

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 27, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 32

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. CAROL HILL-EVANS, member of the House of Representatives, offered the following prayer:

Good morning.

Luke 16 records the story of the rich man and Lazarus. Lazarus would sit at this rich man's gate night and day, waiting and begging for a few good scraps from the rich man's table. Every night the rich man would throw the scraps from his plate into the garbage. He saw Lazarus's suffering, but his heart was indifferent to the brother's suffering.

One night both the rich man and Lazarus had to go the way of all flesh and die. Lazarus found himself in the bosom of Abraham, but the rich man went to hell and found it a hot, lonely place. The tables were turned: now it was Lazarus who feasted at the banquet table, while the rich man bemoaned his eternal fate. His indifference to his brother's suffering had condemned him and sealed his eternal place in hell.

Colleagues, the rich man is a sign to us as legislators. We must be wise stewards of our resources, all the while attending to the needs of the least of our brothers and sisters. The widowed, the poor, the hungry, and the imprisoned are still here with us. I do not believe God wants us to set those in need adrift on the raging seas of life. Instead, He commands us to reach out and give those in need a hand up.

When we aid and support God's children, giving them a way of feeding themselves for life, we are fulfilling our obligations to our constituents. Blaming those in poverty for their lack of resources is wrong. We need to focus our energies on the development of economic and other programs that will promote an acceptable standard of living.

Proverbs 14:21 states: "He that despiseth his neighbour sinneth; but he that hath mercy on the poor, happy is he." I believe God's will is for us to love all of His children enough to see that they have what they need. This is the good that He desires us to do. To know what is right and not to do it is an offense for which God holds us accountable. Colleagues, let us do the right thing. Amen.

### PLEDGE OF ALLEGIANCE

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

### LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

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

The Chair recognizes the minority whip, 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—203

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
Boyd	Green	Malagari	Schlegel
Boyle	Gregory	Maloney	Schlossberg
Bradford	Greiner	Marcell	Schmitt
Brennan	Grove	Markosek	Schweyer
Briggs	Guent	Marshall	Scialabba
Brown, A.	Guzman	Matzie	Scott
Brown, M.	Haddock	Mayes	Shusterman
Bullock	Hamm	McAndrew	Siegel
Burgos	Hanbidge	McNeill	Smith
Burns	Harkins	Mehaffie	Smith-Wade-El
C Freytiz	Harris	Mentzer	Solomon
Cabell	Heffley	Mercuri	Staats
Causar	Hogan	Merski	Stambaugh
Cephas	Hohenstein	Metzgar	Steele
Cerrato	Howard	Mihalek	Stehr
Ciresi	Innamorato	Miller, B.	Stender
Conklin	Irvin	Miller, D.	Struzzi

Cook	Isaacson	Moul	Sturla
Cooper	James	Mullins	Takac
Curry	Jones, M.	Munroe	Tomlinson
Cutler	Jones, T.	Mustello	Topper
D'Orsie	Jozwiak	Neilson	Twardzik
Daley	Kail	Nelson, E.	Venkat
Davanzo	Kaufner	Nelson, N.	Vitali
Davis	Kauffman	O'Mara	Warner
Dawkins	Kazeem	O'Neal	Warren
Deasy	Keefer	Oberlander	Watro
Delloso	Kenyatta	Ortitay	Waxman
Delozier	Kephart	Otten	Webster
Diamond	Kerwin	Owlett	Wentling
Donahue	Khan	Parker	White
Dunbar	Kim	Pashinski	Williams, C.
Ecker	Kinthead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	Speaker
Fleming			

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

LEAVES ADDED—1

Lawrence

LEAVES CANCELED—1

Lawrence

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

The House will come to order. Members, please take your seats. We are about to take up a very important resolution. The House will come to order.

CALENDAR

RESOLUTION

Mr. PISCIOTTANO called up **HR 58, PN 748**, entitled:

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.

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

The following roll call was recorded:

YEAS—202

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

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

GUESTS INTRODUCED

The SPEAKER. Members, we have some very special guests who are here in the chamber today. Members, we have some very special guests that are here in the chamber today.

We just passed HR 58, sponsored by our colleague, Representative Pisciottano. HR 58, which just passed, will recognize September 15, 2023, as "Roberto Clemente Day" in Pennsylvania.

In addition to passing that resolution, Representative Pisciottano has, seated to the left of Speaker's rostrum, the family of the late and great Roberto Clemente, Sr. Today we welcome Roberto Clemente, Jr., Kailee Clemente, Roberto Clemente III, Leo Clemente, and Luis Clemente. Welcome to the hall of the House. Thank you.

The House will briefly be at ease.

The House will come to order.

### FILMING PERMISSION

The SPEAKER. The Chair grants Chelsea Cox from C2 Consulting permission to videotape with audio on the floor and in the gallery for a period today for up to 10 minutes.

The House will come to order.

Members, we have some very special guests and I do appreciate your patience as we welcome them today, both myself and our pro tem this morning.

### FORMER MEMBER WELCOMED

The SPEAKER. Seated to the left of the Speaker's rostrum is the gentlelady, formerly from the 200th Legislative District, previously of the 9th Councilmanic District. And the citizens in Philadelphia, the city of the first class, have recently propelled her to make history, and we are watching to see what the rest of the year holds for our former colleague, Cherelle L. Parker. Welcome. We are so glad to have you.

The House will briefly be at ease.

The House will come to order.

### THE SPEAKER PRO TEMPORE (PATTY KIM) PRESIDING

### GUESTS INTRODUCED

The SPEAKER pro tempore. Representative Harris welcomes Philadelphia Council members, former Representatives Kenyatta Johnson and Mike Driscoll, Anthony Phillips, Quetcy Lozada, and Jim Harrity, and council members-elect Rue Landau, Nina Ahmad, and Jeffery Young. Welcome.

Representative Mackenzie has two guests: Amanda Blagbrough, who is shadowing today, and she brought her 80-year-old grandfather, Thomas Huff, who is a veteran. He was a captain in the U.S. Army, 24th Infantry Division, Augsburg, West Germany. He did school and training at Indiantown Gap and Fort Lee, Virginia. Thank you for your service, and welcome to you both.

Representative Carol Kazeem has a 100-year-old activist and widow of a vet. She welcomes her constituents— We went a little early. The guests will be here tomorrow. Thank you, Representative Kazeem.

In the gallery, Representative Mackenzie welcomes her constituents, Frank Dumbleton, Keely Dumbleton, and Jean Silva. Welcome, guests.

Representative Malagari has an Eagle Scout, Daniel Schuetz, visiting today, along with his parents and brother, Charlie, who is a First Class Scout. Daniel achieved his rank of Eagle Scout by

replacing two foot bridges along a nature trail in Hatfield Township. Congratulations, and welcome.

Representative Chris Rabb has with us today the Driving PA Forward coalition, who are here to advocate for HB 769. Please stand, and welcome.

Representative Stehr is hosting the Tri-Valley Dawgs from Schuylkill County, who are the first-place winners of the 2023 PIAA State Class A Softball Championship. Please stand, and congratulations.

Also in the gallery, Representative Munroe welcomes Amy Petersen, and Steffen Petersen, both from England, in the gallery. Welcome, guests.

Representative Kinsey welcomes Sirlena Watson, who is a local educator in his district. Welcome.

Representative McNeill welcomes her constituent, Kevin Fritz, and his children, Kevin Jr. and Kylie, to the Capitol today. Welcome.

Also in the back of the House, we have a group of summer interns visiting the Capitol today. We welcome Paige Baratta, who is interning with Representative Sappey; John Coppa, who is interning with Representative Ciresi – John is also Representative Howard's son – Zoe Watson, who is interning with Representative Fink; Reagan Wilkerson, who is interning with Representative Marla Brown; Sam DeLuca, who is interning with Representative Delozier; Abe Anwar and James Schilk, who are interning with Representative Marcell; and James Burn, Olivia Perfetti, and Marie Kaminski, interning with Representative Innamorato. Please stand and be welcomed.

### LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who requests a leave of absence for Representative LAWRENCE for the day. Without objection, leave is granted.

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

SB 497, PN 979 (Amended)

By Rep. MATZIE

An Act providing for advanced manufacturing facilities and infrastructures through business partnerships with State-related institutions; establishing the Max Manufacturing Initiative Fund and Max Manufacturing Endeavor Loan Fund; and imposing powers and duties on the Department of Community and Economic Development.

CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES.

### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, June 26, 2023, will be postponed until printed.

**RULES COMMITTEE MEETING****DEMOCRATIC CAUCUS**

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

There will be a Rules Committee meeting immediately upon the break.

House Democrats will caucus at 12 o'clock. We will be prepared to return to the floor at 1:30.

The SPEAKER pro tempore. There will be a Rules Committee meeting immediately upon the break.

**REPUBLICAN CAUCUS**

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will also caucus at 12 o'clock.

Thank you, Madam Speaker.

That is 12 o'clock, Republican caucus.

**EDUCATION COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Schweyer for a committee announcement.

Mr. SCHWEYER. Thank you, Madam Speaker.

There will be a voting Education Committee meeting today, June 27, in 15 minutes – we will say 11:45 – in room 523, Irvis Office Building. We will be considering HB 1422 and HB 1434.

Thank you, ma'am.

The SPEAKER pro tempore. There will be an Education Committee meeting today at 11:45 in room 523, Irvis Office Building.

**LABOR AND INDUSTRY  
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Dawkins for a committee announcement.

Mr. DAWKINS. Thank you, Madam Chair.

The House Labor and Industry Committee will meet at the call of the Chair tomorrow in Irvis 515 to take up HR 159 and any other business in front of the committee. Thank you.

The SPEAKER pro tempore. The Labor and Industry Committee will meet at the call of the Chair tomorrow in Irvis 515.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Mullins for a committee announcement.

Mr. MULLINS. Thank you, Madam Speaker.

The Appropriations Committee will meet immediately following the Rules Committee meeting in the majority caucus room. Appropriations Committee will meet immediately

following the Rules Committee in the majority caucus room. Thank you.

The SPEAKER pro tempore. The Appropriations Committee will meet immediately following the Rules Committee meeting in the majority caucus room.

**RECESS**

The SPEAKER pro tempore. The House stands in recess until 1:30 p.m., unless sooner recalled by the Speaker.

**RECESS EXTENDED**

The time of recess was extended until 1:45 p.m.

**AFTER RECESS**

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

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

The SPEAKER. The Speaker submits the following report for the record, which the clerk will now read.

The following communication was read:

The release of the report "Recycling Strategies in Pennsylvania" in response to SR 285 of 2022.

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

**BILLS SIGNED BY SPEAKER**

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

**SB 202, PN 83**

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, further providing for municipal claims first lien, cities of first class, docketing, judgment and execution, for cities of the first class, recovery of judgment and sale free from claims, for redemption and for rule to show cause, decree, service and notice and providing for disposition of property in cities of the second class.

**SB 262, PN 833**

An Act amending the act of May 9, 2018 (P.L.118, No.24), known as the Maternal Mortality Review Act, further providing for maternal mortality review committee and for purpose and duties of committee.

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

**BILLS REREPORTED FROM COMMITTEES****HB 106, PN 1743** By Rep. BRADFORD

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for hospital patient protection provisions; and imposing penalties.

RULES.

**HB 668, PN 1719** By Rep. HARRIS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in fostering independence through education, further providing for definitions, for fostering independence waiver program, for outreach and for report.

APPROPRIATIONS.

**HB 791, PN 1652** By Rep. BRADFORD

An Act amending the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, further providing for identification requirements for sale of scrap materials to scrap processors and recycling facility operators and for penalties.

RULES.

**HB 817, PN 774** By Rep. HARRIS

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for State Board of Pharmacy.

APPROPRIATIONS.

**HB 818, PN 1720** By Rep. HARRIS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of State and its departmental administrative board, establishing the Pharmaceutical Collection Sites Educational Program.

APPROPRIATIONS.

**HB 850, PN 1691** By Rep. BRADFORD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for waiver to purchase diapers or menstrual hygiene products.

RULES.

**HB 1163, PN 1562** By Rep. BRADFORD

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, providing for municipal acquisition of real property.

RULES.

**HB 1231, PN 1322** By Rep. BRADFORD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, further providing for State Planning Board.

RULES.

**HB 1289, PN 1651**

By Rep. BRADFORD

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in residential real property, providing for discharging discriminatory real estate covenants.

RULES.

**HB 1316, PN 1563**

By Rep. HARRIS

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

APPROPRIATIONS.

**HB 1333, PN 1721**

By Rep. HARRIS

An Act amending the act of July 25, 1961 (P.L.857, No.372), referred to as the Stuffed Toy Manufacturing Act, further providing for definitions, for manufacturing, for materials and for enforcement; and providing for labeling.

APPROPRIATIONS.

**HB 1354, PN 1495**

By Rep. BRADFORD

An Act amending the the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, further providing for penalties.

RULES.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1130, PN 1741 (Amended)**

By Rep. BRIGGS

An Act amending Titles 18 (Crimes and Offenses) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for licenses and for sale or transfer of firearms; establishing the Safe Communities Grant Program and the Safe Communities Grant Program Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

JUDICIARY.

**HB 1296, PN 1416**

By Rep. BRIGGS

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers and officials, providing for law enforcement practices and policy; conferring powers and imposing duties on the Attorney General.

JUDICIARY.

**HB 1297, PN 1742 (Amended)**

By Rep. BRIGGS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, providing for ballistic armor for law enforcement officers.

JUDICIARY.

## GUESTS INTRODUCED

The SPEAKER. Colleagues, if you may take your seats for a moment, we have some very special guests. We are thrilled an entire family is here this afternoon and we would like to properly acknowledge our colleague.

Colleagues, this afternoon the gentleman from Allegheny and Washington Counties has his entire family on the floor of the House, seated to the left of the Speaker's rostrum. We are thrilled Representative Kuzma has his wife, Hannah and their daughter, Natalie. Please stand. And the mother-in-love, Nancy Demolin. Welcome to the floor of the House. Thank you for sharing Andrew with us.

The House will briefly be at ease.

The House will come to order.

## CALENDAR CONTINUED

### RESOLUTION

Ms. BENHAM called up **HR 114, PN 1263**, entitled:

A Resolution recognizing the month of June 2023 as "LGBTQ+ Pride Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the maker of the resolution, Representative Benham.

The House will come to order.

Ms. BENHAM. Happy Pride, Pennsylvania. For the first time on the floor of the House, we are taking official action to recognize and honor LGBTQ+ Pride Month here in the Commonwealth.

As the first out queer woman in the Pennsylvania General Assembly, Pride means living my truth every day and fighting for our community even when it is difficult. Pride parades and festivals are a wonderful way to celebrate our lives, but it is critical we do not forget our roots in Pride as a fight for justice, leaving no part of our community behind.

As in many States across this country, we are also seeing here in Pennsylvania an increasing number of bills which make many in the LGBTQ+ community feel fearful. In this time of growing uncertainty and hyperpartisanship, I hope I can be joined by every legislator in advocating for the right of LGBTQ+ people to simply exist.

This resolution is an acknowledgement that as far back as we have recorded history, LGBTQ+ people have existed, that we are not going anywhere, and that we, along with our families, should be able to exist in public without fear of discrimination or harm. I hope that during this Pride season, each and every one of us has the opportunity to celebrate our true selves.

With that, I ask my colleagues to support this resolution, and wish you all, again, a very happy Pride.

The SPEAKER. The Chair thanks the maker of the resolution. On that question, the Chair recognizes Representative Gillen.

Mr. GILLEN. Thank you, Madam Speaker.

Reading from HR 114, and I quote, "The month of June is recognized worldwide as 'LGBTQ+ Pride Month' to commemorate the Stonewall riots in New York...."

I looked up the Oxford Dictionary definition of "commemorate." To "recall and show respect for (someone or something)" as in, and I quote from the dictionary, "a wreath-laying ceremony to commemorate the war dead."

In June of 1969, the New York Police Department, with a judicially authorized search warrant, attempted to enforce the Alcoholic Beverage Control Act of New York. During the riot, reading from original police reports, I discovered that police officers were injured during the execution of the warrant, with objects diverse in terms of flying in the air at them, and the injuries that were sustained included lacerations, eye injuries, as well as a bite mark. It became rather difficult to retreat, as some of the police cars had their tires slashed. Without dealing with the broader issues here, this particular resolution, HR 114, at its very core, in its own words, commemorates the Stonewall riots in New York.

I think this body and each individual member should exercise extraordinary caution in what we vote to commemorate. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Mayes. Rep. MAYES. Thank you, Madam Speaker. Happy Pride.

I speak in support of HR 114. I am proud to be the reigning grand marshal of the Pittsburgh Pride march and parade. I am proud to be the first out lesbian ever elected to this body and the General Assembly. I am proud of my partner and our baby that we are expecting later this summer, because Pride is not about one month or one day; we are proud every day of the year as an LGBTQIA+ community. Pride is a celebration and it is a commemoration of where we have come to where we are today, from being invisible and criminalized in our society to our resistance at Stonewall, which was a riot for justice, which was a riot for our humanity, that was led by trans women of color. And so up until this time, when we are passing bills like the Fairness Act that hopefully, and with our work and diligence, will become law.

So pride lives in our hearts. Pride lives in our joy. Pride lives in our resistance and the fact that we are here. I ask for a "yes" vote on HR 114. Thank you.

The SPEAKER. The Chair thanks the Representative.

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

The following roll call was recorded:

### YEAS—123

Abney	Fleming	Krajewski	Probst
Bellmon	Flick	Krueger	Rabb
Benham	Frankel	Kulik	Rozzi
Bizzarro	Freeman	Labs	Ryncavage
Bonner	Friel	Madden	Salisbury
Borowski	Gallagher	Madsen	Samuelson
Boyd	Galloway	Major	Sanchez
Boyle	Gaydos	Malagari	Sappery
Bradford	Gergely	Marcell	Schlossberg

Brennan	Giral	Markosek	Schweyer
Briggs	Green	Marshall	Scott
Brown, A.	Guenst	Matzie	Shusterman
Bullock	Guzman	Mayes	Siegel
Burgos	Haddock	McAndrew	Smith-Wade-El
Burns	Hanbidge	McNeill	Solomon
C Freytiz	Harkins	Mehaffie	Steele
Cephas	Harris	Merski	Sturla
Cerrato	Heffley	Mihalek	Takac
Ciresi	Hogan	Miller, D.	Tomlinson
Conklin	Hohenstein	Mullins	Venkat
Curry	Howard	Munroe	Vitali
Daley	Innamorato	Neilson	Warren
Davis	Isaacson	Nelson, E.	Waxman
Dawkins	Kaufert	Nelson, N.	Webster
Deasy	Kazeem	O'Mara	White
Delloso	Kenyatta	Ortitay	Williams, C.
Delozier	Khan	Otten	Williams, D.
Donahue	Kim	Parker	Young
Dunbar	Kinthead	Pashinski	
Emrick	Kinsey	Pielli	McClinton,
Evans	Kosierowski	Pisciottano	Speaker
Fiedler			

NAYS—79

Adams	Fritz	Kuzma	Rossi
Armanini	Gillen	Leadbeter	Rowe
Banta	Gleim	Mackenzie, M.	Schemel
Barton	Gregory	Mackenzie, R.	Scheuren
Benninghoff	Greiner	Mako	Schlegel
Bernstine	Grove	Maloney	Schmitt
Borowicz	Hamm	Mentzer	Scialabba
Brown, M.	Irvin	Mercuri	Smith
Cabell	James	Metzgar	Staats
Causar	Jones, M.	Miller, B.	Stambaugh
Cook	Jones, T.	Moul	Stehr
Cooper	Jozwiak	Mustello	Stender
Cutler	Kail	O'Neal	Struzzi
D'Orsie	Kauffman	Oberlander	Topper
Davanzo	Keefer	Owlett	Twardzik
Diamond	Kephart	Pickett	Warner
Ecker	Kerwin	Rader	Watro
Fee	Klunk	Rapp	Wentling
Fink	Krupa	Rigby	Zimmerman
Flood	Kutz	Roae	

NOT VOTING—0

EXCUSED—1

Lawrence

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

**GUESTS INTRODUCED**

The SPEAKER. There are some very important guests who have just arrived to the floor of the House, coming all the way from the 10th Legislative District. Seated to the left of the Speaker's rostrum, we are thrilled that our colleague, Representative Amen Brown, has both of his children here, both Austin and Ethan. Welcome to the floor of the House. So glad to have you here today.

The House will briefly be at ease.

The House will come to order.

**SUPPLEMENTAL CALENDAR A**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 106, PN 1462**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for hospital patient protection provisions; and imposing penalties.

On the question,

Will the House agree to the bill on second consideration?

Ms. **TOMLINSON** offered the following amendment **No. A01426**:

Amend Bill, page 3, by inserting between lines 3 and 4 "High medical assistance hospital." A hospital as determined under the Medical Assistance dependency payment provisions of the Commonwealth's approved Title XIX State Plan, based on a hospital's approved Medical Assistance cost report for fiscal year 2018-2019.

Amend Bill, page 3, by inserting between lines 25 and 26 "Rural hospital." As defined in section 103 of the act of November 27, 2019 (P.L.742, No.108), known as the Pennsylvania Rural Health Redesign Center Authority Act.

Amend Bill, page 16, line 23, by inserting before "THE"

(a) Imposition.—

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

(b) Amount.—Penalties shall increase in severity for repeat violations. The department shall adopt by rule a schedule establishing the amount of civil penalty that may be imposed for a violation, except that a civil penalty may be no less than \$1,000 and no more than \$2,500 per violation.

(c) Grant.—Money collected by the department under this section shall be used to establish a grant program within the department for the purpose of recruitment and retention of registered nurses. Grants may only be awarded to rural hospitals and high medical assistance hospitals. The department shall develop an application form and shall post the form electronically on the department's publicly accessible Internet website.

(d) Applicability.—

(1) Except as provided under paragraph (2), this section shall not apply to hospitals until one year after the effective date of this section.

(2) This section shall not apply to rural hospitals or high medical assistance hospitals until two years after the effective date of this section.

Amend Bill, page 18, line 23, by inserting after "UNIT" beyond normal fluctuations in a census, including, but not limited to, a mass casualty event or a government-declared emergency by the Federal, State, county or municipal government

Amend Bill, page 18, lines 28 through 30; page 19, lines 1 through 3; by striking out "Definitions.—As used in this section, the following" in line 28, all of lines 29 and 30 on page 18 and all of lines 1 through 3 on page 19 and inserting

(Reserved).

Amend Bill, page 19, line 7, by striking out "six months" and inserting one year

On the question,

Will the House agree to the amendment?

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

Miss TOMLINSON. Thank you, Madam Speaker.

This amendment would cap fees at \$2500. Those fees would then go to rural and high medical assistance hospitals. This amendment would also address implementation of sanctions of this legislation. This law would go into effect after 1 year, would allow hospitals 1 year after enactment date, and rural and high medical assistance hospitals would have 2 years after the enactment date in an effort to give hospitals plenty of time. This amendment would also create an exception to ratios during a mass casualty event.

I would ask for an affirmative vote. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I would just encourage my colleagues to vote for this amendment. This was done through a lot of hard work and listening to what was needed and what would make this bill better. I would appreciate an affirmative vote on amendment A01426.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Rapp.

Ms. RAPP. Thank you, Madam Speaker.

Madam Speaker, I rise to oppose this amendment, and I do appreciate the amendment's sponsor trying to address concerns about the implementation of this bill, and particularly, in rural areas of the Commonwealth. However, this amendment does nothing to address the underlying issues with HB 106. Rather, it simply kicks the can down the road. Under this amendment, nonrural hospitals will be subject to sanctions under HB 106 one year after this bill takes effect, and rural hospitals and high medical assistance hospitals will be subject to sanctions under HB 106 two years after enactment.

This amendment does not address the myriad of issues with this bill, including the strict requirements for mandated ratios, the inflexibility regarding penalties, the overemphasis on shaming hospitals by requiring the public posting of investigation reports, to name a few.

I have continually heard about the approximately 80,000 nurses that are waiting at the doors of hospitals to return once this bill is enacted into law. The number sounds great on paper but is not realistic. Using numbers based on individuals who have allowed their nursing licenses to expire, or who have a nursing license but are not practicing, does not definitively provide real data. Nurses that say they left the profession due to the lack of staffing ratios or due to burnout does not mean they will return to the profession if this bill is enacted. We can all say we will do X if Y occurs, but this sound bite that is being continually used to justify this bill has taken on a life of its own.

What do we really think is going to happen under this amendment? Do we think nurses will flood nonrural hospitals to work and that any nurses left will run to the rural hospitals to fill those positions once this bill applies to rural hospitals? In reality, that is not going to happen. While well-intentioned, this amendment does nothing but delay the inevitable. Rural hospitals will be in a similar position they are in now – trying to recruit and retain nursing staff – only this time they will be looking over their

shoulders to see when the Department of Health will be coming to issue civil penalties, or worse yet, to take away their license to operate as a hospital.

Regarding the penalties section of this amendment, as currently written—

Madam Speaker, may I have order, please?

The SPEAKER. The House will come to order.

Members, please take your seats and listen to our colleague's remarks on this amendment.

The gentlelady may continue.

Ms. RAPP. Thank you, Madam Speaker.

Regarding the penalties section of this amendment, as currently written, HB 106 contains no maximum cap on civil penalties that the Department of Health may impose on a hospital for violating HB 106. Anyone who listened to the House Health Committee's voting meeting on this bill knows that I spoke out against this provision. So you may think that I would be in favor of this amendment. I am not. While this amendment is certainly better than having no cap, there are several issues with this amendment.

Let me provide you an example to illustrate my opposition. If this amendment is adopted, the Department of Health will create a schedule for civil penalties that will range between \$1,000 and \$2,500 per violation – "per violation" is the key part of this section. In this bill, there are 17 separate hospital units that must meet mandated staffing ratios. This number does not consider circumstances in which a unit may have different mandated ratios depending on the patients in that unit, such as the labor and delivery unit, but for simplicity purposes, I will just speak to the 17 distinct hospital units listed in the bill.

As HB 106 requires civil penalties to be assessed per violation, a hospital could have numerous violations in one day. For example, if a hospital has three 8-hour shifts in one day, and as this bill lists 17 different hospital units that must meet mandated ratios, there is the possibility of 51 violations of this bill for one day, as a hospital could violate a mandated ratio for each shift per each hospital unit. Calculating the civil penalties that the Department of Health may assess, the range could be between \$51,000 to \$127,500 for each day that these violations exist, if you consider a violation in each unit, multiplied by three shifts in a 24-hour period.

However, it is unlikely that a hospital will receive multiple days' worth of \$51,000 fines. Why, you may ask? Because HB 106 requires the Department of Health to increase the severity of civil penalties for repeat violations. This is where having a range of \$1,000 to \$2,500 does even more damage. If a hospital has multiple repeat violations, even if unintentional, the Department of Health will get to a point where it has reached the \$2,500 maximum.

What must the Department of Health do next? According to HB 106, it must continue to increase the severity of penalties for repeat violations. Where does the Department of Health go from here? The department will have no choice but to move to suspend or revoke a hospital's license, because that is what this bill requires the Department of Health to do. Even if a hospital is doing everything it can to comply with the mandated ratios in this bill, but it just cannot, the Department of Health will have no choice but to suspend or revoke a hospital's license.

How does this help patient safety? How does this protect the nurses this bill claims to be protecting if they have no job to go to? For many parts of this State, if one hospital closes, the next closest hospital may be an hour away.



The answer is that this amendment does nothing to protect the nurses and the patients as claimed. Instead, it will force hospitals to close beds so they do not risk losing their license. Nowhere else in the Health Care Facilities Act, which this bill amends, did the legislature provide a schedule of fines with a minimum and maximum range and then require the Department of Health to increase the severity of penalties. If you take away the Department of Health's ability to issue fines and leave the department with no choice but to go after a hospital's license, you are setting up scenarios across this Commonwealth where health care will be compromised.

As the General Assembly has not authorized the Department of Health to have this kind of authority anywhere else in the Health Care Facilities Act, why would we give the department this kind of authority under HB 106?

I attended a meeting a few weeks ago hosted by the Pennsylvania Office of Rural Health. I asked one of the panelists what effect mandated staff ratios would have on them. I will paraphrase what he said. He said simply, the Department of Health can fine us all they want, but we do not have the money to pay those fines.

There are other amendments that have been filed, Madam Speaker, that actually try to make this bill better and address real areas of concern, yet they probably will not be given much credence because it is not about making this bill better. It is about more who filed the amendments and which members the proponents of this bill support. It is about a union scorecard that was distributed last night on these amendments.

I urge my colleagues to oppose this amendment. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

### PARLIAMENTARY INQUIRY

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

Mr. TWARDZIK. Madam Speaker, I would like to make an parliamentary inquiry.

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

Mr. TWARDZIK. I request a ruling concerning a potential conflict I might have under House rule 65, and by extension, Article III, section 13, of the Pennsylvania Constitution. HB 106 concerns, among other things, nurse staffing ratios. In this case, I serve on a hospital board.

The SPEAKER. It is the Chair's decision that the gentleman is a member of a class and there is, therefore, no conflict.

Mr. TWARDZIK. Thank you.

### PARLIAMENTARY INQUIRY

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

Mrs. SCHEUREN. Thank you, Madam Speaker.

My apologies, I have laryngitis. I would like to make a parliamentary inquiry.

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

Mrs. SCHEUREN. I request a ruling concerning any potential conflict I may have under House rule 65, and by extension, Article III, section 13, of the Pennsylvania Constitution. HB 106 concerns, among other things, nurse staffing ratios. In my case, I serve on a hospital board.

The SPEAKER. The Chair thanks the gentlelady.

It is the Chair's opinion that the gentlelady is a part of a class, and therefore, there is not a conflict.

And the Chair hopes the Representative feels better.

Mrs. SCHEUREN. Thank you.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair acknowledges the presence of Representative Lawrence on the floor of the House and he will be placed back on the master roll call.

### CONSIDERATION OF HB 106 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—141

Abney	Evans	Krueger	Rader
Adams	Fiedler	Kulik	Rozzi
Banta	Fleming	Kutz	Ryncavage
Bellmon	Flick	Kuzma	Salisbury
Benham	Frankel	Labs	Samuelson
Benninghoff	Freeman	Lawrence	Sanchez
Bizzarro	Friel	Madden	Sapppey
Borowski	Gallagher	Madsen	Scheuren
Boyd	Galloway	Major	Schlegel
Boyle	Gergely	Malagari	Schlossberg
Bradford	Giral	Marcell	Schweyer
Brennan	Green	Markosek	Scott
Briggs	Guenst	Marshall	Shusterman
Brown, A.	Guzman	Matzie	Siegel
Bullock	Haddock	Mayes	Smith-Wade-El
Burgos	Hanbidge	McAndrew	Solomon
Burns	Harkins	McNeill	Staats
C Freytiz	Harris	Mehaffie	Steele
Cabell	Hogan	Merski	Struzzi
Cephas	Hohenstein	Metzgar	Sturla
Cerrato	Howard	Miller, D.	Takac
Ciresi	Innamorato	Mullins	Tomlinson
Conklin	Isaacson	Munroe	Topper
Cooper	Jones, M.	Neilson	Vitali
Curry	Kail	Nelson, E.	Warner
Daley	Kaufner	Nelson, N.	Warren
Davanzo	Kazeem	O'Mara	Waxman
Davis	Kenyatta	O'Neal	Webster
Dawkins	Kerwin	Ortitay	White
Deasy	Khan	Otten	Williams, C.
Delloso	Kim	Parker	Williams, D.
Delozier	Kinthead	Pashinski	Young
Donahue	Kinsey	Pielli	
Dunbar	Klunk	Pisciottano	McClinton,
Ecker	Kosierowski	Probst	Speaker
Emrick	Krajewski	Rabb	

#### NAYS—62

Armanini	Gillen	Mackenzie, M.	Roae
Barton	Gleim	Mackenzie, R.	Rossi
Bernstine	Gregory	Mako	Rowe
Bonner	Greiner	Maloney	Schemel
Borowicz	Grove	Mentzer	Schmitt
Brown, M.	Hamm	Mercuri	Scialabba
Causar	Heffley	Mihalek	Smith
Cook	Irvin	Miller, B.	Stambaugh
Cutler	James	Moul	Stehr
D'Orsie	Jones, T.	Mustello	Stender
Diamond	Jozwiak	Oberlander	Twardzik

Fee	Kauffman	Owlett	Venkat
Fink	Keefer	Pickett	Watro
Flood	Kephart	Rapp	Wentling
Fritz	Krupa	Rigby	Zimmerman
Gaydos	Leadbeter		

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?

The SPEAKER. It is the Chair's understanding that Representative Kutz withdraws amendment A01372. The Chair thanks the gentleman.

On the question recurring,

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

Mr. ECKER offered the following amendment No. A00931:

Amend Bill, page 19, line 7, by striking out "in six months." and inserting

immediately upon the adoption of a rule by the Supreme Court similar in function to the former Pa.R.C.P. No. 1006(a.1) for civil actions arising under the addition of Chapter 8-C of the act.

On the question,

Will the House agree to the amendment?

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

Mr. ECKER. Thank you, Madam Speaker.

Madam Speaker, while the underlying legislation is seeking to solve a nursing shortage, there is also something else that is on the horizon. Medical providers are under siege by medical malpractice lawsuits.

Now, prior to 2002, we recognized this as an issue. Physicians were fleeing the State. Medical malpractice lawsuits were skyrocketing. Health care was under siege in Pennsylvania, so this General Assembly passed a bill to correct this problem so that venue was corrected, venue where people can file lawsuits if they want to allege a malpractice lawsuit, so that people were not venue shopping, so that if you lived in the central part of the State, you were not going elsewhere to file your lawsuit. You were hearing your case in the area where the malpractice, alleged malpractice action was happening. This corrected the issue, this piece of legislation, and allowed the health care in Pennsylvania to go on for 20 years.

However, recently the Supreme Court has adopted a new rule ignoring this law and returning to the problems prior to 2002, and rescinded the venue shopping procedure. And unfortunately, we have already seen the devastating results of the rule change. There have already been 258 medical liability cases filed in Philadelphia this year alone, when last year that number was around 270 total. By bringing cases into jurisdictions where they

may receive a more favorable outcome, we are not only overburdening and slowing down the courts, but at least two insurance carriers are now out of that business. Medical liability insurance rates are skyrocketing.

This amendment would correct the injustice by giving the court of common pleas of the county in which a medical liability cause of action arises the exclusive subject matter jurisdiction over the medical liability claim. This bill returns us back to where we were a year ago, where it was working.

I believe we need to act immediately to protect the people of Pennsylvania from further damage to our health care, and I would ask this body to adopt this amendment. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I rise to oppose amendment A00931. We do not believe the court should dictate the start date of this bill. We are the General Assembly and we have it in our legislation, which was just amended in the Tomlinson amendment.

Thank you, Madam Speaker.

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—86

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

NAYS—117

Abney	Fiedler	Krajewski	Pisciottano
Bellmon	Fleming	Krueger	Probst
Benham	Flick	Kulik	Rabb
Bizzarro	Frankel	Kuzma	Rozzi
Borowski	Freeman	Labs	Ryncavage
Boyd	Friel	Madden	Salisbury
Boyle	Gallagher	Madsen	Samuelson
Bradford	Galloway	Major	Sanchez
Brennan	Gergely	Malagari	Sappery
Briggs	Giral	Marcell	Schlossberg
Brown, A.	Green	Markosek	Schweyer
Bullock	Guenst	Marshall	Scott
Burgos	Guzman	Matzie	Shusterman

Burns	Haddock	Mayes	Siegel
C Freytiz	Hanbidge	McAndrew	Smith-Wade-El
Cabell	Harkins	McNeill	Solomon
Cephas	Harris	Mehaffie	Steele
Cerrato	Hogan	Merski	Sturla
Ciresi	Hohenstein	Metzgar	Takac
Conklin	Howard	Miller, D.	Tomlinson
Curry	Innamorato	Mullins	Vitali
Daley	Isaacson	Munroe	Warren
Davanzo	Kaufer	Neilson	Waxman
Davis	Kazeem	Nelson, N.	Webster
Dawkins	Kenyatta	O'Mara	Williams, D.
Deasy	Khan	Ortitay	Young
Delloso	Kim	Otten	
Donahue	Kinthead	Parker	McClinton,
Emrick	Kinsey	Pashinski	Speaker
Evans	Kosierowski	Pielli	

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 as amended?

Mr. ZIMMERMAN offered the following amendment No. A00944:

Amend Bill, page 1, line 10, by inserting after "provisions;" establishing the Nurse Staffing Ratio Program Fund;

Amend Bill, page 19, by inserting between lines 3 and 4 Section 811-C. Nurse Staffing Ratio Program Fund.

(a) Establishment.—The Nurse Staffing Ratio Program Fund is established as a fund in the State Treasury, which shall be administered by the department.

(b) Sources.—Money from the civil penalties collected by the department under section 808-C(2) shall be deposited into the Nurse Staffing Ratio Program Fund.

(c) Disbursements.—Money from the Nurse Staffing Ratio Program Fund shall be disbursed by the department for the following purposes:

(1) Provide scholarships to individuals attending a nursing school within this Commonwealth.

(2) Nurse educator or preceptor programs.

(3) For hospitals to hire more nurses to meet the ratios specified under section 802-C.

(4) Any other purpose the department may establish by regulation that meets the purposes of this chapter.

(d) Audits.—The Auditor General shall review collections and expenditures from the Nurse Staffing Ratio Program Fund and submit a report of the Auditor General's findings once every two years by December 31 to all of the following:

(1) The chair and minority chair of the Appropriations Committee of the Senate.

(2) The chair and minority chair of the Appropriations Committee of the House of Representatives.

(3) The chair and minority chair of the Health and Human Services Committee of the Senate.

(4) The chair and minority chair of the Health Committee of the House of Representatives.

Amend Bill, page 19, line 4, by striking out "811-C" and inserting  
812-C

On the question,

Will the House agree to the amendment?

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

Mr. ZIMMERMAN. Thank you, Madam Speaker.

My amendment seeks to address a major flaw that I see in this bill. Under HB 106, any fine levied by the Department of Health will go directly into the department's budget. This approach presents two major problems. First, it creates what is likely an unintentional incentive for the department to bloat its budget through sanctions and use the money for whatever it sees fit. Second, the authority does nothing to try to correct the problem that this bill proposes to fix, and that is a lack of nurses.

My amendment, A00944, attempts to address these issues. Instead of sanctions going to the department, it will go into a restricted fund, the Nurse Staffing Ratio Program Fund. If you listen to the public hearing on this bill, both sides of this issue recognize that there is a nursing shortage. If we do not educate and train more people to enter the field of nursing, this bill will not do what it is intended.

My amendment will direct money to three targeted areas to address both present and future needs. First off, providing scholarships to the individuals attending a nursing school within the Commonwealth; second, the nurse educator or preceptor programs; and third, for hospitals to hire more nurses to meet the ratios specified in this bill. The department will also have the opportunity, through the regulatory process, approve other uses of this money to further the purposes contained in HB 106. The regulatory process will provide for public input, which is critical for this issue.

Madam Speaker, my amendment fixes a major flaw in this bill, and I ask my colleagues to support this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

And I do want to thank the good gentleman from Lancaster County for bringing this forth, but I do oppose his amendment, amendment A00944. The Tomlinson amendment has put this into the bill. It basically gives rural hospitals and MA (medical assistance) hospitals the ability to use this money for retention and recruitment.

Thank you, Madam Speaker.

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—87

Armanini	Gaydos	Leadbeter	Rowe
Banta	Gillen	Mackenzie, M.	Schemel
Barton	Gleim	Mackenzie, R.	Scheuren
Benninghoff	Gregory	Mako	Schlegel
Bernstine	Greiner	Maloney	Schmitt
Bonner	Grove	Marshall	Scialabba
Borowicz	Hamm	Mentzer	Smith
Brown, M.	Heffley	Mercuri	Staats
Causar	Irvin	Metzgar	Stambaugh
Cook	James	Mihalek	Stehr

Cooper	Jones, M.	Miller, B.	Stender
Cutler	Jones, T.	Moul	Struzzi
D'Orsie	Jozwiak	Mustello	Topper
Delozier	Kail	Nelson, E.	Twardzik
Diamond	Kauffman	O'Neal	Venkat
Dunbar	Keefer	Oberlander	Warner
Ecker	Kephart	Owlett	Watro
Emrick	Kerwin	Pickett	Wentling
Fee	Klunk	Rapp	White
Fink	Krupa	Rigby	Williams, C.
Flood	Kutz	Roae	Zimmerman
Fritz	Lawrence	Rossi	

NAYS—116

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

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 as amended?

Mr. **BONNER** offered the following amendment No. **A00946**:

Amend Bill, page 19, by inserting between lines 3 and 4 Section 811-C. Exceptions to requirements.

(a) Authorization.—The department shall permit a hospital to request an exception to the requirements under this chapter.

(b) Form.—A request under subsection (a) shall identify with specificity the reasons for which the exception is sought.

(c) Consideration.—In considering a request under subsection (a), the department shall grant the exception if the department determines that the health and safety of patients will not be compromised in granting the exception. The department may not deny the request solely

because a hospital has requested an exception to the requirements under section 802-C.

(d) Determination.—The department shall issue a written determination to a hospital requesting an exception under subsection (a) within 60 days of receipt of the request stating the reasons for the determination.

Amend Bill, page 19, line 4, by striking out "811-C" and inserting 812-C

On the question,

Will the House agree to the amendment?

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

Mr. BONNER. Thank you, Madam Speaker.

I would request your support for amendment 946, which would allow a hospital to request an exception to the mandated staffing levels of HB 106. The Department of Health would only grant that exception if it determined that the health and safety of the patients would not be compromised in granting this request.

HB 106 is a new pathway to provide health-care services within the hospital setting. There will be many twists, turns, and forks in the road as we attempt to implement the conditions of this bill. This bill cannot anticipate all of the obstacles and roadblocks, questions and concerns that will arise in the administration of this bill, and an exception would allow the Department of Health to then consider individual requests seeking relief.

The Department of Health's general statement acknowledges that compliance with existing regulations can create hardships for hospitals; therefore, the Pennsylvania Code authorizes the Department of Health to grant exceptions to hospitals' hardships, while maintaining the department's highest priority: the safety, health, and welfare of the patient. The department reserves the right to revoke this exception at any point in time.

An administrative review by the Department of Health is just due process that any person or entity should seek as part of our system of justice. If we do not allow an exception under this particular bill, then the recourse that the hospitals will be forced to use will be a lawsuit, which will be much more expensive and time-consuming and a delay in justice. The exception process is quick, it is inexpensive, and it will bring justice for the hospital and for the patient much quicker.

Your approval of this amendment, then, to allow an administrative process to determine any questions that may arise in the implementation of the bill is a wise course, a just course, and one that I would ask your approval. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I rise to oppose amendment A00946. The good gentleman from Mercer County brings up some good points, but at this point, this particular exception goes too far, too broad on this particular bill and would take the overall intent out of the bill.

I would ask my colleagues to oppose this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—87

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

## NAYS—116

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

## 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 as amended?

Mr. SCHEMEL offered the following amendment No. A00947:

Amend Bill, page 19, by inserting between lines 3 and 4 Section 811-C. Applicability based on bed complement.

(a) Applicability.—This chapter shall not apply to a hospital that has a licensed bed complement of 100 or fewer.

(b) Increase in complement.—If a hospital's licensed bed complement increases from 100 beds or fewer to more than 100 beds, the hospital shall have 90 days in which to comply with this chapter.

(c) Decrease in complement.—If a hospital's licensed bed complement decreases from more than 100 beds to 100 beds or fewer, the hospital shall be exempt from the provisions of this chapter upon notification to the department under 28 Pa. Code § 51.3 (relating to notification).

Amend Bill, page 19, line 4, by striking out "811-C" and inserting

812-C

On the question,

Will the House agree to the amendment?

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

Mr. SCHEMEL. Thank you, Madam Speaker.

Madam Speaker, HB 106 is particularly hard on small hospitals in rural areas. Those would be hospitals of 100 beds or fewer. And although the amendment passed by the good maker, the cosponsor of the bill, makes some improvements, it only gives a 2-year extension to comply. But there are many small hospitals that have been trying to comply with this level of staffing for years and not been able to. I will give you the example of a hospital in my own area that has less than 100 beds and has been trying desperately for years to fill those empty nurse slots and not been able to. This is a difficult thing for many hospitals to do. When I approached this hospital and the nursing staff within the hospital – what would happen if this bill were to be enacted? – they said we would either have to close sections of the hospitals, we would have to pay tens of thousands of dollars in fees, and/or all of our nurse managers would have to work double or triple shifts.

This amendment fixes at least some small part of that by exempting rural hospitals. That would be over half the hospitals that serve small communities, rural communities. This amendment would address that.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I rise to oppose amendment A00947. The good gentleman from Franklin County is doing just the opposite. He is closing beds. Beds that may be just over 100, a hospital will choose to close beds rather than to conform to the safety for patients. So I rise to oppose this amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the bill.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—91

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

## NAYS—112

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

## 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 as amended?

Ms. **KLUNK** offered the following amendment No. **A01020**:

Amend Bill, page 1, lines 9 and 10, by striking out "providing for hospital patient" in line 9 and all of line 10 and inserting providing for professional nurse staffing standards; and establishing the Nurse Educator and Preceptor Account.

Amend Bill, page 2, lines 3 through 30; pages 3 through 18, lines 1 through 30; page 19, lines 1 through 7; by striking out all of said lines on said pages and inserting

CHAPTER 8-CPROFESSIONAL NURSE STAFFING STANDARDSSection 801-C. Scope of chapter.

This chapter relates to professional nurse staffing standards in hospitals that will address patient safety and the delivery of quality nursing care to patients.

Section 802-C. 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:

"Direct patient care." Care provided by a professional nurse with direct responsibility to carry out medical regimens or nursing care for one or more patients.

"Hospital." As defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Hospital unit." An area in a hospital where direct patient care is provided.

"Magnet hospital." A hospital recognized by the American Nurses Credentialing Center as a magnet or pathway to excellence hospital.

"Professional nurse." An individual who holds a license to practice professional nursing under the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law.

"Staffing committee." The professional nurse staffing committee or committees established under section 804-C.

"Staffing plan." The professional nurse staffing plan established under section 803-C.

Section 803-C. Organizational development of professional nurse staffing plan.

A hospital shall develop, implement and monitor a professional nurse staffing plan for each hospital unit. The development of the plan shall occur internally by a professional nurse staffing committee or committees established under section 804-C.

Section 804-C. Staffing committees.

(a) Establishment.—A hospital shall establish at least one staffing committee within 120 days of the effective date of this section. The staffing committee shall meet at least two times each year.

(b) Membership.—The membership of the staffing committee shall be split evenly between professional nurses currently providing direct patient care in the hospital and administrative staff. The following shall apply:

(1) Professional nurses currently providing direct patient care in the hospital shall be selected by their peers on an anonymous basis to serve on the committee.

(2) Administrative staff may be appointed at the discretion of the board of directors or president of the hospital and shall include at least one individual with experience with the hospital's budget or financial condition.

(3) For a hospital recognized as a magnet hospital, the administrative staff shall include at least one individual with experience of the magnet recognition process.

(c) Oversight.—The chairperson of the staffing committee shall ensure that the staffing committee develops a staffing plan for each unit and that the plans are evaluated by the hospital, in consultation with the staffing committee, at least twice annually.

(d) Vacancies.—If a vacancy occurs on the staffing committee, the vacant position shall be filled no later than 60 days after notice of the vacancy and shall follow the parameters for membership as provided for under subsection (b).

(e) Chairperson.—The staffing committee shall elect a chairperson. The chairperson shall serve on an annual basis and shall rotate between a professional nurse and an administrative staff member.

Section 805-C. Duties and responsibilities of hospital.

A hospital shall have the following duties and responsibilities:

(1) Establish the staffing committee required to develop the staffing plan prescribed in section 806-C within 120 days of the effective date of this section.

(2) Provide the education and parameters necessary for the staffing committee to create a staffing plan given the available resources of the hospital so that the staffing committee can responsibly develop the staffing plan within 120 days of the formation of the staffing committee.

(3) Adopt the staffing plan in a timeline that is consistent with the hospital budgetary planning process.

(4) Make accessible to all nursing staff the final and approved staffing plan for the hospital units.

(5) Evaluate staffing plans and report to the staffing committee no less than twice annually, pertaining to implementation, barriers to implementation and other concerns relating to staffing plans.

(6) Develop and implement a plan of action with the assistance of professional nurses providing direct patient care and other appropriate staff, if there is evidence of noncompliance with the staffing plan and the noncompliance with the staffing plan negatively impacts patients and professional nurses.

(7) Ensure that the staffing plan contains information informing professional nurses how to report concerns about noncompliance with the staffing plan to a person designated by the staffing committee.

(8) Develop mechanisms by which nursing staff can raise concerns and make recommendations about the staffing plans either through the existing staffing committee or nursing administration, or both, and inform nursing staff of the process.

(9) Ensure that the chief nursing officer receives periodic reports from the staffing committee in a format developed by the hospital to ensure that consistent information is captured.

(10) Receive reports from other hospital committees, including, but not limited to, the patient safety committee and quality committee, that may be related to nurse staffing.

(11) Provide an annual report, for internal purposes, to the chief executive officer, the staffing committee and the governing board relating to nurse staffing, including, but not limited to, compliance with the approved nurse staffing plans and any actions taken to address nurse staffing issues.

(12) Make available to all patients information on how to make a request for the staffing plan, including the appropriate person, office or department that may be contacted to review or obtain a copy of the plan. The hospital shall also post the information specified under this paragraph on the hospital's publicly accessible Internet website.

(13) Comply with the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, and section 307(b)(4) of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act.

Section 806-C. Duties and responsibilities of staffing committees.

The staffing committee shall have the following duties and responsibilities:

(1) Develop a staffing plan, in a timeline that is consistent with the hospital budgetary planning process, for each hospital unit as prescribed in section 803-C within 120 days of the formation of the staffing committee.

(2) Elect a chairperson in accordance with section 804-C(e).

(3) Develop a staffing plan that takes into consideration

variables that can influence the staffing plan for that hospital unit. The variables include, but are not limited to, the following:

(i) The special skills and competencies required by the nursing staff in that hospital unit to provide care to the hospital unit's patient population to ensure the delivery of quality care and quality outcomes.

(ii) Staffing standards recommended by nationally recognized professional nursing organizations, particularly those that address professional standards of care for the selected patient population.

(iii) Staff skill mix, specialty certification and years of experience.

(iv) The numbers and types of other professional, paraprofessional or support staff that professional nurses must collaborate with or supervise to ensure the delivery of quality care and quality outcomes.

(v) Patient volume, patient acuity, nursing care intensity and patient turnover issues that can affect the numbers and types of staff required for the patient population in a hospital unit.

(vi) The time needed to complete various key nursing tasks, including, but not limited to, surveillance, patient assessment, patient education and discharge planning.

(vii) The physical environment in which care is provided, including, but not limited to, the physical architecture of each hospital unit, patient location and available technology of the hospital.

(4) Approve the plan with a vote in favor of the plan of at least two-thirds of the staffing committee.

(5) Review the plan at least twice annually and adjust the plan as determined by the staffing committee in accordance with the provisions of this section and review information received from the hospital under section 805-C.

Section 807-C. Duties and responsibilities of department.

(a) Penalty.—The department may impose an administrative penalty of \$1,000 per day upon any hospital not in compliance with this chapter.

(b) Regulations.—The department shall promulgate regulations necessary to implement the provisions of this chapter.

Section 808-C. Nurse Educator and Preceptor Account.

(a) Establishment.—The Nurse Educator and Preceptor Account is established as a restricted account in the General Fund.

(b) Deposit.—The department shall deposit money collected from the penalty imposed under section 807-C(a) into the account.

(c) Use.—Money in the account shall be disbursed by the department to persons for nurse educator and preceptor programs.

(d) Forms.—The department shall develop forms for persons to submit required information to receive money under subsection (c).

Section 809-C. Confidentiality.

The following shall apply:

(1) The department shall ensure confidentiality of any reports made under this chapter in accordance with the act of June 10, 2009 (P.L.1, No.1), known as the Preventable Serious Adverse Events Act.

(2) The department shall ensure the confidentiality of the annual report required by section 805-C(11).

(3) A report or any portion of a report under paragraph (1) or (2) shall not be accessible under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or discoverable or admissible as evidence in any civil, criminal or administrative action or proceeding.

Section 2. This act shall take effect in 180 days.

On the question,

Will the House agree to the amendment?

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

Ms. KLUNK. Thank you, Madam Speaker.

I truly appreciate what the makers of this bill are trying to achieve. However, after speaking to a number of nurses in my district, I have concerns with this bill. Many of those concerns have been and will continue to be addressed by my colleagues in other amendments. However, I do not believe that they truly and fully address the concerns that I have heard from my local nurses. Therefore, I am offering an alternative to HB 106 that will address staffing ratios in hospitals and give nurses a voice and a seat at the table when hospitals make staffing decisions.

My amendment is essentially a gut-and-replace amendment to implement various portions of what was previously HB 476 in the 2015-2016 legislative session, with some additional updates. HB 476, offered by our former colleague, Representative Gingrich, required hospitals to establish and develop nurse staffing standards within their facilities. That legislation was a nurse-focused approach and addressed nurse staffing standards by establishing professional nurse staffing committees through collaborative efforts with the bedside nurses and hospital administration. That bill allowed for an individualized plan based on the unique characteristics of each patient unit, the patient's level of illness, skill mix of the staff, and the technology and services available to the bedside nurse.

Unfortunately, HB 106 does not do those things. It creates more of a one-size-fits-all staffing ratio and does not take into account the specific needs of an individual hospital, the particular staff of that hospital, and available technology.

The staffing committee set forth in this amendment will be required to account for certain variables, including the special skills and competencies required by the nursing staff in that particular hospital unit to provide care to the hospital unit's patient population to ensure the delivery of quality care and quality outcomes; staffing standards recommended by nationally recognized professional nursing organizations, particularly those that address professional standards of care for the selected patient population; staff skill mix, specialty certification, and years of experience; the numbers and types of other professional, paraprofessional, or support staff that professional nurses must collaborate with or supervise to ensure the delivery of quality care and quality outcomes; patient volume, patient acuity, nursing care intensity, and patient turnover issues that can affect the numbers and the types of staff required for the patient population in an individual hospital unit; the time needed to complete various key nursing tasks, including, but not limited to, surveillance, patient assessment, patient education, and discharge planning; the physical environment in which care is provided, including, but not limited to, the physical architecture of each hospital unit, patient location, and available technology of that hospital.

With my amendment, I am trying to strike a balance between some of the mandates of HB 106 and what is currently being done in many of our local hospitals by giving nurses a seat and a voice at the table. It does provide for sanctions, and those sanctions will go into a special fund to be used for nurse educator and preceptor programs to help grow our nursing staff.

I am the proud niece of two nurses and the proud cousin of two nurses, and I believe that this amendment strikes that balance that we need to give those nurses, whom we all love, that voice and seat at the table. I urge my colleagues to support this amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I rise to oppose amendment A01020. The good gentlelady from York makes some valid points. Staffing committees were introduced to this General Assembly about 10 years ago, and hospitals denied staffing committees. When you look at the research over the last 20 years, committees do not work; it is shown in the data. Ratios are the way that we produce good patient outcomes and safety for the patients.

Please oppose this amendment. Thank you, Madam Speaker.

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—86

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

#### NAYS—117

Abney	Fiedler	Krajewski	Rabb
Adams	Fleming	Krueger	Rader
Bellmon	Flick	Kulik	Rozzi
Benham	Frankel	Kuzma	Ryncavage
Bizzarro	Freeman	Labs	Salisbury
Borowski	Friel	Madden	Samuelson
Boyd	Gallagher	Madsen	Sanchez
Boyle	Galloway	Major	Sappey
Bradford	Gergely	Malagari	Schlossberg
Brennan	Giral	Markosek	Schweyer
Briggs	Green	Marshall	Scott
Brown, A.	Guenst	Matzie	Shusterman



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

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 as amended?

Mr. **STRUZZI** offered the following amendment No. **A01080**:

Amend Bill, page 16, line 23, by striking out "THE" and inserting

(a) Penalties.—Except as provided under subsection (b), the Amend Bill, page 17, by inserting between lines 4 and 5

(b) Exception.—A hospital shall not be in violation of this chapter if the hospital demonstrates to the department that an unpredictable or uncontrollable event occurred.

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Uncontrollable." The occurrence of an event that was outside of the hospital's reasonable control or that the hospital had no reasonable way to know or reasonably control a staffing shortage that occurred.

"Unpredictable." The occurrence of an event that was unable to be known reasonably in advance.

On the question,

Will the House agree to the amendment?

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

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

Amendment 01080 is a very simple amendment that addresses some fundamental stakeholder concerns with this House bill. While I understand that one of the co-prime sponsors did put an amendment in here to allow for exceptions for unforeseen, unpredictable events that can overwhelm an emergency room, like a multi-vehicle crash, I do not think that that went far enough.

So a hospital could essentially find itself in violation of HB 106 because there are not enough exceptions, particularly in a rural area where something like a catastrophic event like that

could simply force patients to go uncared for because they are trying to meet these staffing ratios. So I really think we need to support this amendment, A01080.

But also, this addresses another stakeholder concern, and that is that this bill actually runs afoul with Federal law. The Emergency Medical Treatment and Labor Act, which requires hospital emergency departments to provide a medical screening examination to any individual who comes to the emergency department and requests such an examination. This Federal law also prohibits hospitals with emergency departments from refusing to examine or treat an individual. So you can see, if these staffing ratios were in place without these exceptions, these hospitals would find themselves in violation of the law.

It is my understanding that this particular bill was modeled after similar legislation in California, which does in fact contain exceptions for unpredictable or uncontrollable events. So again, this is not a blanket waiver for emergency rooms. It simply allows for additional exceptions for unforeseen events and helps this bill comply with the Federal law.

So thank you, and I appreciate your support for this amendment. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

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

I rise to oppose amendment A01080. The good gentleman from Indiana County does speak about what can happen in an emergency situation. All emergency rooms, when there is a catastrophic situation, move to do the best they can for their patients. That is what they do best. A lot of what he said about is called EMTALA. It is a Federal law which creates – where you cannot move patients out. They may accept those patients in rural hospitals, but they move them out to level I trauma centers so that they can get the care that is needed. So that happens quite often throughout these rural hospitals, and I am asking right now to oppose the amendment, A01080. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—91

Adams	Fritz	Leadbeter	Rossi
Armanini	Gaydos	Mackenzie, M.	Rowe
Banta	Gillen	Mackenzie, R.	Schemel
Barton	Gleim	Mako	Scheuren
Benninghoff	Gregory	Maloney	Schlegel
Bernstine	Greiner	Marcell	Schmitt
Bonner	Grove	Marshall	Scialabba
Borowicz	Hamm	Mentzer	Smith
Brown, M.	Heffley	Mercuri	Staats
Burns	Irvin	Metzgar	Stambaugh
Cabell	James	Mihalek	Stehr
Causser	Jones, M.	Miller, B.	Stender
Cook	Jones, T.	Moul	Struzzi
Cooper	Jozwiak	Mustello	Topper
Cutler	Kail	Nelson, E.	Twardzik
D'Orsie	Kauffman	O'Neal	Venkat
Delozier	Keefer	Oberlander	Warner
Diamond	Kephart	Ortitay	Watro
Dunbar	Kerwin	Owlett	Wentling

Ecker	Klunk	Pickett	White
Fee	Krupa	Rapp	Williams, C.
Fink	Kutz	Rigby	Zimmerman
Flood	Lawrence	Roae	

## NAYS—112

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

## 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 as amended?

Mrs. **ROSSI** offered the following amendment No. **A01118**:

Amend Bill, page 16, lines 24 and 25, by striking out ", BUT NOT LIMITED TO"

Amend Bill, page 16, line 27, by inserting after "PENALTIES"  
in accordance with section 817(b)

Amend Bill, page 16, lines 28 through 30; page 17, lines 1 through 4; by striking out all of said lines on said pages

Amend Bill, page 17, lines 21 and 22, by striking out "LICENSE SUSPENSIONS, REVOCATIONS,"

On the question,

Will the House agree to the amendment?

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

Mrs. **ROSSI**. Thank you, Madam Speaker.

My amendment attempts to address the penalties section in this bill that is very troubling to me. Under HB 106, the Department of Health has the authority to impose civil penalties

via a schedule that it will adopt. Currently there is no maximum cap on the penalties that may be imposed. Even more troubling, the language in HB 106 requires the department to increase the severity of the fines for future violations. This forces the Department of Health to increase fines even in situations where the hospital, through no fault of its own, violated this bill. Situations like that could occur when multiple nurses call off work and the hospital cannot find replacements. This could occur in situations when nurses cannot be moved from one unit to another because they do not have the requisite training to work on a specific unit.

This bill seeks to amend the Health Care Facilities Act. For my colleagues who may not be aware, the current maximum fine that may be levied against the hospital for a violation of the Health Care Facilities Act is \$500 for each deficiency for each day that each deficiency continues. Allow me to repeat that: \$500 for each deficiency for each day that each deficiency continues.

If this bill is amending the Health Care Facilities Act, why would we create a separate sanctioning provision just for this bill? And better yet, why would we create a separate sanctioning provision for this bill that is so out of line with what is contained in current law?

The second issue I have with the sanctioning provision in this bill is the ability of the Department of Health to suspend or revoke a hospital's license for violations of this bill. We all recognize that there is a nursing shortage in this Commonwealth. We all recognize that there is a need to address the issue. While we may disagree on the best course of action to address this issue, I hope my colleagues would agree that putting a hospital out of business for violating staffing ratios does nothing to help the situation and it certainly does not help the patients that those hospitals care for. In many areas of the Commonwealth, the next closest hospital may be an hour away. How does closing a hospital address patient safety? How does trying to move patients to another hospital help them? It only makes them wait longer for care. How does closing a hospital help nurses when they will be out of a job if the hospital closes?

My amendment addresses these two issues. First, it will reduce the fines to mirror what is currently in the Health Care Facilities Act: \$550 for each deficiency for each day that each deficiency continues. Second, as this bill seeks to address nursing and patient care, my amendment will eliminate the Department of Health's authority to suspend or revoke a hospital's license for violating this bill. Closing a hospital, even temporarily, will only exacerbate the health-care issues that we must address in the Commonwealth. I urge my colleagues to support this amendment.

Thank you, Madam Speaker.

The **SPEAKER**. The Chair thanks the maker of the amendment.

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

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

I rise to oppose amendment A01118. This particular issue was taken care of in the Tomlinson amendment. The fines went from \$1,000 to capped at \$2500, and this is a "may" provision, that the Department of Health may – may, if they need to – fine the hospital.

I oppose this amendment. 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—88

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

## NAYS—115

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

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 as amended?

Mr. **JOZWIAK** offered the following amendment  
No. **A01177**:

Amend Bill, page 2, by inserting between lines 18 and 19  
"Critical access hospital." As defined in section 101-J of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

Amend Bill, page 19, by inserting between lines 3 and 4  
Section 811-C. Critical access hospitals.

This chapter shall not apply to a critical access hospital.

Amend Bill, page 19, line 4, by striking out "811-C" and inserting  
812-C

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

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

Mr. JOZWIAK. Thank you, Madam Speaker.

My amendment today addresses critical access hospitals. As you may know, a critical access hospital is a designation given to eligible rural hospitals by the Federal Centers for Medicare & Medicaid Services, commonly referred to as CMS. Congress created this designation in 1997 in response to over 400 rural hospital closures during the 1980s and 1990s. This designation is designed to reduce the financial vulnerability of rural hospitals and improve access to health care by keeping essential services in rural communities.

To accomplish this goal, critical access hospitals receive certain benefits. One of the major benefits afforded to critical access hospitals is flexible staffing and services to the extent permitted by State licensure laws. My amendment exempts critical access hospitals from the mandated ratios. The definition of critical access hospitals includes those hospitals in counties of the sixth, seventh, and eighth classes that met certain requirements to receive American Rescue Plan Act money last year under Act 2.

In Pennsylvania, we currently have 16 designated critical access hospitals. Without this amendment, these hospitals may close. These hospitals serve a wide variety of counties, including Armstrong, Bedford, Blair, Clarion, Crawford, Erie, Greene, Indiana, Jefferson, Lycoming, Somerset, and Susquehanna, just to name a few. It is vitally important that we ensure that these critical access hospitals continue to be able to serve their patients and their communities.

I ask for a "yes" vote on this amendment, A01177. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

I rise to oppose amendment A01177. The good gentleman from Berks County talks about an exception to smaller hospitals, and by doing that, I think we put and implement some type of substandard care. The whole meaning of this bill is to put forth more nurses by the bedside so our patients have the best care that they should receive in a hospital.

I ask that you oppose this amendment. Thank you, Madam Speaker.

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—92

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

NAYS—111

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

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 as amended?

Ms. PICKETT offered the following amendment No. A01436:

Amend Bill, page 4, by inserting between lines 1 and 2  
"Technology-enabled monitoring." A team-based approach using one or more direct care registered nurses who are present via a technology-based medium using continuous video and audio technology for two-way observation and communication with a patient or direct care staff who are physically present in a patient's room, including for the collection of physiological data from a patient.

Amend Bill, page 19, by inserting between lines 3 and 4  
Section 811-C. Technology-enabled monitoring.

(a) Authorization.—A hospital may use technology-enabled monitoring to meet a staffing ratio under section 802-C.

(b) Notice.—A hospital shall submit a notice of the hospital's use of technology-enabled monitoring in a specific hospital unit to the department on a form provided by the department.

(c) Ratios.—A direct care registered nurse who uses technology-enabled monitoring shall count towards the staffing ratios under section 802-C for each hospital unit that the direct care registered nurse is using technology-enabled monitoring.

(d) Disqualification.—A hospital that ceases use of technology-enabled monitoring for a hospital unit shall notify the department within 30 days of the cessation. A hospital shall have 90 days from the date of the notice under this subsection to comply with section 802-C.

(e) Patient notice.—A hospital shall provide notice to a patient that the hospital used technology-enabled monitoring for the hospital unit in which the patient is placed.

(f) Publication.—The department shall submit a notice to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin of each hospital and hospital unit that uses technology-enabled monitoring to meet the requirements of this chapter.

(g) Experience requirements.—A direct care registered nurse shall have a minimum of five years of bedside nursing experience prior to being authorized to observe and monitor a patient via a technology-enabled monitoring medium.

Amend Bill, page 19, line 4, by striking out "~~812-C~~ 811-C" and inserting  
812-C

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

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

Ms. PICKETT. Thank you, Madam Speaker.

This amendment, A01436, is designed to preserve a Department of Health-approved pilot program in one of our northeast rural hospitals. The program seeks and implements solutions to patient care in partnership with its nurse teams. This is a program offering a working opportunity.

AMENDMENT WITHDRAWN

Ms. PICKETT. However, today, Madam Speaker, I am going to withdraw this amendment as we continue to monitor and work with the department, with the health-care facility, and with the nursing staff teams to input their voices as we go through this program. Thank you.

The SPEAKER. The Chair thanks the maker of the amendment, and it is the Chair's understanding that all remaining amendments are withdrawn: amendments A01293, A01315, A01318, A01321.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 791, PN 1652**, entitled:

An Act amending the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, further providing for identification requirements for sale of scrap materials to scrap processors and recycling facility operators and for penalties.

On the question,

Will the House agree to the bill on second consideration?

Mr. KAUFFMAN offered the following amendment No. **A01313**:

Amend Bill, page 1, lines 15 through 17, by striking out all of said lines and inserting

Section 1. Sections 3(a) and (b) and 7(a) of the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, are amended and the sections are amended by adding subsections to read:

Amend Bill, page 2, line 3, by striking out all of said line and inserting

(a) General rule.—A scrap processor and recycling facility operator shall collect the following information for all transactions by a seller of restricted material under section 5 and from any other seller when the purchase of scrap material from the seller exceeds \$100 or the scrap material bears a name or mark under 54 Pa.C.S. Ch. 15 (relating to reusable marked articles and receptacles):

- (1) A photocopy of the driver's license of the seller.
- (2) The seller's and buyer's signature for each transaction.
- (3) The license plate number of the motor vehicle the seller operates at the time of the transaction.
- (4) Written permission of the seller's parent or legal guardian, if the seller is under 18 years of age.
- (5) The date and time of the transaction.
- (6) A description of the scrap material included in the transaction, including the weight of the scrap material and the amount paid to the seller.

Amend Bill, page 2, by inserting between lines 13 and 14

(b) Tracking the transaction.—A scrap processor and recycling facility operator shall[, when payment is made in cash,] develop methods of tracking [a transaction that obtains the seller's signature on a receipt for the transaction. The receipt shall include a certification that the seller is the owner or authorized seller of the scrap material.] any transaction that requires the scrap processor or recycling facility operator to obtain

the information under subsection (a).

Amend Bill, page 3, by inserting between lines 3 and 4

(e) Penalties.—A scrap processor or recycling facility operator that fails to collect the information required by subsection (a) is guilty of a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of not less than \$5,000.

Amend Bill, page 3, by inserting between lines 4 and 5

(a) Scrap processor and recycling facility operator penalties.—Except as provided under section 3(e) and 6.2(g), a scrap processor and recycling facility operator who violates this act commits a summary offense and shall, upon conviction, be sentenced to pay a fine of up to \$2,500. A second or subsequent violation shall be classified as a misdemeanor of the third degree.

On the question,

Will the House agree to the amendment?

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

Mr. KAUFFMAN. Thank you, Madam Speaker.

I believe this is a friendly, agreed-to amendment, and I believe the majority chair will address that.

The SPEAKER. The Chair thanks the maker of the amendment.

On that question, the Chair recognizes Representative Matzie.

Mr. MATZIE. Thank you, Madam Speaker.

As the gentleman said, this is an agreed-to amendment. I urge all members to vote "yes." Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

Abney	Fink	Krupa	Rader
Adams	Fleming	Kulik	Rapp
Armanini	Flick	Kutz	Rigby
Banta	Flood	Kuzma	Roae
Barton	Frankel	Labs	Rossi
Bellmon	Freeman	Lawrence	Rowe
Benninghoff	Friel	Leadbeter	Rozzi
Bernstine	Fritz	Mackenzie, M.	Salisbury
Bizzarro	Gallagher	Mackenzie, R.	Samuelson
Bonner	Galloway	Madden	Sanchez
Borowicz	Gaydos	Madsen	Sappay
Borowski	Gergely	Major	Schemel
Boyd	Gillen	Mako	Scheuren
Boyle	Giral	Malagari	Schlegel
Bradford	Gleim	Maloney	Schlossberg
Brennan	Green	Marcell	Schmitt
Briggs	Gregory	Markosek	Schweyer
Brown, A.	Greiner	Marshall	Scialabba
Brown, M.	Grove	Matzie	Scott
Bullock	Guenst	Mayes	Shusterman
Burgos	Guzman	McAndrew	Siegel
Burns	Haddock	McNeill	Smith
C Freytiz	Hamm	Mehaffie	Solomon
Cabell	Hanbidge	Mentzer	Staats
Causar	Harkins	Mercuri	Stambaugh
Cephas	Harris	Merski	Steele
Cerrato	Heffley	Metzgar	Stehr
Ciresi	Hogan	Mihalek	Stender
Conklin	Hohenstein	Miller, B.	Struzzi
Cook	Howard	Moul	Sturla
Cooper	Innamorato	Mullins	Takac
Curry	Irvin	Munroe	Tomlinson
Cutler	Isaacson	Mustello	Topper
D'Orsie	James	Neilson	Twardzik

Daley	Jones, M.	Nelson, E.	Venkat
Davanzo	Jones, T.	Nelson, N.	Vitali
Davis	Jozwiak	O'Mara	Warner
Dawkins	Kail	O'Neal	Warren
Deasy	Kaufer	Oberlander	Waxman
Delloso	Kauffman	Ortitay	Webster
Delozier	Kazeem	Otten	Wentling
Diamond	Keefe	Owlett	White
Donahue	Kenyatta	Parker	Williams, C.
Dunbar	Kerwin	Pashinski	Williams, D.
Ecker	Kim	Pickett	Young
Emrick	Kinsey	Pielli	Zimmerman
Evans	Klunk	Pisciottano	
Fee	Kosierowski	Probst	McClinton,
Fiedler	Krueger	Rabb	Speaker

## NAYS—9

Benham	Kinthead	Miller, D.	Smith-Wade-El
Kephart	Krajewski	Ryncavage	Watro
Khan			

## 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 850, PN 1691**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for waiver to purchase diapers or menstrual hygiene products.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The Chair rules the following amendments out of order for violating House rule 20: amendment A01362, amendment A01369, amendment A01417, amendment A01419, amendment A01438.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **WARNER** offered the following amendment No. **A01358**:

Amend Bill, page 1, line 3, by inserting after "assistance," further providing for responsibilities and obligations of department, applicants and recipients and

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 405.3 of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, is amended by adding a subsection to read:

Section 405.3. Responsibilities and Obligations of Department, Applicants and Recipients.—\* \* \*

(b) Subject to Federal approval, an authorized representative designated on the application by a person who is required to sign an application for assistance shall sign an agreement with the department indicating that the person understands and agrees to be bound by the terms, conditions and responsibilities of the electronic benefits transfer card, including the proper use of the electronic benefits transfer card for the benefit of the person who designated the authorized representative. If the person fails to comply with the terms, conditions and responsibilities of the electronic benefits transfer card, the person designated as an authorized representative may not be designated as an authorized representative for any assistance program administered by the department.

\* \* \*

Section 2. The act is amended by adding a section to read:  
Amend Bill, page 2, line 17, 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 the maker of the amendment, Representative Warner.

Mr. WARNER. Thank you, Madam Speaker.

Madam Speaker, this amendment will require DHS (Department of Human Services) to establish a program to develop electronic controls, oversight mechanisms, and follow-up procedures to detect and track fraudulent uses on out-of-State EBT (electronic benefit transfer) card purchases.

There has been an ongoing problem with the management of EBT cards that has gone unaddressed. Two reports by two different Auditor Generals have pointed out the issue, yet since 2012 the process the department uses has not been revised. Without updating the system, the department could potentially be missing the opportunity to detect fraudulent use, costing millions of taxpayer dollars.

According to the most recent auditor's report, auditors analyzed out-of-State activity and found each year that activity exceeded \$70 million. Over a 3-year period, Pennsylvania EBT cards were used in all 50 States; 2 territories, including Guam; and the District of Columbia. Of card activity in nonadjacent States, the most – more than \$14 million – was spent in Florida, followed by North Carolina, Hawaii, and Alaska.

Madam Speaker, while some EBT card usage in bordering States would be considered normal, there is, however, a major issue when more money is being spent in Florida and North Carolina than our neighboring States, and I would ask the members to support this amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

All those in favor of the amendment will be – excuse me, Mr. Chairman.

On that question, the Chair recognizes Representative Kinsey.

Mr. KINSEY. Thank you, Madam Speaker.

Madam Speaker, we appreciate the indulgence of the gentleman and the work that he has done; however, I want to inform the members that this is not an agreed-upon amendment. We are going to ask members to vote "no" on the amendment.

Thank you, Madam Speaker.

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

The following roll call was recorded:

## YEAS—101

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

## NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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	Kinthead	Probst	Speaker

## NOT VOTING—0

## EXCUSED—0

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

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

Mr. GROVE offered the following amendment No. **A01363**:

Amend Bill, page 1, line 3, by inserting after "Commonwealth," in general powers and duties of the Department of Public Welfare, further providing for State participation in cooperative Federal programs; and,  
Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 201 of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, is amended by adding a clause to read:

Section 201. State Participation in Cooperative Federal Programs.—The department shall have the power and its duties shall be:  
\* \* \*

(7) To request a waiver to the Commonwealth's plan of operation under 7 CFR Subt. B Ch. II Subch. C (relating to Supplemental Nutrition Assistance and Food Distribution Program) to authorize the department to place a limit on the amount of Supplemental Nutrition and Assistance Program benefits that may be accumulated in a recipient's account. Subject to Federal approval, the department shall limit the amount of benefits that may be accumulated by a recipient to no more than 12 months of the recipient's allotment and shall recover any money over the limit amount.

Section 2. The act is amended by adding a section to read:

Amend Bill, page 2, line 17, 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 the maker of the amendment, Representative Grove.

Mr. GROVE. Thank you, Madam Speaker.

I rise today to offer amendment A01363 to HB 850. This amendment to the Pennsylvania Human Services Code would require the Department of Human Services to request a waiver from the Federal government that would permit the Department of Human Services to put limits on the access amount of SNAP (Supplemental Nutrition Assistance Program) benefits accumulated in a recipient's account. The limit would be 12 months of the recipient's allotment, and any additional funds would be recouped by the department.

In 2013 the Pennsylvania Office of State Inspector General started an investigation concerning allegations of high balances of the 20 Pennsylvania SNAP accounts with in excess of \$5,000, some up to \$45,000, and found that among those issues, quote, "...cases with high balances were not appropriately followed by DHS caseworkers,..." The investigation uncovered evidence of potential fraud in six of those counts. In that 10-year-old investigation, the Inspector General recommended that the department pursue the waiver provided for in this amendment.

More recently, in OSIG's budget hearing earlier this year, the State Inspector General testified that 40 percent of their investigations into public assistance programs find fraud or other areas. Most recently in a May 24, 2023, article in PennLive states that, quote, "More than \$400 million in federal aid intended to help feed low-income Pennsylvania families went unspent last month," end quote. In addition, PennLive reported that more than 500 SNAP accounts in Pennsylvania had balances of more than \$10,000.

Madam Speaker, we can all agree that SNAP benefits are an important safety net when people need assistance; however, there is no reason for SNAP recipients to hoard taxpayer dollars. I ask the members today for program integrity and ask for an affirmative vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mrs. PARKER. Thank you, Madam Speaker.

I thank the good gentleman for his great remarks; unfortunately, we cannot agree. I am encouraging all our members to oppose. Thank you.

The SPEAKER. The Chair thanks the maker of the bill.

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

The following roll call was recorded:

YEAS—101

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

NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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	Kinlead	Probst	Speaker

NOT VOTING—0

EXCUSED—0

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

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

Mr. GROVE offered the following amendment No. A01370:

Amend Bill, page 1, line 12, by inserting after "Products.—"  
(a)  
Amend Bill, page 2, by inserting between lines 16 and 17  
(b) Nothing in this section shall be construed to authorize the expenditure of State funds for SNAP or WIC for the provision of supplemental benefits.

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

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

Mr. GROVE. Thank you, Madam Speaker.

I rise today to offer amendment A01370 to HB 850. This amendment will amend the Human Services Code to prohibit the use of State funds for Supplemental Nutrition Assistance, for SNAP, or WIC (women, infants, and children). SNAP is a Federal program that is administered by the State Department of Human Services. This is a simple amendment that makes it clear that nothing in this legislation authorizes the Department of Human Services to use State funds to supplement SNAP or WIC benefits. However, it restricts the use to allow this General Assembly, if by statute, we could. The amendment is, unfortunately, necessary because we have a Department of Human Services that has a history of unilaterally expanding entitlement programs and spending beyond their means.

I ask the members today to support program integrity, and I ask for an affirmative vote. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mrs. PARKER. Again, I would like to thank the good gentleman, and I am asking my members to vote "no." Thank you.

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



The following roll call was recorded:

## YEAS—101

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

## NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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	Kinthead	Probst	Speaker

## NOT VOTING—0

## EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **WARNER** offered the following amendment No. **A01416**:

Amend Bill, page 1, line 3, by inserting after "assistance," further providing for responsibilities and obligations of department, applicants and recipients, establishing the Electronic Benefits Transfer Card Management Program and

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 405.3(a) of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, is amended by adding a paragraph to read:

Section 405.3. Responsibilities and Obligations of Department, Applicants and Recipients.—(a) Subject to Federal approval, only where necessary, each adult applicant or recipient of cash assistance or other person who is required to sign an application for assistance shall be required as a condition of eligibility to enter into a mutual agreement with the department that will set forth the responsibilities and obligations to be undertaken by the recipient to achieve self-sufficiency, the time frames within which each obligation is to be completed, the penalties for failure to comply and the actions to be taken by the department to support the efforts of the applicant or recipient. Where appropriate, these obligations shall include, but not be limited to:

\* \* \*

(10) Agreeing to comply with the requirements of the Electronic Benefits Transfer Card Management Program under section 414.1.

\* \* \*

Section 2. The act is amended by adding sections to read:

Section 414.1. Electronic Benefits Transfer Card Management Program.—(a) The department shall establish and maintain a program to be known as the Electronic Benefits Transfer Card Management Program.

(b) The purpose of the program is to ensure the efficient delivery of public assistance through the proper management of electronic benefits transfer cards.

(c) The department shall promulgate rules and regulations enumerating acceptable purchases and transaction types which are consistent with assisting the recipient in achieving self-sufficiency.

(d) The department shall develop electronic controls, oversight mechanisms and follow-up procedures to detect and track the following:

(1) Suspicious electronic benefits transfer card transactions that might indicate fraudulent use. In order to implement this paragraph, the department shall have the following duties:

(i) Collect information regarding the use of electronic benefits transfer cards if more than fifty percent of the funds used in the electronic benefits transfer card transactions occur outside of this Commonwealth.

(ii) Differentiate between electronic benefits transfer card transactions that occur in states that border this Commonwealth and electronic benefits transfer card transactions that occur in states that do not border this Commonwealth.

(iii) Analyze electronic benefits transfer card transactions that occur outside of this Commonwealth to determine if the recipient of benefits is a resident of this Commonwealth. In making a determination under this subparagraph, the department shall analyze the following:

(A) The location of employment of the recipient of benefits.

(B) The amount of times that the electronic benefits transfer card is used outside of this Commonwealth compared to the amount of times the electronic benefits transfer card is used in this Commonwealth.

(C) Whether the electronic benefits transfer card transactions occur in-person or through electronic means.

(2) The use of electronic benefits transfer cards that might indicate an attempt to acquire goods and services that do not comply with the rules and regulations promulgated under subsection (c).

(e) Unless otherwise prohibited, data and information gathered under this section shall be made available to the Office of Inspector

General, the Auditor General and the Attorney General.

(f) As used in this section, the term "program" means the Electronic Benefits Transfer Card Management Program.

Amend Bill, page 2, line 17, by striking out all of said line and inserting

Section 3. The addition of sections 405.3(a)(10) and 414.1 of the act shall expire five years after the effective date of this section.

Section 4. This act shall take effect as follows:

(1) The addition of section 438 of the act shall take effect in 60 days.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 180 days.

On the question,

Will the House agree to the amendment?

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

Mr. WARNER. Thank you, Madam Speaker.

Madam Speaker, I rise to offer amendment A01416. This amendment, like the previous, is based off of a recommendation from the Democrat Auditor General and has passed this House previously with strong bipartisan support.

Madam Speaker, this amendment requires authorized users of EBT cards to sign the same rights and responsibilities agreements as those who are eligible for benefits, holding all recipients and authorized users to the same standards of use. EBT cardholders with a physical or mental disability are able to designate an authorized user to obtain EBT benefits on their behalf. A standard EBT cardholder is required to sign documents acknowledging their rights and responsibilities, including the prohibitions and penalties for misuse, such as fines and/or imprisonment.

However, a recent audit of the Department of Human Services discovered that authorized users are not required to sign, review, or accept the same responsibility as eligible recipients. Because of this, the Office of Inspector General is precluded from investigating and pursuing criminal charges against authorized representatives who may abuse or misuse the benefits.

Madam Speaker, many other States, including California and Michigan, have already passed legislation that requires authorized users to sign this documentation. This bill is straightforward, the amendment is straightforward, and will stop fraud and abuse while also protecting some of the most vulnerable citizens in our Commonwealth.

I urge my colleagues to vote "yes" on amendment A01416.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mrs. PARKER. Thank you, Madam Speaker.

And thank you to the good gentleman. Unfortunately, I am disagreeing with you again, and I am encouraging my members to vote "no." Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—101

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

## NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	Friel	Madden	Sappay
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

## NOT VOTING—0

## EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **HEFFLEY** offered the following amendment No. **A01421**:

Amend Bill, page 1, line 5, by striking out the period after "products" and inserting  
; and, in fraud and abuse control, providing for the offense of benefit transfer device fraud.

Amend Bill, page 1, line 9, by striking out "a section" and inserting  
sections

Amend Bill, page 2, by inserting between lines 16 and 17

Section 1419. Benefit Transfer Device Fraud.—(a) A person commits an offense if the person is an unauthorized alien and possesses, uses or attempts to use a benefit transfer device.

(b) Each time a person possesses or uses a benefit transfer device in violation of subsection (a) constitutes a separate offense under this section.

(c) A person who violates subsection (a) commits a felony of the third degree and shall forfeit the benefit transfer device.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Benefit transfer device." The Pennsylvania ACCESS card or electronic benefit transfer card.

"Unauthorized alien." An alien who is not eligible for any State or local benefits under 8 U.S.C. § 1621(a) (relating to aliens who are not qualified aliens or nonimmigrants ineligible for State and local public benefits).

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

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

Mr. HEFFLEY. Thank you, Madam Speaker.

The underlying bill, HB 850, is a request to the Federal government to provide the SNAP benefits to be able to be utilized for feminine hygiene products and for diapers for infants. I think that is a noble, noble thing to do, and I think it is important that we take care of folks in need.

This amendment would ensure that those folks in need are going to receive the dollars and that these dollars are not going to be abused or fraudulent actors in the system are not going to get access to these dollars. These dollars, which are taxpayer dollars that are going to help people, to help babies, to help young women, we need to make sure that there is security in place so that if somebody does gain access illegally to a benefits card, that they are not going to be using it; therefore, stealing, stealing those dollars from women and children. That is what this amendment is about. It is about theft, theft of public dollars that we appropriate to help people in need. We want to help people in need. We do not want to help people in greed.

This amendment states that if you are unauthorized, if you are illegally unauthorized to have a benefits card in your possession, that it can be confiscated and that you can be prosecuted for it.

And you ask, why? Why would we do – who would have one of these cards if they are not authorized to have it? Drug dealers, criminals, but primarily drug dealers. They use the EBT cards and exchange them, same as cash. How do I know this? Because my police reported it back to me.

This amendment, in bill form, passed the House. People that were illegal aliens running illegal drugs through our communities would be pulled over and stopped by the police, and from time to time they would be searched, and they would have many fake

IDs, and they could be confiscated by the police. And sometimes they would have stacks of 25 to 30 EBT cards in their possession. Law enforcement cannot confiscate those cards because it is not illegal for them to have them. Why would somebody have 25 SNAP cards in their possession if they are not committing illegal activities?

These services that we appropriate are to provide for people that need them – for women, for children – not to be used and abused. We have put forth many amendments today to crack down on fraud and abuse. I think we can all agree in this chamber that there are people that need these services in our community. We should make sure that dollars are going to them and not being abused. I would ask for an affirmative vote on this amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mrs. PARKER. Thank you, Madam Speaker.

Again, and I will say it again, I sadly am going to have to disagree for some of the egregious things that the chairman said, and I am encouraging my members to vote "no."

The SPEAKER. The Chair thanks the maker of the bill.

On that question, the Chair recognizes Representative Guzman.

Mr. GUZMAN. Thank you, Madam Speaker.

You know, I hope the ladies back – I hope the immigrant communities back at home in the 116th and the 101 and the 13th and the 176th and in the 18th are listening to what your Representatives are saying about your immigrant communities. You are criminals. You are drug dealers. You are violent.

This is absolutely outrageous, Madam Speaker, absolutely outrageous that any individual from this esteemed body would talk about any individual in that manner—

## POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. The gentleman will suspend.

For what purpose does the gentleman, Representative Heffley, rise?

Mr. CUTLER. Madam Speaker, respectfully, I believe that the current speaker is overgeneralizing the sponsors of the amendment. He was very specific regarding criminal activity alone. It was not a general statement, and it borders very closely on motive.

The SPEAKER. If the gentleman believes his position is being misconstrued, he can certainly speak. However, the gentleman talked about an array of topics and variety of issues that are not even contained in the amendment, and the Chair gave the gentleman great latitude, even when he chose to use what some would call words that are very stereotypical.

So Representative Guzman will proceed, and if the gentleman would like to respond, I will call on the gentleman to speak as much and as long as he would like on behalf of his amendment.

Mr. CUTLER. Thank you, Madam Speaker, and you can add me to the list to speak as well.

The SPEAKER. The gentleman, Representative Guzman, may continue.

Mr. GUZMAN. Thank you, Madam Speaker.

Again, those were the Representative's words, not my words; the Representative's words, not my words. But again, let us talk

about, let us talk about this amendment, all right, because again, I wonder if the Representative from out there in Hazleton, with 25,000 Hispanics that he represents, I wonder how those people in that community feel about that. And I know I do not want to be juxtaposed and pigeonholed into the Latino box. What about the Asian community that is growing all across our Commonwealth, huh? What about the Representative in the 18th District that has over 8,000 Asians in her district? I wonder how they would feel about this amendment. I wonder how they would feel about getting pointed out by the maker of this amendment, by being called a drug dealer or criminal, etc. I wonder sometimes.

You know, Madam Speaker, let us get real; let us get serious. I have talked many times about how my family is an immigrant family, how my father came to this country and was a lifelong Republican because President Ronald Reagan gave him and many others an opportunity to become United States citizens. Stop with the slandering. My father is a 25-year citizen, taxpaying citizen. My father represents immigrant communities. I have immigrant members in my community. But let us keep on going. What about the Representative in the 170th that has about 6,261 Asians in her community? I wonder how they feel about that. What about the Representative in the 88th that has 5,003 Asians in her community? I wonder how they feel about that.

You know, Madam Speaker, these are real people. These are real individuals. This is an amendment seeking a solution to a problem that does not exist.

Let me remind you, Madam Speaker, that undocumented immigrants do not have access to any of these State-related programs. No. Zero access. Mind you, they graduate from my high schools and they also got to pay out-of-State tuition. Where is the competitiveness for our Commonwealth when this is the rhetoric that the minority party pushes forward?

We are not here for it anymore, Madam Speaker, and as long as I am a member of this body, I will stand up against these shenanigans every time moving forward.

Thank you, Madam Speaker.

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

Mr. HEFFLEY. Thank you, Madam Speaker.

And I agree 100 percent, undocumented illegal aliens are not permitted to have these cards. That is what this amendment does. It does not – we are a nation of immigrants. I am proud to represent part of the Hazleton School District. I am proud to have diversity in my district. I am proud that, as an employer, I hired employees from all across the spectrums. This has nothing to do with anything but people having illegal access to an EBT card and taking benefits, stealing benefits from people that need them. That is what this is about.

If you support somebody that is illegally carrying an EBT card, or several of them, to have access to that, then vote against the amendment. If you support every citizen in this Commonwealth that qualifies for these benefits – it has nothing to do with race. It has to do with if you are legally allowed to have these benefit cards so that we can make sure that women and children are going to have the benefits that they need. That is what this amendment is about, whether you can legally have it, then you can utilize it. But we should make sure that we are cutting back on fraud and abuse and theft of services through these programs.

This is a good amendment, and I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the maker of the amendment.

On that question, the Chair recognizes Representative Cutler. Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I am glad that the gentleman from Berks acknowledges that unauthorized users should not have cards for these systems. He is correct. What was missed in the diatribe that we had here on the House floor was the facts. The facts, actually, are very simple. The good gentleman, the prime sponsor of the amendment said if you are an unauthorized user and you are caught in other criminal activity, as defined in lines, starting in line 8 through the rest of the amendment, that that would be an additional chargeable offense. Drawing in the statistics and some of the other stereotypes, to use the language of the Madam Speaker, to do that is simply a distraction from the underlying merit of the bill.

I am glad that the good gentleman from Berks has a true American story, where we are a nation of immigrants, where we can come here and be successful. All of us came here under different circumstances. We came here to chase the American dream. That, thankfully, is still alive, despite sometimes the effort of government to crush it.

Madam Speaker, the amendment is very simple. The amendment simply says, if you are engaged in criminal activity and you are not an authorized user of a card that you have in your possession, that that would in fact be a chargeable offense.

To remind our colleagues here in the chamber, this is an issue that a Democratic Auditor General brought forward regarding concerns and issues with the current system. You know, I remember a time when we could work on issues such as programmatic reform and integrity, where I worked with the good gentleman from Philadelphia County on the LIHEAP (Low-Income Home Energy Assistance Program) program because we came to this realization: fraud hurts the people that need it. Fraud hurts the people that need the programs. And to not recognize fraudulent or criminal activities' impacts on these programs is to overlook helping those very people that need it.

This amendment is very simple and is not an issue of race; it is one of criminality that must be discussed. Fraud hurts the people that need these programs. Let us help the people that need the safety net and ensure that they get access to the programs that they need, not making sure that criminals have another method by which to carry out their enterprises. I urge support of the amendment.

The SPEAKER. The Chair thanks the gentleman.

### MOTION TO TABLE AMENDMENT

The SPEAKER. On that question, the Chair recognizes Representative Dan Miller.

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

Madam Speaker, I rise to make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. D. MILLER. Madam Speaker, I make a motion to table amendment A1421 pursuant to rule 59.

The SPEAKER. Representative Miller makes a motion and moves that amendment A01421 be laid on the table.

On that question, the Chair is reminding the members that the motion to lay on the table is debatable only by the leaders, the

maker of the motion, the maker of the amendment under consideration, and the prime sponsor of the bill under consideration.

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

The SPEAKER. On the motion, the Chair recognizes Representative Dan Miller.

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

Madam Speaker, I do not know how many times we are all dancing around the words here with it about what is already illegal and what is not. We all know, with all respect to the maker, that what the maker is alleging is already law. It is already there, and all we have done here is seemingly taken time, from my perspective, to kick around some people and act as if nobody cares about fraud. I am sure that everyone here cares about fraud. I am sure that everyone in this room knows it is already illegal. I am sure that there is nothing new that happens by further debate on what is already illegal.

We have work to be done, Madam Speaker. We have work to be done and this good bill needs to be passed. This motion here to table I think is a way for us to move. I would ask everyone to vote for us to move forward and to not spend more time debating the illegality of something illegal.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, last night the prior speaker assured me that he could walk and chew gum at the same time. Now is our chance. We can work on this issue. And if it is in fact – let us walk logically through this – if it is in fact already illegal, then there is no harm in including it in the bill. That is reality, Madam Speaker.

But to utilize a motion to table for the ninth time since May 24 – let that sink in – the ninth time to deny debate, to shut down discussion and silence half of the State that is represented by the Republican Caucus is simply inappropriate. Madam Speaker, I did not use a motion to table one time when I was the leader. We had robust debates and we still had success on amendments and bills in a bipartisan way – 94 percent of the time we had bipartisan support, 65 percent of the time we had unanimous support, and what I am seeing here is a lot of motions to not actually vote on issues.

So, Madam Speaker, the motion to table is, I would offer, overused, and let us walk and chew gum at the same time, and let us have a vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

And for the information of the members, the ability to table amendments was not in the rule when Representative Cutler was the leader previously.

The Chair recognizes Representative Heffley.

Mr. HEFFLEY. Thank you, Madam Speaker.

Here we go once again, pushing something off. Basically, if you read verbatim in the amendment and why it should not be tabled is because while we know this is illegal – and that was the point that I was making – is what this amendment does is, a person who violates the subsection committing a felony of the third degree and shall forfeit, shall forfeit the benefit transfer card. That is the point of this legislation. By tabling it, you are going to take away the ability for law enforcement, when they catch people that should not have the card that are maybe using

them in illegal activities, which we know we lose 14 people a day to fentanyl overdoses and we need to address this. It is being used in drug trafficking, and police cannot confiscate those cards, which are illegally obtained, and that is what this amendment will do.

So I would vote to not table this motion, to consider this amendment so we can give law enforcement the tools they need to protect these benefits for those that need them.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, if I may have a little indulgence, since you addressed the rules when I was leader. I think it is also worth noting that we could in fact table amendments; you simply tabled the bill in its entirety, and the way that rule was written, it took all the amendments with it. The fact remains that zero is still zero, although I am not sure the majority would vote to agree.

The SPEAKER. The Chair recognizes Representative Dan Miller.

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

And I get lost here in sort of, like, who is lecturing someone on rules. But look, here is the overall point, that when it comes down to it, we have had, I do not know, a dozen of the amendments from the minority party on this bill alone, and yet we hear we are not giving them time. I do not know, you have had all the amendments that we have done so far. All we are suggesting is that you do not waste time further on something that is already law. That is it. And yet we still have to debate and debate and debate, which is fine, but how long do you want to spend on something that is already illegal?

So let us move on, let us have this vote, and let us get going on the business of the day.

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

The following roll call was recorded:

#### YEAS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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

## NAYS—101

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

## NOT VOTING—0

## EXCUSED—0

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

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

Mr. GROVE offered the following amendment No. **A01440**:

Amend Bill, page 1, line 5, by inserting after "products" and for waiver to Supplemental Nutrition Assistance Program work requirements

Amend Bill, page 1, line 9, by striking out "a section" and inserting sections

Amend Bill, page 2, by inserting between lines 16 and 17

Section 439. Waiver to Supplemental Nutrition Assistance Program Work Requirements.—The department may not request or request to renew a waiver to Supplemental Nutrition Assistance Program work requirements under 7 U.S.C. § 2015(o) (relating to eligibility disqualifications).

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

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

Mr. GROVE. Thank you, Madam Speaker.

I rise to offer amendment A01440 to HB 850. This amendment prohibits the Department of Human Services from renewing the waiver request that waives work requirements for SNAP benefits. Currently Pennsylvania's waiver to SNAP work requirements ends October 1, 2023. The Federal government established work requirements for able-bodied SNAP recipients without

dependents, but States are allowed to request waivers to not enforce these requirements. This amendment would stop the department from renewing the waiver or requesting a new waiver, therefore subjecting recipients to the Federal work requirements established.

The general work requirements include registering for work, participating in SNAP employment training, taking a suitable job if offered, and not voluntarily quitting a job or reducing your work hours below 30 a week without a good reason. We constantly hear about workforce shortage and it is time to stop waiving requirements that SNAP recipients who can work do so. If you are ages 16 to 59 and able to work, you will need to meet the general work requirements to get SNAP benefits.

Madam Speaker, being part of the workforce not only provides you with an income to support yourself; being employed gives an individual a sense of pride, identity, and personal achievement. Tough times happen. We all agree that a safety net is needed; however, building character, skills, contributing to society is imperative.

I ask the members today to support program integrity, and I ask members for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Mrs. PARKER. Good afternoon. Thank you again, Madam Speaker.

And thank you to the good gentleman, and I again, I am going to stress it, I am encouraging my members to oppose this vote. Thank you so much.

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

The following roll call was recorded:

## YEAS—101

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

## NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	Friel	Madden	Sappay
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	Kinthead	Probst	Speaker

## NOT VOTING—0

## EXCUSED—0

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

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

\* \* \*

The House proceeded to second consideration of **HB 1163, PN 1562**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, providing for municipal acquisition of real property.

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

Mr. **STURLA** offered the following amendment No. **A01461**:

Amend Bill, page 1, line 2, by inserting after "banks," further providing for acquisition of property and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 2109 of Title 68 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 2109. Acquisition of property.

\* \* \*

(i) Just compensation.—A land bank that acquires real property under this section shall pay just compensation of the appraised value of the real property at the time of the transfer minus any fines, liens or remediation costs to the record owner of the real property.

Section 2. Title 68 is amended by adding a section to read:  
Amend Bill, page 3, line 28, 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 the maker of the amendment, Representative Sturla.

Mr. STURLA. Thank you, Madam Speaker.

Madam Speaker, as I understand it, this is an agreed-to amendment. This amendment requires land banks to pay just compensation for any real property acquired under this section of the law. Just compensation is defined as "...the appraised value...minus any fines, liens or remediation costs..." I would appreciate an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes Representative Lawrence.

Mr. LAWRENCE. Thank you, Madam Speaker.

Madam Speaker, I appreciate the gentleman from Lancaster offering this amendment, and I think it is attempting to specifically state the, candidly, de minimis expectation that someone will be paid if their property is taken. I do think the amendment could be more robust; in particular, if it could outline what would occur if the property owner cannot be located.

I note that the amendment provides that outstanding fines and liens can be deducted from the sale price and paid to the municipality. Now, that is reasonable. But the amendment also states that remediation costs can be deducted, and I, for one, do not know how that is defined. Remediation costs are not set by law like fines or taxes, and different individuals might look at certain circumstances differently as to what needs to be remediated and what does not need to be remediated. There is absolutely no provision that prevents a land bank from doing the remediation work themselves, then charging for that work and deducting it from the price supposedly owed to the property owner.

Let us not forget that under this proposal, at times the property owners in question are not aware of what is occurring. For whatever reason, they may not have received the notification, maybe because of a death in the family or who knows what. If property is being sold without their knowledge, it really should be worth it to spell out in law how it is handled – if the acquiring organization cannot find the owner – who gets paid and where the money goes. The acquiring organization should be completely above reproach. In my view, this amendment falls short of that standard, and as a result, I encourage a "no" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the maker of the amendment, Representative Sturla.

Mr. STURLA. Thank you, Madam Speaker.

Madam Speaker, in the legislation itself – not the amendment – in the legislation itself, it says that the owners need to be contacted at least twice by certified mail, and beyond that, the remediation is for the violations that the property is being seized to correct. So the remediation is pretty simple, and it will range from buildings that are literally falling in on themselves to buildings that create other health hazards. A serious violation is

defined in the law and that it is to remediate those serious violations that are described in the law. I would again urge an affirmative vote.

Thank you, Madam Speaker.

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—139

Abney	Freeman	Kutz	Rigby
Adams	Friel	Kuzma	Rozzi
Armanini	Gallagher	Labs	Ryncavage
Bellmon	Galloway	Madden	Salisbury
Benham	Gaydos	Madsen	Samuelson
Bizzarro	Gergely	Major	Sanchez
Borowski	Giral	Malagari	Sappey
Boyd	Green	Marcell	Scheuren
Boyle	Guenst	Markosek	Schlossberg
Bradford	Guzman	Marshall	Schweyer
Brennan	Haddock	Matzie	Scott
Briggs	Hanbidge	Mayes	Shusterman
Brown, A.	Harkins	McAndrew	Siegel
Bullock	Harris	McNeill	Smith
Burgos	Heffley	Mehaffie	Smith-Wade-El
Burns	Hogan	Mentzer	Solomon
C Freytiz	Hohenstein	Mercuri	Steele
Cephas	Howard	Merski	Stender
Cerrato	Innamorato	Mihalek	Sturla
Ciresi	Irvin	Miller, D.	Takac
Conklin	Isaacson	Mullins	Tomlinson
Cooper	James	Munroe	Twardzik
Curry	Kail	Neilson	Venkat
Daley	Kaufner	Nelson, E.	Vitali
Davis	Kazeem	Nelson, N.	Warren
Dawkins	Kenyatta	O'Mara	Watro
Deasy	Kephart	Ortitay	Waxman
Delloso	Khan	Otten	Webster
Delozier	Kim	Parker	White
Donahue	Kinkead	Pashinski	Williams, C.
Emrick	Kinsey	Pielli	Williams, D.
Evans	Kosierowski	Pisciottano	Young
Fiedler	Krajewski	Probst	
Fleming	Krueger	Rabb	McClinton,
Flood	Kulik	Rader	Speaker
Frankel			

#### NAYS—64

Banta	Fee	Klunk	Rapp
Barton	Fink	Krupa	Roae
Benninghoff	Flick	Lawrence	Rossi
Bernstine	Fritz	Leadbeter	Rowe
Bonner	Gillen	Mackenzie, M.	Schemel
Borowicz	Gleim	Mackenzie, R.	Schlegel
Brown, M.	Gregory	Mako	Schmitt
Cabell	Greiner	Maloney	Scialabba
Causar	Grove	Metzgar	Staats
Cook	Hamm	Miller, B.	Stambaugh
Cutler	Jones, M.	Moul	Stehr
D'Orsie	Jones, T.	Mustello	Struzzi
Davanzo	Jozwiak	O'Neal	Topper
Diamond	Kauffman	Oberlander	Warner
Dunbar	Keefer	Owlett	Wentling
Ecker	Kerwin	Pickett	Zimmerman

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?

Mr. D'ORSIE offered the following amendment No. A01187:

Amend Bill, page 1, line 3, by striking out "municipal acquisition of" and inserting

attempted municipal seizure of private

Amend Bill, page 1, line 8, by striking out "Municipal acquisition of" and inserting

Attempted municipal seizure of private

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the maker of the amendment, Representative D'Orsie.

Mr. D'ORSIE. Thanks, Madam Speaker.

HB 1163 attempts to empower municipalities to, in the words of the bill, authorize a land bank to, quote, "...acquire and redevelop real property...." In the bill, section 2122 is titled with the very ambiguous language, quote, "Municipal acquisition of real property." My amendment simply adjusts the title to more accurately describe what is occurring, which is the attempted municipal seizure of private property. In the spirit of transparency, I think it is appropriate to correctly define terms.

I will remind the members, too, that strong private property rights are one of the mainstays of free societies, and when the government begins to gobble up private land, I think we are headed in the wrong direction. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Ms. SALISBURY. Thank you, Madam Speaker.

I do not believe that renaming the legislation provides for any particular modifications that change any of its meaning. I believe that it is simply a political maneuver. So I would advise a "no" vote, please, in terms of this amendment. Thank you very much.

The SPEAKER. The Chair thanks the maker of the bill.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—91

Adams	Flick	Kuzma	Rigby
Armanini	Flood	Labs	Roae
Banta	Fritz	Lawrence	Rossi
Barton	Gaydos	Leadbeter	Rowe
Benninghoff	Gillen	Mackenzie, M.	Ryncavage
Bernstine	Gleim	Mackenzie, R.	Schemel
Bonner	Gregory	Major	Scheuren
Borowicz	Greiner	Maloney	Schlegel
Brown, M.	Grove	Marcell	Schmitt
Cabell	Hamm	Marshall	Scialabba
Causar	Heffley	Mentzer	Smith
Cook	James	Mercuri	Staats
Cooper	Jones, M.	Metzgar	Stambaugh
Cutler	Jones, T.	Mihalek	Stehr



D'Orsie	Jozwiak	Miller, B.	Stender
Davanzo	Kail	Moul	Struzzi
Delozier	Kauffer	Mustello	Topper
Diamond	Kauffman	Nelson, E.	Warner
Dunbar	Keefer	O'Neal	Watro
Ecker	Kephart	Oberlander	Wentling
Emrick	Kerwin	Owlett	White
Fee	Klunk	Pickett	Zimmerman
Fink	Krupa	Rapp	

## NAYS—112

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

Mr. **STAMBAUGH** offered the following amendment No. **A01188**:

Amend Bill, page 2, line 11, by inserting after "violations."  
One of the notifications shall be published in a notice in a newspaper with broad circulation in the county in which the property is located and every adjoining county.

On the question,

Will the House agree to the amendment?

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

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

The bill before us proposes municipal authorization of a land bank to acquire and redevelop private property. Taking away an individual's private property without proper notice is a big deal. The bill states that the municipality has to attempt to notify the landowner three times, once by certified mail. But these notifications are basically useless if the municipality sends the notifications to the wrong address or to the wrong person.

My amendment would require the municipality to place at least one of the notifications in a widely circulated newspaper in the county where the property is located. We should be doing everything possible to ensure individuals know that their property might be acquired by a land bank, maybe even without their knowledge. No one in this room, certainly, would be very happy if their property was taken by the government without any kind of notification. I ask for an affirmative vote on amendment A1188.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the maker of the bill, Representative Salisbury.

Ms. **SALISBURY**. Thank you, Madam Speaker.

I would encourage a "no" vote on this. I believe that the notification that is provided in the current legislation as it stands is sufficient, as there are two certified mail attempts as well. So I think that it places an undue burden on the land bank and municipality to provide additional notification through publication in what may be many counties surrounding the property's location and make it unduly burdensome to provide the publication, as well as expensive.

The SPEAKER. The Chair thanks the maker of the bill.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—88

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

NAYS—115

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

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 as amended?

Mr. ECKER offered the following amendment No. **A01189**:

Amend Bill, page 2, lines 12 through 23, by striking out all of said lines and inserting

(b) Notification.—

(1) If the abandonment or vacancy and blight of the property continues after the requirements of subsection (a)(1), (2) and (3) have been established, the municipality shall notify the owner of the property by certified mail that the property is subject to be designated as available for acquisition through a land bank due to abandonment or vacancy and blight.

(2) Ninety days after the notification under this subsection has been delivered and, if the owner has not requested an appeal hearing, the municipality may designate the property as available for acquisition through a land bank. Notification under this subsection shall include:

(i) Information on the appeal process established under subsection (c), including, in large and clear font, the deadline to request a hearing.

(ii) Notice that a property in this Commonwealth is subject to the provisions of this act for reasons, including serious violations of a municipal ordinance.

(iii) The following language:

The Fifth Amendment to the Constitution

of the United States states in part, "No person shall...be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." Contact competent legal counsel to discuss your constitutional rights and legal options relating to this notification.

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 is a bill, at its heart, is ultimately a seizure of property. Now, while there may be good reasons for a municipality to seize a property for the land bank, we are talking about taking away people's private property. Our U.S. Constitution prohibits such thing without due process. One of those major due processes is getting notice of those, of a government's attempt to take away your property. We are talking about a very serious legal matter here, and because of that, not only should the notice be clear and concise, but it should also notify folks of exactly what their legal rights are under the Constitution, what is actually being – what is actually happening, and their remedy.

Madam Speaker, this amendment will make clear what folks' property rights are under the Constitution and their recourse to correct and preserve their property, which our U.S. Constitution provides. Madam Speaker, I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Ms. SALISBURY. I do not believe that this additional provision is necessary and would request a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—100

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	Mehaffie	Scialabba
Causar	Irvin	Mentzer	Smith
Cook	James	Mercuri	Staats
Cooper	Jones, M.	Metzgar	Stambaugh
Cutler	Jones, T.	Mihalek	Stehr
D'Orsie	Jozwiak	Miller, B.	Stender
Davanzo	Kail	Moul	Struzzi
Delozier	Kaufer	Mustello	Tomlinson
Diamond	Kauffman	Nelson, E.	Topper
Dunbar	Keefer	O'Neal	Twardzik
Ecker	Kephart	Oberlander	Warner
Emrick	Kerwin	Ortitay	Watro

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

## NAYS—103

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

## 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 as amended?

The SPEAKER. It is the Chair's understanding that Representative Kauffman withdraws amendment A01190. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

## VOTE CORRECTION

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

Mr. MARSHALL. To correct the record.

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

Mr. MARSHALL. Madam Speaker, on the previous bill, on amendment A01187, I was recorded in the positive and wish to be recorded in the negative.

The SPEAKER. The information will be spread across the record. The Chair thanks the gentleman.

Mr. MARSHALL. Thank you, Madam Speaker.

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1231**, **PN 1322**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, further providing for State Planning Board.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The Chair rules the following amendments out of order for violating House rule 20: A01401, A01402, A01403, A01404.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **DIAMOND** offered the following amendment **No. A01443**:

Amend Bill, page 2, lines 3 through 19, by striking out all of said lines and inserting

(b) (1) The State Planning Board shall consist of [fifteen members to be appointed by the Governor from among the citizens of the State, who during their terms shall hold no other office in the executive branch of State Government to which any salary is attached. In addition to these members, there shall be six ex officio members, the Secretary of Agriculture, the Secretary of Community and Economic Development, the Secretary of Environmental Protection, the Secretary of Conservation and Natural Resources, the Secretary of Public Welfare and the Secretary of Transportation. There shall also be two members appointed by, and serve at the pleasure of, the President pro tempore of the Senate, neither of whom shall be members of the same political party, and two members appointed by, and serve at the pleasure of, the Speaker of the House of Representatives, neither of whom shall be members of the same political party.] the following:

(i) The following members, who shall serve at the pleasure of the appointing authority:

(A) One member appointed by the Majority Leader of the Senate.

(B) One member appointed by the Minority Leader of the Senate.

(C) One member appointed by the Majority Leader of the House of Representatives.

(D) One member appointed by the Minority Leader of the House of Representatives.

Amend Bill, page 2, line 20, by striking out "(iii)" and inserting

(ii)

Amend Bill, page 3, line 6, by striking out "(1)(iii)" and inserting

(1)(ii)

On the question,

Will the House agree to the amendment?

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

Mr. DIAMOND. Thank you, Madam Speaker.

It is a great pleasure to be able to offer this friendly amendment to HB 1231.

Madam Speaker, HB 1231 deals with updating the appointments and the appointment authority for the State Planning Board. The bill edits existing law but keeps some existing intent that both the President pro tem of the Senate and the Speaker of the House appoint two members, quote, "...neither of whom shall be members of the same political party,..." unquote. This old and clumsy language should be replaced, and that is what my amendment does. My amendment would give one appointment each to the majority and minority leaders of both the House and Senate, and, Madam Speaker, this, this provision lines up with how we appoint members to other boards and commissions in the Commonwealth, such as the State Public School Building Authority, the Legislative Data Processing Committee, the PA Athletic Oversight Committee, the PA Commission on Crime and Delinquency, the PA Community Development Bank Operations Committee, and the Port of Pittsburgh Commission. Madam Speaker, we should make this language the same as all the other appointing authorities that we have in law right now.

I would add, Madam Speaker, that the old and clumsy language currently in the bill matches, somewhat, a provision that singles out the political party status of a proposed appointee, and it has run into problems in court before. Earlier this year a Federal judge ruled that Delaware's provision requiring the Governor to take political party into consideration when appointing judges was unconstitutional. In Delaware, that now unconstitutional law required the Governor to pick a Democrat, then a Republican, then a Democrat, then a Republican, and the court found that to be unconstitutional. Now, some of us might think that is a good provision but – you know, trying to keep an ideological balance on courts – but again, Federal courts have tossed that out as unconstitutional.

Madam Speaker, the existing law and the underlying bill, it is not clear on how appointees who switch their party registration once appointed to this board should be handled. And what about appointees who are not registered to vote at all? There are people in the Commonwealth who are not registered to vote who could be appointed.

Madam Speaker, my amendment clears this all up, modernizes the language, avoids the potentially unconstitutional language being carried forward in the underlying bill, and I ask my colleagues for a rousing "yes" vote on this friendly amendment to HB 1231.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

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

Ms. SAPPEY. Thank you, Madam Speaker.

And thank you to the maker of the amendment. I appreciate your work on this.

The current system of appointments to our boards and commissions by our Speaker and the President pro tem in conjunction with leadership has worked very well for a long time, and we really do not need this amendment. It is unnecessary and it is not agreed to.

So again, I thank the maker for the amendment, but I ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the maker of the bill.

On that question, the Chair recognizes, for the second time, the maker of the amendment, Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

I did not want to mention this in the first go-round, but here is what else my amendment does. Imagine yourself as the Speaker of the House or the Senate pro tem, and you are making these two appointments. Of course, you are going to pick a very favorable member of your own party, and probably the person in the other party who is most favorable to your party's position, making for a more hyperpartisan board, and that is what we should be avoiding today, Madam Speaker.

In this, in this atmosphere where, you know, politics and adversity come up on the floor on a regular basis, and the hyperpartisan atmosphere, we should avoid that at all costs. And that is why my amendment perfectly does that by allowing an appointment by not the Speaker of the House, not the President pro tem over in the Senate, but the majority leader, the minority leader in both the House and the Senate to keep this board balanced and not hyperpartisan.

Madam Speaker, again I ask for a rousing "yes" vote on my friendly amendment to HB 1231.

Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—101

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

#### NAYS—102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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	Kinthead	Probst	Speaker

NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded to second consideration of **HB 1289, PN 1651**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in residential real property, providing for discharging discriminatory real estate covenants.

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

The SPEAKER. It is the Chair's understanding that Representative Schemel withdraws both A01310 and A01324.

Mr. SCHEMEL. Madam Speaker, I confirm I am withdrawing these amendments.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **FLEMING** offered the following amendment No. **A01355**:

Amend Bill, page 1, line 3, by striking out "discharging" and inserting  
repudiation of  
Amend Bill, page 1, line 11, by striking out "**DISCHARGING**" and inserting

**REPUDIATION OF**

Amend Bill, page 1, line 16, by striking out "**Discharge**" and inserting  
**Repudiation**

Amend Bill, page 1, line 17, by striking out "**discharge**" and

inserting  
**repudiation**  
Amend Bill, page 3, lines 5 through 9, by striking out "**one or more of the following:**" in line 5, all of lines 6 through 8 and "**any other status as those terms are defined in**" in line 9 and inserting  
a practice or policy of discrimination against individuals  
or groups covered under  
Amend Bill, page 3, lines 14 through 18, by striking out all of said lines and inserting  
The term does not include a covenant or restriction affixed to a property by a religious organization that prevents the use of the property for purposes that would offend that religious organization or an age-based covenant or restriction intended to create a senior living community.  
Amend Bill, page 4, line 4, by striking out "**Discharge**" and inserting  
**Repudiation**  
Amend Bill, page 4, line 5, by striking out "**discharge**" and inserting  
may file form  
Amend Bill, page 4, line 9, by striking out "**discharge**" and inserting  
**repudiation**  
Amend Bill, page 4, line 11, by striking out "**from the instrument**"  
Amend Bill, page 4, lines 16 through 18, by striking out "**and, to the extent practicable,**" in line 16, all of line 17 and "**invalidity of the unlawful restrictive covenant**" in line 18  
Amend Bill, page 4, line 22, by striking out "**removal**" and inserting  
**repudiation**  
Amend Bill, page 4, line 27, by striking out "**discharge**" and inserting  
**repudiation**  
Amend Bill, page 5, line 1, by striking out "**discharge**" and inserting  
**repudiate**  
Amend Bill, page 5, line 7, by striking out "**Discharge**" and inserting  
**Repudiation**  
Amend Bill, page 5, lines 24 and 25, by striking out "**removed as a corrective amendment**" and inserting  
**repudiated**  
Amend Bill, page 5, lines 27 and 28, by striking out "**correcting the declaration by amendment to remove**" and inserting  
**repudiating**  
Amend Bill, page 5, line 30, by striking out "**removal**" and inserting  
**repudiation**  
Amend Bill, page 6, line 2, by striking out "**for an amendment to the declaration to remove**" and inserting  
to repudiate  
Amend Bill, page 6, lines 6 and 7, by striking out all of line 6 and "**declaration**" in line 7 and inserting  
**repudiated**  
Amend Bill, page 6, lines 8 and 9, by striking out "**removed from the declaration by a corrective amendment to the declaration**" and inserting  
**repudiated**  
Amend Bill, page 6, line 10, by striking out "**corrective amendment**" and inserting  
**repudiation form**  
Amend Bill, page 6, line 17, by striking out "**discharge**" and inserting  
**repudiation**  
Amend Bill, page 6, line 18, by striking out "**discharge**" and inserting  
**repudiation**

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

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

Mr. FLEMING. Thank you, Madam Speaker.

Madam Speaker, I want to thank Chairman Briggs and Chairman Kauffman for bringing this bill up. It is an important bill.

And on the amendment, the amendment does three quick things. It makes some technical changes. Rather than striking the restrictive language from deeds and HOA (homeowners association) documents, it is a repudiation. It also offers some religious protection. And it also clarifies the protected classes in the bill to align with the Pennsylvania human relations code – Human Relations Act, rather.

I thank Representative Schemel for his great work in getting this bill to a point where we can have broad bipartisan support. And this is an agreed-to amendment, and I would encourage a "yes" vote from my colleagues.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment and the maker of the bill.

On that question, the Chair recognizes Representative Schemel.

Mr. SCHEMEL. Thank you, Madam Speaker.

I thank the good maker of the amendment and the good maker of the bill. I am familiar with these kinds of abhorrent restrictions, restrictions that would prohibit real estate from being owned by anyone of African blood in some title searches that I have done. And I think that good work has been done by the good gentleman, and this amendment makes the bill stronger and has my full support.

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—199

Abney	Flick	Kulik	Rigby
Adams	Flood	Kutz	Roae
Armanini	Frankel	Kuzma	Rossi
Banta	Freeman	Labs	Rowe
Barton	Friel	Lawrence	Rozzi
Bellmon	Fritz	Leadbeter	Ryncavage
Benninghoff	Gallagher	Mackenzie, M.	Salisbury
Bernstine	Galloway	Mackenzie, R.	Samuelson
Bizzarro	Gaydos	Madden	Sanchez
Bonner	Gergely	Madsen	Sappery
Borowicz	Gillen	Major	Schemel
Borowski	Giral	Mako	Scheuren
Boyd	Gleim	Malagari	Schlegel
Boyle	Green	Maloney	Schlossberg
Bradford	Gregory	Marcell	Schmitt
Brennan	Greiner	Markosek	Schweyer
Briggs	Grove	Marshall	Scialabba
Brown, A.	Guenst	Matzie	Scott
Brown, M.	Guzman	McAndrew	Shusterman
Bullock	Haddock	McNeill	Siegel
Burgos	Hamm	Mehaffie	Smith
Burns	Hanbidge	Mentzer	Smith-Wade-El
C Freytiz	Harkins	Mercuri	Solomon
Cabell	Harris	Merski	Staats
Causar	Heffley	Metzgar	Stambaugh

Cephas	Hogan	Mihalek	Steele
Cerrato	Hohenstein	Miller, B.	Stehr
Ciresi	Howard	Miller, D.	Stender
Conklin	Innamorato	Moul	Struzzi
Cook	Irvin	Mullins	Sturla
Cooper	Isaacson	Munroe	Takac
Curry	James	Mustello	Tomlinson
Cutler	Jones, M.	Neilson	Topper
D'Orsie	Jones, T.	Nelson, E.	Twardzik
Daley	Jozwiak	Nelson, N.	Venkat
Davanzo	Kail	O'Mara	Vitali
Davis	Kaufner	O'Neal	Warner
Dawkins	Kauffman	Oberlander	Warren
Deasy	Kazeem	Ortitay	Watro
Delloso	Keefer	Otten	Waxman
Delozier	Kephart	Owlett	Webster
Diamond	Kerwin	Parker	Wentling
Donahue	Kim	Pashinski	White
Dunbar	Kinkead	Pickett	Williams, C.
Ecker	Kinsey	Pielli	Williams, D.
Emrick	Klunk	Pisciottano	Young
Evans	Kosierowski	Probst	Zimmerman
Fee	Krajewski	Rabb	
Fiedler	Krueger	Rader	McClinton,
Fink	Krupa	Rapp	Speaker
Fleming			

NAYS—4

Benham	Kenyatta	Khan	Mayes
--------	----------	------	-------

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 1354, PN 1495**, entitled:

An Act amending the the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, further providing for penalties.

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

Mr. **MACKENZIE** offered the following amendment **No. A01023**:

Amend Bill, page 1, line 5, by inserting after "for" administration and for  
Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting  
Section 1. Section 10 of the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, is amended by adding a subsection to read:  
Section 10. Administration.  
\* \* \*

(f) Cross-reporting requirements.—The following shall apply during an investigation authorized under subsection (b)(2):

(1) If the department has reasonable cause to suspect that the employer has violated 8 U.S.C. § 1324a (relating to unlawful employment of aliens), the department shall make a report to the United States Immigration and Customs Enforcement of a possible violation. The report shall identify the employer suspected of the violation, provide the name and any known address of the minor and include any other relevant information in the department's possession.

(2) If the department has reasonable cause to suspect that a minor who is a subject of a complaint or investigation is a dependent child, as defined in 42 Pa.C.S. § 6302 (relating to definitions), or is a victim of child abuse, as defined in 23 Pa.C.S. § 6303(b.1) (relating to definitions), the department shall make a report to the Department of Human Services via the Statewide toll-free telephone number under 23 Pa.C.S. § 6332 (relating to establishment of Statewide toll-free telephone number) or a written report using electronic technologies under 23 Pa.C.S. § 6305 (relating to electronic reporting). The report shall include any relevant information in the department's possession. The department is not required to make a report under this paragraph if the department has made a substantially similar report to an appropriate law enforcement official.

Section 2. Section 11(b) of the act is amended to read:

Amend Bill, page 2, by inserting between lines 3 and 4

(3) A person that willfully violates subsection (a) commits a misdemeanor of the second degree, if the person knew or reasonably should have known that the minor is without proper parental care or control, subsistence, education as required by law or other care or control necessary for the minor's physical, mental or emotional health or morals. A person guilty of an offense under this paragraph shall, upon conviction, be sentenced to pay a fine of not more than \$5,000 for each violation or to imprisonment for not more than two years, or both.

Amend Bill, page 2, line 5, 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 the maker of the amendment, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

This amendment was meant to highlight the increase in child labor violations and the problems that we are experiencing across the country and here in Pennsylvania about forced child labor. And both the Federal administration and this current gubernatorial administration during their appropriations hearing have raised this issue as something that we need to deal with, and we are seeking for ways to crack down on the businesses that are exploiting children all across this country.

And we have talked – as myself, minority chair, and the majority chair of this committee – we have agreed that we would like address this issue and we would like to have a hearing on this topic, which we will do in the future, and then we will be able to report back to this full body with appropriate legislation that we can work on in a bipartisan fashion to protect children all across this Commonwealth.

## AMENDMENT WITHDRAWN

Mr. MACKENZIE. So with that, I will be withdrawing this amendment for now but look forward to continuing to work on this legislation and this idea so that, again, we can really crack down on businesses that are exploiting children and make sure that we are protecting children all across this Commonwealth. Thank you.

The SPEAKER. The Chair thanks the gentleman.

It is the gentleman's intention to also withdraw A01024?

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. MACKENZIE offered the following amendment No. **A01024**:

Amend Bill, page 1, line 5, by inserting after "for" administration and for

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 10 of the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, is amended by adding a subsection to read:

Section 10. Administration.

\*\*\*

(a.1) Annual report.—

(1) The department shall report to the General Assembly annually on the enforcement of this act. The report shall be submitted to the chairperson and minority chairperson of the Labor and Industry Committee of the Senate and the chairperson and minority chairperson of the Labor and Industry Committee of the House of Representatives no later than April 1 each year.

(2) Each report under this subsection shall include the following information for the most recently completed calendar year:

(i) The number of complaints received and investigations initiated.

(ii) The number of violations found, including:

(A) The number of criminal charges filed under section 11(b).

(B) The number and total amount of administrative penalties levied under section 11(c).

(iii) The number of violations found for each type of violation listed in section 11(a).

(iv) The number of violations found in each county.

(v) Information regarding the frequency and severity of violations found in different industries.

(vi) Information regarding violations of this act concerning unaccompanied alien minors who entered the United States unlawfully and were released to the custody of a sponsor by the United States Department of Health and Human Services, including:

(A) The number and types of violations of this act concerning unaccompanied alien minors.

(B) The number of violations in each county concerning unaccompanied alien minors.

(C) A description of the department's interactions with other Federal and State agencies regarding unaccompanied alien minors.

(D) The number of referrals to other Federal and State agencies regarding unaccompanied alien minors made by the department.

(E) Information regarding the frequency and severity of violations concerning unaccompanied alien minors found in different industries.

(F) Any other information about violations concerning unaccompanied alien minors that the department deems relevant.

(vii) Any recommendations for the General Assembly for amendments to this act.

(viii) Any other information that the department deems relevant.

\* \* \*

Section 2. Section 11(b) of the act is amended to read:  
Amend Bill, page 2, line 5, by striking out "2" and inserting  
3

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

#### AMENDMENT WITHDRAWN

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

Mr. MACKENZIE. Thank you, Madam Speaker.

This amendment would also seek to address this issue by having a report, an annual report on child labor violations that are going on across the Commonwealth – where they are occurring, what industries they are occurring in, where those children are coming from. I think this is important information that will help us address this issue going forward; again, another thing that we seek to bring up and discuss at a hearing in the near future.

So I will be withdrawing this amendment as well. Thank you.

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

#### CALENDAR CONTINUED

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 746, PN 915**, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in short title and definitions, further providing for definitions; in licenses, tags and kennels, further providing for issuance of dog licenses, compensation, proof required, deposit of funds, records, license sales, rules and regulations, failure to comply, unlawful acts and penalty, for applications for dog licenses, fees and penalties, for kennels, for requirements for kennels, for revocation or refusal of kennel licenses, for dogs temporarily in the Commonwealth and for health certificates for importation; in offenses of dogs, further providing for dog bites and detentions and isolation of dogs; in dangerous dogs, further providing for court proceedings, certificate of registration and disposition, for requirements, for public safety and penalties and for construction of article; in injury to dogs, further providing for selling, bartering or trading dogs; in enforcement and penalties, further

providing for enforcement of this act by the secretary and provisions for inspections and for enforcement and penalties; in sterilization of dogs and cats, further providing for definitions; and imposing penalties.

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

Ms. **MIHALEK** offered the following amendment  
No. **A01309**:

Amend Bill, page 10, line 7, by striking out "and (g)" and inserting

, (g) and (h)(2)

Amend Bill, page 20, lines 28 through 30; page 21, lines 1 through 4; by striking out all of said lines on said pages and inserting

(3) Primary enclosures must be designed and constructed so that they are structurally sound, must be kept in good repair and must meet the following requirements:

(i) Have no sharp points or edges that could injure dogs.

(ii) Be maintained in a manner to protect dogs from injury.

(iii) The height of a primary enclosure that is not fully enclosed on the top shall be sufficient to prevent dogs from climbing over the walls.

(iv) Keep animals, other than dogs, from entering the enclosure.

(v) Enable dogs to remain dry and clean.

(vi) Provide shelter and protection from temperatures and weather conditions that may be uncomfortable or hazardous to dogs.

(vii) Provide sufficient space to shelter dogs housed at one time in the primary enclosure.

(viii) Provide potable water at all times, unless otherwise directed by a veterinarian in writing that shall be kept in the kennel records.

(ix) Have floors that are constructed in a manner that protects dogs' feet and legs from injury. The floor shall not permit the feet of dogs housed in the primary enclosure to pass through any opening.

(x) Provide space to allow each dog to turn about freely and to stand, sit and lie in a normal position. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face or feet touching any side of the enclosure.

(xi) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(xii) Have a solid divider around the primary enclosure no less than half of the height of the primary enclosure with no gaps or openings on the sides of the enclosure that would allow for a dog's limbs to extend into another enclosure.

(g.1) Additional requirements for boarding kennels only.–

(1) When dogs are present at a boarding kennel and the boarding kennel is either closed or no employees are present, a functional video recording surveillance system must be in operation and record the condition of the dogs at the boarding kennel.

(2) Video footage shall be maintained for no less than 30 days and made available for inspection by police, State dog wardens and employees of the department.

(h) Additional requirements for Kennel Class C license holders only.–The following shall apply only to primary enclosures for all dogs in Kennel Class C kennels:

\* \* \*



(2) Primary enclosures must meet the following requirements:

- (i) Have no sharp points or edges that could injure the dogs.
- (ii) Be maintained in a manner to protect the dogs from injury.
- (iii) The height of a primary enclosure that is not fully enclosed on the top shall be sufficient to prevent the dog from climbing over the walls.
- (iv) Keep animals other than dogs from entering the enclosure.
- (v) Enable the dogs to remain dry and clean.
- (vi) Provide shelter and protection from temperatures and weather conditions that may be uncomfortable or hazardous to any dog.
- (vii) Provide sufficient space to shelter all the dogs housed in the primary enclosure at one time.
- (viii) Provide potable water at all times, unless otherwise directed by a veterinarian in a writing that shall be kept in the kennel records.
- (ix) Enable all surfaces in contact with the dogs to be readily cleaned and sanitized in accordance with paragraph (14) or be replaceable when worn or soiled.
- (x) Have floors that are constructed in a manner that protects the dogs' feet and legs from injury. The floor shall not permit the feet of a dog housed in the primary enclosure to pass through any opening.
- (xi) Provide space to allow each dog to turn about freely and to stand, sit and lie in a normal position. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face or feet touching any side of the enclosure.
- (xii) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.
- (xiii) Have a solid divider around the primary enclosure no less than half of the height of the primary enclosure with no gaps or openings on the sides of the enclosure that would allow for a dog's limbs to extend into another enclosure.

\* \* \*

Amend Bill, page 21, line 6, by striking out "903(b)(1) and (2)" and inserting

903(a)(1) and (2)(i) and (b)(1) and (2)

Amend Bill, page 36, line 1, by striking out all of said line and inserting

(a) Civil penalty.—

(1) Where the department finds that the first violation of a provision of this act or a rule or regulation adopted under this act by a kennel owner or operator has occurred, unless the violation caused injury to an animal, it will, for the violations found during that inspection, issue a Notice of Violation (NOV) to the kennel owner or operator in lieu of assessing a civil penalty. Where the kennel owner or operator takes action in the time period provided in the NOV to correct the violation set forth in the NOV and come into compliance, no civil penalty shall be issued for a violation which is corrected. The time period to come into compliance shall be based on the time reasonably necessary to correct the violation.

(2) (i) The department may assess a civil penalty of not less than [\$100] ~~\$500~~ nor more than [\$1,000] ~~\$10,000~~ per day for each offense where the kennel owner or operator:

(A) has not taken the remedial measures required by and necessary to comply with the NOV issued under paragraph (1); or

(B) where the kennel owner or operator has already been issued one NOV in any

calendar year and the department finds a subsequent violation of this act or a rule or regulation adopted under this act.

\* \* \*

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.

August 7, 2022: a day the Moss family will never forget. They had just adopted a puppy who the two young Moss children had named Nuggie. Shortly after Nuggie became a part of the Moss family, they took a preplanned trip and had arranged for Nuggie to stay at a locally owned kennel while they were away. After visiting the facility and combing through hundreds of reviews, the family was assured Nuggie would be in good hands.

In the early morning hours of August 7, the family received a call alerting them that when the kennel opened that morning, Nuggie was discovered trapped under a gap in his indoor enclosure, on top of a considerable amount of blood, with large bite marks covering all four of his limbs. Without cameras, the facility had no way of knowing how long Nuggie was trapped or how long he had been bleeding, how long he had been in pain, as no attendant is on duty overnight.

Nuggie was transported to an emergency vet where he underwent several hours of surgery. The vet reported his two front legs were so badly bitten that raw flesh was exposed; he had large, gaping holes from his paws all the way up to his armpits.

Under Pennsylvania law, one of the few kennel regulations on the books states, "The floor shall not permit the feet of a dog housed in the primary enclosure to pass through any opening." At this particular kennel, Nuggie, at 30 pounds, had enough space to wedge his paws underneath his kennel, at which point, a pit bull in the adjacent kennel proceeded to attack Nuggie.

In March of 2022, just a few months prior to this horrific incident, the Cumberland County dog warden visited this particular facility, noted the large gap at the bottom of the enclosure, but still gave the facility a pass for their inspection. After Nuggie's incident, a \$100 fine was assessed to the facility due to the gaps at the bottom of the enclosure. Madam Speaker, a \$100 fine is a slap in the face to the Moss family and to pet owners across our Commonwealth.

Amendment A01309 would improve Pennsylvania's Dog Law by requiring solid dividers to be used for pet enclosures at commercial facilities and require the use of a video system to monitor and record the conditions of pets lodged there if no employees are present. It also increases the penalties related to violations for noncompliance.

Madam Speaker, when Pennsylvania families entrust the care of their pets to a kennel, they should have the confidence that their beloved pets will be safe and healthy upon their return. If something unfortunate should occur, our laws should adequately punish the offenders, not simply assess a nominal penalty that can be written off as the cost of doing business.

Nuggie's nightmare is one that could have been avoided. The language included in amendment A01309 will help make certain that another family pet and another Pennsylvania family does not endure the same ordeal as Nuggie and his family, and I respectfully request a "yes" vote from my colleagues. Thank you.

The SPEAKER. The Chair thanks the maker of the amendment.

The Chair recognizes Representative Pashinski.

Mr. PASHINSKI. Thank you very much, Madam Speaker.

I appreciate the gentlelady's presentation, but this amendment is not an agreed-to amendment by the Senate, and I am asking for a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—81

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

NAYS—122

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

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?

Mrs. **KEEFER** offered the following amendment  
No. **A01442**:

Amend Bill, page 1, line 32, by inserting after "definitions;" in disposition and appropriation of funds, further providing for Dog Law Restricted Account and disposition and appropriation of funds accruing under the provisions of this act and for county dog law programs;

Amend Bill, page 36, by inserting between lines 28 and 29 Section 6. Sections 1001(b) introductory paragraph and (5) and 1002(b) of the act are amended to read:

Section 1001. Dog Law Restricted Account; disposition and appropriation of funds accruing under the provisions of this act.

\* \* \*

(b) Appropriation.—[As much as may be necessary of such moneys and interest in the Dog Law Restricted Account are hereby appropriated to pay:] Money in the restricted account may be appropriated by the General Assembly for the following purposes:

\* \* \*

(5) [all payments from surplus moneys declared to be available by the secretary] amounts available as grants pursuant to section 1002(b);

\* \* \*

Section 1002. County dog law programs.

\* \* \*

(b) [Surplus funds.—The secretary may declare that there is a surplus of money in the Dog Law Restricted Account. The] Grants.—To the extent that funds are available for expenditure, the secretary may authorize additional payments to the counties, except to counties of the first class, municipalities and to humane societies or associations for the prevention of cruelty to animals from any amount declared to be surplus. Such payments shall be based on the secretary's evaluation pursuant to rules and regulations promulgated under this act.

Amend Bill, page 36, line 29, by striking out "6" and inserting  
7

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

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

Mrs. **KEEFER**. Thank you, Madam Speaker.

Today is June 27, and there are 3 days left for the General Assembly to complete its only mandatory duty, which is to pass a balanced budget by the end of the fiscal year. As a body, we have considered a general appropriations bill to appropriate money to the executive, legislative, and judicial departments. We have also considered numerous housekeeping bills to fund some of the programs funded in restricted revenues, and we are considering nonpreferred appropriations to fund State-related institutions.

For each of these bills that make up the budget, there is a proposal from the Governor, budget hearings, updates in the spring, and negotiation among the legislature to determine the amounts that get appropriated for each of the priorities in the budget, except that there is a large blind spot in this process. There are special funds and restricted accounts throughout the laws that have continuing appropriations that allow the executive branch to spend any money in the account without being part of the budget process. One of those accounts funds the Dog Law Bureau.

This amendment would repeal the continuing appropriation that runs outside of the legislature's authority and requires the money that is deposited in the account to be appropriated by the General Assembly. Money from the Dog Law licenses, fees, fines, and penalties would stay in the restricted account, but the legislature would resume their legislative duties and appropriate the funds in this account each and every year.

It is time to take this program off of autopilot and for the legislature to actively manage the portion of the budget for the Dog Law Bureau. I ask for an affirmative vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

On that question, the Chair recognizes Representative Pashinski.

Mr. PASHINSKI. Thank you, Madam Speaker.

Once again, I appreciate the presentation by the gentlelady, but this is not an agreed-to amendment with the Senate, and I am asking for a "no" vote.

Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—99

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

NAYS—104

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

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?

Mrs. **KEEFER** offered the following amendment No. **A01444**:

Amend Bill, page 1, line 32, by inserting after "definitions;" in disposition and appropriation of funds, further providing for Dog Law Restricted Account and disposition and appropriation of funds accruing under the provisions of this act and for county dog law programs;

Amend Bill, page 36, by inserting between lines 28 and 29 Section 6. Sections 1001(b)(5) and 1002(b) of the act are amended to read:

Section 1001. Dog Law Restricted Account; disposition and appropriation of funds accruing under the provisions of this act.

\* \* \*

(b) Appropriation.—As much as may be necessary of such moneys and interest in the Dog Law Restricted Account are hereby appropriated to pay:

\* \* \*

[(5) all payments from surplus moneys declared to be available by the secretary pursuant to section 1002(b);]

\* \* \*

Section 1002. County dog law programs.

\* \* \*

[(b) Surplus funds.—The secretary may declare that there is a surplus of money in the Dog Law Restricted Account. The secretary may authorize additional payments to the counties, except to counties of the first class, municipalities and to humane societies or associations for the prevention of cruelty to animals from any amount declared to be surplus. Such payments shall be based on the secretary's evaluation pursuant to rules and regulations promulgated under this act.]

Amend Bill, page 36, line 29, by striking out "6" and inserting 7

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

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

Mrs. KEEFER. Thank you, Madam Speaker.

For several years we have been hearing about how underfunded the Dog Law Bureau is. Well, now we have before us a proposal to increase revenue by raising dog and kennel license fees, which includes giving the Secretary of Agriculture the ability to further increase dog license fees by another \$3 by 2027, including dog license fees applied to seniors and people with disabilities, simply by publishing a notice in the Pennsylvania Bulletin.

Now, if some in this body want to make the argument that the Dog Law Bureau needs additional funding, that is a fine argument to make. But I would hope that everyone would agree that we should not increase the dog license fees over and above what is needed to actually run the Dog Law Bureau. This amendment repeals a provision in the Dog Law that allows the Secretary of Agriculture to declare a surplus in the Dog Law account and to give that surplus away as grants. If this body wants to take more money away from dog owners, we should prioritize our spending, and that means only taking what is needed and not allowing the Secretary of Agriculture to declare a surplus and give it away in grants.

I hope that everybody can support this. I ask for an affirmative vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the maker of the amendment.

On that question, the Chair recognizes Representative Pashinski.

Mr. PASHINSKI. Thank you, Madam Speaker.

This is the first time in 57 years that the Dog Law is being improved, and those license fees and those dollar fees have been improved by a dollar here and a dollar there. There was a great deal of work put into this bill, and since we did not get support with the Senate on A01444, I am asking for a "no" vote.

Thank you, Madam Speaker.

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—99

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

NAYS—104

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. **ORTITAY** offered the following amendment  
No. **A01459**:

Amend Bill, page 1, line 31, by striking out "and" where it occurs the first time and inserting a comma

Amend Bill, page 1, line 31, by inserting after "penalties" and for disposition of fines and penalties

Amend Bill, page 21, line 6, by striking out "and 903(b)(1) and (2)" and inserting  
, 903(b)(1) and (2) and 905

Amend Bill, page 36, by inserting between lines 16 and 17 Section 905. Disposition of fines and penalties.

(a) Disposition.—If a prosecution pursuant to this act is initiated by a State dog warden, employee of the department or State Police officer, all fines forfeited, recognizances and other forfeitures imposed, lost or forfeited under this act shall be payable through the Department of Agriculture into the State Treasury for credit to the Dog Law Restricted Account. If a prosecution pursuant to this act is initiated by a local police officer or animal control officer, all fines forfeited, recognizances and other forfeitures imposed, lost or forfeited under this act shall be payable to the political subdivision which employs such local police officer or animal control officer.

(b) Deposits.—Beginning on the effective date of this subsection, fines, fees or costs which are allocated by State law or otherwise directed to the department under this act shall not be deposited in the Judicial Computer System Augmentation Account under 42 Pa.C.S. § 3733(a) (relating to deposits into account).

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

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

Mr. ORTITAY. Thank you, Madam Speaker.

As I understand it, the purpose of the underlying bill is to increase the amount of funding that is available to the Dog Law Bureau. However, due to Act 64 of 1987, this bill actually creates a windfall to the judicial branch. The total of all the fines, fees, and costs collected by any division of the unified judicial system, which are in excess of the amount collected from such sources in the fiscal year 1986 through 1987, are deposited in the Judicial Computer System Augmentation Account. So any increase in fines under this bill that should be going to the Dog Law Restricted Account are actually going to fund the judiciary's computer system, which is projected to be about \$250,000 per year.

This amendment will transfer nearly \$1/2 million dollars per year to the Dog Law Restricted Account. Now, I am told, I am told this is a useful computer system, but it should not be funded through a redirection of funding that ought to go directly to the Dog Law Bureau. My proposal would simply exempt the Dog Law fines from the transfer to the judicial computer account. This is a very similar piece of legislation that has passed this chamber, I believe, in two consecutive terms – and gone over to the Senate where it has not really moved – and passed unanimously.

So I would appreciate an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the maker of the amendment.

On that question, the Chair recognizes Representative Pashinski.

Mr. PASHINSKI. Thank you very much, Madam Speaker.

Once again, I appreciate the gentleman's presentation. This, however – this is the amendment, A01459 – we do not have an amendment agreed upon by the Senate, and therefore, I would ask for a "no" vote. 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—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	Mehaffie	Scialabba
Causar	Irvin	Mentzer	Smith
Cook	James	Mercuri	Staats
Cooper	Jones, M.	Metzgar	Stambaugh
Cutler	Jones, T.	Mihalek	Stehr
D'Orsie	Jozwiak	Miller, B.	Stender
Davanzo	Kail	Moul	Struzzi
Delozier	Kaufert	Mustello	Tomlinson
Diamond	Kauffman	Nelson, E.	Topper
Dunbar	Keefer	O'Neal	Twardzik
Ecker	Kephart	Oberlander	Warner
Emrick	Kerwin	Ortitay	Watro
Fee	Klunk	Owlett	Wentling
Fink	Krupa	Pickett	White
Flick	Kutz	Rader	Zimmerman
Flood	Kuzma	Rapp	

#### NAYS—104

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

NOT VOTING—0

EXCUSED—0

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

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

**VOTE CORRECTION**

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

Mr. M. JONES. Thank you, Madam Speaker.

Out of deference to, and a modest fear of, my colleague from Warren County, the chairwoman of the Health Committee, I would like to say that I was recorded, on amendment 1426, I was recorded as a "yes" and I should be recorded as a "no" on that vote, please. Thank you.

The SPEAKER. The gentleman's remarks will be spread across the record.

**SUPPLEMENTAL CALENDAR B**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 668, PN 1719**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in fostering independence through education, further providing for definitions, for fostering independence waiver program, for outreach and for report.

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 Benham.

Ms. BENHAM. Thank you, Madam Speaker.

And thank you as well to my colleague from Allegheny County, who happens to also be my parents' Representative. He has been a close collaborator on this bipartisan effort to make college more accessible for vulnerable young people, helping to break cycles that they have been caught in through no fault of their own.

Throughout the Commonwealth, many kids are not under the care of their biological parents. Some of these kids are in foster care, others have been formally adopted, and still others are under what we might call informal kinship care, where the adult who is legally responsible for them has not gone through a formal CYF (Children, Youth and Families) process.

There are many reasons why biological parents might be unable to care for a child. In my district, we see the impact of incarceration, substance use, and other reasons. But regardless of the reason, it is never the fault of the child. Kids who have been

in foster care, meeting certain eligibility requirements, are eligible for a tuition waiver at in-State schools, providing them an opportunity for educational advancement in this context where they do not have family to provide financial resources. Kids in informal kinship care are not eligible for this tuition waiver, despite the similar circumstances and level of need.

Kinship caregivers are raising kids they did not plan for. Grandparents, aunts and uncles, and so on have not planned to save for college for this child, and often are at a stage in their lives where they do not have extra financial resources. This legislation would change that, allowing kids in kinship care to also qualify for a tuition waiver. As amended, the bill ensures that those kids in kinship care with financial need, as demonstrated by qualifying for a Pell Grant, are those who are eligible.

To help break the cycles trapping kids in circumstances not of their own making – from my district, but throughout the Commonwealth as well – I urge a "yes" vote on HB 668. Thank you.

The SPEAKER. The Chair thanks the maker of the bill.

On that question, the Chair recognizes Representative Bernstine.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, I would just like to thank the maker of the bill for putting this very important piece of legislation forward. This is legislation that will ensure that more children have the opportunity – or I guess at that point, it would be young adults – have the opportunity to go and fulfill their, their full potential, whether that be in a 4-year university or a trade school. A very important piece of legislation. I would encourage a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—203**

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	Sappay
Borowicz	Giral	Major	Schemel
Borowski	Gleim	Mako	Scheuren
Boyd	Green	Malagari	Schlegel
Boyle	Gregory	Maloney	Schlossberg
Bradford	Greiner	Marcell	Schmitt
Brennan	Grove	Markosek	Schweyer
Briggs	Guenst	Marshall	Scialabba
Brown, A.	Guzman	Matzie	Scott
Brown, M.	Haddock	Mayes	Shusterman
Bullock	Hamm	McAndrew	Siegel
Burgos	Hanbidge	McNeill	Smith
Burns	Harkins	Mehaffie	Smith-Wade-El
C Freytiz	Harris	Mentzer	Solomon
Cabell	Heffley	Mercuri	Staats
Causer	Hogan	Merski	Stambaugh

Cephas	Hohenstein	Metzgar	Steele
Cerrato	Howard	Mihalek	Stehr
Ciresi	Innamorato	Miller, B.	Stender
Conklin	Irvin	Miller, D.	Struzzi
Cook	Isaacson	Moul	Sturla
Cooper	James	Mullins	Takac
Curry	Jones, M.	Munroe	Tomlinson
Cutler	Jones, T.	Mustello	Topper
D'Orsie	Jozwiak	Neilson	Twardzik
Daley	Kail	Nelson, E.	Venkat
Davanzo	Kaufer	Nelson, N.	Vitali
Davis	Kauffman	O'Mara	Warner
Dawkins	Kazeem	O'Neal	Warren
Deasy	Keefer	Oberlander	Watro
Delloso	Kenyatta	Ortitay	Waxman
Delozier	Kephart	Otten	Webster
Diamond	Kerwin	Owlett	Wentling
Donahue	Khan	Parker	White
Dunbar	Kim	Pashinski	Williams, C.
Ecker	Kinthead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	Speaker
Fleming			

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 817, PN 774**, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for State Board of Pharmacy.

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?

The Chair recognizes Representative Grove, on that question.  
Mr. GROVE. Thank you, Madam Speaker.

I just want to let the members know that one of the reasons pharmacies do not do the take-back program is because it actually jeopardizes the lives and well-being of the staff of the pharmacy. Pharmacists right now carry a lot of narcotic drugs of which, unfortunately, those addicted will rob and sometimes,

unfortunately, hurt or even shoot the pharmacy and pharmacy staffs. The reason pharmacies do not go through the process to actually put more drugs in their pharmacy is because they are very worried about having more narcotics on hand and providing more ability for individuals to potentially try to rob them.

I think the member's heart is in the right place, but unfortunately, even with this legislation, pharmacies will not be implementing give-back programs at the pharmacies because of those safety concerns.

Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes Representative Klunk. Ms. KLUNK. Thank you, Madam Speaker.

And I rise to oppose this bill for the very same reasons that my colleague from York County spoke about.

My own mother was a pharmacy technician. She was robbed at gunpoint at the pharmacy that she worked at. When we have pharmacies that have additional drugs and opioids in that pharmacy, it invites those criminals to come in there and to rob those facilities and put our pharmacists and the staff who work with them, like my mom who did, at further risk. I appreciate what the maker is trying to do, and I do believe that our drug take-back program is working with our local police, and that is where that should be. We should not be encouraging this at our local pharmacies because it does put individuals like my mother in danger. Thank you.

The SPEAKER. The Chair recognizes Representative Frankel, on that question, HB 817, final passage.

Mr. FRANKEL. Madam Speaker, I just want to explain to members that this piece of legislation does not require pharmacists to do drug take-back programs, it only provides them the method to do it and the training to do it and the tools to do it. So this is not a requirement of pharmacists to do a drug take-back program. So I would urge members to support this piece of legislation. Thank you.

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	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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	Kinkead	Probst	Speaker

NAYS-101

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

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 818, PN 1720**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of State and its departmental administrative board, establishing the Pharmaceutical Collection Sites Educational Program.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-102

Abney	Evans	Kinsey	Rabb
Bellmon	Fiedler	Kosierowski	Rozzi
Benham	Fleming	Krajewski	Salisbury
Bizzarro	Frankel	Krueger	Samuelson
Borowski	Freeman	Kulik	Sanchez
Boyd	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

NAYS-101

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

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 1316, PN 1563**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Ms. **INNAMORATO**. Thank you, Madam Speaker.

And I want to thank my co-primers on this bill from both sides of the aisle, all members of the Housing and Community Development Committee.

I want to tell you about one of the first constituent cases I got after entering office in early 2019. A few months sitting in my office in Lawrenceville, I opened a handwritten letter from a gentleman named Ed Corbett. The opening line read, "At the age of 81, I have been motivated to become an activist citizen." See, Ed lived in and around Bloomfield, a neighborhood that I represented at the time, for most of his life. He was able to walk to the grocery store. He loved his neighbors and the people who lived in the neighborhood, but he also saw the neighborhood changing around him. See, his building had recently sold to a developer who planned on renovating the property, and he was issued – actually, a very generous – 120-day lease termination notice.

His ask of me was to help him find something that was close to what he was currently paying in a neighborhood that he called home. Ed was paying roughly \$310 a month for his rent, and at the time, the average rent in Bloomfield was \$1,100. We knew that we would not be able to find anything that was in his price range. So it was looking like Ed and the 15 others whom he lived with in that building were going to be displaced from the neighborhood that they had called home.

And I know many people in this body have probably gotten similar calls, e-mails, maybe some handwritten letters for yourself of stories about Ed. It is not an uncommon occurrence in rapidly gentrifying communities like the ones that I represent, where property values have increased tenfold since 2000. But the supply of safe, stable, quality, and attainable housing options is not just an urban issue; it is one that filters into suburban and rural communities across all 67 counties. This disproportionately impacts low-income households, seniors, and people with disabilities.

According to the National Low Income Housing Coalition, Pennsylvania has 430,703 households that are extremely low-income, meaning a household of 4 makes a meager \$26,500 to be placed into that category. So we know the need is much greater than these statistics. So to afford a two-bedroom apartment in Pennsylvania, you need to make a minimum of \$49,109 a year, or roughly, \$24 an hour. And as a reminder, we know the minimum wage in Pennsylvania is currently sitting at

\$7.35 as I present these remarks. So Pennsylvania, if you do the math, you look at the numbers, we are short 260,074 units of housing that are attainable for people who are extremely low-income.

**PHARE** (Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund) is one of the greatest tools we have to construct and preserve units of affordable housing, and we know the need is so great. The last round of **PHARE** funding was announced at the beginning of June. That allocation put 752 units of new affordable housing in the hopper to come online; 752 out of that 267,074 units. It is not a lot, but it is a start.

A vote for raising the **PHARE** cap today is saying that you believe that members of this body are committed to closing that gap, but it also means that you care about supporting housing stability programs for those with behavioral and mental health problems in Elk County. It means funding community land trusts that support permanent, affordable homeownership in Erie County. It shows we care about providing support services to those at risk of homelessness in Huntingdon. It means that in Lycoming County, we are saying seniors deserve to age in place in their communities. It means that we care about investing in supportive housing for unhoused veterans in York County – and yes, in Philadelphia and Allegheny Counties too – who use those monies to help our homeless vets.

**PHFA** (Pennsylvania Housing Finance Agency) received 408 applications requesting over nearly \$150,000, and they were able to only fund a fraction of this in the last round of funding. So it is very clear that the need for housing exists across this Commonwealth, and there are passionate local leaders who are ready to put **PHARE** funding to work in their local communities in each and every one of our districts.

I want to get back to Ed for a moment. Our office, we were able to work with him and the new property owner. We brought in community groups and a few nonprofits and even the local news. And the story of Ed actually has a happy ending. He got to stay, because of his benevolent landlord and a little bit of public pressure, and he was able to stay in that unit until a unit of senior affordable housing down the street in Lawrenceville opened up. And I recently saw him at an ice cream social that we hosted at that senior center. He can still walk to the grocery store, he gets out often on our main street, and he is still worried that more people will not be able to stay in a neighborhood that they have called home for so long.

Let us help Ed out today. Let us raise the **PHARE** cap and deliver safe, healthy, and attainable housing for residents across this Commonwealth. Thank you.

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—128

Abney	Freeman	Kutz	Ryncavage
Bellmon	Friel	Labs	Salisbury
Benham	Gallagher	Madden	Samuelson
Bizzarro	Galloway	Madsen	Sanchez
Borowski	Gaydos	Major	Sappety
Boyd	Gergely	Malagari	Schlossberg
Boyle	Giral	Marcell	Schweyer

Bradford	Green	Markosek	Scott
Brennan	Guenst	Marshall	Shusterman
Briggs	Guzman	Matzie	Siegel
Brown, A.	Haddock	Mayes	Smith-Wade-El
Bullock	Hanbidge	McAndrew	Solomon
Burgos	Harkins	McNeill	Steele
Burns	Harris	Mehaffie	Stender
C Freytiz	Heffley	Mercuri	Struzzi
Cabell	Hogan	Merski	Sturla
Cephas	Hohenstein	Mihalek	Takac
Cerrato	Howard	Miller, D.	Tomlinson
Ciresi	Innamorato	Moul	Twardzik
Conklin	Irvin	Mullins	Venkat
Curry	Isaacson	Munroe	Vitali
Daley	James	Neilson	Warren
Davis	Kaufer	Nelson, N.	Watro
Dawkins	Kazeem	O'Mara	Waxman
Deasy	Kenyatta	Otten	Webster
Delloso	Khan	Parker	White
Delozier	Kim	Pashinski	Williams, C.
Donahue	Kinkead	Pielli	Williams, D.
Emrick	Kinsey	Pisciottano	Young
Evans	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fleming	Krueger	Rozzi	Speaker
Frankel	Kulik		

NAYS-75

Adams	Fink	Krupa	Rapp
Armanini	Flick	Kuzma	Rigby
Banta	Flood	Lawrence	Roae
Barton	Fritz	Leadbeter	Rossi
Benninghoff	Gillen	Mackenzie, M.	Rowe
Bernstine	Gleim	Mackenzie, R.	Schemel
Bonner	Gregory	Mako	Scheuren
Borowicz	Greiner	Maloney	Schlegel
Brown, M.	Grove	Mentzer	Schmitt
Causar	Hamm	Metzgar	Scialabba
Cook	Jones, M.	Miller, B.	Smith
Cooper	Jones, T.	Mustello	Staats
Cutler	Jozwiak	Nelson, E.	Stambaugh
D'Orsie	Kail	O'Neal	Stehr
Davanzo	Kauffman	Oberlander	Topper
Diamond	Keefer	Ortitay	Warner
Dunbar	Kephart	Owlett	Wentling
Ecker	Kerwin	Pickett	Zimmerman
Fee	Klunk	Rader	

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 1333, PN 1721**, entitled:

An Act amending the act of July 25, 1961 (P.L.857, No.372), referred to as the Stuffed Toy Manufacturing Act, further providing for definitions, for manufacturing, for materials and for enforcement; and providing for labeling.

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 Dawkins.

Mr. DAWKINS. Thank you, Madam Speaker.

HB 1333 amends the Stuffed Toy Manufacturing Act to allow for the use of recycled materials in stuffed toys. The current law, which was enacted in 1961, only allows for new materials to be used in stuffed toys manufactured and sold in Pennsylvania; however, technology has changed since the 1960s, and recycled materials are now incorporated into many consumer products.

Under this bill, the Department of Labor and Industry will still inspect the toys to ensure that they are safe. Passing HB 1333 will protect our environment and reduce the waste. This bill would also allow manufacturing to make more sustainable products to provide retailers and consumers with more eco-friendly options.

I obviously urge all members to vote for HB 1333. I believe this should be the one issue that we all can agree on is stuffed toys. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

I rise to support this legislation as well. I think we want to encourage the use of recycled materials, and this is one extra place that we can do that. It is a great way to reduce and reuse lots of the materials that are out there. Instead of using new materials all the time, we have found that we can safely reuse these recycled materials in our toys. It has been done in a lot of States already at this point, and I think we in Pennsylvania have an opportunity to catch up and join this new movement. So I encourage a "yes" vote. Thank you.

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-163

Abney	Fiedler	Krueger	Rowe
Adams	Fleming	Krupa	Rozzi
Armanini	Flick	Kulik	Ryncavage
Barton	Flood	Kuzma	Salisbury
Bellmon	Frankel	Leadbeter	Samuelson
Benham	Freeman	Mackenzie, R.	Sanchez
Bernstine	Friel	Madden	Sappay
Bizzarro	Fritz	Madsen	Schemel
Bonner	Gallagher	Major	Scheuren
Borowski	Galloway	Mako	Schlegel
Boyd	Gaydos	Malagari	Schlossberg
Boyle	Gergely	Marcell	Schmitt
Bradford	Gillen	Markosek	Schweyer
Brennan	Giral	Matzie	Scialabba
Briggs	Green	Mayes	Scott
Brown, A.	Guenst	McAndrew	Shusterman
Bullock	Guzman	McNeill	Siegel

Burgos	Haddock	Mehaffie	Smith
Burns	Hanbidge	Mentzer	Smith-Wade-El
C Freytiz	Harkins	Mercuri	Solomon
Cabell	Harris	Merski	Stambaugh
Cephas	Hogan	Mihalek	Steele
Cerrato	Hohenstein	Miller, D.	Stender
Ciresi	Howard	Mullins	Struzzi
Conklin	Innamorato	Munroe	Sturla
Cook	Irvin	Mustello	Takac
Cooper	Isaacson	Neilson	Tomlinson
Curry	James	Nelson, E.	Topper
Cutler	Jozwiak	Nelson, N.	Venkat
D'Orsie	Kail	O'Mara	Vitali
Daley	Kaufar	Oberlander	Warren
Davanzo	Kauffman	Ortitay	Watro
Davis	Kazeem	Otten	Waxman
Dawkins	Kenyatta	Parker	Webster
Deasy	Kerwin	Pashinski	White
Delloso	Khan	Pielli	Williams, C.
Delozier	Kim	Pisciottano	Williams, D.
Donahue	Kinthead	Probst	Young
Dunbar	Kinsey	Rabb	
Emrick	Kosierowski	Rader	McClinton,
Evans	Krajewski	Rigby	Speaker
Fee			

## NAYS—40

Banta	Greiner	Labs	Pickett
Benninghoff	Grove	Lawrence	Rapp
Borowicz	Hamm	Mackenzie, M.	Roae
Brown, M.	Heffley	Maloney	Rossi
Causar	Jones, M.	Marshall	Staats
Diamond	Jones, T.	Metzgar	Stehr
Ecker	Keefer	Miller, B.	Twardzik
Fink	Kephart	Moul	Warner
Gleim	Klunk	O'Neal	Wentling
Gregory	Kutz	Owlett	Zimmerman

## 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.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is in receipt of information. On today, our hardworking calendar clerk is celebrating a birthday. Happy birthday to Jordan Davis. We appreciate all your hard work up here every day, especially given that this is a brand-new job for me. Thank you to our calendar clerk, and happy birthday, Jordan.

## BILLS RECOMMENDED

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

HB 106;  
HB 791;  
HB 850;

HB 1163;  
HB 1231;  
HB 1289;  
HB 1354; and  
SB 746.

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

HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED

**No. 163** By Representatives WEBSTER, MADDEN, SANCHEZ and GREEN

A Concurrent Resolution establishing the Pennsylvania State Flag Commission to study the history of the State flag of the Commonwealth, solicit design submissions for a new State flag and recommend changes to the State flag.

Referred to Committee on STATE GOVERNMENT, June 27, 2023.

**No. 164** By Representatives DIAMOND, VENKAT, SCHMITT, GREINER, GALLAGHER, STAMBAUGH, MARCELL, HADDOCK, JAMES, MOUL and MENTZER

A Resolution designating October 13, 2023, as "Metastatic Breast Cancer Awareness Day" in Pennsylvania.

Referred to Committee on HEALTH, June 27, 2023.

**No. 165** By Representatives KIM, CERRATO, HANBIDGE, MADDEN, KENYATTA, KINSEY, HILL-EVANS, M. JONES, MADSEN, BRENNAN, SCHLOSSBERG, HOHENSTEIN, SANCHEZ, FREEMAN, CEPEDA-FREYTIZ, KHAN, BENHAM, D. WILLIAMS, PARKER, BOROWSKI, GIRAL and GREEN

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the effect of workforce shortages on State supported Medicaid home and community-based services waiver programs and the Pennsylvania Lottery funded OPTIONS programs in this Commonwealth.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 27, 2023.

**No. 168** By Representatives CUTLER and BRADFORD

A Resolution amending House Rules 43 and 45, further providing for standing committees and subcommittees and for powers and duties of standing committees and subcommittees.

Referred to Committee on RULES, June 27, 2023.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1462** By Representatives FIEDLER, DALEY, SCOTT, SAMUELSON, INNAMORATO, KRAJEWSKI, DELLOSO, N. NELSON, RABB, MADSEN, HILL-EVANS, KINSEY, T. DAVIS, MADDEN, SANCHEZ, FREEMAN, DONAHUE, WAXMAN, BOYD, SHUSTERMAN, BURGOS, STURLA, OTTEN, WARREN, ABNEY, BRENNAN, O'MARA, HANBIDGE, WEBSTER, GALLAGHER, D. WILLIAMS and GREEN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions, for reports and payment of tax and for consolidated reports; and, in general provisions, further providing for underpayment of estimated tax.

Referred to Committee on FINANCE, June 27, 2023.

**No. 1522** By Representatives PROBST, SANCHEZ, HOHENSTEIN, McNEILL, GUENST, MADDEN, HILL-EVANS, HOWARD, RADER, BOROWSKI, WEBSTER and VITALI

An Act establishing the Wildlife Rehabilitation Grant Program and the Wildlife Rehabilitation Grant Fund; imposing duties on the Pennsylvania Game Commission; and making annual interfund transfers.

Referred to Committee on GAME AND FISHERIES, June 27, 2023.

**No. 1523** By Representatives DELOZIER and GILLEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, providing for use of cash bail.

Referred to Committee on JUDICIARY, June 27, 2023.

**No. 1524** By Representatives DELOZIER and FLICK

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in alimony and support, further providing for alimony pendente lite, counsel fees and expenses.

Referred to Committee on JUDICIARY, June 27, 2023.

**No. 1525** By Representatives HILL-EVANS, MADDEN, MADSEN, KINSEY, RABB, SANCHEZ, BELLMON, GUENST, KHAN, PARKER, CEPEDA-FREYTIZ, STURLA, D. WILLIAMS and GREEN

An Act providing for grants to organizations that host or offer education, workforce training or skills development to young adults; establishing the Building a Better Future Grant Program; imposing duties on the Department of Labor and Industry; and making an appropriation.

Referred to Committee on LABOR AND INDUSTRY, June 27, 2023.

**No. 1526** By Representatives CIRESI, MARCELL, MADDEN, HARKINS, HANBIDGE, SANCHEZ, ADAMS, HILL-EVANS, SAPPEY, DELLOSO, D. WILLIAMS, GUENST, FIEDLER, CEPEDA-FREYTIZ, BOROWSKI and GREEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in intermediate units, further providing for powers and duties of the intermediate unit board of directors and for capital subsidy.

Referred to Committee on EDUCATION, June 27, 2023.

**No. 1527** By Representatives SANCHEZ, PICKETT, KIM, PROBST, HANBIDGE, SMITH-WADE-EL, McNEILL, NEILSON, GUENST, KHAN, MADDEN, DELLOSO, BRENNAN, HILL-EVANS, HOWARD, SAMUELSON, BOROWSKI, JAMES, CIRESI and WARREN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for personal needs allowance deduction for medical assistance-eligible persons in nursing facilities.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 27, 2023.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 260, PN 935**

Referred to Committee on JUDICIARY, June 27, 2023.

**SB 500, PN 484**

Referred to Committee on HEALTH, June 27, 2023.

**SB 506, PN 843**

Referred to Committee on JUDICIARY, June 27, 2023.

**SB 630, PN 668**

Referred to Committee on TRANSPORTATION, June 27, 2023.

**SB 836, PN 925**

Referred to Committee on JUDICIARY, June 27, 2023.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMENDED TO COMMITTEE ON RULES**

**HB 1422, PN 1704**

By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for advertising and sponsorships; in charter schools, further providing

for definitions and for funding for charter schools, providing for funding for cyber charter schools, for cyber charter school requirements, for powers and composition of board of trustees and for educational management service providers, further providing for powers and duties of department and for assessment and evaluation, providing for annual reports and public reporting and for fund balance limits, further providing for cyber charter school requirements and prohibitions and for school district and intermediate unit responsibilities, providing for access to other schools' facilities, further providing for establishment of cyber charter school, providing for renewals, for charter amendments and for causes for nonrenewal, revocation or termination, further providing for State Charter School Appeal Board review, for cyber charter school application and for enrollment and notification, providing for enrollment parameters and for enrollee wellness checks and further providing for applicability of other provisions of this act and of other acts and regulations.

EDUCATION.

**HB 1434, PN 1613**

By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the Dual Credit Innovation and Equity Grant Program.

EDUCATION.

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

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. The Chair is in receipt of a motion by the gentleman from Allegheny County, Representative Kuzma, that the House now adjourn until Wednesday, June 28, 2023, at 11 a.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 5:09 p.m., e.d.t., the House adjourned.