

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

FRIDAY, JULY 7, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 38

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. JEANNE McNEILL, member of the House of Representatives, offered the following prayer:

Good morning.

In the spirit of compassion and love, let us pray:

Dear God, spirit of life, fill our hearts and our minds today and every day as we come together as a people in this chamber. May Your wisdom and grace fill us with understanding and connectiveness so that we may embrace a common ground. May each of us recognize that at the end of the day, we are all here for the good of all, acknowledging our differences and filled with the goodness we see in others.

Dear God, may You continue to provide us Your strength when we tire. Aid us in answering hate with love. Help us work to be the change we wish to see and the voice to those without.

Continue, dear Lord, to lift our voices in collective unity today and forever. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, July 6, 2023, will be postponed until printed.

#### BILL REREPORTED FROM COMMITTEE

**HB 1422, PN 1828 (Amended)** 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 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.

#### APPROPRIATIONS.

#### BILLS REPORTED AND REREFERRED TO COMMITTEE ON STATE GOVERNMENT

**HB 484, PN 452** By Rep. BRIGGS

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in ethics standards and financial disclosure, further providing for definitions, providing for gift ban and for gift ban exceptions and further providing for statement of financial interests.

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

**HB 908, PN 896** By Rep. BRIGGS

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 General Services and its departmental administrative and advisory boards and commissions, providing for automated external defibrillators in State buildings.

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

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

#### BILL REPORTED AND REREFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS

**HB 231, PN 192** By Rep. BRIGGS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, further providing for eligibility for relief, providing for postconviction review for veterans with service-connected mental health disability and further providing for jurisdiction and proceedings; and, in sentencing, further providing for sentencing procedure for murder of the first degree.

Reported from Committee on JUDICIARY with request that it be rereferred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

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

Colleagues, if I may have your attention, we have some special guests who are here with us this morning. The House will come to order.

**GUESTS INTRODUCED**

The SPEAKER. This morning our colleague, Representative Barton, has some special guests all the way from Schuylkill County. They are seated to the left of the Speaker's rostrum. This morning we are thrilled to have Makenna Miller, who is an intern in his district office. Makenna, please stand. Makenna is a junior at Eastern University, where she is studying both political science and business. And the district office director is here. Please stand. Welcome to the floor of the House. Thank you both for your hard work.

And we have with us, all the way from Chester County, our colleague, Representative Pielli, has his constituent service advisers here, Matt DeWese and Matt Wolf. They are called the two Matts from his district office Two Matts, stand on up. Good morning, and welcome. We thank both of you Matts for your hard work in the district.

The House will briefly be at ease.

The House will come to order.

**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. 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	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
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	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	Kinhead	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**

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

**RULES COMMITTEE MEETING**

**DEMOCRATIC CAUCUS**

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

There will be an immediate meeting of the Rules Committee in the majority caucus room.

House Democrats will caucus at 10:30. We will be prepared to return to the floor at 11 a.m.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate meeting of the Rules Committee in the majority caucus room.

**JUDICIARY COMMITTEE MEETING**

The SPEAKER. The Chair recognizes Representative Briggs for a committee announcement.

Mr. BRIGGS. Thank you, Madam Speaker.

For the attention of the members of the Judiciary Committee, we will be meeting immediately in G-50 to consider HR 44 and any other business that comes before the committee.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will be meeting immediately in G-50.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes Representative Young for a committee announcement.

Mrs. YOUNG. There will be an Appropriations voting meeting immediately after Rules in the majority caucus room. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

There will be an Appropriations meeting immediately after Rules in the majority caucus room.

**RECESS**

The SPEAKER. The House will stand in recess until 11 a.m., unless sooner recalled by the Speaker.

**RECESS EXTENDED**

The time of recess was extended until 11:30 a.m.; further extended until 11:45 a.m.

**AFTER RECESS**

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

**RESOLUTIONS REPORTED FROM COMMITTEES**

**HR 44, PN 1831 (Amended)** By Rep. BRIGGS

A Resolution appointing and empowering the Judiciary Committee to conduct an investigation.

JUDICIARY.

**HR 168, PN 1755** By Rep. 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.

RULES.

**BILLS REREPORTED FROM COMMITTEE**

**HB 716, PN 1824** By Rep. HARRIS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in penalties and disposition of fines, further providing for inability to pay fine and costs.

APPROPRIATIONS.

**HB 859, PN 1716** By Rep. HARRIS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight reclamation and revitalization, further providing for municipal permit denial.

APPROPRIATIONS.

**HB 1130, PN 1825** By Rep. HARRIS

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, establishing the Safe Communities Grant Program and the Safe Communities Grant Program Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

APPROPRIATIONS.

**HB 1173, PN 1767** By Rep. HARRIS

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, in Department of Conservation and Natural Resources, further providing for community recreation and heritage conservation.

APPROPRIATIONS.

**HB 1218, PN 1766** By Rep. HARRIS

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 payments for spousal personal care services.

APPROPRIATIONS.

**HB 1394, PN 1827** By Rep. HARRIS

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for definitions.

APPROPRIATIONS.

**HB 1448, PN 1826** 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 terms and courses of study, providing for conflict resolution instruction.

APPROPRIATIONS.

**HB 1515, PN 1718** By Rep. HARRIS

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Nonnarcotic Medication-assisted Substance Abuse Treatment Grant Pilot Program, further providing for definitions, repealing provisions relating to establishment of pilot program,

providing for establishment and further providing for county participation requirements, for use of grant funding, for powers and duties of department, for prior authorization, for report to General Assembly and for construction; imposing duties on the Pennsylvania Commission on Crime and Delinquency; and making an editorial change.

#### APPROPRIATIONS.

#### SB 829, PN 1014

By Rep. HARRIS

An Act authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey certain easements through and across lands of the Commonwealth of Pennsylvania in the Township of Manheim, County of Lancaster, for purposes of a road realignment project and to accept from the Township of Manheim existing right-of-way to be abandoned as part of the road realignment project; authorizing the Department of General Services, with the approval of the Governor, the Department of Military and Veterans Affairs and the Governor, to grant and convey to Drexel University, permanent easement encumbering certain lands situate in the City and County of Philadelphia; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the City of Philadelphia certain land, buildings and improvements situated in the 40th ward of the City of Philadelphia, Philadelphia County; authorizing the release of Project 70 restrictions on certain land owned by Lower Salford Township, Montgomery County, in return for the development of a hiking trail and scenic viewing area in Lower Salford Township, Montgomery County; revoking a use restriction; and making repeals.

#### APPROPRIATIONS.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 174** By Representatives STRUZZI, CABELL, KRAJEWSKI, SCHMITT and STAMBAUGH

A Resolution directing the Legislative Budget and Finance Committee to conduct a study and issue a report on the current status, management and implementation of mass or public transit in Pennsylvania's rural communities.

Referred to Committee on TRANSPORTATION, July 7, 2023.

### HOUSE BILL INTRODUCED AND REFERRED

**No. 1561** By Representatives M. JONES, CEPHAS, BENNINGHOFF, BRENNAN, CEPEDA-FREYITZ, D'ORSIE, FINK, GREEN, HANBIDGE, HILL-EVANS, LEADBETER, MADDEN, SANCHEZ, D. WILLIAMS, ZIMMERMAN and COOPER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for drivers of emergency vehicles.

Referred to Committee on TRANSPORTATION, July 7, 2023.

## CALENDAR

### RESOLUTIONS

Mr. KINSEY called up **HR 126, PN 1353**, entitled:

A Resolution recognizing the month of May 2023 as "Foster Care Month" in Pennsylvania.

On the question,  
Will the House adopt 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
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	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	Kinhead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton, Speaker
Fleming	Krueger	Rader	

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.

\* \* \*

Mr. MACKENZIE called up **HR 147, PN 1545**, entitled:

A Resolution designating August 7, 2023, as "Purple Heart Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

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	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
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	Kazem	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.
Erick	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 having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**RULES SUSPENDED**

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I would like to rise and make a motion to suspend the rules for the immediate consideration of Resolution 168.

The SPEAKER. The Chair thanks the gentleman.

Representative Cutler moves to suspend the rules for the purpose of immediate consideration of HR 168.

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

The SPEAKER. On the motion.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, this resolution is the resolution that would in fact extend committee memberships on all of our standing committees. I will get into a little bit more of the resolution should the motion to suspend be successful, but I would urge the members' support so that we can get about doing the people's business.

The SPEAKER. The Chair thanks the gentleman.

On the motion, Representative Bradford.

Mr. BRADFORD. I would support the motion.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—202

Abney	Fleming	Krueger	Rader
Adams	Flick	Krupa	Rapp
Armanini	Flood	Kulik	Rigby
Banta	Frankel	Kutz	Roae
Barton	Freeman	Kuzma	Rossi
Bellmon	Friel	Labs	Rowe
Benham	Fritz	Lawrence	Rozzi
Benninghoff	Gallagher	Leadbeter	Ryncavage
Bernstine	Galloway	Mackenzie, M.	Salisbury
Bizzarro	Gaydos	Mackenzie, R.	Samuelson
Bonner	Gergely	Madden	Sanchez
Borowicz	Gillen	Madsen	Sappey
Borowski	Giral	Major	Schemel
Boyd	Gleim	Mako	Scheuren
Boyle	Green	Malagari	Schlegel



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

about why this is ultimately very important, because I truly believe it is. Expanding committee membership to close to where it has been historically is important in terms of our representative government. Voters send members to this Assembly to be their voices on important State issues, and the power of that voice is usually best exercised most powerfully during and through the committee process. That is where bills get developed, they get changed, and amended. Before bills get to the floor, debate is fine-tuned, membership expertise is developed, and interests are honed, as members are able to delve into issues that are important to them and the communities that they are sent here to represent. By voting on this resolution today, we are expanding the voice of Pennsylvanians, giving members more experience in the legislative process and enhancing expertise in individual subject matters.

Again, I believe this is a very positive step forward for this House. I would like to thank the majority leader, his staff, and our staff here in the Republican leader's office that worked so diligently through this process and in making the upcoming list, and I would encourage everyone to please vote in favor of this resolution.

The SPEAKER. The Chair thanks the gentleman.

On the resolution, the Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you, Madam Speaker.

I would like to reciprocate the kind words of the minority leader and hope that we can support this resolution and allow greater voices to be heard. Thank you so much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—0

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. CUTLER called up **HR 168, PN 1755**, entitled:

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.

On the question,  
Will the House adopt the resolution?

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, first, I would like to thank the leadership teams – and specifically, the majority leader – and our staffs from both sides for working on this very important issue and seeing it through to completion. Second, I would like to talk a little bit

YEAS—202

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

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

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—0

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

## CALENDAR CONTINUED

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1024, PN 1021**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assault, further providing for ethnic intimidation; in employees, further providing for definitions and providing police officer training on hate-based intimidation; and making an editorial change.

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

AMENDMENT RULED OUT OF ORDER

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A00718.

### RULING OF CHAIR APPEALED

The SPEAKER. For what purpose does the gentlelady, Representative Klunk, rise?

Ms. KLUNK. Thank you, Madam Speaker.

I rise today to appeal the ruling of the Chair on my amendment for violating the single-subject rule.

The SPEAKER. Representative Klunk appeals the ruling of the Chair that amendment A00718 violates House rule 20. House rule 20 provides no bill shall be passed containing more than one subject. The subject of HB 1024 is providing for hate-based intimidation. Amendment A00718 adds a second subject to the bill by providing for domestic violence.

On the question,  
Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. On that question, the Chair recognizes the maker of the motion and the amendment that has been ruled out of order, Representative Klunk.

Ms. KLUNK. Thank you, Madam Speaker.

Today I rise to appeal the ruling of the Chair on my amendment for violating the single-subject rule. My amendment does not violate the single-subject rule. HB 1024's single unifying subject deals with criminal enhancements for certain targeted victims and related police training. My amendment concerns police training as well for certain targeted victims: victims of domestic violence.

The bill amends Title 53, chapter 21, subchapter D, dealing with municipal police education and training. The bill before us today would require police officer training for hate-based intimidation to better help targeted victims; specifically, victims of hate crimes.

Madam Speaker, my amendment also amends the very same section of the law to require minimum standards for training police officers in responding to domestic violence calls. The training would include standards for assessing the lethality risk of domestic violence incidents. Ultimately, my amendment will help to better help targeted victims of domestic violence.

This amendment language is essentially the same language of my HB 1544, known as Laurie's and Barbara's Law in memory of Laurie Kuykendall and Barbara Schrum, who were killed in a domestic violence incident in York County.

In the cosponsor memo for HB 1024, the maker of the bill states that he is introducing the bill to, quote, "...accurately track and combat hate crimes,..." The maker goes on to state that this bill would, quote, "...provide Pennsylvania's law enforcement with the training they need to properly investigate, identify and report crimes of ethnic intimidation."

Just like the maker of the bill wants to provide law enforcement with the training that they need to properly investigate, identify, and report crimes of ethnic intimidation and combat hate crimes, the families of Laurie and Barbara came to me to put forward legislation to combat crimes of domestic violence and to provide law enforcement with the proper training to protect specific targeted victims of domestic violence.

And, Madam Speaker, for these reasons I believe that my amendment does not violate the single-subject rule and that this body should overrule the ruling of the Chair. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,  
Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

## YEAS—102

Abney	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	Roe
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			

## NOT VOTING—0

## EXCUSED—0

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

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

## BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will temporarily be over.

\* \* \*

The House proceeded to second consideration of **HB 1027, PN 1024**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of ethnic intimidation; and, in particular rights and immunities, further prohibiting civil rights violations.

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

Mr. **BONNER** offered the following amendment  
No. **A01049**:

Amend Bill, page 2, lines 11 through 27, by striking out all of said lines and inserting

(i) A criminal act, with bodily injury or serious bodily injury inflicted upon the victim, as defined under any of the following:

(A) section 2701(a)(1) or (3) (relating to simple assault).

(B) section 2702 (relating to aggravated assault).

(C) section 2703 (relating to assault by prisoner).

(D) section 2703.1 (relating to aggravated harassment by prisoner).

(E) section 2707 (relating to propulsion of missiles into an occupied vehicle or onto a roadway).

(F) section 2707.1 (relating to discharge of a firearm into an occupied structure).

(G) section 2713 (relating to neglect of care-dependent person).

(H) section 2718 (relating to strangulation).

(ii) If the conduct is intentional or reckless, a criminal act causing damage to property under any of the following:

(A) section 3301 (relating to arson and related offenses).

(B) section 3302 (relating to causing or risking catastrophe).

(C) section 3304 (relating to criminal mischief).

(iii) A criminal act under section 3503(a), (b) or (b.1) (relating to criminal trespass).

(2) The person intentionally selected the victim against whom the offense under paragraph (1) was committed or the victim's property that was damaged or otherwise affected, in whole or in substantial part, because of the victim's actual or perceived:

(i) race;

(ii) color;

(iii) religion;

(iv) national origin;

(v) ethnicity;

(vi) ancestry;

(vii) age;

(viii) sex;



(ix) gender;  
(x) gender identity;  
(xi) gender expression;  
(xii) sexual orientation;  
(xiii) status as a former or current peace officer;

or

(xiv) physical disability, intellectual disability or autism spectrum disorder reasonably obvious to the person.

Amend Bill, page 3, line 5, by striking out the bracket before "(c)"

Amend Bill, page 3, line 5, by inserting a bracket before "Definition.—As"

Amend Bill, page 3, line 10, by inserting after "individuals.]"

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:

"Autism spectrum disorder." As defined in 42 Pa.C.S. § 5992 (relating to definitions).

"Intellectual disability." Regardless of the age of the individual, significantly subaverage general intellectual functioning of an individual that is accompanied by significant limitations in adaptive functioning in at least two of the following skill areas:

- (1) Communication.
- (2) Self-care.
- (3) Home living.
- (4) Social and interpersonal.
- (5) Use of community resources.
- (6) Self-direction.
- (7) Functional academic.
- (8) Work.
- (9) Health and safety.

"Peace officer." As defined in section 501 (relating to definitions).

"Physical disability." A permanent or irreversible physical impairment, whether congenital or acquired by accident, injury or disease, that substantially limits one or more major life activities of the individual.

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.

Hate crimes are despicable attacks upon our family, our friends, and our neighbors simply because of their humanity. The attacks are motivated by race, sexuality, religion, and disability of the victim. An overwhelming number of these attacks are stranger-on-stranger attacks. They have had no prior relationship except the victims' physical or religious traits have drawn a criminal act to be committed upon them. In our society, this is unacceptable.

The Federal government has had hate crime legislation since 1968. All States have some form of hate crime legislation, including Pennsylvania, but it would be helpful if we strengthened this legislation. Simply stated, hate crime legislation would raise the grading of a crime by one level if the attack on the person or the property was motivated by a person who is attacking another human being or their property because of their race, their religion, their sexual identity, or their disability.

The amendment to HB 1024 specifically sets forth those crimes in which the increase in grading would occur if the attack was based upon any of these traits or disabilities. The proposed

amendment is to make certain that a crime against a person's body or against their property is first, undertaken, and then we determine what the motivation would be. And if the motivation would be race, sexual identity, disability, or religion, then we would have an upgrade in the penalty by one level. So for example, a misdemeanor 2 would then be graded as a misdemeanor 1.

The proposed amendment also enlarges the protected categories to include attacks because of age. Right now this bill gives no protection to those who are attacked simply because of their age. It also includes attacks on police officers, as we are all too commonly seeing these attacks on the nightly news where a police officer is assaulted or killed without even knowing who the perpetrator may have been. Attacks on these individuals simply because of their age or their status as a police officer are unacceptable and should also cause an increase in the level of penalty being assessed against the perpetrator.

This amendment also defines "disability" as a protected status. Now, the main bill mentions disability, but it gives no definition. This amendment gives a definition to what a disability is, and specifically includes autism.

This amendment, then, only serves to strengthen this particular legislation. This amendment is meant to support and strengthen this hate-based intimidation statute. I would ask for your support for this amendment as we attempt to pass a strong package of legislation which can gather bipartisan support, as this legislation must move to the Senate and have their support as well. And we need to send a strong message that any unlawful attack upon humanity is unacceptable and will not be tolerated.

I request your support for this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

## MOTION TO TABLE AMENDMENT

The SPEAKER. On that question, the Chair recognizes the maker of the bill, Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I rise to make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. FRANKEL. I make a motion to table amendment A01049 pursuant to rule 59.

The SPEAKER. The gentleman, Representative Frankel, moves that amendment A01049 be laid on the table.

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

The SPEAKER. On that question, members are reminded that the only members who are able to speak and debate this are the leaders, the maker of the motion, the maker of the amendment under consideration, and the prime sponsor of the bill.

On the motion, the Chair recognizes Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I truly appreciate the sentiments expressed by my colleague. But, Madam Speaker, HB 1027 strengthens the criminal ethnic intimidation statute and replaces the term with "hate-based intimidation," while providing civil remedies for violations. Amendment 1049 would add the vocation of peace officer to the list of innate characteristics under the offense of hate-based intimidation.

I do not dispute the importance of the issue to the maker of the amendment; however, I believe it would be more appropriately addressed in a separate piece of legislation. As such, I would ask my colleagues to please support the motion to table. And just as an aside here, it is – you know, a police officer, these are innate characteristics that we are talking about that are targeting the people. And grades for offenses against police officers already have significant enhancements in our statutes, and we want to make sure that this piece of legislation aligns with Federal categories as well. And I would also say that with respect to autism, disability clearly includes autism as well.

So again, motion to table amendment 01049. I ask for your affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—102

Table with 4 columns of names: Abney, Bellmon, Benham, Bizzarro, Borowski, Boyd, Boyle, Bradford, Brennan, Briggs, Brown, A., Bullock, Burgos, Burns, C Freytiz, Cephas, Cerrato, Ciresi, Conklin, Curry, Daley, Davis, Dawkins, Deasy, Deloso, Donahue, Evans, Fiedler, Fleming, Frankel, Freeman, Friel, Gallagher, Galloway, Gergely, Giral, Green, Guenst, Guzman, Haddock, Hanbidge, Harkins, Harris, Hohenstein, Howard, Innamorato, Isaacson, Kazeem, Kenyatta, Khan, Kim, Kinkead, Kinsey, Kosierowski, Krajewski, Krueger, Kulik, Madden, Madsen, Malagari, Markosek, Matzie, Mayes, McAndrew, McNeill, Merski, Miller, D., Mullins, Munroe, Neilson, Nelson, N., O'Mara, Otten, Parker, Pashinski, Pielli, Pisciotano, Probst, Rabb, Rozzi, Salisbury, Samuelson, Sanchez, Sappey, Schlossberg, Schweyer, Scott, Shusterman, Siegel, Smith-Wade-El, Solomon, Steele, Sturla, Takac, Venkat, Vitali, Warren, Waxman, Webster, Williams, D., Young, McClinton, Speaker

NAYS—101

Table with 4 columns of names: Adams, Armanini, Banta, Barton, Benninghoff, Bernstine, Bonner, Borowicz, Brown, M., Cabell, Causer, Cook, Cooper, Cutler, D'Orsie, Davanzo, Delozier, Diamond, Dunbar, Ecker, Emrick, Gaydos, Gillen, Gleim, Gregory, Greiner, Grove, Hamm, Heffley, Hogan, Irvin, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufer, Kauffman, Keefer, Kephart, Kerwin, Klunk, Lawrence, Leadbeter, Mackenzie, M., Mackenzie, R., Major, Mako, Maloney, Marcell, Marshall, Mehaffie, Mentzer, Mercuri, Metzgar, Mihalek, Miller, B., Moul, Mustello, Nelson, E., O'Neal, Oberlander, Ortity, Rigby, Roae, Rossi, Rowe, Ryncavage, Schemel, Scheuren, Schlegel, Schmitt, Scialabba, Smith, Staats, Stambaugh, Stehr, Stender, Struzzi, Tomlinson, Topper, Twardzik, Warner, Watro

Table with 4 columns of names: Fee, Fink, Flick, Flood, Fritz, Krupa, Kutz, Kuzma, Labs, Owlett, Pickett, Rader, Rapp, Wentling, White, Williams, C., Zimmerman

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?

Ms. KINKEAD offered the following amendment  
No. A01332:

Amend Bill, page 1, lines 14 through 17; page 2, lines 1 through 27; by striking out all of said lines on said pages and inserting § 2710. [Ethnic] Hate-based intimidation.

(a) Offense defined.—A person commits the offense of [ethnic] hate-based intimidation if, with malicious intention toward the race, color, religion [or], national origin, ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability of another individual [or], group of individuals[, he commits an offense under any other provision of this article or] or a person with whom the individual or group is associated, commits a personal injury crime as defined in section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, an offense under Chapter 33 (relating to arson, criminal mischief and other property destruction) [exclusive of section 3307 (relating to institutional vandalism)] or an offense under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

Amend Bill, page 3, line 5, by striking out the bracket before "(c)"

Amend Bill, page 3, line 9, by inserting after "religion" , ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation, disability

Amend Bill, page 3, line 10, by striking out the bracket after "individuals."

Amend Bill, page 3, line 11, by inserting after "amended" and the section is amended by adding a subsection

Amend Bill, page 3, line 14, by striking out "A person" and inserting

An individual

Amend Bill, page 4, by inserting between lines 15 and 16

(g) Construction.—Nothing in this section may be construed to prohibit, limit or punish religiously motivated speech or conduct that is otherwise protected by the Constitution of the United States, the Constitution of Pennsylvania or the act of December 9, 2002 (P.L.1701, No.214), known as the Religious Freedom Protection 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 Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

My amendment simply provides clarifying language, and so I would request a "yes" vote on this amendment. Thank you.

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

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

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	Kinthead	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 amendment was agreed to.

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

Mr. **FRANKEL** offered the following amendment  
No. **A01579**:

Amend Bill, page 3, line 16, by striking out "substantial" and  
inserting  
an intentional infliction of

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

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

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

This simply adds intentional infliction of emotional distress to the bill. I ask for a "yes" 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—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

## 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
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			

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

Mr. **BONNER** offered the following amendment No. **A01050**:

Amend Bill, page 3, lines 15 through 17, by striking out "has been placed" in line 15, all of line 16 and "emotional distress" in line 17

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.

My amendment regarding HB 1027 removes certain language regarding placing an individual in reasonable fear of bodily injury or sustaining substantial emotional distress. Under the United States Constitution, hate speech, no matter how despicable, is protected speech. The law does not permit us to criminalize or prohibit hate speech per se. You must have a bodily injury or property damage associated with that speech as your underlying violation, which then, if accompanied by hate speech, can cause an increase in the level of penalty.

So in that respect, I would ask for your support for my amendment eliminating any cause of action related to someone who is suffering emotional distress. Emotional distress is not a physical injury, and obviously not property damage, and therefore does not meet the definition of a "hate crime." I would ask for your support on this particular amendment. Thank you.

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

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

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

This amendment is not agreed to and I respectfully 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—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	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	Pisciotano	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 as amended?

Mr. **T. JONES** offered the following amendment  
No. **A01463**:

Amend Bill, page 1, lines 12 and 13, by striking out "a subsection" and inserting  
subsections

Amend Bill, page 2, line 11, by inserting a comma after "crime"

Amend Bill, page 2, line 13, by inserting after "Act"  
, that causes bodily injury

Amend Bill, page 3, by inserting between lines 10 and 11

(d) Definition.—As used in this section, the term "bodily injury" means impairment of physical condition or substantial pain.

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

The **SPEAKER**. On that question, the Chair recognizes the maker of the amendment, Representative Tom Jones.

Mr. **T. JONES**. Thank you, Madam Speaker.

My amendment adds that a personal injury crime under the bill must cause bodily injury. While personal injury crime includes harassment, this amendment will ensure that words, or silence itself, cannot be the basis for imposing criminal liability. Speech must be protected, and a civil society must ensure that individuals are free to express thoughts and beliefs without the fear of persecution.

And just a few additional personal thoughts. Our freedom of speech is given to us by our creator. It is something that we must defend, and regardless of how despicable some people's speech may become, we must defend the right of free speech. No one should be discriminated against, no one should experience hate and discrimination, no one should be treated with that level of disrespect. I can respect you and disagree with you. I can love you and disagree with you. I can treat you with kindness and human decency. But we must protect our God-given freedom of speech.

Thank you, Madam Speaker.

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

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

Mr. **FRANKEL**. Let me be clear. This legislation has nothing to do with free speech or the First Amendment. There has to be a crime, before anything else, an existing crime under our laws – an assault, vandalism, property damage, murder – and then there has to be evidence that it was motivated by hatred.

So this has nothing to do with silencing anybody. You can be as bigoted, you can be as hateful, you can be anything you want, but there has to be a crime first. It is not about free speech, and that is one of the most frequently misunderstood things that I have been hearing about repeatedly. There has to be an existing crime first.

So with all due respect, I ask for a "no" vote on 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—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	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	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 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 1026, PN 1359**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, providing for sentencing for hate-based intimidation and for community impact statements.

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

Mr. **FRANKEL** offered the following amendment No. **A01297**:

Amend Bill, page 1, line 12, by striking out "ethnic" and inserting

hate-based

Amend Bill, page 2, line 23, by striking out "ETHNIC" and inserting

hate-based

Amend Bill, page 2, line 24, by striking out "may at its discretion" and inserting

shall, when available,

Amend Bill, page 3, line 30, by striking out "in the same place or neighborhood" and inserting

in the same judicial district or a contiguous judicial district

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

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

Mr. FRANKEL. Thank you, Madam Speaker.

Amendment 01297 is simply a technical cleanup amendment. It provides for a definition of "community." So I would ask for an affirmative 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—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	
Dellosso	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	Kaufert	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 amendment was agreed to.

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

The SPEAKER. Representative Bonner offers amendment A01048.

It is the Chair's understanding the amendment is withdrawn. 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.

\* \* \*

The House proceeded to second consideration of **HB 1025, PN 1358**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in Safe2Say Program, further providing for definitions and for Safe2Say Program; in postsecondary institution sexual harassment and sexual violence policy and online reporting system, further providing for definitions, for policy for postsecondary institution sexual harassment and sexual violence and for online reporting system; and making an editorial change.

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: A01696, A01776.

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

Mr. **VENKAT** offered the following amendment No. **A01560**:

Amend Bill, page 5, by inserting between lines 10 and 11  
(d) Construction.—Nothing in this section may be construed to infringe or limit an individual's rights or freedoms that are otherwise protected by the Constitution of the United States or the Constitution of Pennsylvania.

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

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

Mr. FRANKEL. Thank you, Madam Speaker.

This amendment restates that nothing in this section may be construed to infringe or limit an individual's rights or freedoms otherwise protected by the U.S. or Pennsylvania Constitutions. I ask for an affirmative vote.

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—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	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	Mayer	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	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	Kinhead	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 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. **BONNER** offered the following amendment No. **A01054**:

Amend Bill, page 2, lines 4 through 10, by striking out "A criminal act of inflicting" in line 4 and all of lines 5 through 10 and inserting

As defined in section 2001-J.

Amend Bill, page 2, line 30; page 3, line 1; by striking out "and creates a substantial risk of serious" in line 30 on page 2 and "bodily injury" in line 1 on page 3

Amend Bill, page 3, line 13, by striking out "an immediate" and inserting

a  
Amend Bill, page 3, line 14, by striking out "substantial risk of serious" and inserting  
risk of

Amend Bill, page 3, lines 22 and 23, by striking out "a definition" and inserting definitions

Amend Bill, page 3, lines 28 through 30; page 4, lines 1 through 5; by striking out all of said lines on said pages and inserting "Autism spectrum disorder." As defined in 42 Pa.C.S. § 5992 (relating to definitions).

"Hate-based intimidation." A criminal act of inflicting bodily

injury or serious bodily injury on another individual or a criminal act of intentionally defacing or damaging the tangible, personal or real property of another, which is motivated by hatred toward:

(1) the actual or perceived race, color, national origin, ethnicity, ancestry, age, sex, gender identity or expression, sexual orientation, physical disability, intellectual disability or an autism spectrum disorder of an individual that is reasonably obvious to the offender; or

(2) an individual's status as a former or current peace officer.

"Intellectual disability." Regardless of the age of the individual, significantly subaverage general intellectual functioning of an individual that is accompanied by significant limitations in adaptive functioning in at least two of the following skill areas:

(1) Communication.

(2) Self-care.

(3) Home living.

(4) Social and interpersonal.

(5) Use of community resources.

(6) Self-direction.

(7) Functional academic.

(8) Work.

(9) Health and safety.

\* \* \*

"Peace officer." As defined in 18 Pa.C.S. § 501 (relating to definitions).

"Physical disability." As follows:

(1) A permanent or irreversible physical impairment, whether congenital or acquired by accident, injury or disease, that substantially limits one or more major life activities of the individual.

(2) For purposes of paragraph (1), major life activities include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing and working.

\* \* \*

Amend Bill, page 4, lines 15 through 19, by striking out "No later than June" in line 15 and all of lines 16 through 19

Amend Bill, page 5, line 4, by inserting after "student"

, teacher, school administrator, school employee or school board member

Amend Bill, page 7, by inserting between lines 5 and 6

Section 6. No later than December 31, 2023, a postsecondary institution shall amend its current policy on sexual harassment and sexual violence to include provisions to govern hate-based intimidation.

Amend Bill, page 7, line 6, 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 Bonner.

Mr. BONNER. Thank you, Madam Speaker.

The proposed amendment attempts to improve the bill by limiting its scope to alleged crimes involving physical injury or harm to property. As the maker of the bill earlier indicated, that is what his bill is proposing to do, is to have, first, that underlying crime, then we analyze if there has been any hateful intent, and if so, we bump it up a level of grading category.

But under this particular bill, it goes further and it says, "or other type of injury," but it does not define what that other type of injury may be. Is it an injury of defamation? Is it an injury of

libel? Is it an injury of name-calling? All of those fall under protected speech. This bill is constitutionally defective when it uses the phrase "or any other type of injury." Hate speech, as we have mentioned, is despicable, but it is constitutionally recognized as free speech. The United States Supreme Court has said it is protected, and this particular statute will not withstand the scrutiny of the court as to freedom of speech.

We should, and this amendment does, limit the injury to some physical injury to the person or some damage to the property with hateful intent. The proposed amendment also enlarges the category to protect certain classifications that do not have protection under this bill, and frankly, it is confusing why they have not been included. It does not, for example, include the elderly – always a recognized protected class. Why are we not protecting them under this particular legislation? It also does not protect those who put their lives on the line every day for each one of us. Police officers, who are being ambushed without notice in our communities simply because of their status as police officers; they, too, should obtain the protected status that this bill offers. This legislation also does not define "disability." We always criticize the courts for legislating, but frankly, they must legislate because often we do not do our job, and this bill does not do the job. It does not define what is a physical disability, but my amendment does, and it includes autism.

I have been involved in criminal cases where those with disability have been attacked simply because of their status. It is a very disturbing crime to prosecute; frankly, more disturbing than even a murder case. To see someone attacked because of a disability or because of their identity or trademarks as a human being is despicable and emotionally disturbing. This bill does not give the protection to all those who should receive it.

Also, this bill only deals with reporting of students who are involved in potential hate crime activities. Since we are talking about school systems, why do we not include teachers? Why do we not include school employees? Why are we not including administrators? They, too, engage in this type of conduct. They, too, should be the subject of reporting under this particular legislation, and my amendment addresses that issue.

I am looking to strengthen, then, the hate crime legislation because I find it despicable, and I would ask for your support to strengthen it today as well. Thank you.

The SPEAKER. The Chair thanks the gentleman.

## MOTION TO TABLE AMENDMENT

The SPEAKER. On that question, the Chair recognizes the maker of the bill, Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I rise to make a motion.

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

Mr. FRANKEL. Madam Speaker, I make a motion to table amendment A01054 pursuant to rule 59.

The SPEAKER. Representative Frankel moves that amendment A01054 be laid on the table.

On the question,

Will the House agree to the motion?

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

Mr. FRANKEL. Madam Speaker, this is virtually similar to the amendment on a prior bill that we tabled. For the same reasons, without going through them, I ask for an affirmative vote to table this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, while I have great respect for the maker of the bill, I would argue that this amendment is necessary. It is necessary because without this amendment, the bill is likely constitutionally deficient. More importantly, to vote to table this amendment would categorize the following people as not being properly protected under the law: those with autism; those that are targets of hate-based intimidation; those with an intellectual disability, as defined; peace officers also. And more importantly, it does not apply just to students, but to anybody in the school setting.

Therefore, all of these changes are needed so that everybody is protected, and a motion to table is to deny justice to each of those individual groups. I would oppose the motion.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—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	Matzje	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

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	Ortity	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 as amended?

Mr. **JOZWIAK** offered the following amendment No. **A01675**:

Amend Bill, page 2, line 13, by striking out "and" and inserting a comma

Amend Bill, page 2, line 13, by inserting after "paragraph" and the section is amended by adding a subsection

Amend Bill, page 3, by inserting between lines 6 and 7

(c.1) False information.—If an investigation determines that an anonymous report of criminal activities under subsection (c) contains false information and was submitted solely for the purpose of harassing, annoying, alarming or harming an individual, the school entity shall, with the consent of the individual, release a public statement on its publicly accessible Internet website that the individual has committed no wrongdoing and that the report contained false information and was submitted solely for the purpose of harassing, annoying, alarming or harming the individual.

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.

When an anonymous complaint is made against a teacher under the Safe2Say program, the teacher is immediately suspended, with pay, and an investigation is conducted to determine if any wrongdoing has occurred. Currently, when the investigation is complete and there is no evidence of any criminal activity, the case is listed as unfounded. Unfounded leaves the accused teacher with a result that is not clear.

There are many false and anonymous complaints, leaving the teacher with a tarnished reputation. And please keep in mind, there is a big difference between not guilty and innocent.



My amendment will ensure that a teacher's reputation does not become unfairly tarnished as a result of a false report. At the completion of the investigation, the school may release a public statement, with the consent of the accused, on their Web site stating an investigation has been conducted and the individual has committed no wrongdoing and the complaint contains false information.

Let us protect our teachers' reputations. I ask for a "yes" vote on amendment A01675.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FRANKEL. Thank you, Madam Speaker.

This amendment is not agreed to. I ask for a "no" vote. 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	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

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. For what purpose does the gentleman, Representative Ortity, rise? 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.

#### CONSIDERATION OF HB 1024 CONTINUED

The SPEAKER. The Chair recognizes the majority leader, who calls up HB 1024, PN 1021, on page 2 of today's House calendar.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BONNER** offered the following amendment No. **A01046**:

Amend Bill, page 2, lines 12 through 28, by striking out all of said lines and inserting

(i) A criminal act, with bodily injury or serious bodily injury inflicted upon the victim, as defined under any of the following:

(A) section 2701(a)(1) or (3) (relating to simple assault).

(B) section 2702 (relating to aggravated assault).

(C) section 2703 (relating to assault by prisoner).

(D) section 2703.1 (relating to aggravated harassment by prisoner).

(E) section 2707 (relating to propulsion of missiles into an occupied vehicle or onto a roadway).

(F) section 2707.1 (relating to discharge of a firearm into an occupied structure).

(G) section 2713 (relating to neglect of care-dependent person).



(H) section 2718 (relating to strangulation).  
(ii) If the conduct is intentional or reckless, a criminal act causing damage to property under any of the following:

(A) section 3301 (relating to arson and related offenses).

(B) section 3302 (relating to causing or risking catastrophe).

(C) section 3304 (relating to criminal mischief).

(iii) A criminal act under section 3503(a), (b) or (b.1) (relating to criminal trespass).

(2) The person intentionally selected the victim against whom the offense under paragraph (1) was committed or the victim's property that was damaged or otherwise affected, in whole or in substantial part, because of the victim's actual or perceived:

(i) race;

(ii) color;

(iii) religion;

(iv) national origin;

(v) ethnicity;

(vi) ancestry;

(vii) age;

(viii) sex;

(ix) gender;

(x) gender identity;

(xi) gender expression;

(xii) sexual orientation;

(xiii) status as a former or current peace officer;

or

(xiv) physical disability, intellectual disability or autism spectrum disorder reasonably obvious to the person.

\* \* \*

Amend Bill, page 3, lines 5 and 6, by striking out all of line 5 and the bracket in line 6

Amend Bill, page 3, line 6, by inserting a bracket before "Definition.—As"

Amend Bill, page 3, line 11, by inserting after "individuals.]"

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:

"Autism spectrum disorder." As defined in 42 Pa.C.S. § 5992 (relating to definitions).

"Intellectual disability." Regardless of the age of the individual, significantly subaverage general intellectual functioning of an individual that is accompanied by significant limitations in adaptive functioning in at least two of the following skill areas:

(1) Communication.

(2) Self-care.

(3) Home living.

(4) Social and interpersonal.

(5) Use of community resources.

(6) Self-direction.

(7) Functional academic.

(8) Work.

(9) Health and safety.

"Peace officer." As defined in section 501 (relating to definitions).

"Physical disability." A permanent or irreversible physical impairment, whether congenital or acquired by accident, injury or disease, that substantially limits one or more major life activities of the individual.

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.

This amendment follows the theme of the prior amendments that I had offered and spoken toward. I will not belabor the point on this particular amendment, only to add that the purpose of this amendment is to strengthen it, not to weaken it. The purpose is to make certain it meets the constitutional ramifications, that we are not intervening within protected speech, no matter how despicable it may be. The purpose of this amendment is to give protection to the elderly, who are not part of the bill at this time; to the disabled, who are not fully defined within the bill at this time; and to police officers.

As I say, these bills have a path to travel going out of the House, and my goal is to make certain that we have strong hate speech legislation that can pass through this General Assembly. And I believe these amendments would strengthen this bill, receive great consideration in the Senate, and likely be signed into law.

So I stand before you today to ask for your support as we seek to strengthen this bill, rather than weaken it, and to ensure its bipartisan support. Thank you.

The SPEAKER. The Chair thanks the gentleman.

## MOTION TO TABLE AMENDMENT

The SPEAKER. On that question, the Chair recognizes the maker of the bill, Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I rise to make a motion.

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

Mr. FRANKEL. Madam Speaker, I make a motion to table amendment A01054, pursuant to rule 59 – oh, excuse me, A01046. Thank you.

The SPEAKER. The gentleman, Representative Frankel, moves that amendment A01046 be laid on the table.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, the Chair recognizes Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I look forward to being able to have some discussions with my colleague from Mercer and Butler Counties. We have had some productive conversations about these bills, and I look forward to working with him over the summer to come up with some ideas that he has had and expressed to me, and I am willing to sit down and work with him on those. But for the time being, for the reasons that I expressed on the past two amendments that the Representative offered, I ask for a motion to – a "yes" vote on the motion to table.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, for many of the same reasons, I have the same concerns with this bill as the other one where this maneuver was used to table an amendment. I actually think this amendment potentially strengthens the bill because it provides very definitive descriptions of each and every crime, and more importantly, each

and every area that we are seeking to protect. Once again, to table this amendment denies the opportunity to provide protection to those with autism, those who are intellectually disabled, peace officers, and those with physical disabilities. I, for one, Madam Speaker, believe they are worth protecting, and I would oppose the motion to table so it can be included in the bill.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

## YEAS—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	Venkata
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	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			

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. **BONNER** offered the following amendment  
No. **A01047**:

Amend Bill, page 4, line 14, by inserting after "training."  
The commission and the Pennsylvania State Police may also utilize the guidance and services of the Municipal Police Officers' Education and Training Commission to comply with this requirement.

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.

It is the Chair's understanding the amendment has been withdrawn. The Chair thanks the gentleman.

The Chair recognizes Representative Cutler on amendment A01057.

The gentleman, Representative Bonner, now wishes to offer the amendment, A01047.

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

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

Mr. **BONNER**. Thank you, Madam Chair.

My apologies. I did not realize I had to speak to each and every amendment.

This amendment just allows the involvement of the Municipal Police Officers' Education and Training Commission in the education of police officers to be able to recognize and prosecute hate-based criminal activity, and I ask for your support on this particular amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

This amendment is not agreed to, but it is going to be covered in a more substantive amendment that is going to follow. So thank you. I ask for a "no" vote.

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—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?

Ms. **GAYDOS** offered the following amendment  
No. **A01057**:

Amend Bill, page 1, line 1, by striking out the comma after "Offenses)" and inserting  
and

Amend Bill, page 1, line 2, by striking out "and 53 (Municipalities Generally)"

Amend Bill, page 1, lines 4 through 6, by striking out "in employees, further" in line 4, all of line 5 and "training on hate-based intimidation;" in line 6

Amend Bill, page 1, lines 14 and 15, by striking out "and the section is amended by adding a subsection"

Amend Bill, page 1, lines 16 through 18; page 2, lines 1 through 30; page 3, lines 1 through 11; by striking out all of said lines on said pages and inserting  
§ 2710. [Ethnic] Class-based intimidation.

(a) Offense defined.—A person commits the offense of [ethnic] class-based intimidation if, with malicious intention toward the [race, color, religion or national origin] belief or class affiliation of another individual or group of individuals, he commits an offense resulting in death, bodily injury, bodily danger or sexual assault under any other provision of this article or under Chapter 33 (relating to arson, criminal mischief and other property destruction) exclusive of section 3307 (relating to institutional vandalism) or under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

\* \* \*

(c) Definition.—As used in this section ["malicious intention" means the], the following words and phrases shall have the meanings given to them in this subsection:

"Class." An identifiable group of individuals who hold certain beliefs or share other characteristics.

"Malicious intention." The intention to commit any act, the commission of which is a necessary element of any offense referred to in subsection (a) motivated by hatred toward the [race, color, religion or national origin] belief or class affiliation of another individual or group of individuals.

Amend Bill, page 3, line 18, by striking out "hate-based" and inserting

class-based

Amend Bill, page 3, lines 27 through 30; page 4, lines 1 through 19; by striking out all of said lines on said pages

Amend Bill, page 4, line 20, by striking out "5" and inserting  
3

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

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, very simply, this amendment I think would provide a significant update to the law. One of the struggles that we have here in the legislature is a timely updating of the law to include other definitions, and any time, particularly when you make a list, such as this bill is attempting to do, by making a list, the court naturally interprets if you do not have something on the list that you actually meant to exclude it.

So I think in an effort to improve the bill – and quite simply, the summary is very simple. It would outlaw any kind of class-based actions resulting in death, bodily injury, or bodily danger, including sexual assault. And more importantly, it defines the terms "class" and "malicious intent." This would ensure that all groups are protected that are identifiable individuals who hold

certain beliefs or share other characteristics, and it would not necessitate us coming back into this proposal each and every time that a new class is granted protections elsewhere in the law. It would be all-inclusive.

And I think that we could all agree that all crime is wrong, all hate is wrong, and I think the statute should appropriately reflect that as well. I would urge a "yes" vote on the amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FRANKEL. Thank you, Madam Speaker.

Every State in this nation except for Georgia has some form of hate crime law, and not one of them has used this class-based intimidation language. This new standard that provides protections on the basis of a belief or class affiliation is far too vague to be useable, and I fear that it is just vague enough to be abused. So I ask for a "no" vote on 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—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
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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. T. JONES offered the following amendment No. A01462:

Amend Bill, page 1, lines 14 and 15, by striking out "a subsection" and inserting subsections  
 Amend Bill, page 2, line 12, by inserting a comma after "crime"  
 Amend Bill, page 2, line 14, by inserting after "Act"  
that causes bodily injury  
 Amend Bill, page 2, by inserting between lines 28 and 29  
 \* \* \*  
 Amend Bill, page 3, line 5, by striking out all of said line  
 Amend Bill, page 3, by inserting between lines 11 and 12  
(d) Definition.—As used in this section, the term "bodily injury" means impairment of physical condition or substantial pain.

On the question,

Will the House agree to the amendment?

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

Mr. T. JONES. Thank you, Madam Speaker.

Again, just keeping my comments brief, similar to my previous amendment, it adds that the personal injury crime under the bill must cause bodily injury. We can reach a charge of harassment based on repeated language, repeated personal attacks through language, but the bill as written does – it is a slippery slope to the erosion of our constitutionally protected freedom of speech, and so therefore, I offer 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 Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

This amendment is not agreed to. 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	Kinkead	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?

Ms. **KINKEAD** offered the following amendment  
No. **A01580**:

Amend Bill, page 1, line 4, by inserting after "intimidation;" in particular rights and immunities, further providing for civil rights violations; and,

Amend Bill, page 1, lines 6 and 7, by striking out "; and making an editorial change"

Amend Bill, page 1, lines 16 through 18; page 2, lines 1 through 28; by striking out all of said lines on said pages and inserting § 2710. [Ethnic] Hate-based intimidation.

(a) Offense defined.—A person commits the offense of [ethnic] hate-based intimidation if, with malicious intention toward the race, color, religion [or], national origin, ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability of another individual [or], group of individuals[, he commits an offense under any other provision of this article or] or a person with whom the individual or group is associated, the person commits a personal injury crime as defined in section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, an offense under Chapter 33 (relating to arson, criminal mischief and other property destruction) [exclusive of section 3307 (relating to institutional vandalism)] or an offense under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

\* \* \*

Amend Bill, page 3, line 6, by striking out the bracket before "(c)"

Amend Bill, page 3, line 10, by inserting a bracket before "or" where it occurs the first time

Amend Bill, page 3, line 10, by inserting after "or" where it occurs the first time

Amend Bill, page 3, line 10, by inserting after "origin" , ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation or disability

Amend Bill, page 3, line 11, by striking out the bracket after "individuals."

Amend Bill, page 3, line 12, by striking out "introductory paragraph"

Amend Bill, page 3, line 13, by inserting after "amended" and the section is amended by adding a subsection

Amend Bill, page 3, lines 14 through 26, by striking out all of said lines and inserting § 8309. Civil rights violations.

(a) Redress for personal injury.—[A person] An individual who incurs injury to his or her person or damage or loss to his or her property has been placed in reasonable fear of bodily injury or suffered an intentional infliction of emotional distress as a result of conduct described in 18 Pa.C.S. § 2710 (relating to [ethnic] hate-based intimidation) or 3307 (relating to institutional vandalism) shall have a right of action [against the actor for] in a court of common pleas for a preliminary or permanent injunction, damages or other appropriate civil or equitable relief[.] against the actor, a person who has solicited the actor to engage in the conduct and a person who has knowingly attempted to provide or provided aid to the actor with the intent that the actor engage in the conduct. In the action, the issue of whether the defendant engaged in the conduct alleged shall be determined according to the burden of proof used in other civil actions for similar relief. The plaintiff may seek recovery for any of the following:

(1) General and special damages, including damages for emotional distress. Damages under this paragraph shall be actual damages or \$500, whichever is greater.

(2) Punitive damages.

(3) Reasonable attorney fees and costs.

(4) Injunctive and other equitable relief.

(5) Such other relief which the court deems necessary and proper.



\* \* \*

(g) Construction.—Nothing in this section may be construed to prohibit, limit or punish religiously motivated speech or conduct that is otherwise protected by the Constitution of the United States, the Constitution of Pennsylvania or the act of December 9, 2002 (P.L.1701, No.214), known as the Religious Freedom Protection 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 Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

My amendment raises and clarifies the standard around emotional distress to "intentional infliction of emotional distress," so it just clarifies what is needed to be proven and heightens the standard from what it initially was. So I would ask for a "yes" 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 Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

This is an agreed-to amendment. I urge a "yes" vote. 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—102

Table listing names of representatives who voted 'YEAS' (102 total). Includes names like Abney, Bellmon, Benham, Bizzarro, Borowski, Boyd, Boyle, Bradford, Brennan, Briggs, Brown, A., Bullock, Burgos, Burns, C Freytiz, Cephass, Cerrato, Ciresi, Conklin, Curry, Daley, Davis, Dawkins, Deasy, Dellosso, Donahue, Evans, Fiedler, Fleming, Frankel, Freeman, Friel, Gallagher, Galloway, Gergely, Giral, Green, Guenst, Guzman, Haddock, Hanbidge, Harkins, Harris, Hohenstein, Howard, Innamorato, Isaacson, Kazeem, Kenyatta, Khan, Kim, Kinkead, Kinsey, Kosierowski, Krajewski, Krueger, Kulik, Madden, Madsen, Malagari, Markosek, Matzie, Mayes, McAndrew, McNeill, Merski, Miller, D., Mullins, Munroe, Neilson, Nelson, N., O'Mara, Otten, Parker, Pashinski, Pielli, Pisciotanno, Probst, Rabb, Rozzi, Salisbury, Samuelson, Sanchez, Sappey, Schlossberg, Schweyer, Scott, Shusterman, Siegel, Smith-Wade-El, Solomon, Steele, Sturla, Takac, Venkat, Vitali, Warren, Waxman, Webster, Williams, D., Young, McClintone, Speaker.

NAYS—101

Table listing names of representatives who voted 'NAYS' (101 total). Includes names like Adams, Armanini, Banta, Barton, Benninghoff, Gaydos, Gillen, Gleim, Gregory, Greiner, Lawrence, Leadbeter, Mackenzie, M., Mackenzie, R., Major, Rigby, Roae, Rossi, Rowe, Ryncavage.

Table listing names of representatives who were NOT VOTING or EXCUSED. Includes names like Bernstine, Bonner, Borowicz, Brown, M., Cabell, Causer, Cook, Cooper, Cutler, D'Orsie, Davanzo, Delozier, Diamond, Dunbar, Ecker, Emrick, Fee, Fink, Flick, Flood, Fritz, Grove, Hamm, Heffley, Hogan, Irvin, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufert, Kauffman, Keefer, Kephart, Kerwin, Klunk, Krupa, Kutz, Kuzma, Labs, Mako, Maloney, Marcell, Marshall, Mehaffie, Mentzer, Mercuri, Metzgar, Mihalek, Miller, B., Moul, Mustello, Nelson, E., O'Neal, Oberlander, Ortitay, Owlett, Pickett, Rader, Rapp, Schemel, Scheuren, Schlegel, Schmitt, Scialabba, Smith, Staats, Stambaugh, Stehr, Stender, Struzzi, Tomlinson, Topper, Twardzik, Warner, Watro, Wentling, White, Williams, C., 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?

Mrs. BULLOCK offered the following amendment No. A01669:

- Amend Bill, page 1, line 5, by striking out "police" and inserting annual
Amend Bill, page 4, line 8, by striking out "Police" and inserting Annual
Amend Bill, page 4, line 9, by striking out "The" and inserting (a) Training.—The commission and the Pennsylvania State Police shall consult with and incorporate feedback from relevant community-based and faith-based stakeholders and groups, as well as racial justice and legal stakeholders and groups, to develop training under this section. After the consultation, the
Amend Bill, page 4, lines 11 through 14, by striking out "develop and provide biennial training" in line 11, all of lines 12 and 13 and "stakeholders in developing the training." in line 14 and inserting develop, implement and provide annual training on hate-based intimidation to officers.
Amend Bill, page 4, by inserting between lines 19 and 20 (5) Any instruction deemed necessary in recognizing enforcement related bias.
(b) 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:
"Police officer." Any of the following:
(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:
(i) A police department of a county, city, borough, town or township.
(ii) Any railroad or street railway police.
(iii) Any campus or university police department, including the State System of Higher Education and its member institutions.
(iv) The Capitol Police.

(v) The Harrisburg International Airport Police.

(vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A county park police officer.

(5) Probation and parole officers.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

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

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

Mrs. BULLOCK. Thank you, Madam Speaker.

I rise today to ask— Oh, may I speak on the amendment?

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

Mrs. BULLOCK. Thank you, Madam Speaker.

I would like to thank the gentlemen from Allegheny and Montgomery Counties for bringing forth not only this package of legislation, but specifically this bill.

And I also want to thank him for working with members of the Pennsylvania Legislative Black Caucus to make improvements to the bill, and for his continuous efforts.

Madam Speaker, my amendment would add the probation and parole officers to the definition of "police officer" so that they, too, would be trained to recognize hate-based intimidation when they see it. And additionally, this amendment would require that the Municipal Police Officers' Education and Training Commission and the State Police to work together with faith-based and racial justice stakeholders, amongst other groups, to develop annual training on hate-based intimidation. Lastly, my amendment adds language which would require needed instruction and enforcement-related bias.

I would like to thank the maker again for working with me on this agreed-to amendment, and I ask the members for their affirmative vote.

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

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

Mr. FRANKEL. Thank you, Madam Speaker.

And I, too, appreciate the collaborative work that we were able to do to get to this amendment, and it is agreed to and I ask for a "yes" 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—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	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	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			

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

Mr. RABB offered the following amendment No. **A01425**:

Amend Bill, page 1, line 6, by inserting after "intimidation" and for data collection and reporting requirements  
Amend Bill, page 4, line 7, by striking out "a section" and inserting  
sections  
Amend Bill, page 4, by inserting between lines 19 and 20  
(5) Identifying the legacy of structural violence in the community. As used in this paragraph, the term "structural violence" means any preventable impairment of an individual's basic human needs, created and maintained by governmental or other entities that harm those individuals, households or

communities due to systemic and normalized social, economic and political barriers to historically underrepresented populations that correlate to higher rates of stress, poverty, trauma, crime and incarceration and a lack of access to health care, food and physical activity.

§ 2174. Data collection and reporting requirements.

The following shall apply:

(1) Law enforcement agencies shall collect and annually report to the Pennsylvania State Police the following:

(i) The number of complaints alleging hate-based intimidation.

(ii) The number of complaints alleging hate-based intimidation investigated by the agency.

(iii) The number of complaints alleging hate-based intimidation charged by the agency.

(iv) The most serious underlying offense alleged.

(v) The grade of the most serious offense alleged.

(vi) The race, gender, ethnicity, sex, sexual orientation, disability and age of the complaining witness and the person or persons against whom the complaint was made.

(2) The Pennsylvania State Police shall, in consultation with the Pennsylvania Commission on Crime and Delinquency, publish and make publicly available an aggregate data report annually.

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

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

Mr. RABB. Thank you, Madam Speaker.

My amendment, among other things, seeks to codify in statute structural violence to address the root of the hatred we all oppose in our Commonwealth. It is important to address the symptoms, but it is also our job as legislators, as human beings, to address the root causes of the bigotry that plagues our Commonwealth and our society. So that is what this amendment, among other provisions, seeks to do.

AMENDMENT WITHDRAWN

Mr. RABB. But because this is such an important issue, this deserves attention as a stand-alone piece of legislation that I look forward to working with the gentleman from Allegheny County and other members who believe that this is the right approach. So I will be withdrawing my amendment.

Thank you, Madam Chair.

The SPEAKER. 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.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 716, PN 1824**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in penalties and disposition of fines, further providing for inability to pay fine and costs.

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—103

Abney	Fiedler	Kinsey	Rabb
Bellmon	Fleming	Kosierowski	Rozzi
Benham	Frankel	Krajewski	Salisbury
Bizzarro	Freeman	Krueger	Samuelson
Borowski	Friel	Kulik	Sanchez
Boyd	Gallagher	Madden	Sappery
Boyle	Galloway	Madsen	Schlossberg
Bradford	Gergely	Malagari	Schweyer
Brennan	Giral	Markosek	Scott
Briggs	Green	Matzie	Shusterman
Brown, A.	Guent	Mayes	Siegel
Bullock	Guzman	McAndrew	Smith-Wade-El
Burgos	Haddock	McNeill	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	Jones, M.	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinkead	Probst	Speaker
Evans			

NAYS—100

Adams	Fritz	Lawrence	Rigby
Armanini	Gaydos	Leadbeter	Roae
Banta	Gillen	Mackenzie, M.	Rossi
Barton	Gleim	Mackenzie, R.	Rowe
Benninghoff	Gregory	Major	Ryncavage
Bernstine	Greiner	Mako	Schemel
Bonner	Grove	Maloney	Scheuren
Borowicz	Hamm	Marcell	Schlegel
Brown, M.	Heffley	Marshall	Schmitt

Cabell	Hogan	Mehaffie	Scialabba
Causer	Irvin	Mentzer	Smith
Cook	James	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

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 859, PN 1716**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight reclamation and revitalization, further providing for municipal permit denial.

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 Dan Williams.

Mr. D. WILLIAMS. Madam Speaker, I appreciate the opportunity to speak on HB 859.

Negligent and irresponsible property owners, I think we would all agree, create burdens for emergency services personnel, as well as residents who find themselves endangered. This occurs while property values continue to decrease. Additionally, taxpayers whose properties are worth less still spend and pay for police and fire services and for code enforcement to maintain many of these unsafe and unsightly properties. And so unfortunately, our municipalities are still saddled with the responsibility of collecting and holding property owners accountable, and their ability to do that is stymied if in fact they are located in LLCs, or what are commonly identified as limited liability corporations.

LLCs have found a loophole that allows them to apply for municipal permits even though one or more of the principals of an LLC has delinquent taxes. And so this bill before us gives local

governments the power to deny permits to an LLC or an agent or a corporation not only when the entity has delinquencies, but also if one or more of the principals of the entity has delinquencies in the municipality or anywhere in the Commonwealth.

And so I would like to take a moment to thank Chairman Sturla, as well as the members of the Housing and Community Development Committee, for advancing the bill. We can close the loopholes on these kinds of socioeconomic crimes once and for all, and I would ask the members for an affirmative vote.

Thank you so much, 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—124

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

NAYS—79

Adams	Flood	Krupa	Pickett
Armanini	Fritz	Kuzma	Rader
Banta	Gaydos	Labs	Rapp
Barton	Gleim	Lawrence	Roae
Bernstine	Gregory	Leadbeter	Rossi
Bonner	Greiner	Mackenzie, M.	Rowe
Borowicz	Grove	Mackenzie, R.	Ryncavage
Brown, M.	Hamm	Mako	Schemel
Cabell	Heffley	Maloney	Schlegel
Causer	James	Marshall	Schmitt
Cook	Jones, M.	Mentzer	Scialabba
Cutler	Jones, T.	Mercuri	Smith
D'Orsie	Jozwiak	Metzgar	Staats
Davanzo	Kail	Mihalek	Stambaugh
Diamond	Kaufer	Miller, B.	Stehr
Dunbar	Kauffman	Moul	Stender



Ecker	Keefer	Mustello	Warner
Fee	Kephart	O'Neal	Wentling
Fink	Kerwin	Oberlander	Zimmerman
Flick	Klunk	Owlett	

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 1130, PN 1825**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, establishing the Safe Communities Grant Program and the Safe Communities Grant Program Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

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 Green.

Ms. GREEN. Thank you, Madam Speaker, for this opportunity to speak on HB 1130.

I would like to also thank Chairman Briggs and Representatives Cephias, Kenyatta, and Parker for their continued support on this bill.

Madam Speaker, this legislation provides safety measures in areas of high crime across our Commonwealth. Lighting and security cameras deter crime and make our neighborhoods safer. Protecting our children and older adults, our most vulnerable, along with everyone else, is critical, and we must use every tool in our toolbox to ensure their safety.

Madam Speaker, we know by the results of many studies that lighting and security cameras result in a 24- to 28-percent reduction in high-crime areas. That is lives saved, injuries avoided, and property values increased. We have an opportunity to provide safety measures in unsafe conditions, and it is our responsibility to do so.

Madam Speaker, I ask for an affirmative vote on HB 1130.

Thank you, Madam Speaker.

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

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	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
Cephias	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

NAYS—101

Adams	Gaydos	Lawrence	Rigby
Armanini	Gillen	Leadbeter	Roe
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'Orsio	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 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 1173, PN 1767**, entitled:

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, in Department of Conservation and Natural Resources, further providing for community recreation and heritage conservation.

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 Khan.

Mr. KHAN. Thank you, Madam Speaker.

I rise today to urge support for HB 1173. This bill improves playground accessibility across the Commonwealth.

You know, yesterday during a recess, me and a couple members were actually playing floor hockey. And if you are around the East Wing, 121, during a break, feel free to stop by and we can let off some steam and play some floor hockey. And one of the reasons why this is important is because it is good for your psychosocial, you know, let off some steam. It is good for your mental health. And for kids, play is important, but it is even more important for kids because play actually helps with their growth, it helps with their development, it helps with their psychosocial development, it helps with their neuromotor development.

This bill, for grants that are put in through DCNR (Department of Conservation and Natural Resources), it actually prioritizes playgrounds that are accessible for all children. Unfortunately, a lot of kids have to go around our cities and around our State to find a playground that is accessible, and that should not be the case. We should have playgrounds that are accessible to all. And sometimes it is a very simple modification. It might be making a swing available so a child in a wheelchair or a child that cannot support himself physically could sit in a seat. It might be making a sandbox elevated so a child in a wheelchair can wheel up to it and work on his motor skills. It might be a hideaway for a child with autism that could go in and have a break if he is overstimulated. So this bill will make inclusive playgrounds more accessible, and it will be accessible for all. Even adults can benefit from it. Adults with disabilities frequently go to inclusive playgrounds.

So with that, I want to thank my cosponsors of the bill, Representative Flick, Representative Cerrato, Representative Hanbidge. I also want to thank Representative Daley, the chair of Tourism and marketing, who ran our bill. It went through it unanimously. And I urge your support for HB 1173. Thank you.

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

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—202

Abney	Fleming	Krupa	Rapp
Adams	Flick	Kulik	Rigby
Armanini	Flood	Kutz	Roae
Banta	Frankel	Kuzma	Rossi
Barton	Freeman	Labs	Rowe
Bellmon	Friel	Lawrence	Rozzi
Benham	Fritz	Leadbeter	Ryncavage
Benninghoff	Gallagher	Mackenzie, M.	Salisbury
Bernstine	Galloway	Mackenzie, R.	Samuelson
Bizzarro	Gaydos	Madden	Sanchez
Bonner	Gergely	Madsen	Sappey
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	Mayes	Shusterman
Bullock	Haddock	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	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	Kinhead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	Speaker

NAYS—1

Hamm

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 1218, PN 1766**, 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 payments for spousal personal care services.

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 Cerrato.

Mrs. CERRATO. Thank you, Madam Speaker.

Today I rise for support for HB 1218. This is a very simple bill that does nothing more than request our Department of Human Services to request a waiver from the Federal government to allow spouses to be paid under the caregiver program for Medicaid and Medicare waivers.

This bill came to light because we had a constituent call our office and ask us to come and do a mobile notary service at her home. Upon arrival, my team and I realized that what we were notarizing were divorce documents. This woman and her spouse had been married for decades, and at this point in time, she cannot get a direct service professional due to the serious lack of professionals we have at the moment. That is an entirely separate issue that we as a body will need to address in the future.

But for now, this is one simple step that can keep families together, that can help the families of those who most need our help to be able to step up and care for their loved ones without risk of losing their home, their ability to feed themselves, their ability to keep the lights on.

And for all of those reasons I ask that you stand in support of HB 1218. Thank you.

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

On that question, the Chair recognizes Representative Grove.

Mr. GROVE. Thank you, Madam Speaker.

I rise in opposition for two reasons. Let us first talk about the cost. The fiscal note adopted in the House Appropriations Committee today states that, quote, "It is not possible to determine to what extent an approved waiver may increase the CHC MCO rates and so any fiscal impact cannot be determined at this time."

Madam Speaker, it is not impossible to determine the fiscal impact. Let us revisit the math from yesterday. The current Medicaid rate for consumer-directed personal care assistance services is \$15.70 an hour, \$23.54 per hour for overtime. Assume the spouse provides 40 hours of care during mornings and evenings, Monday through Friday; that is \$628 per week. And assume the spouse provides 32 hours of care Saturday and Sunday; that is another \$753 per week paid at the overtime rate. That is \$1,381 per recipient per week, or \$72,000 per year.

We have approximately 120,000 Medicaid recipients who receive home- and community-based services in Pennsylvania. Even if only 10 percent, 10 percent of them begin to receive paid care by their spouse, that is \$864 million per year, of which the

State General Fund will be responsible for \$400 million. Take a conservative estimate, this bill could cost up to \$400 million per year in additional Medicaid costs for the taxpayers of Pennsylvania.

Second, let us talk about fraud. While we can all agree there might be circumstances when having a spouse provide personal care services to a vulnerable spouse in need is a good idea, yesterday I offered an amendment on the floor to put some fiscal guardrails on this bill. Unfortunately, my amendment was one fiscally responsible vote short of ensuring Pennsylvania's Medicaid assistance programs are operating with the highest magnitude of integrity. Passing this bill absent the amendment leaves this bill without appropriate guardrails, completely exposing the Commonwealth to significant fraud and abuse.

We are officially 7 days into the fiscal year, and we all have been witness to the squabbling over a \$100 million expenditure, yet this bill has the absolute potential to exceed that spending by four times. Madam Speaker, if you want to hand the Department of Human Services a blank check to further expand our entitlement programs by hundreds of millions of dollars, vote "yes"; if you want to exercise your constitutional duty to control the cost of government and ensure program integrity, vote "no."

Program integrity is not a partisan issue. Just 3 short years ago the Pennsylvania Attorney General, Josh Shapiro, stood shoulder to shoulder with House Republicans and worked cooperatively, in a bipartisan fashion, publicly supporting program integrity measures. Unfortunately, we have learned this week, the Governor is not willing to follow through on his public support statements. Please vote "no" on HB 1218.

Thank you, Madam Speaker.

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

On that question, the Chair recognizes Representative Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

I rise in support of HB 1218 and to clarify some of the math of the former speaker. Problem with the math is that all of these individuals that would be cared for by a spouse are already eligible for a DSP (direct support professional), but we do not have them. So while the former speaker implies that these would be additional revenue, what we are saying is that these people need this assistance right now, and their spouses are capable of doing that. So we have the money to actually pay someone to provide care, and we are saying that that person cannot be their spouse, so we need an additional person, and we do not have those workers. So we need this so that loving spouses do not have to divorce in order to be able to care for one another.

This is a commonsense solution to a significant problem in our Commonwealth, and I would urge a "yes" vote. Thank you.

The **SPEAKER**. The Chair thanks the gentlelady.

On that question, the Chair recognizes Representative Heffley.

Mr. HEFFLEY. Thank you, Madam Speaker.

HB 1218 seeks to expand the Medical Assistance Program and pay a spouse to take care of a spouse. That is prohibited under Federal regulation primarily due to the fact that it really leads into a lot of waste, fraud, and abuse, and more specifically, financial exploitation. The simple fact that "personal care services" is not defined in the bill leaves what care would be given – that would be open to interpretation. If the bill would reference the Federal citation, it would actually state the prohibition of payment of care for personal care by legally responsible individuals, including spouses.

The bill has no parameters, no direction or description of what care would qualify for payment, no limitation on hours. The PA Homecare Association is opposed to this legislation. I believe if the majority party really wanted to take care of the PA Homecare Association, they could have given them an increase in this year's budget, but they did not. We do have a lack of home-care workers, but this is going to take money away from home-care workers and give it to spouses with no parameters – ripe for fraud and abuse and prohibited by Federal statute.

For those reasons, Madam Speaker, I would ask for a negative vote on HB 1218.

The SPEAKER. The Chair thanks the gentleman.

**PARLIAMENTARY INQUIRY**

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

Mr. KENYATTA. Thank you, Madam Speaker.

I actually rise with a parliamentary inquiry.

The SPEAKER. The gentleman is in order and may state his parliamentary inquiry.

Mr. KENYATTA. Thank you, Madam Speaker.

I know on the House, on this floor, we are not supposed to impugn the motives of members. Is it appropriate and in line with the decorum of this House, Madam Speaker, to continue to refer to our Governor as a liar or someone who does not keep their word? And if it is, Madam Speaker, are we allowed to refer to other members in this body who also do not keep their word, or would that be against the rules?

The SPEAKER. According to Jefferson's Manual, section 370, personal abuse, innuendo, or ridicule of the Executive is not permitted on the floor of the House.

Mr. KENYATTA. Well, Madam Speaker, the good Appropriations chair from the minority party made some comments to that effect, and I would just ask that, moving forward, members be admonished to not do so.

The SPEAKER. So noted. 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—109**

Abney	Fiedler	Kosierowski	Probst
Bellmon	Fleming	Krajewski	Rabb
Benham	Frankel	Krueger	Rozzi
Bizzarro	Freeman	Kulik	Salisbury
Borowski	Friel	Mackenzie, M.	Samuelson
Boyd	Gallagher	Mackenzie, R.	Sanchez
Boyle	Galloway	Madden	Sappey
Bradford	Gergely	Madsen	Schlossberg
Brennan	Gillen	Malagari	Schweyer
Briggs	Giral	Markosek	Scott
Brown, A.	Green	Matzie	Shusterman
Bullock	Guenst	Mayes	Siegel
Burgos	Guzman	McAndrew	Smith-Wade-El
Burns	Haddock	McNeill	Solomon
C Freytiz	Hanbidge	Mehaffie	Steele
Cephas	Harkins	Merski	Sturla

Cerrato	Harris	Miller, D.	Takac
Ciresi	Hogan	Mullins	Venkat
Conklin	Hohenstein	Munroe	Vitali
Curry	Howard	Neilson	Warren
Daley	Innamorato	Nelson, E.	Waxman
Davis	Isaacson	Nelson, N.	Webster
Dawkins	Kazeem	O'Mara	Williams, D.
Deasy	Kenyatta	Otten	Young
Delloso	Khan	Parker	
Donahue	Kim	Pashinski	McClinton,
Emrick	Kinkead	Pielli	Speaker
Evans	Kinsey	Pisciottano	

**NAYS—94**

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

**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 1394, PN 1827**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for definitions.

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 Mayes.

Rep. MAYES. Thank you, Madam Speaker.

HB 1394, or the CROWN Act, expands protection against racial discrimination based on hair type, hair texture, and hairstyle. The CROWN Act, which stands for creating a respectful and open world for natural hair, is what we are here to vote on today. And a crown is what we reference in Black culture to our hair.

Every day in a workplace, a school, or a social venue, Black Pennsylvanians are experiencing the indignities of having to justify wearing their hair as it naturally grows out of their head. A Black person can be denied employment or fired from employment or face racism in the workplace because of their hair, and this is especially true for Black women. A Black young person may be asked to cut their hair to attend certain schools or play a sport or participate in extracurricular activities. A Black child, especially a Black girl, is having experiences with discrimination about their natural hair as early as 5 years old. It is all racial discrimination; it is specifically hair discrimination.

Many of you know me for my hats. I get a lot of compliments and I get asked, how many do I have? A lot. But I want you to know me for my hair as it grows out of my head naturally. I have lots. It is a source of great strength, great beauty, and great pride. I have a coily curl pattern, and when left to be free, it grows like this. For me, and for many like me, my hair has been a journey; for my mother and grandmother trying to make my hair straighter by using a hot comb or using a relaxer, a chemical relaxer. I have added extensions to my hair so it could be longer and straighter – and somehow better. I have had to decide on how I would wear my hair for internships, for interviews when I was in the business school at the University of Pittsburgh because I wanted to be professional, and I knew my hair as it was would not be enough. So I opted for braids, until one day my hair just could not take it anymore, and over 20 years ago I cut off my hair. I started anew. I had to start again with tiny coils. And from a small afro to double-strand twists to the locs that you see today, I know my natural hair is worthy, it is magical, and it is my crown.

And so without teaching the history of Black hair in America, the CliffsNotes version is that there is a prevailing norm or standard that to be professional, to be valuable, to be acceptable, to be respectable, your hair has to look a certain way, and that certain way is too often not how your hair grows naturally. Your hair has to be altered in its type, texture, or style to meet what is a Eurocentric standard.

For the proud and courageous who wear their hair naturally and wear styles that protect their natural hair, we face discrimination that is deeply imbedded in racism. If we think about this issue more expansively or intersectionally, ending this discrimination is also a workers' rights issue, because most of us experience this discrimination in the workplace. This could be viewed as an education justice issue, because young people in elementary, high school, and college are being shut out of opportunities or trying to learn in hostile environments. This could also be considered an environmental justice issue, because Black people, especially Black women, often have to chemically alter our hair with toxic products to meet this standard.

The CROWN Act will amend the Pennsylvania Human Relations Act to include a subsection on hair under "racial discrimination." This bill does not prohibit application of health, safety, and grooming standards relevant to any industry or sector. For my colleagues who think this bill is unnecessary – or

frivolous is what I have heard – try being a Black person in Pennsylvania on any given day. For my colleagues who think there are already adequate protections because of the recent Pennsylvania Human Relations Commission regulations, we are adding language that will codify those regulations into law, and they are in deep alignment with what the commission is doing.

While I look forward to the day that the CROWN Act becomes Federal law, we can be proactive and enact this law in Pennsylvania right now, right here, today. We can be a legislature that expands civil protections, not takes them away. There is a national movement to end hair discrimination through the CROWN Coalition, and to date, over 20 States – including Michigan, Texas, New York, New Jersey, Delaware, Maryland, Virginia, Tennessee, and Illinois – have signed this bill into law.

Thank you to our Speaker. Thank you for her work. Thank you for your work the last two sessions to bring this bill to the floor. My gratitude to the 75 sponsors of the CROWN Act, and I ask my colleagues to vote "yes" on the CROWN Act, HB 1394.

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

On that question, the Chair recognizes Representative Craig Williams.

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

I want to address one particular part of the maker's remarks, which is the accusation that this is frivolous, especially in a time when both sides of the aisle, both chambers of the General Assembly are trying to pass a budget. I also find the accusation that this is frivolous fairly appalling.

As I spoke to you before about a month ago, you know, I am a former F-18 guy, and I can tell you a Marine Corps ready room in flying jets is a brutal place. There is no part of what you look like that is not fair game for making fun of. It is just a rite of passage in being a fighter pilot, being in a fighter squadron. But at no point in being made fun of personally or making fun of other people was I ever attacked because of my race, because of what I believe, or my family or my heritage or because I let my hair grow out.

I would like you to just stop for a moment. Stop the characterizations about frivolousness and unseriousness and see the world through a lens that is not yours, through the lens of a Black man or a Black woman who is not allowed to go to school with a full afro or told to wear a hat to hide it or cut your hair off because it is unsafe, whereas White children are walking around in a ponytail. Stop for a moment before you cast this vote and try to see the world through a different lens.

You can be a good person and disagree; you cannot be a good person and call this frivolous. I am urging a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Bernstine.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, I have a unique position in this in obviously being a Caucasian male. My wife and I are in the current process of adopting two half African-American half Caucasian children. And the one is a 3 1/2-year-old little girl, and she has more African-American type hair than our 6-year-old son. And I will give a shout-out to my good friend, Donna Bullock, because when we got them in our home, I texted Representative Bullock and said, "I need, my wife needs to have a conversation with you because we are not really sure what the heck to do here with hair." So, Representative, big shout-out, and thank you for helping us figure all those things out.

The interesting thing in whenever I looked at this, and then I had several different pieces of literature sent to me to really understand – and this is something I would not have understood a year ago – but to really understand the situations that people are in that have different body types or different hair types and things like that, the difficulty that African-Americans have with their hair is a real thing. It was something that I never experienced before, but as we tried to braid her hair, that takes an hour and a half – hopefully we get a little better at it – but the truth is, we need to continue to be open-minded for these types of issues. We need to continue to ensure that people are not subject to prejudice because of those issues, and then we also have to make sure that we as government are providing an environment that ensures that children never have to be something and wear their hair differently because of the color of their skin.

And you know, for that reason I am a strong "yes" and I support my colleagues to do the same. With that being said, I think that there is obviously some additional work on this bill, on OSHA (Occupational Safety and Health Administration) issues and things like that, that we can absolutely work on to make it better, and hopefully the Senate does this, but this should be a bill that we pass and a bill that we pass with a resounding "yes."

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—182

Abney	Flick	Krupa	Rader
Adams	Flood	Kulik	Rapp
Armanini	Frankel	Kutz	Rigby
Barton	Freeman	Kuzma	Rozzi
Bellmon	Friel	Labs	Ryncavage
Benham	Fritz	Lawrence	Salisbury
Benninghoff	Gallagher	Mackenzie, M.	Samuelson
Bernstine	Galloway	Mackenzie, R.	Sanchez
Bizzarro	Gaydos	Madden	Sappey
Bonner	Gergely	Madsen	Schemel
Borowski	Gillen	Major	Scheuren
Boyd	Giral	Mako	Schlegel
Boyle	Green	Malagari	Schlossberg
Bradford	Gregory	Marcell	Schmitt
Brennan	Grove	Markosek	Schweyer
Briggs	Guenst	Marshall	Scialabba
Brown, A.	Guzman	Matzie	Scott
Bullock	Haddock	Mayes	Shusterman
Burgos	Hanbidge	McAndrew	Siegel
Burns	Harkins	McNeill	Smith
C Freytiz	Harris	Mehaffie	Smith-Wade-El
Cabell	Heffley	Mentzer	Solomon
Causser	Hogan	Mercuri	Staats
Cephas	Hohenstein	Merski	Stambaugh
Cerrato	Howard	Metzgar	Steele
Ciresi	Innamorato	Mihalek	Stender
Conklin	Irvin	Miller, D.	Struzzi
Cook	Isaacson	Moul	Sturla
Cooper	James	Mullins	Takac
Curry	Jones, M.	Munroe	Tomlinson
Cutler	Jones, T.	Mustello	Topper
Daley	Jozwiak	Neilson	Twardzik
Davis	Kail	Nelson, E.	Venkat
Dawkins	Kaufer	Nelson, N.	Vitali

Deasy	Kauffman	O'Mara	Warner
Delloso	Kazeem	O'Neal	Warren
Delozier	Kenyatta	Oberlander	Waxman
Diamond	Kerwin	Ortitay	Webster
Donahue	Khan	Otten	Wentling
Dunbar	Kim	Parker	White
Ecker	Kinhead	Pashinski	Williams, C.
Emrick	Kinsey	Pickett	Williams, D.
Evans	Klunk	Pielli	Young
Fee	Kosierowski	Pisciottano	
Fiedler	Krajewski	Probst	McClinton,
Fleming	Krueger	Rabb	Speaker

#### NAYS—21

Banta	Gleim	Leadbeter	Rossi
Borowicz	Greiner	Maloney	Rowe
Brown, M.	Hamm	Miller, B.	Stehr
D'Orsie	Keefer	Owlett	Watro
Davanzo	Kephart	Roae	Zimmerman
Fink			

#### 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.

### REPORTS OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair is in receipt of reports by the Committee on Committees, which the clerk will now read.

The following reports were read:

The Committee on Committees appoints the following members to the following Committees:

#### Aging and Older Adult Services

Kevin Boyle

Tim Briggs

#### Agriculture and Rural Affairs

Donna Bullock

Frank Burns

#### Children and Youth

Scott Conklin

Mary Jo Daley

#### Commerce

Jason Dawkins

Dan Deasy

#### Consumer Protection, Technology and Utilities

Dan Frankel

Bob Freeman

#### Education

John Galloway

Pat Harkins

Environmental Resources and Energy

Frank Burns  
Scott Conklin

Finance

Anita Kulik  
Rob Matzie

Game and Fisheries

Ed Neilson  
Eddie Pashinski

Gaming Oversight

Steve Samuelson  
Pete Schweyer

Health

Jared Solomon  
Mike Sturla

Housing and Community Development

Greg Vitali  
Kevin Boyle

Human Services

Tim Briggs  
Donna Bullock

Judiciary

Patty Kim  
Steve Kinsey

Labor and Industry

Mary Jo Daley  
Dan Deasy

Liquor Control

Jason Dawkins  
Dan Frankel

Local Government

John Galloway  
Pat Harkins

Professional Licensure

Bob Freeman  
Patty Kim

State Government

Steve Kinsey  
Anita Kulik

Tourism and Economic and Recreational Development

Rob Matzie  
Ed Neilson

Transportation

Eddie Pashinski  
Steve Samuelson

Veterans Affairs and Emergency Preparedness

Pete Schweyer  
Jared Solomon

Respectfully Submitted,  
Carol Hill-Evans

## COMMITTEE ON COMMITTEES

## SUPPLEMENTAL REPORT

July 7, 2023

Thomas Mehaffie resigns Aging and Older Adult Services Committee

Barb Gleim elected to Aging and Older Adult Services Committee

Alec Ryncavage elected to Aging and Older Adult Services Committee

John Schlegel elected to Aging and Older Adult Services Committee

Joseph Kerwin resigns Agriculture and Rural Affairs Committee

Thomas Jones elected to Agriculture and Rural Affairs Committee

David Zimmerman elected to Agriculture and Rural Affairs Committee

Charity Grimm-Krupa elected to Agriculture and Rural Affairs Committee

Leslie Rossi elected to Children and Youth Committee

Thomas Kutz elected to Children and Youth Committee

Dallas Kephart elected to Commerce Committee

Valerie Gaydos elected to Commerce Committee

Joseph Adams elected to Consumer Protection, Technology, and Utilities Committee

Aaron Kaufer elected to Consumer Protection, Technology, and Utilities Committee

Dane Watro elected to Education Committee

Jill Cooper elected to Education Committee

Jamie Barton elected to Environmental Resources and Energy Committee

Parke Wentling elected to Environmental Resources and Energy Committee

Marla Brown elected to Finance Committee

Dallas Kephart elected to Finance Committee

Thomas Mehaffie resigns Game and Fisheries Committee

Joseph D'Orsie elected to Game and Fisheries Committee

Torren Ecker elected to Game and Fisheries Committee

Joseph Hamm elected to Game and Fisheries Committee

Thomas Mehaffie elected to Gaming Oversight Committee

Joseph Hogan elected to Gaming Oversight Committee

Joanne Stehr elected to Health Committee

David Rowe elected to Health Committee

Milou Mackenzie elected to Housing and Community Development Committee

Michael Cabell elected to Housing and Community Development Committee

Shelby Labs elected to Human Services Committee

KC Tomlinson elected to Human Services Committee

Jack Rader elected to Insurance Committee

Brett Miller elected to Insurance Committee

Kate Klunk elected to Judiciary Committee

Joseph Kerwin elected to Judiciary Committee

Torren Ecker elected to Labor and Industry Committee

Stephanie Borowicz elected to Labor and Industry Committee

Brian Smith elected to Liquor Control Committee

Marci Mustello elected to Liquor Control Committee

Wendy Fink elected to Local Government Committee

Jake Banta elected to Local Government Committee

Thomas Mehaffie elected to Professional Licensure Committee

Valerie Gaydos elected to Professional Licensure Committee

Timothy Bonner elected to State Government Committee

Paul Schemel elected to State Government Committee

Jamie Flick elected to Tourism and Economic and Recreational Development Committee

Timothy Twardzik elected to Tourism and Economic and Recreational Development Committee

Donna Scheuren elected to Transportation Committee

Perry Stambaugh elected to Transportation Committee

Michael Stender elected to Veterans Affairs and Emergency Preparedness Committee

Zach Mako elected to Veterans Affairs and Emergency Preparedness Committee

Respectfully submitted,  
Tina Pickett, Chairwoman  
Committee on Committees

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

## ANNOUNCEMENT BY MR. BENNINGHOFF

The SPEAKER. The Chair is in receipt of some very important and exciting news from the gentleman from Centre County. Representative Benninghoff has an announcement. Members, please listen up.

Mr. BENNINGHOFF. Thank you, Madam Speaker.

I just want to take a few moments, we have a little brevity here. This is a little selfish point on my part, but I was told this morning by my son that we now have a new Republican. So we are now in the majority. The Lord has blessed our family. This is our ninth grandchild. This is baby tiebreaker – four boys and now five girls. I also now have my baseball team.

But I just want to share one other insight about that. Some of you know that I am adopted, and I always praised my mother – whom I never got to meet – at 41, for the decision she made. And though I never got to talk to her or meet her, through someone else I was able to get a message to her that that decision she made at 41, in a time where pregnant women out of wedlock were not respected very well, gave life to five other people. Today that number is 14.

So when we make decisions around here, sometimes we think they are hard, but I got tell you, the other part of this that has always been helpful to me – and I appreciate your indulgence – as you know, I was blessed with five children, and I was always amazed at the capacity of the human heart to have an abundant amount of love whether for one, two, three, four, and five.

So, Madam Speaker, let us keep things in perspective for the rest of this term about what is important in life. When I see the picture of this gorgeous little young man – and by all grandparents' standards, your child and your grandchild is the greatest and most gorgeous. He does have more hair than I have and he is almost half my height. But I want to motivate you guys to get through these next four bills so we can get to Pittsburgh and celebrate this beautiful birth.

Madam Chair, to the members, I appreciate your indulgence, and I hope it just gives you a happy note to end your day on. God bless you.

The SPEAKER. Congratulations, Mr. Chairman. Thank you.

The House will briefly be at ease.

The House will come to order.

## VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Representative O'Neal, rise?

Mr. O'NEAL. To correct the record.

Madam Speaker, Representative Leadbeter was recorded as a negative on HB 716 and would like to be recorded as in the affirmative.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.



### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1422, PN 1828**, entitled:

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.

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 Ciresi.

Mr. CIRESI. Thank you, Madam Speaker.

Madam Speaker, today we have an opportunity to correct a law that is over 25 years old. Today we have an opportunity to give back a \$1/2 billion to our taxpayers. Today we have an opportunity to continue down the path of looking at public education in a different light. My bill today comes to us before us with over 470 school boards across the Commonwealth signing off on a resolution that they want to see this happen, out of 500 districts; 93 percent of our school districts are in favor of it.

Let me give you a little background about this bill. This bill creates an even playing field between our cyber charter schools and our brick-and-mortar regular school districts. This bill gives us an opportunity to clear up the ethics that everything is even in the public. This bill gives us an opportunity to have fair funding for special ed, the same that we have in the public school systems. This bill does not – and let me reiterate that – does not close and eliminate cyber schools. We are not for that at all.

This bill has the opportunity to take care of what the overpayments have been, and it gives back the taxpayer money to our school districts. Let me give you an example of some of the school districts and some of the moneys that will go back to them. In Butler County, the school district, area school district will get \$1.8 million back; the Boyertown Area School District, \$2.7 million; Chambersburg, \$2 million; Neshaminy, \$1.3 million; Punxsutawney Area, \$1.2 million; New Castle, \$1 million; Wayne Highlands, \$1.8 million; Williamsport, \$5 million; Pittsburgh, \$18 million; Wilkes-Barre, \$2 million; Coatesville, \$2.8 million; Chester Upland, \$4.6 million for a

district that has been in receivership for years that can use this money; Erie, \$2.9 million; Allentown, \$3.3 million; West Shore, \$3.7 million; Easton, \$2.6 million; Pocono Mountain, \$7.5 million; Central Dauphin, \$3.3 million; Greater Johnstown, \$1.4 million; Keystone Central, \$1.1 million; Pottstown, \$1.4 million; and the Philadelphia School District, \$67 million. Those numbers are significant, and that is a small sample of what we are looking at.

But let us also look at what happens when we put this bill into play. Let us talk about families who have been paying property taxes for 50 years, like John and Marlene Armato of Pottstown, in their seventies, who have a home that is worth maybe \$300,000 in the Pottstown community, and pay over \$6,000 a year in property tax. This bill will reduce their property taxes. And we talk about caring for our seniors, we talk about caring for our communities; this bill gives us the ability to finally say to our seniors in our communities, we care about you, while still putting in play the educational values that we are looking at. Or the Weand family that lives in Pottstown that pays almost \$8,000 in property tax for a property worth less than \$400,000. Or George Growcott, a 72-year-old single man in Limerick who is paying \$7,200 a year in school property taxes. This bill helps reduce this. It gives our school districts back the money that they need.

We know that we underfund our public education system in this State. We know that public education is in the low forties as far as the United States and how we fund it. This bill goes back and gives the money back that should have been back over 20 years ago; \$10 billion is what we are looking at over 20 years that we have overfunded this system. Today we have a golden opportunity to give back. This is not a Republican or a Democrat bill. This is a taxpayer bill for the State of Pennsylvania, and I would ask you all for your affirmative vote on this bill. Thank you.

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

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Ecker.

Mr. ECKER. Thank you, Madam Speaker.

While I appreciate the efforts of the maker of this bill and I agree that there are some necessary reforms needed to the cyber charter system, this bill that stands before the House today goes too far, and really seeks to jeopardize cyber charter options for our students.

Let us look at the bill, let us look at the language of the bill, because that matters. I draw the members' attention to page 3, line 15, where the term "administrator" is defined so broadly that any practical employee of a cyber charter school could qualify. Now, this broad definition continues on page 11, line 26, which requires an administrator, as defined by the bill, to file a statement of financial interest, similar to the ones that we file for elected office. Now, I cannot believe, I would not believe that is the drafter's intent, to require a second grade teacher who has oversight over a teacher's aide to file a statement of financial interest in a public school setting, but the clear language of this bill would require such action of a cyber school.

Now, my wife has been an autistic support teacher for the past 15 years in a public school. She is not what I would consider an administrator; however, she does have a few paraprofessionals

that work with her students in her classroom, which she has direct oversight over. No one would expect that she would file a financial statement of interest. We do not require that of other schoolteachers. However, under this bill, a teacher at a cyber charter that has oversight over a paraprofessional would have to file a statement of financial interest.

More importantly, let us look at page 4, line 10, of the bill, which defines the term "educational management service provider." This term's definition includes any entity or individual that enters into an agreement with a charter school entity to provide administrative or business services or personnel functions. This is an incredibly broad definition, clearly includes any business hired by that charter school to provide personnel, administrative, or other business services. It would include an accountant, a staffing agency, the business providing photocopyers for the school, even a national organization like ADP who handles the payroll for the company.

Page 16, line 16, also describes the specific requirements for these entities, these educational management service providers. First, they are subject to the Right-to-Know Law. Second, they must publicly, they must maintain a publicly accessible Internet Web site detailing salaries and other compensation and titles of its employees, officers, and directors. So for example, are the cloud service Internet storage providers included as a business service? If a school contracts with Amazon Web Services to provide such services, this law would require Amazon to publicly disclose the name, title, and salary of every one of its employees. It would subject Amazon to our State's Right-to-Know Law.

Madam Speaker, it is against the law for public employees, as defined under Title 65, to take certain gifts. If an employee at ADP, Amazon, or a local accounting firm provides services to a cyber charter school on Friday and on Saturday gives a talk to the Rotary Club and accepts a fee or a gift card, would they be breaking the law? I think they would be under this law.

Madam Speaker, the bill in front of us is so riddled with errors and inconsistencies that it is unworkable at this point. There was an opportunity to fix the errors, but those amendments were voted down. As a result, I would encourage a "no" vote.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Friel.

Mr. FRIEL. Thank you, Madam Speaker.

I rise in support of 1422. This is long overdue. And as a former school board member, I watched every single year as we put up votes for property taxes to increase, because more and more of our dollars are pulled out of our public school systems and given to unelected, unauditable school systems, without any accountability to our taxpayers. And what this bill does, it recognizes that, yes, there is a need for charter schools, and there are plenty of good ones out there, but there is a greater need for transparency in how we spend our taxpayer dollars, and this bill does this.

There are perverse incentives, as we know, in the way special education is funded in charter schools, which surprisingly, we have – as a student leaves a regular bricks-and-mortar school and goes to their cyber charter school, amazingly they are diagnosed with a speech impediment that needs funding, but not funding at the same rate that our public schools have to pay, but funding at a much higher rate because we have failed to amend a flaw in this system that we – the unintended consequences of 20 years ago and we have not fixed it. This bill fixes it.

This bill brings transparency to this system. It removes these perverse incentives. It allows our taxpayers to have a voice in the way their funds are spent in our schools, in our cyber schools. It is why I am a heck "yes" on 1422, and I ask all my colleagues to support this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Mike Jones.

Mr. M. JONES. Thank you, Madam Speaker.

I rise in strong opposition to this bill. Let us first set the record straight on a couple of things. As we heard yesterday, it is all about the money, and it is all about the money. Five hundred million dollars is not going back to taxpayers – let us clarify that right now – it is going back to school districts, many of whom are terribly failed school districts who will continue to squander the money we send them because it is a failed system, and they are failing our students.

Second of all, we are not 40th in the nation or anywhere near it, we are at least 8th, possibly higher with recent increases. The State does not send all of that money, but you have to look at the State combined with all of the property taxes. We need to remedy that, but we actually are in the top 10, possibly the top 6 or 7 in education spending in the nation.

A failed system is a failed system. You do not continue to throw more and more money at a system that produces zero percent, 6 percent, 10 percent proficiency rates. You shut it down and you change it and you go to something that works. We have got 150,000 students and their parents that have decided that what works for them are cyber charter schools, but the public schools, the failed public schools and the teachers unions that run them, they do not want to hear about that. We are not interested in those 150,000 students because it is all about the money. The bottom line is, many of these schools cannot compete. They do not like the competition so they rely on legislation like this to undermine the competition.

If you are a poor kid – because it is all about the money – if you are a poor kid trapped in a failed public school, there is no lifeline for you, and now there is going to be no cyber charter school option for you either, because rest assured, this is going to cripple many of our cyber charter schools. But do not worry, the liberal elites that are touting all of this, they are sending their kids to private school, because it is all about the money. That is where most of the, that is where most liberal Democrats send their kids – not to the failed public schools, to the private schools, because they have the money to do so. It is all about the money. It is about the teachers union money over the children. It is all about the money. If you are a poor kid, you are stuck, and it is all about the money.

Rest assured, a vote for this bill is a vote against students, it is a vote against parents, and it is a vote against families.

The SPEAKER pro tempore. The gentleman will suspend.

### POINT OF ORDER

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

Mr. KENYATTA. Thank you, Madam Speaker.

And I know the gentleman has wrapped up his comments, but I wanted to highlight that many of them were inflammatory and I felt like impugned members on this side of the aisle.

So thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Malagari.

Mr. MALAGARI. Thank you, Madam Speaker.

Madam Speaker, I rise in support of HB 1422. I want to thank the good maker of the bill and the legislation. This bill would actually affect the public school district that I graduated from, and the other one that I represent, in a very positive way. I am a product of public education. My whole family were. In fact, my mother was a public school teacher as well. So public education is very important to me. Also, I have a charter school in my district, brick-and-mortar one. This does not affect that. I have teachers in my district that work at some of the cyber schools. It is true, I do. What we are asking is for some transparency, what we are asking for is some fairness, what we are asking for is a level playing field. We always talk about equity and equality a lot of the time, but this is actually that.

What are some of the cyber charter schools doing with your money? There are a couple things I want to run through real quick: buying TV ads claiming to be tuition-free when taxpayers actually pay that tuition; loading your social media feeds with geolocated ads; paying their CEOs (chief executive officers) six-figure salaries, but not their teachers; sponsoring professional sports teams, parades, and other noneducation expenses with taxpayer dollars; offering gifts and travel to parents; sending checks to parents for education tourism. The list can go on and on and on.

With this legislation passing, and if it were to be enacted into law, the two school districts of which I represent, Souderton Area School District and North Penn School District, the total savings for Souderton Area School District, located in Montgomery County? Just north of \$600,000 every year. That is just this year. In the North Penn School District, close to \$2 1/2 million every year. That is money helping our taxpayers, that is money keeping our property taxes down, that is money actually going toward education within those schools.

For these reasons – for the ones I stated and for the ones that I just mentioned – I urge a "yes" vote on HB 1422.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Mackenzie.

Ms. MACKENZIE. I rise today to stand in defense of the cyber charter schools and the public school students who attend these schools. The cyber charter schools are public schools, absolutely public schools. These children would be the public school students sitting at a desk in a district school, but for a multitude of reasons, they are not able to do that.

In the 1970s I was employed by the Whitehall-Coplay School District as a homebound instructor. There were many students that came to me – or I went to them with a stack of books because they could not go to school. I visited them in their hospital rooms, in their homes, and I had to sit with them for hours to help them stay on task so that they did not lose out on education. Some of them had been bullied at school and were seeking solace and a safe environment. Some of them, like I say, were truly sick. They were in the hospital, and they were for a multitude of reasons. They had viruses. One little boy missed entire fourth grade because he was in a full-body cast because he had been hit by a car. The Whitehall-Coplay School District sent me out to teach these children. So there are good reasons why a lot of the students today, 32,000 of them across the Commonwealth, cannot go to sit in a regular, traditional classroom. So when you think you are

attacking an unknown entity called a cyber charter school, you are attacking some very vulnerable students.

Today more than ever we have students suffering from mental health issues. Quite a few of the students that I tutored had something that was diagnosed in the 1970s as school phobia. They had a complete meltdown if they had to go to school and became physically ill. Nowadays bullying is much more intense throughout the districts, and mental health issues are more obvious as well. So there are 32,000 students, public students, in the Commonwealth of Pennsylvania that require a different style of teaching than they would get in a traditional classroom.

As it is, the students in the other school settings across the Commonwealth get \$21,000 per student. The cyber students at this time get \$13,000 per student, and now with this bill, 1422, you want to slash it to \$8,000. Well, if that is all it counts, \$8,000 to educate a public school student in Pennsylvania, we have to ask what the excess money that goes to the districts is actually for, since it is not actually for the education of the child.

So anyway, do what you want to do, but please keep in mind that these are public students, they are vulnerable students, and they deserve a full commitment by the Commonwealth of Pennsylvania to have an excellent education whether they can sit in a classroom or not. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlewoman.

The Chair recognizes Representative Probst.

Mrs. PROBST. Thank you, Madam Speaker.

I am in full support of HB 1422. If you do not support this bill, you are telling your taxpayers that they have been getting ripped off since 1997 and you have let it happen. I hear stories about how wonderful these schools are, how great they are. Well, your local districts have cyber schools too, and guess what? It only cost my district \$3,000 to teach that cyber kid, but we are paying \$22,000 so that CCA (Commonwealth Charter Academy) can advertise on NBC and ABC and CBS and spend your tax dollars in advertising.

It is an outrage to me that there are actually teachers in this room that are saying it is because of unions. This is thievery on the taxpayers, and it is thievery because 189,000 students should not be treated as if they are the 2 million that are being left behind. I have had it. If you live in a county and you look at the numbers of how your districts are being hemorrhaged from these unjust payments, you go back to your taxpayers and you tell them it is because you are lining your pockets with school choice money and you do not care about them.

## POINT OF ORDER

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

Mrs. PROBST. Back to the subject.

The SPEAKER pro tempore. The gentlelady will suspend.

Mrs. PROBST. Back to the subject.

The SPEAKER pro tempore. The gentlelady will suspend.

The gentlelady is closing her remarks.

Mr. CUTLER. Point of order, Madam Speaker? Thank you.

Mrs. PROBST. Thank you. I am sorry. This is very, very—

The SPEAKER pro tempore. The gentlelady will suspend.

A member may not engage in a personal attack against another member or an identifiable group of members. This is according to Jefferson's Manual, section 361.



The gentlelady will confine her remarks to the bill and may proceed.

Mrs. PROBST. Thank you.

I am here to represent 470 school districts that are being hemorrhaged by this unfair practice. We just want it to be fair. We just want same schools to have all the same rules when it comes to accountability, when it comes to graduation rates, when it comes to IEPs (individualized education programs), when it comes to special education, when it comes to basic education, and right now they are so unfair.

So no kid is going to lose anything from the cyber school that they are going to now, and I say cyber because it is only a cyber bill. They are still going to have their school. The only one losing the money are the private entities that own these schools. So if they care about the kids, they are going to educate them the way they have been, and they can do it. And I am in full support of 1422. I wish it went further, but this is what I get now.

Thank you so much.

The SPEAKER pro tempore. The Chair thanks the gentlewoman.

The Chair recognizes Representative Kail.

Mr. KAIL. Thank you, Madam Speaker.

Madam Speaker, I rise in opposition of HB 1422, but I do want to commend the maker of the bill. The maker of this bill has been an advocate for reform in this area since he got here, and he zealously believes what he is saying when he puts these bills up, and I do appreciate that, even though I do disagree with the outcome of this bill.

Madam Speaker, earlier this week Democrats ensured that poor children in poor school districts cannot go to private schools, and today they are attempting to ensure that they cannot go to cyber schools either. I find it astounding.

The SPEAKER pro tempore. The gentleman will suspend.

No member may impugn the motive of other members. This is according to Mason's, section 121(2), section 123(1).

The gentleman may confine his remarks to the legislation and may proceed.

Mr. KAIL. Thank you, Madam Speaker.

I find it astounding that we have tens of thousands of families across this Commonwealth who have chosen, for various reasons, to put their children in cyber schools, yet we put this up before a body of 203 politicians to determine whether or not these cyber schools can stay open.

Madam Speaker, I recognize, I recognize there needs to be reform. I do. But this bill is punitive. This bill will close cyber schools. And I also recognize that cyber education is not for every student. I think I recognize that more than most, having eight children myself. Every child is different. But if we are going to have a robust education policy in this Commonwealth, we need to make sure that we have strong cyber schools, strong traditional public schools, and strong private schools. If you like your public school, you can keep your public school, but those that do not like their public schools ought to be empowered to go to other schools.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Webster.

Mr. WEBSTER. Thank you, Madam Speaker. I should be brief.

I just have a couple of comments around the basic levels of accountability that really are required. We speak so often of fiscal responsibility. We make sure that our public school systems are

accountable in various ways, and that really should extend to the cyber charters. And when you peel that onion back, the dollars and cents say, we know how much it costs to provide an online education, and then there is this margin of other things, right?

So earlier our colleague from Delaware County and Chester County spoke about F-18 flying squadrons, and a term of reference occurred to me from my Air Force experience as well, and that is, sometimes in those in those environments, we talk of something called a self-licking ice cream cone. And I do not know if you ever heard that term, but it is a circle, right? It is a self-licking ice cream cone. And that is what we are fighting against here, right? You take taxpayer dollars, you put them into a system, they provide some cyber education, and then they provide advertising so that they can start the cycle over, and they provide political donations so that they can circle the cycle one time another—

### POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

Mr. WEBSTER. —and you create a system—

The SPEAKER pro tempore. The gentleman will suspend.

For what purpose does the gentleman rise?

Mr. CUTLER. A simple point of order, Madam Speaker.

Previously the Speaker has chastised us for mentioning political-type matters here on the House floor, and I would request that the gentleman be encouraged not to draw politics into this as much as policy.

The SPEAKER pro tempore. The gentleman is encouraged to stick with the legislation and may proceed.

Mr. WEBSTER. Thank you, Madam Speaker.

I am chastised, but I think we are tracking where an appropriated dollar of taxpayer money is actually going, and I am not sure how that is political. That is exactly what we do every day, and we should be concerned about every one of those taxpayer dollars. We have talked about that ad infinitum.

I have one last comment, then, because there is a very important strong contrast here. The numerous speakers in the minority party who are opposed to this bill are speaking in favor of a system that actually performs worse than our brick-and-mortar public schools, right? These are not highly successful programs that we are overfunding. They are low-performing programs. And because of our lack of accountability, we really cannot make that as effective as it should be, and the contrast is paramount in my head. We are against, you know, against reforming that piece. We are supporting a system of schools that underperforms, and just yesterday we voted to defund our Nobel prize-winning universities.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Siegel.

Mr. SIEGEL. Thank you, Madam Speaker.

I rise in support today of HB 1422, because today's vote is not a comment on public versus private school, nor is it any effort to undermine the choice of parents to send their children where they would love them to go. This is about protecting taxpayers and promoting transparency and accountability. If I might borrow a phrase from our colleague from Northampton County, all schools ought to play by the same rules. And that what this is about, plain and simple.



We have heard a lot today about liberating children from so-called failing schools, but let us be clear. There are no failed public schools; there are just schools that we have failed as a body. There are not failing teachers; there are just teachers that we have failed to stand with. And there are not failing students; there are students that we as a Commonwealth have failed to invest in properly.

Well, we stand here today with an opportunity to break part of that failing system, a system that has allowed cyber charter schools to operate without any standard of accountability or transparency and siphon \$1/2 billion from our public schools, leading to property tax increases and further depriving those schools of the ability to invest in their students, creating a self-fulfilling prophecy of failure that some then feed off of.

Let us be clear: cyber charters take our public tax dollars and then lie and deceive voters and constituents and members of districts by claiming that they offer free tuition, when that tuition is paid for by everyone in this Commonwealth. They sponsor sporting events and field trips, attempting to lure students away. That is not equal competition or a level playing field; that is an unfair advantage built into an unjust law, archaic and outdated.

And when we want to talk about a failed system, we would be wise to echo the comments of my previous colleague, who was wise to point out that there is not a single cyber charter in this State that is proficient by any standard or metric. They are the true failed schools and failing schools, never held to any standard, not open to any laws around sunshine or transparency, none of their books open to the public like our public schools are expected to be, and that today is what this law is about addressing: making sure that all schools play by the same rules, that we do not overcharge our taxpayers, that we treat all schools with the same standards and the same level of accountability, and most importantly, we return money to our overtaxed and overpunished school districts like Allentown, that loses \$3.3 million a year to cyber charters.

So let us take the first step today and fix a broken system and stop the act of failing our schools, failing our students, and failing our teachers. Let us do the right thing and pass HB 1422. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Topper.

Mr. TOPPER. Thank you, Madam Speaker.

The first thing I would like to do is to caution all of those who would take amounts of savings and apply them to particular school districts under the realization that the very flaws in the formula that we are trying to correct do not necessarily bear those numbers out. And I would think it would be unfair for school districts, particularly if they hear themselves mentioned, to automatically assume, as they are preparing budgets, that those numbers are accurate. Just a caution.

I would also like to talk about property taxes going back directly to the property tax payer, which we know, as we talked about in committee, we had an amendment that would freeze property taxes moving forward, just as this bill calls for the tuition reimbursement to cyber charters to be frozen over 3 years. And as was rightfully pointed out, there are many reasons that property taxes have been increased, and the only ones who have the ability to stop that are the local school boards. We have tried multiple times on this floor to freeze property taxes, and I think everyone remembers how that goes. So just a few words, as we get started, of caution to our local districts.

To the overall idea of the reformation of public education, I am firm believer that a rising tide lifts all ships. I have been in this General Assembly for 10 years, and every budget there has been an increase to public education. Several of those increases have been dubbed "historic" because they were in their amount and their breadth, and even then, the court has said that our current system needs reformed. These are not conversations that have simply taken place over the past few weeks or even in front of a judge; they are conversations that have taken place, and the reason why the fixes have not been there is, quite frankly, because there are difficult choices that have to be made.

During COVID-19, particularly at the beginning, there were students who were massively falling behind – months and years, days and weeks of education that they could not get back. Our cyber charter schools stepped in to fill a gap that needs to be noted on this floor. And that is not the only gap that they have stepped in to fill. When I hear about the performance of cyber charter schools, it boggles my mind a little bit that if a school is not performing – a traditional brick-and-mortar K through 12 school is not performing at the level that the standards are set through standardized testing, our immediate response is, then we need to send them more money. But if a cyber charter school, particularly ones who are investing in and teaching a subset of students that were already struggling, if they somehow fall below the mark, then they need to be eliminated.

I want us to think about that double standard for just a moment. Does reform need to happen across our entire system? Yes. And let me say, from this podium, that I am tired. I am long tired of this idea that somehow you have to either be pro-something or anti-something in education. You can be pro-public school, you can be pro-charter, you can be pro-private, because ultimately, what you can do is be pro-student, pro-family. And I no longer will tolerate the debate that somehow you must choose between stakeholder groups or institutions, when truly we must be for our families and our children.

How much money goes to each child? Conversations we have to have, but let us talk about it in terms of our children. Let us talk about it in terms of the eighth grader in Bedford who was bullied at school, who was unable to get the grades and have the educational experience that her parents knew that she could have. The best option that met her needs was a cyber charter. Some of the best options are the cyber programs that our local school districts have implemented.

When I was talking to a group of superintendents, I asked, how many, how many of you had cyber programs before cyber charter schools came along? None of them raised their hands, because innovation in education takes place as new forms of education present themselves. Does anyone really believe that our system of education should look like it did in the industrial age when it was started? None of us believes that. We all understand that education is changing and modernizing, and we must use every tool at our disposal to ensure that no child is left behind, that every child has the opportunity to succeed.

Let me be clear: not every child will succeed. We cannot guarantee it. There are factors outside of what we can do and what we can provide, but here is our role as public policy makers in Pennsylvania. It is to ensure that every child has the opportunity – has the opportunity – to succeed.

I would like to tell a story, as I close, about a young man who was given that opportunity. This young man was in public school through third grade, and he had trouble, he had trouble with

anxiety throughout the day because he was a rule follower, and he hated when people got in trouble. And so many times throughout the course of a day, if you have been in an elementary school, you know that kids get into trouble. At Hyndman Elementary School there was a red, green, and yellow light, a traffic light that was at the cafeteria, and every time the noise would build in the room, the light would go up, and when it got to yellow, you knew that you were about to be in trouble, because when it got to red, everybody got in trouble. So this young man went row to row, table to table, just begging people to be quiet, "Shh, shh, shh, quiet down so that we do not get into trouble." Just like that. It worked a lot better here than it did in elementary school. Went home with headaches every day. Was not having the educational experience that was conducive to a great education.

So his mom, who did not have a college degree and was a waitress, and his dad, who was a teacher – a public school teacher in that very school, a public school teacher who is in that school district's Hall of Excellence as his quality of a teacher – decided that at that time, in the early nineties, they would homeschool their child. And it was at a time when homeschooling was certainly nothing that was common, and both of them took a great deal of criticism for that decision. Oh, he will never be able to be socially – he will be socially awkward his entire life. You are depriving him from so many things. But when you think, when you think of parents who are engaged in their children's education, I want you to think of these two, because they knew in their heart that the best thing for a kid who did not even know what homeschooling was, was to have an individualized education for that young man. And I thank my parents every day for the choices and the sacrifices that they made so that I had the education that best fit my needs, and if you were to put that on a standardized test score, I am not sure what you would see.

How do we know it is working? Because I talk to the kids for whom it works. Is the funding system broken in Pennsylvania all across the board? Absolutely. We did not need a court to tell us that. But here is what I know. Educational choices are working for kids. And all I would ask moving forward is that as we talk about the silos that have been built and how the money goes into them, that our first priority would be doing what is right for the kids whom we are constitutionally obligated to educate.

I would ask that the focus be on the students. I would ask that the focus be on the families who choose how they will receive an education. A rising tide lifts all ships. I want to see every public school – whether it be a brick-and-mortar charter, whether it be a cyber charter, or whether it be a traditional K through 12 – be elevated to the point that no matter what choice is available to that family, they are all quality choices. That is our job. That is our duty.

I believe this bill falls short of that. I believe this bill does not put us in a position to be able to come up with something, as we have voted out of this House many times on this issue, that can be negotiated with the Senate and the administration. I know how those negotiations can be set back when things go out of a chamber that are not yet ready. But remove all of that, and I simply ask that as we move forward on education that our focus be on kids like me and others who need the chance for that individualized education.

Madam Speaker, I thank you for this opportunity, and I would ask for a "no" vote on HB 1422. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Ciresi.

Mr. CIRESI. Thank you, Madam Speaker.

Madam Speaker, I want to thank all the speakers who got up and spoke with passion on public education. And the last speaker – and he and I do share a lot of things in common beyond the music that we both have, that we both have degrees in, but the education that we received as children and how we had an opportunity to receive a good education no matter how we went about it.

You know, I was the third of three children, the baby of the family. My mother and father were first-generation American. My father was a functioning illiterate. He made it to the 10th grade and my mother graduated high school in the 12th grade— I am sorry. When she was 65, she graduated high school. She failed out of high school 6 months prior.

But I went to a school district that was well-supported in public education, a school district that had the funding that they needed. And I was not a great reader or writer – still am not a great reader or writer, I will say it – but that school worked with me because they had the resources to be able to work with me, because they believed in public education in the public building. And when we look at what we are looking at today, we are looking to put money back into the public schools and also leave the choice that is there. And when I think about the children who are in the Pottstown Area School District – and we have members of the Pottstown community that are here in the gallery today – those children do not have the opportunities that they need that some of the other districts have because they do not have the money. Or in Chester Upland, Chester Upland, where over 50 percent of their budget goes to cybers and charter schools. The issue they have is they do not have the money for the resources to give those children to be in those buildings. And while I totally believe you have an opportunity to be able to send your children to whatever school you choose to, and we should have choices in this State, we are asking that it is a fair playing field.

Now, before I got up and spoke, I did not mention the things that we are doing that were positives for the cyber schools. We are allowing the cyber schools to sell their programs to all the school districts across the Commonwealth. We are also allowing the cyber schools to use the public school facilities to administer their tests, and also transport, making sure the public schools transport their special ed children. But today is about all children and our taxpayers.

For over 20 years we have been overfunding these programs. We are not here today to close buildings. We are not here today to close cyber programs. We are here to level the playing field once again. We are here to give back the money where the money belongs. And today I want to thank each and every one of our colleagues, and I look forward to the future of talking about public education in this Commonwealth, where every child needs to count, the 1.8 million children that we have in this Commonwealth need to count. We need to make sure each and every one of them has an opportunity to succeed, and that is what I am asking you here for today.

Please vote in favor of HB 1422. Thank you very much.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

## YEAS—122

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

## NAYS—81

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

## 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.

### COMMUNICATIONS FROM INDEPENDENT FISCAL OFFICE

The SPEAKER pro tempore. The Speaker acknowledges receipt of several letters from the Independent Fiscal Office regarding actuarial notes for the following: HB 1415, PN 1583, as amended by A01768; HB 1415, PN 1583, as amended by A01772; HB 1416, PN 1584, as amended by A01769; HB 1416, PN 1584, as amended by A01773.

(Copies of communications are on file with the Journal clerk.)

The SPEAKER pro tempore. The House will be at ease.

The House will come to order.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1448, PN 1826**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for conflict resolution instruction.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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 Bellmon.  
Mr. BELLMON. Thank you, Madam Speaker.

And thank you to Speaker Joanna McClinton for all of the work that she has done on this legislation.

HB 1448 will require schools to include conflict resolution in their curriculums. The conflict resolution instruction would be age-appropriate and would be determined by each individual school entity. One of my first jobs out of college was that I got to be a teacher. I was a seventh and eighth grade math teacher and a dean of students, which meant that I dealt specifically with behavior issues in the classroom.

I believe that this legislation is more important now than ever. Our young people are under an immense amount of pressure, and unfortunately, they are resorting to gun violence to solve their issues. They need every tool available to teach them how to regulate their emotions and to resolve their conflict in a peaceful manner. As a math teacher, I always gave my students some very simple instructions: find the answer, find the solution, and solve the problem. But I cannot give them instructions to solve the problem without teaching them how to solve the problem.

This legislation would give students across the Commonwealth the how – how to effectively communicate, how to make responsible decisions, and how not to resort to gun violence as a means in order to solve your issues. Let us be clear, possessing the skills to de-escalate conflict is a learned behavior. It must be taught. Students do not feel safe going to school because of violence, teachers and staff members are leaving the

profession because of violence, and unfortunately, we live in a society where a disagreement on the schoolyard today can lead to a deadly reaction tomorrow.

A "yes" vote is a vote to give our young people every tool possible to find a peaceful solution to conflict, and it sends a message to students across Pennsylvania that while we are asking them to solve the problem, we are teaching them that violence is never the answer. I urge all of my colleagues for a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Topper.

Mr. TOPPER. Thank you, Madam Speaker.

Would the gentleman stand for interrogation?

The SPEAKER pro tempore. The gentleman declines.

Mr. TOPPER. Thank you, Madam Speaker.

Madam Speaker, on the bill, if I may?

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

Mr. TOPPER. Thank you.

I appreciate the gentleman's intent. I do believe that coming out of committee, this bill had some pretty strong flaws that we were hoping would be addressed on the floor through amendment. It was not. So I will bring up some of those points now.

First of all, I am always concerned with vague language when it comes to the law. Remember, we do not pass ideas here; we pass legislation that could potentially have the power of law. The topics listed on page 2 are very subjective and have no definition: effective communication, responsible decisions, positive social relationships, etc. Who will make this determination?

We talk many times about unfunded mandates, but yet we also need to look at mandates that do not have clear direction. Does the department come up with this direction? Do local school districts come up with this direction? If local schools may use private materials, as is the bill, to meet these requirements, how can we assure that these materials are actually something that would be approved by the Department of Education?

I also have concerns with the idea of complying and implementing this proposal with both, quote, "age appropriate and sequential" provisions. This proposal calls for conflict resolution instruction to be implemented at 13 grade levels, K through 12 simultaneously. How will that take place? I believe there are many questions that not only the General Assembly have, but also the Department of Education have provided in terms of potential duplicative language with the current standards or their responsibilities in terms of implementing new standards that I believe have not been answered. And so I rise in opposition to HB 1448 and would ask for a "no" vote.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Gleim.

Mrs. GLEIM. Thank you, Madam Speaker.

I rise in opposition to HB 1448, as it is poorly written policy and puts undue burden on teachers and parents within the Commonwealth. My father was a teacher. I also served on a school board for 8 years. And I am a parent. I recognize that we need conflict resolution in schools and for all students; however, we already have means and methods for conflict resolution in school policy in conjunction with disciplinary boards within school board structure. This bill, if implemented, requires teachers to focus on an administrator's job rather than on their subject expertise.

Madam Speaker, in the past few years we have added millions of dollars in funding for school counselors, school psychologists, and social workers. As a matter of fact, schools cannot even get their safety and security dollars unless they have one of the above. Why are we doing this if, in the end, we are going to put the burden on the teachers? Is social and emotional learning the responsibility of a teacher? What did the Senator from Delaware County just say in his floor speech about lifeline scholarships? Zero percent of his students in his district are proficient in math – zero – yet here we are in the House passing a bill that would require teachers to teach social and emotional learning. We are not passing first in math or science or reading. We are not passing financial literacy. No, we want to make sure kids are aware about gender identities and sexual orientation. My colleagues on the left are concentrating—

### POINT OF ORDER

Mr. D. MILLER. Madam Speaker?

Mrs. GLEIM. —on everything but academics.

The SPEAKER pro tempore. The gentledady will suspend.

For what purpose does the gentleman rise?

Mr. D. MILLER. Madam Speaker, I believe the speaker is far afield from the point of the bill, listing a litany of, perhaps, her issues to which she would like to spend time on, but not the purpose of the bill, which is conflict resolution to help our students and teachers be sure the environment is accepting of everyone as they work through questions as a group.

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

The gentledady will please confine her remarks to the legislation before us.

Mrs. GLEIM. Thank you, Madam Speaker.

The SPEAKER pro tempore. The gentledady may proceed.

Mrs. GLEIM. Thank you, Madam Speaker.

Our scores, our academic scores in Pennsylvania are plummeting. And I care about the students' academic performance because that is what they are there to do is to learn. Madam Speaker, what standard does this satisfy, and what is the appropriate course of study? This policy does not answer that question. It must be age-appropriate, but who determines that, because it does not align with the standards? What private materials will be allowed to be used? Will these instruction materials be available to parents? And what is their path for grievance when the teacher goes outside of the scope of this policy to indoctrinate? What is the definition of "empathy" and how will a teacher know whether a student possesses it? What does compassion look like, and how will it be identified? What is a positive social relationship, and how is that defined? What does effectively managing your emotions look like? Is it speech? Is it physical? Is it simply crying? Is awareness of sexual content respectful of all religious beliefs?

Madam Speaker, my colleagues on the other side like to talk about immigration and accepting students from diverse backgrounds. In light of this policy, let us really think about this for a minute. In 1879 the Carlisle Indian School was opened with the goal of forced assimilation. Christians believed—



### POINT OF ORDER

Mr. D. MILLER. Madam Speaker?

Mrs. GLEIM. —their only hope—

The SPEAKER pro tempore. The gentlelady will suspend.

For what purpose does the gentleman rise?

Mr. D. MILLER. Madam Speaker, we, again, I feel that the good lady is giving us a long litany here of things that are unrelated. It feels like we are doing, to be honest, a history of things that are just unrelated to the bill that I think is only logical, with respect to the good lady, but obviously, from our purposes here, we are trying to bring together a vote on a bill that has to do simply with conflict resolution, not every possible issue that the good lady could bring up that has no issue to the bill.

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

After now analyzing the language of the bill, it reads, "...but not to be limited to, information on the following topics...Respect for and awareness of different cultures, beliefs, religions, races, gender identities and sexual orientations, including empathy and compassion for others."

The gentleman's point of order is not well taken.

The gentlelady may proceed.

Mrs. GLEIM. Thank you, Madam Speaker.

I only wanted to point out that we have a history in our area here where Christians believed that American Indians should assimilate into our culture. I am only pointing out that we have a lot of immigrants coming into our State right now and we are, through teaching this type of conflict resolution and some of the things mentioned in the bill, are requiring them to be in a difficult space based on their own religious beliefs and cultures.

So, Madam Speaker, I am just particularly asking everybody here to really, in this policy, define what it means to be doing some of the things in this policy that they are planning to do to all students; all students, not just the ones that need the conflict resolution. We have a complex history, Madam Speaker, and I am just saying that we do not want to repeat some of the mistakes that we have made in the past.

Madam Speaker, I will just finally end by asking my colleagues to note that this policy is not ready to be sent to the Senate, and please vote "no" on HB 1448.

The SPEAKER pro tempore. The Chair thanks the Representative.

The Chair recognizes Representative Otten.

Ms. OTTEN. Thank you, Madam Speaker.

I did not plan to speak on this bill today, but as a parent to two elementary school children who attend a public school where our school district, the Downingtown Area School District, has made a significant investment in social-emotional learning, in conflict resolution, and in diversity, equity, and inclusion. And so often I have these conversations that are driven by fear and hyperbole and coming from a place of not actually having real-life experience with these kinds of programs and public education.

As a parent to a child who has a disability, I have to say that I am so grateful for an environment for my child to go to school, where when I was growing up, perhaps he might have been relentlessly ostracized or teased, but kids in his school have been taught to be accepting and kind and to understand that people have differences. And so different from kids that I grew up with — and the maker of the bill and I actually grew up in the same

neighborhood — my children are growing up in an environment where they can feel accepted and respected and embraced by all of their friends and not singled out or othered.

I also am the parent of a sassy little girl who takes after her mom sometimes and can be challenging for her teachers in class, and I will never forget the sinking moment, sitting in my chair at work, when I got a phone call from the principal. And instead of disciplinary action, my daughter was entered into a little lunch bunch group of girls who got to come together for 6 weeks, once a week, with a guidance counselor and talk about self-confidence and talk about respect and talk about kindness and talk about strategies to interact with people when they are feeling high levels of emotion. And you know what that has done for my daughter? That has not only taught her to be a better communicator, to be a better friend, to have better relationships with people at home, at school, in our neighborhood, but it has also given her teacher time back from dealing with disciplinary issues in their classrooms.

Teachers cannot teach if the social and emotional needs of children are not being met. Too often when children do not have the skills to manage their own emotions at school, all of the other kids in the classroom suffer because teachers have to spend their time managing discipline instead of teaching reading and math. And so while there is lots of hyperbole on this issue of social and emotional learning, from the perspective of a parent to two elementary school children, I am so grateful for education like conflict resolution; social-emotional learning; diversity, equity, inclusion, that can allow teachers in our schools to teach instead of dealing with disciplinary issues. And I believe that every kid in Pennsylvania deserves the opportunity to have the same benefits that my children have in Downingtown School District, which is one of the best districts in the State of Pennsylvania, and every district across Pennsylvania. I urge a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentlewoman.

The Chair recognizes Representative Rabb.

Mr. RABB. Thank you, Madam Speaker.

I heard reference from my colleague from Cumberland County about the Carlisle School. I found it interesting that that was the reference point in opposing this bill. It is a subject matter that is rarely addressed in this body — in fact, I do not know if it has ever been addressed in this body — but it is highly relevant to the value of the bill we are discussing now and conflict.

We may define "conflict" differently. If it is discomfoting, if it opposes our worldview, if it is something we do not like because maybe it makes us feel a little defensive, it is a conflict, and therefore, we must shut it down. But that is not how we learn. That is not how we want to teach our children. We have to find a way to resolve the conflicts, resolve them, not to pretend they do not exist. So to hear my colleague, whose district includes the progenitor of cultural genocide of Native Americans, not just in Pennsylvania, not just in the United States of America, but all of North America, where Native American children were kidnapped from their parents from all over North America and brought to our Commonwealth, not far from the Capitol; hair shaved, names removed, their native language beaten out of them, children raped, murdered, in this State — in this State.

We are not talking about the conflict there because we will not even let our children learn this part of our history as Pennsylvanians. We had a former Speaker who acknowledged, behind the rostrum, that he did not even know slavery existed in

Pennsylvania – in this day and age, in the 21st century. Conflict is not easy. We are better people when we lean into that discomfort in good faith and find common cause. That is why I am so supportive of this bill. This is not an intellectual exercise. The maker of this bill came with lived experience as a teacher helping young people trying to resolve their issues peacefully, intelligently, lovingly, creatively. We should all be supportive of this. This is not about the type of partisan politics that has paralyzed this body so often. This is about doing what is best for our kids.

I love the intent and the substance of this bill and the spirit with which the maker of the bill has brought this forth. This should be a bipartisan supported bill. I do not know if it will be. But I have to say, if conflict is your issue – conflict – we are not doing ourselves any favors by pretending it does not exist and not providing the tools to those people we entrust to teach our children how to resolve them.

I stand with the maker of this bill. I urge you all for an affirmative vote for HB 1448.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes Representative Borowicz.

Mrs. BOROWICZ. Thank you, Madam Speaker.

I rise in opposition to this bill. HB 1448 mandates schools to teach gender ideology, sexual orientation, and gun control. This is the definition of grooming kids.

I saw a video of a classroom of kids in California and the teacher was shoving these things down their throats and the kids were pushing back at this. They do not want to be taught this ideology. Think of third or fourth graders having to learn these things if they, quote, "deem it appropriate for them." Leave our kids alone. Parents have already found books in the schools with pornographic images in them that are unfathomable for even adults to look at.

### POINT OF ORDER

Mr. D. MILLER. Madam Speaker?

The SPEAKER pro tempore. The gentlelady will suspend.

For what purpose does the gentleman rise?

Mr. D. MILLER. Reading the bill, Madam Speaker, I believe the good lady is far afield.

The SPEAKER pro tempore. The bill has no language of inclusion of pornography in books in schools.

The gentlelady is encouraged to speak on the bill.

Mrs. BOROWICZ. Thank you, Madam Speaker.

I was just referring to things that are actually in some of our school libraries.

Parents want their kids educated, not indoctrinated. This is brainwashing, and parental rights are not even considered in this bill. Stop the indoctrination in our schools. Vote "no" on HB 1448.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

The Chair recognizes Representative Bellmon.

Mr. BELLMON. Thank you, Madam Speaker.

Serving as an educator was one of the honors of my life. Being able to teach young people not only math – because that was the title that I was given, as a math teacher – but really to teach them how to live life. It just comes along as part of the job. I cannot go on and teach them just about education without teaching them in part about life.

This bill is not an indoctrination to students; it is to teach them how to use life skills in order to solve conflicts. We do it every day here in the House. We use our words, we find ways to compromise, and we make sure that we resolve our conflicts without violence. That is all this bill is: to give our young people the tools to solve their conflicts without violence.

I urge everybody in here to vote "yes." Thank you.

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

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, very briefly, I want to commend the maker of the bill for his efforts, even though I personally disagree with the methods. This is yet another example of where I think that we can agree on the issue, the issue being conflicts in school. I will briefly share a story because I think that it is relevant. I had one of my children who actually stood up for an individual with disabilities, and unfortunately, she was actually physically attacked by the aggressor in that situation, and that did in fact buy us, you know, a trip to the school for both personal care reasons as well as disciplinary reasons in terms of what had occurred there.

The reason I raise it is because conflict resolution is important. I do not believe that anybody here would disagree with that. And it is, sadly, becoming more and more relevant in today's culture, as sometimes we do not always respect each other's differences. That is a problem. All I would simply like to point out is, we have been asked, what tools would the teachers have? And I would like to quickly run through the list that was provided by the Department of Education that already exists.

In title 22, chapter 49, they updated the regs to require and develop training for educators on very similar, and I would argue, almost identical themes: dealing with effective communication, establishing and maintaining positive social relationships, being respectful and aware of different cultures, beliefs, religions, races, including empathy and compassion for others. It also goes on to say that education that ensures equity for all students seeks to eliminate systemic, institutional racial and cultural barriers and inhibit the success of all students in the Commonwealth.

So I would offer that PDE is already working in this realm and teachers already have that. Additionally, the Humans Relations Commission, a topic that actually sparked a show of I think strong bipartisanship which we had earlier here on the House floor, also has come together. They call it SPIRIT training: Student Problem Identification and Resolution of Issues Together. Again, we all agree that people should solve these issues together, be respectful and mindful of different cultures, different religions, and our differences.

So respectfully, Madam Speaker, while I agree that we, as parents, I think should stand in the first role of teaching our children that ability – and like I said, I was proud of my child who stood up for somebody in her class – I do think that this bill is unnecessarily duplicative, and I will be a "no" because I think that the current regulations already cover it.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Dan Miller.

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

And I do appreciate the good minority leader's comments there towards the end about trying to bring us back to so much of what we do have in common, which is really at the heart of what this bill is.

One of the reasons why I love and appreciate so much of what our public school systems have meant to this country is that they are still the only place where no matter where you live in the jurisdiction, no matter your religion, no matter your faith, no matter how wealthy or no matter how poor, no matter your ability or challenges therewith, you have a home in those public schools. Not only do you have that home, but you will be there with a diversity of your community, the entirety of it. And that is what is so important. That is the key aspect to this, is not only do we bring that diversity to the schools in a place that you could find in no other area of education in our country, but we teach our children together. We teach them how to learn, we teach them how to argue, we teach them how to debate, we teach them then how to go have lunch together, we teach them how to go root for the same sports, how to be in band together, and we must, must, must always recognize that in those differences and in those efforts we have to be sure to do everything we can to have them learn how to disagree and not hate, to learn how to disagree and not divide, and to learn how to disagree and still recognize that the most important thing is that we all are here in this blessed country, in a place of education in those public schools, to which they will find no other environment in this country.

This bill is integral to that mission of bringing people together and learning how to debate differences and still go play sports and still go do band. That is why this bill is so important. I urge everybody to vote "yes."

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—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	Venkato
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, Speaker
Donahue	Kinkead	Probst	

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
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			

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 1515, PN 1718**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Nonnarcotic Medication-assisted Substance Abuse Treatment Grant Pilot Program, further providing for definitions, repealing provisions relating to establishment of pilot program, providing for establishment and further providing for county participation requirements, for use of grant funding, for powers and duties of department, for prior authorization, for report to General Assembly and for construction; imposing duties on the Pennsylvania Commission on Crime and Delinquency; and making an editorial change.

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

(Bill analysis was read.)

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

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

Ms. MADDEN. Thank you, Madam Speaker.

Madam Speaker, I would like to begin by thanking the gentleman from Blair County for his thoughtful remarks yesterday and his support of 1515, and when Representative Gregory spoke about his decades-plus years in recovery, we all stood up and we applauded with him because we understand the pain, the determination, and the courage that it took him to get to this point.

And the gentleman was also correct when he said 14 Pennsylvanians die a day from overdose. In our U.S. prison population, roughly 65 percent of individuals have an active substance abuse disorder, and the leading cause of death for individuals released from prison or jail is drug overdose. The research shows that inmates who receive FDA (Food and Drug Administration)-approved medication are 75 percent less likely to die from an overdose. Here in Pennsylvania, Act 80 of 2015 established the Nonnarcotic Medication-assisted Substance Abuse Treatment Grant so our county jails could offer naltrexone, otherwise known as Vivitrol, to inmates experiencing a substance-use disorder. Vivitrol has been proven to be an effective medication, and this program has been incredibly successful.

However, critical advancements in science have led to other FDA-approved medications that may be even more effective in successfully treating substance-abuse disorder. My legislation opens the Act 80 program so that our county jails can access all forms of FDA-approved medication for opioid-use disorder, if they choose to do so. This bill is not a mandate. This alternative treatment includes, for example, long-acting injectable medication form of buprenorphine, or Sublocade, which has been proven to be highly effective in treating those who are suffering with addiction. These medical treatments are humane options, allowing individuals to detox and begin recovery without going through painful withdrawal that is often associated with opioid medications like methadone.

A "yes" vote on this bill, Madam Speaker, moves us forward toward expanding that flexibility; a "yes" vote means more individuals who are incarcerated and struggling with addiction will start medication before they are released; and a "yes" vote will help reduce recidivism. And most importantly, a "yes" vote will save lives.

I thank you, Madam Speaker, and I look for an affirmative vote.

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

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—4

Banta	Kephart	Metzgar	Rossi
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NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **SB 829, PN 1014**, entitled:

An Act authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey certain easements through and across lands of the Commonwealth of Pennsylvania in the Township of Manheim, County of Lancaster, for purposes of a road realignment project and to accept from the Township of Manheim existing right-of-way to be abandoned as part of the road realignment project; authorizing the Department of General Services, with the approval of the



Department of Military and Veterans Affairs and the Governor, to grant and convey to Drexel University, permanent easement encumbering certain lands situate in the City and County of Philadelphia; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the City of Philadelphia certain land, buildings and improvements situated in the 40th ward of the City of Philadelphia, Philadelphia County; authorizing the release of Project 70 restrictions on certain land owned by Lower Salford Township, Montgomery County, in return for the development of a hiking trail and scenic viewing area in Lower Salford Township, Montgomery County; revoking a use restriction; and making repeals.

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—202

Table with 4 columns of names: Abney, Adams, Armanini, Banta, Barton, Bellmon, Benham, Benninghoff, Bernstine, Bizzarro, Bonner, Borowicz, Borowski, Boyd, Boyle, Bradford, Brennan, Briggs, Brown, A., Brown, M., Bullock, Burgos, Burns, C Freytiz, Cabell, Causer, Cephas, Cerrato, Ciresi, Conklin, Cook, Cooper, Curry, Cutler, D'Orsie, Daley, Davanzo, Davis, Dawkins, Deasy, Deloso, Fleming, Flick, Flood, Frankel, Freeman, Friel, Fritz, Gallagher, Galloway, Gaydos, Gergely, Gillen, Giral, Gleim, Green, Gregory, Greiner, Grove, Guenst, Guzman, Haddock, Hamm, Hanbidge, Harkins, Harris, Heffley, Hogan, Hohenstein, Howard, Innamorato, Irvin, Isaacson, James, Jones, M., Jones, T., Jozwiak, Kail, Kauffer, Kauffman, Kazeem, Keefer, Krueger, Krupa, Kulik, Kutz, Kuzma, Labs, Lawrence, Leadbeter, Mackenzie, M., Mackenzie, R., Madsen, Major, Mako, Malagari, Maloney, Marcell, Markosek, Marshall, Matzie, Mayes, McAndrew, McNeill, Mehaffie, Mentzer, Mercuri, Merski, Metzgar, Mihalek, Miller, B., Miller, D., Moul, Mullins, Munroe, Mustello, Neilson, Nelson, E., Nelson, N., O'Mara, O'Neal, Oberlander, Ortitay, Rapp, Rigby, Roae, Rossi, Rowe, Rozzi, Ryncavage, Salisbury, Samuelson, Sanchez, Sappey, Schemel, Scheuren, Schlegel, Schlossberg, Schmitt, Schweyer, Scialabba, Scott, Shusterman, Siegel, Smith, Smith-Wade-El, Solomon, Staats, Stambaugh, Steele, Stehr, Stender, Struzzi, Sturla, Takac, Tomlinson, Topper, Twardzik, Venkat, Vitali, Warner, Warren, Watro, Waxman

Table with 4 columns of names: Delozier, Diamond, Donahue, Dunbar, Ecker, Emrick, Evans, Fee, Fiedler, Fink, Kenyatta, Kephart, Kerwin, Khan, Kim, Kinlead, Kinsey, Klunk, Kosierowski, Krajewski, Otten, Owlett, Parker, Pashinski, Pickett, Pielli, Pisciotano, Probst, Rabb, Rader, Webster, Wentling, White, Williams, C., Williams, D., Young, Zimmerman, McClinton, Speaker

NAYS—1

Madden

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. The Chair is in receipt of some important information. Both the gentleman from Huntingdon County and one of our favorite members from Philadelphia County are celebrating birthdays.

Happy birthday, Representative Irvin.

Happy birthday, Representative White.

Members, please be sure to clean out your desks today. Please be sure to clean out your desks prior to leaving today. Members, please be sure to clean your desks prior to leaving today.

For the information of the members, there are no further votes for today.

While we do not anticipate voting session in the near future, we will be scheduling nonvoting session next week for the purpose of housekeeping. We will provide members 12 hours' notice if we need to return to voting session for budget-related purposes.

We will be issuing a calendar of session days for the fall in the near future.

The desk will remain open today for housekeeping matters.

RECESS

The SPEAKER. The House will be at recess until the call of the Chair.

It has been a pleasure.

AFTER RECESS

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

**GUESTS INTRODUCED**

The SPEAKER. The Chair is in receipt of information. Seated in the gallery, we have some very special guests. Here with us this evening we have Chris and Ashley Jenkins, who have visited more than 20 State capitals. They are from Wisconsin, and they are in our midst today. Please stand, guests. Thank you for visiting Harrisburg. We are so glad to have you.

**BILLS RECOMMITTED**

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

HB 1024;  
HB 1025;  
HB 1026; and  
HB 1027.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that SB 838 be removed from the tabled calendar and placed on the active calendar.

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

**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 Lancaster County, Representative Cutler, that the House now adjourn until Tuesday, July 11, 2023, at 12 m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 5:34 p.m., e.d.t., the House adjourned.