have not been the panacea, has not been the promised land for Pennsylvania workers across any sector of the economy that we are talking about. That is why. Those rights deserve enshrinement in our Constitution.

I urge everybody to vote "yes" today. Send the message to Pennsylvania workers: We are with you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Rowe on final passage of HB 950.

Mr. ROWE. Thank you, Madam Speaker.

Madam Speaker, the good gentleman, the former speaker, was right about one thing: Pennsylvania is not great for workers, whether it is the unbelievably complicated and complex permitting process, whether it is licensure, taxation, or any of

these things that do make it almost impossible for Pennsylvania workers to succeed and to thrive.

But, Madam Speaker, there is one State we are doing a little bit better than, and, Madam Speaker, that is the only State that has this sort of language enshrined in their Constitution, and, Madam Speaker, yes, that State is, of course, the State of Illinois. Illinois, which lost 100,000 people in the last year, the second highest loss of any State in the Union, Madam Speaker, and it is a State with this language. So we want to talk about States that are antiworker, Madam Speaker, the proof is right here. We can leave the rhetoric behind, as the good gentleman, the majority leader, stated. So let us leave it behind and let us look at the facts.

Madam Speaker, this bill is identical to what was passed in Illinois, where they just lost 100,000 residents, the second highest in the country. After this was passed, it was discovered that there were more than 350 statutes that would be overridden by this language. Madam Speaker, in the State of Michigan, where similar language was proposed, the Attorney General of Michigan put out a report that stated over 150 laws in their State would be in violation of this amendment.

When we had a committee meeting on this issue, Madam Speaker, before voting this proposed constitutional amendment out, I inquired whether or not the prime sponsor or any member of the committee, the chairman or the staff, had done their due diligence in requesting the Pennsylvania Attorney General do that same homework to see just what impact this amendment would have on our State laws, and, Madam Speaker, that due diligence was not done and we have no idea what the impact will be on Pennsylvania State laws.

For example, Madam Speaker, in 2015 Gov. Tom Wolf signed Act 59. That removed language from Pennsylvania's Criminal Code that had exempted parties engaged in labor disputes from harassment, stalking, and bomb threats. So, Madam Speaker, my question is, would this language impact this? Would this language have prevented us from making those commonsense laws that made workers safer in Pennsylvania? We do not know because we did not find out. We did not ask the Attorney General. The committee did not do their homework. We do not know what this will do.

Madam Speaker, across the country, teachers unions from California to New York were trying to negotiate into their contracts ways to keep their schools shut down. We saw just how devastating school closures were for our young people. The learning losses, the mental health issues that have come from shuttered schools are undeniable. We are talking about the facts here today. Would this bill make it easier for a government-run teachers union to have school shutdowns be part of their contract? We do not know because we did not do the homework, and we are pushing through a proposed constitutional amendment – a process that takes, at minimum, 2 years and a couple session days because it is a proposed constitutional amendment – we are pushing this through without even allowing more than 65 seconds of opposition testimony at a hearing.

So, Madam Speaker, for example, the Chicago Teachers Union has begun demanding affordable housing for their employees as contingents of their contracts. Would this require us to provide housing to government union employees across the Commonwealth? We do not know. We do not know because the homework has not been done, the questions have not been answered, the hearing certainly has not been had. Reasonable accommodation to hear the opponents has certainly not been

afforded, and so for that reason, Madam Speaker, I would ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Dellosa on final passage of HB 950.

Mr. DELLOSO. Thank you, Madam Speaker.

It is difficult to address everything the opposition to this bill has brought forward, but I want to bring forward something real quick. It is called separability. It is a separability clause. It is in every contract. I have negotiated hundreds and hundreds of union contracts. A separability clause says that, basically, we will not enter into any agreement that violates the law, and any agreement that does violate the law has to be renegotiated once it is determined that the law is violated.

Now, nothing in this constitutional amendment proposes to change the *Janus* decision. If you want to be a freeloading scab, you can still be a freeloading scab. Nothing in this constitutional amendment changes Pennsylvania Act 195, nor Pennsylvania Act 111. Therefore, there is really nothing to be afraid of. We do not need to be afraid of unions. Unions are just there to help people, help working people. We enter into agreements with our employers that we handshake after it is done.

Now, the right to organize should be a constitutional right in the State of Pennsylvania. Pennsylvania is a worker-friendly State and should remain a worker-friendly State. Nothing in this, nothing in this is going to change the pattern of bargaining. Bargaining is still going to remain bargaining.

Workers have a right to organize. It should be enshrined in our Constitution. And I strongly, after 20 years of negotiating union contracts and organizing union barns, I strongly recommend that anyone that is prolabor – truly prolabor – come forward today and vote "yes" on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative D'Orsio.

Mr. D'ORSIE. Thank you, Madam Speaker.

From an economic standpoint, Pennsylvania is losing to other States. Pennsylvania is getting older, shrinking in size, and bleeding workers to other more competitive States. This bill, I would argue, would amplify that problem.

According to Census Bureau data and figures from the National Association of Realtors, States that embrace antiworker freedom policies are losing hundreds of thousands of workers in recent years. It is telling where these workers are going, too – worker-freedom States like Florida, which has gained 320,000; Texas, which has added 231,000; and others like Tennessee, North Carolina, and Arizona. Illinois, a State that has enshrined in its Constitution a measure very similar to the one we consider today, as was mentioned, lost a whopping 105,000 workers and almost \$11 billion in CGI in one year alone recently.

In light of these figures, and the already dismal climate for business and innovators in our State, I urge a "no" vote on HB 950.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Malagari on final passage, HB 950.

Mr. MALAGARI. Thank you, Madam Speaker.

Madam Speaker, many of you know the challenges that my wife and I have been going through to conceive a child. Why does this matter? Why does this matter when I stand up here and ask you to support HB 950? I am going to give you a little history.

When we started our process, I was not working in a union. I am a proud Teamster, Local 830, out of Philadelphia. Not only am I a Teamster, we have five others standing here united together as well in this chamber. The reason why I bring this up is because it was the Teamsters Union that offered me the health care that allowed for us to start our process to have a child. It was the Teamsters Union that actually afforded us medication and actually afforded the health care and the benefits in order to start a retirement as well. It was the union that negotiated that. It was the right to organize that made that happen.

In addition to that, a little history for you. I have a connection to Cambria County, to my good chairman from Cambria over there. My grandfather and great-grandfather were United Mine Workers working in a Nanty Glo mine. It was their union that allowed for them to send their three boys to college at a time when they were the first ever to go to college in their family. This was well before anybody else did.

Fast-forward a little bit and my mother was a public school teacher, also allowing us to have the health case as a family in order for us to stay healthy and to also have a dignified retirement. It was the union that allowed for that. It was the right to organize that allowed for that, and it continues to be the right to organize that keeps so many Americans and so many Pennsylvanians with good pay, good health care, great benefits, and dignity in work.

And for that reason, for all those reasons I mentioned, I urge a "yes" vote on HB 950. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Flood on final passage, HB 950.

Ms. FLOOD. Thank you, Madam Speaker.

During a Labor and Industry Committee meeting on the proposed constitutional amendment, I raised some important questions about how this proposal will conflict with our Crimes Code. The criminal offenses for harassment in Title 18, section 2709, and stalking in Title 18, section 2709.1, both include language that states: "This section shall not apply to constitutionally protected activity." When I asked if this amendment would allow union members engaged in organizing or bargaining activities to engage in harassment or stalking, I was told that my question was hypothetical and it was not provided with an answer. This question was not hypothetical. It was about very specific language in the Crimes Code and how it relates to proposed amendments.

Further, the gentleman from Philadelphia, the majority chairman of the committee, told me that whatever is illegal currently will still be illegal under the amendment. This information was not accurate. If we amend the Constitution to protect specific activities, and our Crimes Code has exceptions for constitutionally protected activity, it will legalize behavior that is currently criminal.

I want to make this crystal clear for my colleagues. If this amendment passes, stalking and harassment will be legal. They will not be able to prosecute somebody for it as long as the behavior was related to union organizing or collective-bargaining activity. There could be other conflicts with our Crimes Code in this proposed constitutional language which are more hypothetical. However, I want to make sure that everyone here understands that a vote for this amendment is a vote to legalize stalking and harassment for unions whenever their behavior is part of an organizing or bargaining effort.

I am recommending a "no" vote on this constitutional amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Siegel on HB 950 on final passage.

Mr. SIEGEL. Thank you, Madam Speaker.

You know, we have heard a lot of semantics and split hairs today and really nuance that stand as nothing more than to nullify the rights of the workers here in Pennsylvania, and I want to cut straight through and simplify this.

In 1960, when Kennedy stood before this nation and declared that a rising tide lifted all ships, that adage was true, but it was not true because of the generosity of corporate CEOs (chief executive officers) or the companies that workers worked for; it was because unions like Teamsters and Steelworkers stood for the rights of workers across Pennsylvania. And they made sure that the wealth that they created for those companies was shared equally so their families could have a shot at the American dream; so that they could buy homes in which they raised their families, send their kids to good schools, and support small businesses and Main Streets across the Commonwealth and the country.

And for the last 40 years that adage has been nothing but a cruel lie to the American worker because we have watched as fortunes have divided – the wealthy have gotten wealthier, corporate profits have risen, and the American worker has been left behind. And yes, our State is losing population. Our fastest growing population are folks 65 and above. And what is the best way to attract young workers and new families? To make sure that when they come here, they can support themselves, that they have a decent job with good benefits.

Madam Speaker, I come from the Lehigh Valley, where we, like the rest of the Commonwealth, have a proud industrial and union heritage, where at Bethlehem Steel they smelted the steel that built the battleships that defeated fascism overseas, where they built the steel that erected the skyscrapers that adorn our great cities across this country. And in Philadelphia, the City of Brotherly Love, where we so often throw stones and cast rocks, we forget that used to be the arsenal of democracy that ensured that freedom rang across this world. And those battleships and those weapons of war that ensured freedom rang true were built by union men and women.

There is no reason to oppose this legislation other than the fear of making it clear where you stand. Yesterday my colleague, the gentleman from Centre County, put it so eloquently when he made sure that when we did not take a stand, and we almost failed to stand up for our public-sector workers, that it was about who we were comfortable standing with. So if you are more comfortable eating dinner with the CEOs of greedy corporations, maybe oppose this bill. But if you would rather break bread with the men and women who ensure that those CEOs make their millions, then vote for this bill.

We have a chance today to show the workers of Pennsylvania that their time has come, that the era of greed and income inequality and the death of the American dream is over, and that we will ensure that a new era of union rights and union labor and worker power rings true again in this Commonwealth. So let us make that stand, let us send that message, and let us pass HB 950.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MACKENZIE. Thank you, Madam Speaker.

Will the maker of the – or the prime sponsor of the legislation stand for interrogation?

The SPEAKER. She indicates that she will.

Mr. MACKENZIE. Thank you.

The SPEAKER. Wait a moment. She has declined interrogation.

Mr. MACKENZIE. Choosing to not answer questions is her right, just like in Pennsylvania, choosing to collectively bargain, choosing to negotiate, choosing to join a union is already your right here in Pennsylvania. It is enshrined in State law and in Federal law. So all of these empty promises that things are going to magically improve because this goes into the Constitution are simply untrue.

There are two parts to HB 950. The first part deals with enshrining those protections of collective bargaining and negotiating, which I already talked about – already in State and Federal law; no change.

But then there is a provision to HB 950 that says, "No law shall be passed that interferes with, negates or diminishes the right of employees to organize and bargain collectively over their wages, hours and other terms and conditions of employment and work place safety, including any law or ordinance that prohibits the execution or application of agreements between employers and labor organizations that represent employees requiring membership in an organization as a condition of employment." All of that is copied exactly from Illinois. We have already heard about the disastrous experience in Illinois, where hundreds of laws may be thrown out, workers' safety is going to be jeopardized, and all those protections that we want to think about or advance in the future are no longer going to be possible because we have given up our right as a legislature to protect our workers.

We also hear that stalking and harassment do not happen. But there is a reason why this legislature passed a prohibition on stalking and harassment that was protected by collective-bargaining agreements. That law was signed into law by our previous Governor. If we pass HB 950, we jeopardize our workers here in Pennsylvania by potentially throwing out that law and that reform that helped workers.

We also heard from the Acting Secretary of Labor just the other week that child labor was on the rise here in Pennsylvania. That is something that is on the rise across this country because unaccompanied migrant children are being flown throughout the entire country with no supervision and then being forced and exploited in child labor. That is something that this Commonwealth and this House should be addressing, and we would do with a future law, but HB 950 would supersede that.

Finally, I was going to ask the good lady who sponsored HB 950 about *Janus* and protecting the rights of individuals that choose not to join a union. A previous speaker said that that was included in this legislation. So I am glad to see that everybody that is going to vote for HB 950 is voting to uphold the *Janus* decision and those rights that were given by the U.S. Supreme Court to not join a union, to not pay their fair share fees, if that is their choosing. That is a worker right; that is a worker freedom. I am glad the previous speaker recognized that *Janus* has been handed down and I am glad that he recognized that he is voting in favor of upholding *Janus* with HB 950.

The final thing I would say is that HB 950 is an excessive overreach that will not help Pennsylvania workers. This is the second day in a row, in my opinion, that this body is attacking

Pennsylvania workers. Whether they are in a union or nonunion, we should be standing up for our workers every single day. Yesterday we heard that in the public sector, those individuals that have the right to collectively bargain and negotiate their working conditions, we heard repeatedly that they were in unsafe working environments. After decades of union organizing, after decades of negotiating their working conditions, they were somehow unsafe here in Pennsylvania. What kind of message are we sending to people and businesses that may want to locate and employ these individuals here in Pennsylvania that somehow our public sector is so unsafe, so unsafe that we need public-sector OSHA? That is something that could be collectively bargained and negotiated already under State and Federal law here in Pennsylvania. But now today we are hearing that all across this Commonwealth, workers are being exploited, they are being taken advantage of, and that this will somehow magically fix that. It is simply not true because they already have the right to collectively bargain and negotiate if they choose. If they choose not to join a union, that is also their right.

We need to protect worker freedom across this entire Commonwealth, whether a worker is union or nonunion, and if there are unsafe working conditions or exploitation that is occurring, this General Assembly needs to act and pass laws to correct that, but HB 950 would close that door. So I would encourage anybody that actually wants to support workers, and actually wants to do that work in this legislative body, to oppose HB 950, because you are taking that right away from yourselves and you are jeopardizing workers all across this Commonwealth.

So let us do the right thing. Let us stand up for workers, and let us vote "no" on HB 950, but actually take up the work of providing workforce development programs, unemployment compensation benefits that need to be fixed, and do all the good work that we can as a legislative body together.

Thank you, Madam Speaker.

THE SPEAKER PRO TEMPORE (P. MICHAEL STURLA) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Kenyatta.

Mr. KENYATTA. Thank you, Mr. Speaker.

So listening to this debate, one thing that is very interesting is that in this body we apparently have a lot of experts on the State of Illinois. That is interesting to know. But I actually want to talk about a different State, the State of West Virginia. In 1931, for almost 8 years, there was a conflict between the United Mine Workers and the owners of the Harlan mines in what was culminated and now commonly known as Bloody Harlan. And during that conflict, in which the big mine owners unceremoniously lowered the pay of those mine workers by about 10 percent, a lot of things happened during that time. But one of the things that came out of that movement and that organizing is a song that you can still hear sung on lines every single day. The song was written by Florence Reece, whose husband was one of those mine workers. And as Harlan, the big company, was bringing in scabs to fill the place of those union workers, there was a song that is called "Which Side Are You On?" What side are you on?

We are going to have an opportunity here in a couple of minutes to actually see what side some people are on. Are you on the side of organized labor when it is campaign time or are you on the side of organized labor and working people when it is time to actually stand up for them?

Throughout this debate, workers in unions have been completely disrespectfully maligned as stalkers; completely and disrespectfully maligned as wanting to shut down our schools; completely disrespected for wanting to do what every parent and family wants, and that is to have a decent wage, that is to be safe on the job, that is to know that you will have benefits. And you know what? As you talk about aging Pennsylvanians, it would be great if more of those folks had a union pension to protect them.

So much of what we just heard from the last speaker is opposite day. Voting for an amendment that helps workers somehow hurts workers. Maybe the good gentleman from Lehigh Valley is confused, but workers certainly are not confused, and they will know very clearly what side you are on.

I heard about how uncompetitive Pennsylvania is for business and for innovators. Give me a break. Pennsylvania has not done right by the working people that make Pennsylvania what it is.

And so you can all say whatever you want, but this board is going to have the final say on where you stand. If you stand for working people, if you stand for folks who get up every day and bust their hump to make sure their family can live with dignity and respect, then you are going to put up a vote for 950. If you stand with the union busters, if you stand with the folks who could not care less about Pennsylvania's working families, then you are going to vote against this amendment. But do not you ever pretend—

POINT OF ORDER

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

Mr. KENYATTA. —moving forward that you care about working people—

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

Mr. KENYATTA. —that you care about working families, because you do not. And I am finished with my comments.

The SPEAKER pro tempore. The gentleman will suspend.

The Chair recognizes the minority leader for a point of order.

Mr. CUTLER. Thank you, Mr. Speaker.

It is good to see a Lancastrian in the rostrum again.

Mr. Speaker, I realize the good gentleman concluded his remarks; however, near the end of those, he was consistently going to the motives as to why people could vote against the bill. There have been a multitude of reasons raised, and to categorize them with negative terms I think is wholly below the dignity of this institution.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Scialabba.

Ms. SCIALABBA. Thank you, Mr. Chair.

My father was a union steward, my father-in-law was a union steward, my brother-in-law is a union steward. None of them think this is necessary.

And I also want to say, for a party that is concerned about trigger words, injecting discussions of reproductive issues to a mother who has lost several children has no place in this conversation. Thank you.

The SPEAKER pro tempore. The Chair thanks the Representative.

Representative Guzman is recognized.

Mr. GUZMAN. Thank you, Mr. Speaker.

Mr. Speaker, today I rise in strong support of HB 950.

Mr. Speaker, on March 24, my father, who has worked at the R.M. Palmer factory in the city of Reading, the R.M. Palmer factory exploded, killing seven individuals and pulverizing an entire factory building. Mr. Speaker, my father, thank the Lord, was actually in that building in the morning where it blew up. And I remember my father telling me the day after about how he smelled natural gas and rotten egg smell throughout the factory throughout that day. Nobody listened to him. Throughout the day, multiple workers at that chocolate factory, many of whom had worked there for more than 20 years, also complained to their superiors about smelling rotten eggs, and nothing was done – until about 5 p.m. on March 24 when the building blew up.

And, Mr. Speaker, God forbid that any of the 253 members of this legislature ever have to go through the experience of thinking that your father, an immigrant man who came to this country at the age of 19 without learning a lick of English, was potentially dead underneath rubble, a place where he has worked over 20 years. Many of his friends passed away, including Domingo, who was his friend whom he traveled with to this country from the Dominican Republic – a lifelong friend, dead in an instant.

I would like to read, if I may, just a very brief comment of one of the survivors who was trapped under the rubble for over 10 hours. This is what she said. She said, I let the supervisors know time and time again and this is what they told her: if it is going to be done, someone up higher has to make the decision, and so she got back to work. Borges, who was working on the ladder when the explosion happened, suddenly fell down the ladder and there was fire everywhere and she described in her words, quote, unquote, "I asked God why he was giving me such a horrible death. I asked him to save me, that I didn't want to die in the fire." Those are her words.

Unfortunately, for seven other, for seven other individuals at this chocolate factory, they will never be able to say I love you to their friends and family. They will never be able to kiss their children. They will never be able to see their kids play in their basketball games for our Red Knights.

So what we are talking about here, Mr. Speaker? Are you telling me that my father and his coworkers do not deserve the right to form a union? Do you all know that my father, who is now suffering from PTSD (post-traumatic stress disorder) because of this explosion, his insurance will not even cover his visits to a counselor? Do you know what that feels like? For a man who has given his life to this country over the last 25 years to have his employer say to his face, you know what? You just went through a catastrophe, a tragic incident, and so what you got PTSD. But you know what? You are up the hill without a paddle because you do not have the coverage for it.

This is what we are fighting for, Mr. Speaker. This is what we are fighting for. And so as the previous speaker did say earlier, whose side are you on? You best believe that I am on the side of the workers, and I ask my colleagues to do the same.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Eric Nelson.

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

Whose side are you on? My good friend from across the aisle, other members; whose side are you on? And I would submit, we

all should be on the side of workers, and workers want man-hours. Workers want to work.

If the majority party truly stood for workers, then they would repeal RGGI and allow our power plants to be built. Zero power plants in Pennsylvania, 12 in Ohio since the Governor's Executive order on RGGI. Workers want to work, Mr. Speaker. They do not want political posturing.

Fourteen thousand people just last year left this State. The IRS (Internal Revenue Service) published that data yesterday. Almost \$2 billion of taxes lost. We are falling short because our workers cannot work because people want to say they stand with labor when really, they are slicing their throats.

This bill does nothing. These rules already exist. The protections already exist. In my previous employer, I was a union member, and at times we needed the union to offset the manipulations of management, but I joined that union of out my own free will. Free will, freedom, this theme that seems to be lost by our colleagues from across the aisle.

Legislation that gives advantage to one group over another is wrong. It does not matter which front. Our workers want to work; let us let them.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Smith-Wade-El.

Mr. SMITH-WADE-EL. I do, I do have to agree with the minority leader: It is excellent to see a Lancastrian at the rostrum. And yes, the word is "Lancastrian," in case anyone has any questions.

But I rise because, as a member of the majority party in this chamber, I have just been told that I misunderstand freedom. So I want to talk about a woman, actually, who Speaker Turzai actually – I am sorry, the minority appropriations chair, on the occasion of her funeral, brought a citation from Speaker Turzai, Mr. Speaker, honoring the late Dr. Rita Smith-Wade-El, my mother, a 35-year union member, the son of an African-American World War II veteran who went across the Atlantic Ocean to defend this country at a time when this country would not let him sit at a lunch counter. But apparently, I misunderstand what freedom means. That is okay. That is okay. Because when he returned and found he could not get a variety of jobs, he was able to, with an eighth grade education, he was able to secure union labor. And let me tell you about the difference that that has made for my family.

In 1921, Eva Mae Stephens was born in Oglethorpe County, Georgia, a sharecropper – basically, a new version of slave – on land that she did not own. Her grandson stands before you a member of the most august body perhaps in the entire United States of America. That is the American dream, Mr. Speaker, and that was brought to you, brought to this chamber by successive generations of organized labor who protected the wages of my family; who built the house, the Armstrong cloner in which my mother raised her family, the first building anyone in my family had ever had their name on the deed on. And when she was diagnosed with triple-negative breast cancer, it was the health care that her union secured that gave me 10 more years with my mother.

But that is not what I am up here to talk about. I want to talk to you about the Brotherhood of Sleeping Car Porters and the United Auto Workers – because I do not understand freedom. I take my freedom for granted. Yes, we have had setbacks with racial justice – I promise, I am coming to a point – yes, we have had setbacks with racial justice, but I live in a country and in a

Commonwealth where, at least as a Black man, my rights do not have to be debated on the floor of this chamber; where I may go where I please, work where I please, and vote as I please. I understand those critical freedoms pretty intimately because my mother did not have them when she was born and her grandmother did not have them. You know who won those freedoms for us? The civil rights movement; the participants of the March on Washington for Jobs and Freedom, which would not have been possible without the Brotherhood of Sleeping Car Porters and the United Auto Workers. The civil rights that allow me to stand before you that make sure that the heavily Black and Brown residents of the greatest district in the Commonwealth, District 49 in Lancaster County, are indeed allowed to vote were secured by organized labor.

And I know – I will close by saying this – I know that we love, in this chamber and any other chamber of government, we love to celebrate the late Dr. Martin Luther King. And I want to make sure that we honor his memory. And they say that imitation is the greatest form of flattery, so the best way that we can honor the Reverend Dr. Martin Luther King, that we can honor the organizers of the civil rights movement, that we can honor the late Dr. Rita Smith-Wade-El, is to reproduce the Reverend Dr. Martin Luther King's final act. You see, the day before he was shot to death, he spoke to a crowd of 20,000 striking sanitation workers to boost them in their efforts.

If you stand for civil rights, if you do indeed understand freedom, then I urge a "yes" vote on 950. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Pisciotano.

Mr. PISCIOTTANO. Thank you, Mr. Speaker.

It is difficult to follow the gentleman from Lancaster – with apologies to the minority leader and the Speaker.

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

The SPEAKER pro tempore. The Chair recognizes—

Mr. PISCIOTTANO. I appreciate the debate that we have had here today and in prior days about this constitutional amendment and recognize that this is an early step down a long road towards ensuring that workers in Pennsylvania have clear constitutional rights that are not dependent on judicial rulings, Federal law, or individual statutes. I believe that journey down that path is one worth taking towards a goal that we should all support.

Pennsylvania has been front and center creating workers' rights for generations. The modern labor movement was born in Pittsburgh, both with the creation of the American Federation of Labor in the 1880s and the infamous Homestead strike in 1892, as the need for worker protections and rights spread across this State during the industrial revolution. All the way back in 1786, printers in Philadelphia joined together to collectively bargain for better pay. So it is clear that worker rights have been a fundamental part of the history of Pennsylvania from colonial times through the industrial age until today.

And during this debate, we have heard from many of my colleagues across the aisle that this is somehow a giveaway to special interests. I am curious, Mr. Speaker, what special interests we are talking about. Are we talking about my constituent, Kelly Hilligsberg, a kindergarten teacher at West Mifflin Area School District in my district who supports this bill? Or Danny Krajewski, a steelworker from Dravosburg, Pennsylvania, who stands to benefit from the constitutional protections we are debating today? If those are the special interests my colleagues talk about during this debate, then I stand

here happily wearing that as a badge of honor that yes, indeed, those are the special interests I am here to represent, because the men and women who get up in the morning and build this country and educate our next generation do not have lobbyists out in the rotunda. They are too busy working hard today to watch this debate on PCN (Pennsylvania Cable Network). So when my colleagues talk about how this bill benefits dark, insidious special interests, I do not know what they are talking about other than the working people of Pennsylvania who would benefit from this bill.

Every member of this chamber should know, if you already do not, that every single union was certified by a majority vote of the union membership, and every single labor official is elected by the workers they represent, in the same way that every member of this chamber of House of Representatives is elected by our constituents. Just like those in this chamber, union certification and union officials can equally be removed by a majority of its members. Labor organizations are run by small "d" democratic means in the true spirit of our constitutional government, and the right to participate democratically in a union of your choosing should not be denied. That is why this constitutional amendment is so important, Mr. Speaker. The legislation before us today enshrines in our State Constitution the belief that all employees have the right to organize and to bargain collectively through democratic representatives of their own choosing.

As I stated before, this has been an American right since colonial Pennsylvania, and was protected 149 years later by the National Labor Relations Act in 1935, the Pennsylvania Labor Relations Act in 1937, and many State and Federal statutes since.

In the previous session, the House debated a Senate concurrent resolution aimed at preventing Pennsylvania from joining a four-letter acronym. My colleagues across the aisle talked about the effect joining that acronym would have on the workers of this Commonwealth, and my good friend from Beaver County spoke passionately that day and he said, who will you stand with, the billionaires or our workers? On that day, I agreed with my colleague from Beaver County, and 21 Democrats broke with our caucus and our Governor to join them on that vote. My question before the House now is, how many of my colleagues across the aisle will break with their caucus to join us on this vote today?

Six States in the United States have included similar language in their Constitution. Those States are Florida, Hawaii, Illinois, Missouri, New Jersey, and New York. That sounds like a bipartisan group of States if I have ever heard one.

All of us have friends and family who go to work every day. They should have their rights to fair treatment included in their State Constitution. In politics and in life, fair-weather friends are nothing of the sort and only convenient acquaintances. Stand up for Pennsylvania workers from the building trades to the steel mill to the kindergarten classroom and everywhere in between by voting "yes" on HB 950.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes Representative Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I will submit my comments for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Madam Speaker, in November 2015, the Philadelphia Inquirer published an editorial in a law passed by this chamber in 2015, signed by Tom Wolf. It states, "They menacingly photographed Sarina Rose's children as they waited for the school bus. They cursed her out and cornered her at a luncheonette. One formed his hand into the shape of a gun and pretended to shoot her as he mouthed the words 'Bang, bang, bang.'

"Rose's company used a partly nonunion workforce to convert a long-derelict Loft District building into apartments, and members of Ironworkers Local 401 registered their objections using such shameful and in most circumstances criminal tactics. But after the Philadelphia District Attorney's Office filed charges against Rose's tormentors in 2013, a municipal judge let them off. He relied on a little-known state law that protected parties to a labor dispute from prosecution for stalking, harassment, or terroristic threats.

"Pennsylvania's misguided exemption didn't supersede federal law, though. The Justice Department this year secured convictions of a dozen ironworkers on racketeering, arson, assault, and other charges for systematically harassing nonunion contractors, including Rose's company. That did more than get justice for the aggrieved. It also helped propel a repeal of Pennsylvania's ridiculous license to harass through Harrisburg's partisan mine field. Passed by the legislature's Republican majority, the bill was signed by the Democratic governor last week.

"The thugs who engaged in such tactics, along with those who encouraged or tolerated them, disgraced the labor movement, which is supposed to protect people from abuse. The exemption written into the law, dating to the 1930s, may have been intended to protect organized labor's right to seek better working conditions, but it was a gross overreach.

"The crimes documented in the federal case included a beating of nonunion workers at a Toys R Us construction site in King of Prussia and an arson at a Quaker Meeting House in Chestnut Hill. The men involved called their dirty deeds 'night work' and jokingly referred to themselves as The Helpful Union Guys – T.H.U.G.S. But their violent acts were no joke to their victims.

"Besides undoing a law that encouraged such lawlessness, the bill signed by Gov. Wolf offered a rare moment of bipartisanship as Harrisburg entered its fifth month of a budget standoff. Perhaps it's easier to agree that thugs shouldn't be allowed to run amok than it is to decide who should pay to shore up the State's faltering education system. That's a tough call for lawmakers and the governor, but it's also their job. Fortunately, they say they're finally close to a deal even though many of the details remain unclear.

"So cheers to the Democratic governor and Republican legislative majority for finding a problem they could solve together. Now they should build on it."

Madam Speaker, everyone recognizes the right of an individual to join a labor union. But the proposal before the House today would elevate the language of union contracts into a rare Constitutional air that takes priority even over State law. This is deeply problematic, as evidenced by the example I reference from a few years back. Everyone must be accountable to the law, and thus I encourage a "no" vote.

The SPEAKER pro tempore. Seeing no other members seeking recognition, the Chair will recognize the minority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Does the prime sponsor not wish to speak again? I simply want to be observant of past practice.

The SPEAKER pro tempore. The Chair thanks the gentleman. Representative Fiedler, do you seek recognition?

Ms. FIEDLER. Yes, please. If I could speak briefly on the bill.

The SPEAKER pro tempore. The gentlelady is in order.

Ms. FIEDLER. Thank you, Mr. Speaker. I will be brief.

If we want to keep and attract workers and their families to Pennsylvania, I think it is really clear some things we need to do. We need to create good-paying jobs – am I right? – we need safe working conditions, and we need to guarantee workers that they will have the right to organize no matter what happens in this legislative body going forward.

As the proud daughter of two union members today – and I have been thinking a lot, as my colleagues have talked, about how grateful I am to my parents, how much of my ability to be here today is founded on their ability to support me as a kid when I was growing up, and how grateful I am to them and to their union leaders for allowing me to stand here at this podium in the State House of the best State in the United States, Pennsylvania.

I am so proud that today, that State, Pennsylvania, our home State, is going to take the step and put us on the map as a clear State that stands in favor of workers and is not afraid to cast a "yes" vote in favor of this legislation.

Thank you very much. I appreciate the time today. That is all I have.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the Representative and recognizes the minority leader, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, prior to starting my comments, I would simply ask if the prime sponsor would answer one brief question regarding applicability?

The SPEAKER pro tempore. The gentlelady declines.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, would the chairman of the Labor Committee answer a question regarding applicability?

The SPEAKER pro tempore. The gentleman declines.

Mr. CUTLER. Very good, Mr. Speaker.

Mr. Speaker, it is unfortunate that we cannot get the question of applicability answered in terms of is this prospective or does it have retroactive tendencies, because that is a fundamental legal question. That is actually very important. I know that yesterday I was accused of being too lawyerly or legalistic, but it turns out that words actually matter. You can ask our Supreme Court. They like to parse the legislation that we pass on a regular basis.

And we heard a lot of emotion and stories and family histories, which I appreciate, because I have always encouraged members to share their life story of how they ended up here. That informs how people make decisions, and then it helps us better understand where we might have common ground.

The comment from my good friend from Philadelphia regarding being an expert on Illinois: I assure you, sir, I am not an expert on Illinois; however, I do not need to be an expert to know how bad the status of their State currently is. Many folks here might not know that the reason we became the fifth most populous State is because Illinois lost more people than we did, and that is a problem, and sadly, we are both not going in the right direction. You do not win by simply losing less people than who you are competing with. So I am not sure that we should adopt language like this that they have in their Constitution.

We were asked, what side are you on? Mr. Speaker, I would offer, respectfully, there should not be sides. There are workers and there is workplace safety. That is important. I think everybody here would agree with that premise. But there is good policy and bad policy, which is what we are tasked with debating. And I think that what is bad for Illinois is also bad for us.

Mr. Speaker, when the refinery blew up in Philadelphia, one woman stood with the workers to try to get the refinery back, the good Republican Representative from Philadelphia. Unfortunately, many of the other members at the time stood with the environmentalists to make sure that that refinery did not come back for those union-paying jobs. So we have been asked, which side are you on, the workers or the environmentalists? That I think demonstrated exactly how those lines were drawn.

Mr. Speaker, I have a close friend of mine who his wife is a substitute teacher, and she went into the schools during the COVID period when tenured union teachers were using their collective-bargaining protections to stay at home. While that is certainly their right and it was negotiated in their contract, why should she be forced to be a union member simply to participate in the education of our children?

Previous speakers have talked about the education loss. It is clear that my friend's wife loves not just her kids, but the kids that she teaches, and it has been a very important part of their lives, especially during the COVID shutdowns. However, she did not want to be a union member to simply teach. This bill would permit a union to require her to be a member of the union in order to be a substitute teacher; page 2, lines 4 and 5, I believe. And to my colleague's earlier point, she is not a freeloading scab; she is a hero. We had lots of heroes – health-care workers, teachers, fire and EMS (emergency medical services) – during that time period. Despite her health, despite her fears, and despite her anxiety, she chose to go to school during a very uncertain time in our State. She chose to do the job that others declined. But, Mr. Speaker, she should not be required to be a member just in order to teach.

I do believe in the freedom to organize; that I think is an important piece to argue about. And as workers have their ability to assemble and organize, but if we believe in those rights, we should also believe equally firmly in the freedom from contract and the freedom to not assemble because they are simply two sides of the same coin. Respectfully, this bill places too much power for some to force others into situations that they wish to be free from. The good gentleman from the Lehigh Valley talked about worker freedoms and he is right. The freedom to choose or not to choose.

And, Mr. Speaker, had my questions been answered – and I would simply point out, I think that is the sixth time in 2 short days where prime sponsors have declined to be interrogated – my question was specifically about the applicability of is this only from the date of adoption forward or is it retroactive? There was some conflicting testimony given in committee and I think it is important that this be resolved. In the plain reading of the amendment, it says, "Employees shall have the fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours and working conditions, and to protect their economic welfare and safety at work." The second part establishes a prohibition against other certain laws. It says, "No law shall be passed that interferes with, negates or diminishes the right of employees to organize..." and goes through a litany of restrictions.

Even if you were to believe, as was asserted in committee, that the text in the second part is not intended to apply to already existing laws, respectfully, the courts will not care. The courts will look at this and say it is a fundamental right, and therefore, it needs to be applied across the board. To be clear, if there is an existing law that interferes with the fundamental right to organize or negotiate wages, hours, working conditions, economic welfare, and safety at work, those protections would be in serious

jeopardy upon adoption of this amendment. Since this language puts the unionization of collective bargaining power on par with other fundamental rights such as speech, assembly, due process, and equal protection, any laws on the books that today could be potentially viewed as infringing on the second part of that amendment. I wish we could have had those questions answered.

The constitutional standard of review, for those who are curious, in such a case involving fundamental rights, which is what this seeks to do, says it has to be a compelling governmental interest that is narrowly tailored. The burden of proof would be on the government to show that such a law passes muster. Basic rules of statutory construction provide that the plain meaning of the words will be used as the best evidence of legislative intent.

As recently as 2022, the Pennsylvania Supreme Court reminded us, when interpreting constitutional language, we are mindful that the people when they voted on its language of the Constitution controls and that it must be interpreted in its popular sense as understood by the adoption. Respectfully, Mr. Speaker, there is no phrase that says "this applies from this day forward." It simply applies. To find the popular sense of a particular word's meaning, the court would routinely go to a dictionary. Importantly, the court must presume the General Assembly does not intend an absurd result. As applied here, the constitutional amendment clearly and unambiguously recognizes a fundamental right – rights to organize, negotiate, and for workers to protect their economic welfare or safety at work. To entertain the notion that this freshly minted series of fundamental rights may only be applied prospectively leads to an entirely foreseeable result where a law that substantively interferes with these rights would survive the scrutiny based solely on its date of enactment. That is both absurd and is unreasonable.

There is no plain language. It could have easily been fixed in this proposed constitutional amendment that says these fundamental rights are prospective. Therefore, the courts will likely have no choice but to apply it to all the laws that infringe upon any of the rights that are listed here.

Aside from the hundreds of laws that this might impact, this fundamental right, it should not be lost on anyone that the entirety of our Employee Relations Act and the PLRA will be up for grabs with this language to be newly interpreted by the courts. Any language in these two acts that impacts a worker's ability to collectively bargain will be subject to scrutiny analysis now. And if those challenges to those laws that restrict speech or the right to assemble are an indicator, the chances of survival for these provisions are very limited. Now, maybe – and I am not speaking to intent, but that will likely be the result – maybe that is the desired result for some.

Mr. Speaker, what could have happened today had some other amendments been entered in regarding regulatory reform, for example, there would actually be more workers to unionize, workers like the good woman from Philadelphia stood with. But we were thwarted with parliamentary procedure. And I understand the roles that we all play, but, Mr. Speaker, if we want to keep having votes that divide one side and the other, asking questions of which side you are on, I say it is time to get to work. Let us get serious about improving not just worker safety, but opportunity for these workers to even come here. Let us tell people that Pennsylvania is open for business. Let us say we want to have a workable place that thrives with our economy. We are blessed with the greatest workforce in the entire country; I firmly believe that. We are blessed with natural resources abundantly here. And yet it is our public policies that continue to

thwart efforts, while at the same time blaming some big bogeyman of a corporation or some other person being at fault, and that, Mr. Speaker, is simply wrong.

Mr. Speaker, if we want to actually protect workers, maybe we should work on the issue that I have tried the last three times: How about we stop taxing poor people? Let us look at the poverty tax exemption. That would help people. But instead, Mr. Speaker, we have been thwarted time and time again. And I understand the good lady's efforts. I do. She feels very strongly about this issue. I feel very strongly about the amendments that were not included because I actually think they could have made Pennsylvania a better place.

Mr. Speaker, we had an opportunity today to get this right. This is a lopsided attempt that will unfortunately further infringe worker freedoms, and I would urge the members to vote "no." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Representative Bradford.

Mr. BRADFORD. Thank you.

And thank you for the heartfelt comments from the minority leader. He said in concluding his remarks that we need to show that Pennsylvania is open for business, and I think that the gentleman will be surprised over the next few months the bills that this majority will run will indicate just what that looks like. I think he will be surprised when we run a bill on the poverty exemption and an earned income tax credit at the State level and we are going to do dependent care tax credit at the State level. And you are going to see that being pro-worker is pro-business, and that, actually, is the very definition of being open for business.

But let us have an honest discussion about the core of what is at the right to organize: the right to bargain collectively. From the beginning of the labor movement, that is the very basis of union support. So yes, and I have to say, it has been heartening to see a change in the caucus opposite in my dozen-plus years in the legislature. The once uniform hostility to organized labor is not there anymore. There is a little bit of a gap, especially when it comes to the building trades, especially if you are talking about the petrochemical industry.

What we offer you today is an opportunity to say we can do right by the single mom who works as a receptionist who is underpaid. We are going to talk about the guy who works full-time but makes \$7.25 an hour, our State minimum wage. We are going to offer them a piece of progress. And it goes back to that original point: the right to bargain collectively. We are going to pass the minimum wage increase, but for those workers that would be left behind, we are going to say that fundamentally in this Commonwealth you have the right to bargain collectively, and we are going to enshrine it in our State Constitution.

Because of the recent willingness of some of our Republican friends to start attending that Labor Day parade and having a beer at the union hall, they think that they have now have earned the right to vote against the service worker and the government worker and every other worker that desperately needs a union. Well, here is the thing, in Pennsylvania in 2023 and in 1823, workers need unions. And you cannot just say you are pro-worker – say it with me – you are pro-organized labor, because for some, the word "pro-worker" is a shorthand for "but not those government unions." And for some who use euphemisms like worker-freedom States, some of us know what that really means. That is called right to work – right to work for less, less wages.

Let us get serious about what this is about. Use the euphemisms you want or say that it was the benevolence of the former majority because we could not get 102 votes to pass right to work but we wanted to, and we tried to pass paycheck protection but we failed miserably. Hey, their view is, give us credit because we were not successful in taking away your right to unionize. That is not called congratulations; that is called good try.

Now, listen, the good gentleman from Delco, who spoke so eloquently about his own union experience, he understands what unions do for people. It is a way into the middle class, and it is as true for the refinery worker as it is for the receptionist. And we have to recognize the hypocrisy when we only say unions are good for the few. They are good for everyone. And if they choose it – and yes, if they choose it – they should have that right.

Now, it has been a long day and much has been accomplished, and I just want to leave us with this. If you really want to bring Pennsylvania together, let us be pro-business, let us be pro-worker, and let us put up a lot of votes to say that we are not just for certain trades members; we are for every worker in this Commonwealth – the right to join a union, the right to make a good wage, a pathway to the middle class. That is how Pennsylvania got to this place. Let us vote affirmatively on HB 950.

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—102

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

NAYS—99

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

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. For the information of the members, there will be no further votes.

VOTE CORRECTIONS

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

For what purpose does the gentleman rise?

Mr. HARRIS. Correct the record.

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

Mr. HARRIS. Thank you, Madam Speaker.

On HB 714, amendment 00425, I was voted in the positive. I would like to be voted in the negative.

Thank you, Madam Speaker.

The SPEAKER. The gentleman's remarks will be reflected in the record.

The Chair recognizes Representative Sappey.

Ms. SAPPEY. Thank you, Madam Speaker.

On amendment A00425 I would like to be recorded in the negative.

The SPEAKER. The gentelady's remarks will be reflected in the record.

The Chair recognizes Representative Hanbidge.

Ms. HANBIDGE. Thank you, Madam Speaker.

I would like to, again, on HB 714, 425, be voted in the negative.

The SPEAKER. The gentelady's remarks will be reflected in the record.

BILLS RECOMMITTED

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

- HB 338;
- HB 714;
- HB 731;
- HB 917;
- HB 953;
- HB 1018; and
- SB 1.

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

BILLS REMOVED FROM TABLE

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

- HB 134;
- HB 295;
- HB 365;
- HB 409;
- HB 797; and
- HB 877.

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

**THE SPEAKER PRO TEMPORE
(RYAN A. BIZZARRO) PRESIDING**

The SPEAKER pro tempore. Pursuant to rule 17, the Chair recognizes both Representative Mullins and Representative Cutler.

STATEMENT BY MR. CUTLER

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I join my friend, Representative Mullins, here to discuss an issue that is very important to both of us. I referenced it in my closing comments on the last bill that we all have stories about how we ended up here and what it is important to us. And for both of us, we have a very sad connection regarding our parents. Unfortunately for him – I will let him share his story. But I lost both of my parents to Lou Gehrig's disease. And back in 2012, we initiated an effort up here with strong bipartisan support; then Representative Shapiro, now Governor, and I had worked together on the issue of funding for ALS (amyotrophic lateral sclerosis) patients.

There are some issues that folks may not understand. Veterans are twice as likely to have Lou Gehrig's disease as other individuals. The normal occurrence is one in a quarter million, so the odds for both of my parents to succumb to this disease are extremely high. I was much younger at that time, but I had a wonderful community that rallied around us in order to really

ensure that my sister and I still had a regular and normal life. Our churches, our Lions Club, our friends and family delivered meals, they cut and split firewood, and they did a host of other things. But the ALS Association out of Philly, the greater Philadelphia chapter, and specifically, the clinic at Harrisburg, made a huge impact on both my parents' lives and their care. And while my parents lost that fight some time ago, the issue is no less important.

We have, as a State, the highest number of deployed guardsmen in the country on the war on terror when you go back and look at the data. So what does that mean? That likely means, sadly, we have a bubble of military veterans who will likely also succumb to this disease, who, again, are twice as likely to have it as the regular occurrence. So we thought at that time that it was very important to have a structure in place to provide care for those individuals because we know that it is better policy, better outcomes, better for the patient, and honestly, better financially for the State to provide that care at home in place. And as we explore those policies in other venues, I hope that we consider that, because my parents were able to stay at home much longer than normal.

My father passed away my senior year in high school. He had a regular presentation. He was about 18 months from start to finish. My mom was very – a wonderful lady, but very stubborn, and she just hung in there. She started having symptoms near the end of 1990, was diagnosed in 1991, but she lived to 1999, September of 1999 was when she passed. And we were able to keep her at home until about the last year and a half, where she pulled my sister and I, who was in nursing school, and said, you know, you really – we need to talk about a long-term care facility.

So this program is very important. It is very personal. And I know that Representative Mullins will share his story as well. But it has created a bond and an interest in not just providing care for people who are already diagnosed, but also our efforts are combined to work towards making sure that no one else has to suffer from this, particularly with that big bubble of veterans that could potentially be coming.

Mr. Speaker, I know that we oftentimes break down this middle aisle on issues. This is not one of them. I am proud to stand here and advocate not just for the services, but for the patients, in the hopes that someday we will be able to stand here and tell you that there has been a cure discovered at any one of our medical or research institutions here in the Commonwealth. But until then, we have patients to care for and jobs to do.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

STATEMENT BY MR. MULLINS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Mullins.

Mr. MULLINS. Thank you, Mr. Speaker, and to my friend, Leader Cutler.

You know, when I was first sworn in in the year 2019, – and I can still picture my father and my whole family right over there taking our group pictures, and Dad holding my son, Conor – and then we all came to order and I heard the Republican leader, Leader Cutler, speak of stories and how everybody has one that needs to be heard. But also, I remember not being able to imagine losing a loved one to such a cruel, debilitating disease, let alone

two parents. But life has a way of challenging us and forcing us to face the things we cannot imagine.

A year into my first term of mine, Dad was diagnosed with Lou Gehrig's disease, with ALS, and all of sudden I, along with my heartbroken and shell-shocked mother and sister and extended family, took on the role as caregivers – new members to a club that none of us asked or wanted to be in. And Dad passed away this last October, and so many members of this work family of mine were so kind and supportive before and since then, and it is an appreciation that is tough to express.

Dad raised me a New York Yankees fan, and I know that does not earn me a ton of friends in central Pennsylvania, but— So Lou Gehrig and his illness and his famous luckiest man in the world speech was quite familiar to me. He also said, "When you have a wife who has been a tower of strength and shown more courage than you" could ever imagine or "dreamed existed – that's the finest I know."

I know Speaker Cutler, Leader Cutler's parents cared for one another, were the finest he knows. We think of the towers of strength that Lou Gehrig referred to. I think of my mom. I think of the spouses out there who are caring for their loved ones. I think of caregivers who find that as their profession and their calling.

So this month must be about awareness, but also about much more. This month, this budget, must be about our caregivers, our towers of strength in our lives and in our world. It must be about more than just restoring the ALS care services line item, which so many of you helped to boost last year in such a meaningful way. And it also must be about working with our State agencies to streamline the home-care process. But finally, Pennsylvania has some of the best world-class research institutions in the world. We must work toward more State and Federal funds to research and cure ALS, along with other neurodegenerative diseases like Alzheimer's, multiple sclerosis, and Parkinson's.

Lou Gehrig went on to say that although "...I might have been given a bad break, but I've got an awful lot to live for." And even in the face of loss or whatever we are facing or up against, friends, we all have an awful lot to live for, and we have a lot of work to do. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair is in receipt of a motion by the gentlelady, Representative Parker, that the House will now adjourn until Monday, May 22, 2023, at noon, unless sooner recalled by the Speaker.

The Chair rescinds his announcement.

The House will be at ease.

The House will come to order.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentlelady rise?

Mrs. CURRY. Hi, Mr. Speaker. Thank you.

I would like to correct my vote for HB 1018, amendment 00453, from a "yes" vote to a "no" vote.

The SPEAKER pro tempore. The gentlelady's remarks will be reflected in the record.

Mrs. CURRY. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Thank you.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair is in receipt of a motion by the gentlelady, Representative Parker, that the House will now adjourn until Monday, May 22, 2023, at 12 m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:27 p.m., e.d.t., the House adjourned.