

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 26, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 41

### HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.d.t.

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

#### PRAYER

HON. REGINA G. YOUNG, member of the House of Representatives, offered the following prayer:

Lord, thank You for this day. Thank You for another opportunity to once again represent our districts through service. Thank You for guiding our hands and our hearts. Once again I am asking for You to remind us of our why as we are called to service. Remind us that we are all in need of a power higher than self. Remind us that we are simply people who intentionally fought to sit here in this historic chamber so that we can be impactful to others.

Lord, I am asking for You to help us be mindful of ourselves, our humanity, our mental and emotional health. Help us better understand that when we are unhealthy people, we then become unhealthy legislators. Help our unbelief.

I am also asking that You remove us from representing others when we become selfish and focused on everything except the people. Yes, I am asking for You to continue to remind people of Your presence, whether they want to acknowledge you or not. This also includes me.

Convenience and comfort are not in the job title of a legislator. Some of us are dealing with some hard reality shifts and we need help and support. Give us all a discerning spirit so that we can navigate in a way that is still positively impacting people we say we wanted to serve when we took our oath.

I ask all these things in Your name, Lord, I pray. 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 Friday, September 22, 2023, will be postponed until printed.

### JOURNALS APPROVED

The SPEAKER. The following Journals are in print and, without objection, will be approved:

Wednesday, April 26, 2023;

Monday, May 1, 2023;

Tuesday, May 2, 2023;

Wednesday, May 3, 2023;

Monday, May 22, 2023;

Tuesday, May 23, 2023; and

Wednesday, May 24, 2023.

The SPEAKER. Members, if you can please take your seats, we have some veterans from our Armed Forces we would like to recognize. Members, please take your seats. Sergeants at Arms, please clear the aisles. Members, please take your seats. We have some very important guests here this morning.

The House will come to order. Members, please take your conversations off of the chamber. The House will come to order.

### GUESTS INTRODUCED

The SPEAKER. Our colleague, Representative Scheuren, welcomes six veterans from her district that are here with us on today. We are privileged to have, seated to the left of the Speaker's rostrum, Dawson Gillaspay, who served in the United States Army from 1952 until 1964 as a medic in Korea, and later served in Japan. Dawson earned the rank of corporal, and celebrated his 93d birthday this year. Dawson taught eighth grade education to the GIs and administered high school GED (general equivalency diploma) tests to Army personnel.

We also are grateful to have today James W. Gow, who served in the United States Air Force from 1957 until 1961 and earned the rank of airman second class. James served at the Bossier base in Louisiana, which was the headquarters for the Strategic Air Command. The base stored atomic bombs carried by B-52s, and James's job was to guard them. He boasts that not a single bomb was ever lost on his watch.

We also have Gerry Kelly, who served in the United States Navy from 1961 until 1967 and earned the rank of petty officer second class. Gerry served on three ships, maintaining the supplies that were needed for the at-sea deployments.

We also are glad to have Siobhra DeWar, who served in the United States Navy from 1965 until 1967 as a Navy parachute rigger.

Would the distinguished veterans from Representative Scheuren's district, if you are able, please stand or wave your hand so we can thank you for your service to our nation. Welcome.

And finally, in the same group, we have Donald Maxton, who was in the United States Army from 1955 until 1957 in Japan as a crypto coder.

All of these veterans live at Park View at Oak Crest Senior Community, and in the back of the House, we have additional residents from Park View who are visiting the Capitol. And for most of them, it is their very first time here. Welcome, neighbors in the back of the House. We are so glad to have you.

### LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. Also to the left of the Speaker's rostrum, we have three students who are in the Pennsylvania House Fellowship Program, fall semester. They are sponsored through the Bipartisan Management Committee and the Office of the Chief Clerk. We have – and please stand as I say your name – Ryan Carpenter from Penn State University, who is assigned to the Local Government Committee; Allison Jedrzejek from Villanova University Charles Widger School of Law, my alma mater, who is assigned to the Aging Committee; and we have Marcus Walko from Lebanon Valley College, who is assigned to the Health Committee. Students, thank you for being here on the hill all fall semester.

### GUESTS INTRODUCED

The SPEAKER. Also to the left of the Speaker's rostrum, our colleague, Representative Shusterman, has her sister, Tamlyn Shusterman. Please stand. Welcome to the floor of the House. She is a coproducer of "The Outsiders" musical with Angelina Jolie that will hit Broadway in the spring of 2024, and she is also an alumna of the Rockettes and a Broadway performer. We are so glad to have you, Tamlyn.

In the gallery, our colleagues, Representatives Watro and Cabell, have 25 titleholders of the Miss Greater Hazleton Scholarship Organization. These titleholders are in the 6th through 10th grades, and they are accompanied by their families and members of the Miss Greater Hazleton Scholarship Organization Board of Directors. Please stand, Miss Greater Hazleton scholarship recipients. Congratulations, and welcome.

Also in the gallery, our colleagues, Representatives Kim and Curry, have the Grands Stepping Up LLC (limited liability company) president, Karen Barnes, and members of the GSU Board to the House. They are visiting the Capitol today to rally in support of kinship care providers. We thank you all, not only for rallying, but for taking care of other family members' children in the community. Please stand, and thank you for your service.

Our colleague, Representative White, brings to the House gallery this afternoon Austeja Stanciauskas. She and her family are here today celebrating her winning Representative White's "There Ought to Be a Law" contest by proposing a law that allows money collected from parking fees to be given to charities located in the community. Thank you for your vision, and we appreciate your coming today. Welcome to the floor of the House.

Finally, Representative Davis has with us today members who are here to advocate for Diaper Awareness Week. In the gallery, we have members from the American Association of University Women; the National Diaper Bank Network; Healthy Steps Diaper Bank; the Center for Leadership, Development and Advocacy; and the Erie Family Center. In the gallery, would you all please stand. Thank you for your advocacy today, and we appreciate all you do around the State.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 216** By Representatives SAPPEY, D. WILLIAMS, DONAHUE, HANBIDGE, KINSEY, HADDOCK, MADDEN, KHAN, FREEMAN, CEPEDA-FREYITZ, SANCHEZ, MAYES, CONKLIN, SHUSTERMAN, BOROWSKI, M. MACKENZIE, SAMUELSON, RIGBY, GUENST, BOYD, OBERLANDER, HOWARD, DELLOSO and FLEMING

A Resolution recognizing the month of September 2023 as "Transcontinental Underground Railroad Month" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, September 25, 2023.

**No. 217** By Representatives GILLEN, SOLOMON, BOROWSKI, CEPEDA-FREYITZ, COOK, DELLOSO, DONAHUE, FLICK, GUENST, HAMM, HARKINS, HEFFLEY, HILL-EVANS, JAMES, JOZWIAK, KHAN, KINSEY, M. MACKENZIE, MARCELL, MARSHALL, McNEILL, MENTZER, PICKETT, RAPP, RIGBY, SANCHEZ, SCIALABBA, STAATS, WEBSTER, DELOZIER, ARMANINI and BELLMON

A Resolution recognizing the week of October 9 through 15, 2023, as "United States Navy Week" in Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 25, 2023.

**No. 218** By Representatives HOGAN, BULLOCK, BRENNAN, MAJOR, PICKETT, T. DAVIS, KHAN, MADDEN, CAUSER, VENKAT, HILL-EVANS, McNEILL, KAUFFMAN, R. MACKENZIE, MARCELL, HANBIDGE, MENTZER, GAYDOS, GILLEN, HADDOCK, M. JONES, BOROWSKI, HEFFLEY and WARREN

A Resolution recognizing the month of September 2023 as "Ovarian Cancer Awareness Month" in Pennsylvania.

Referred to Committee on HEALTH, September 25, 2023.

**No. 219** By Representatives CERRATO, KHAN, MUNROE, FRIEL, MADDEN, SCHLOSSBERG, DONAHUE, McNEILL, HILL-EVANS, GUENST, SANCHEZ, PROBST, HOHENSTEIN, MADSEN, HANBIDGE, BOROWSKI, KINSEY, T. DAVIS, KAZEEM, SHUSTERMAN, WARREN, BRENNAN, FLEMING and STEELE

A Resolution directing the Joint State Government Commission to conduct a study of emergency child care and provide recommendations.

Referred to Committee on CHILDREN AND YOUTH, September 25, 2023.

**No. 220** By Representatives KINSEY, CURRY, HOWARD, GIRAL, HILL-EVANS, MADDEN, FREEMAN, CERRATO, HANBIDGE, A. BROWN, ABNEY, HADDOCK, MAYES, SANCHEZ, KHAN, CONKLIN and GILLEN

A Resolution recognizing September 25, 2023, as the "Day of Remembrance for Murder Victims" in Pennsylvania.

Referred to Committee on JUDICIARY, September 25, 2023.

**No. 221** By Representatives HILL-EVANS, DELOZIER, KINSEY, M. JONES, VITALI, FLICK, OBERLANDER, KHAN, SCHLOSSBERG, HARKINS, GIRAL, MADDEN, HANBIDGE, DONAHUE, SAPPEY, PICKETT, SANCHEZ, BOROWSKI, KRUEGER, PARKER, DELLOSO, CEPEDA-FREYTIZ, HADDOCK, CIRESI, ROZZI, CONKLIN and BELLMON

A Resolution recognizing the month of October 2023 as "Domestic Violence Awareness Month" in Pennsylvania.

Referred to Committee on JUDICIARY, September 26, 2023.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1691** By Representatives HOGAN, MARCELL, STAATS, KAUFFMAN, R. MACKENZIE, KUZMA and HEFFLEY

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 Health and its departmental administrative and advisory boards, providing for monitoring spread of emerging illicit drugs.

Referred to Committee on HEALTH, September 22, 2023.

**No. 1693** By Representative WHITE

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for opioid settlements.

Referred to Committee on HEALTH, September 25, 2023.

**No. 1694** By Representatives KUZMA, HEFFLEY, KAUFFMAN and MARCELL

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for opioid settlements.

Referred to Committee on HEALTH, September 25, 2023.

**No. 1705** By Representatives MARCELL, TOMLINSON, CONKLIN, GUENST, KAZEEM, KENYATTA, KHAN and KINSEY

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, providing for suicide prevention.

Referred to Committee on HUMAN SERVICES, September 22, 2023.

**No. 1706** By Representative CONKLIN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Office of State Inspector General, further providing for definitions and for powers, purpose and duties.

Referred to Committee on STATE GOVERNMENT, September 22, 2023.

**No. 1707** By Representatives MARSHALL, CIRESI and JAMES

An Act providing for enhanced penalties for offenses in active work zones and for duties of law enforcement agencies; and establishing the Work Zone Safety Fund.

Referred to Committee on TRANSPORTATION, September 22, 2023.

**No. 1708** By Representatives HILL-EVANS, MIHALEK, MADDEN, HOHENSTEIN, BRIGGS, KINSEY, KHAN, SANCHEZ and HOWARD

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, further providing for definitions; in pupils and attendance, providing for educational oversight for students in facilities, further providing for possession of weapons prohibited and providing for school stability for certain students; in safe schools, further providing for definitions and for reporting and establishing the School-Based Diversion Programs Fund; in school security, further providing for powers and duties and providing for limitations on proceedings and arrest; and, in school districts of the first class, repealing provisions relating to placement of certain adjudicated students.

Referred to Committee on JUDICIARY, September 22, 2023.

**No. 1709** By Representatives DIAMOND, HAMM, STEHR, GILLEN, ROZZI, KAUFFMAN, JAMES and MOUL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for affidavits of candidates and for nominations by political bodies.

Referred to Committee on STATE GOVERNMENT, September 25, 2023.

**No. 1710** By Representatives DIAMOND, HAMM, KAUFFMAN, M. MACKENZIE, STAATS, JAMES, ZIMMERMAN and SMITH

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

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, September 25, 2023.

**No. 1711** By Representatives HOGAN, MARCELL, WARREN and GILLEN

An Act designating a bridge, identified as Bridge Key 7178, carrying State Route 2018 over I-295 in Middletown Township, Bucks County, as the Staff Sgt. Jae S. Moon Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 25, 2023.

**No. 1712** By Representatives C. WILLIAMS, PICKETT, HANBIDGE, M. JONES, MARCELL, GUENST, GILLEN, STEELE, STRUZZI and OTTEN

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentence of total confinement; in general provisions, further providing for definitions; in licensing of drivers, further providing for the offense of driving while operating privilege is suspended or revoked and for ignition interlock limited license; and, in driving after imbibing alcohol or utilizing drugs, further providing for ignition interlock, for prior offenses, for Accelerated Rehabilitative Disposition, for drug and alcohol assessments and for mandatory sentencing and providing for substance monitoring program.

Referred to Committee on JUDICIARY, September 25, 2023.

**No. 1713** By Representatives STAMBAUGH, HAMM, KAUFFMAN, STAATS, JAMES, LEADBETER, KEEFER and ZIMMERMAN

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, September 26, 2023.

**No. 1714** By Representatives R. MACKENZIE, GILLEN, M. JONES and M. MACKENZIE

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

Referred to Committee on LABOR AND INDUSTRY, September 26, 2023.

**No. 1715** By Representatives KEPHART, CONKLIN, SMITH, HILL-EVANS, STAATS, GREINER, KAUFFMAN, JAMES, BRENNAN, DELLOSO and GILLEN

An Act designating a bridge, identified as Bridge Key 9570, on that portion of State Route 3049 over the Moshannon Creek in Rush Township, Centre County, as the Lance Corporal Michael P. Segich Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 26, 2023.

### SENATE BILL FOR CONCURRENCE

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

#### SB 757, PN 1058

Referred to Committee on EDUCATION, September 25, 2023.

### LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

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

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

### MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

#### PRESENT—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	Sappety
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	Hamm	McNeill	Smith
Burns	Hanbidge	Mehaffie	Smith-Wade-El
C Freytiz	Harkins	Mentzer	Solomon
Cabell	Harris	Mercuri	Staats
Causar	Heffley	Merski	Stambaugh
Cephas	Hogan	Metzgar	Steele
Cerrato	Hohenstein	Mihalek	Stehr
Ciresi	Howard	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

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

**HB 422, PN 2036** (Amended) By Rep. DAWKINS

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

LABOR AND INDUSTRY.

**HB 1474, PN 1660** By Rep. VITALI

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in Property Assessed Clean Energy Program, further providing for purpose and for definitions.

ENVIRONMENTAL RESOURCES AND ENERGY.

### RESOLUTIONS REPORTED FROM COMMITTEE

**HR 137, PN 1423** By Rep. KINSEY

A Resolution designating the month of October 2023 as "Bullying Prevention Awareness Month" in Pennsylvania to help Pennsylvanians work to recognize bullying, stop bullying and gain the tools needed to appropriately deal with situations involving bullies.

HUMAN SERVICES.

**HR 180, PN 1864** By Rep. KINSEY

A Resolution designating the month of September 2023 as "Hunger Action Month" in Pennsylvania.

HUMAN SERVICES.

**HR 188, PN 1935** By Rep. KINSEY

A Resolution designating the week of September 10 through 16, 2023, as "Direct Support Professionals Week" in Pennsylvania.

HUMAN SERVICES.

**HR 193, PN 1940** By Rep. KINSEY

A Resolution recognizing the month of September 2023 as "Suicide Prevention Awareness Month" and September 10, 2023, as "World Suicide Prevention Day" in Pennsylvania.

HUMAN SERVICES.

**HR 205, PN 1996**

By Rep. KINSEY

A Resolution recognizing the month of September 2023 as "National Recovery Month" in Pennsylvania.

HUMAN SERVICES.

### BILL REPORTED AND REREFERRED TO COMMITTEE ON CHILDREN AND YOUTH

**HB 1593, PN 1875**

By Rep. KINSEY

An Act amending the act of December 19, 1990 (P.L.1372, No.212), known as the Early Intervention Services System Act, in general provisions, further providing for legislative findings for early intervention, for definitions, for State interagency agreement and for council; in Statewide system for provision of early intervention services, further providing for requirements, for program regulations and standards, for administration by Department of Public Welfare, for administration by Department of Education and for child identification, assessment and tracking system; and making editorial changes.

Reported from Committee on HUMAN SERVICES with request that it be rereferred to Committee on CHILDREN AND YOUTH.

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

### SENATE MESSAGE

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 829, PN 1014**.

### SENATE MESSAGE

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1171, PN 1236; HB 1209, PN 1279; and HB 1407, PN 1572**, with information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

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

**HB 1171, PN 1236**

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations.

**HB 1209, PN 1279**

An Act amending the act of December 30, 2003 (P.L.441, No.64), known as the Tobacco Product Manufacturer Directory Act, in preliminary provisions, further providing for definitions; in tobacco product manufacturers directory, further providing for directory, for certification, for required information, for agent for service of process and for records and reporting and providing for nonparticipating manufacturer and importer joint and several liability and for surety bond requirements; and imposing duties on the Office of Attorney General.

**HB 1407, PN 1572**

An Act amending the act of June 22, 2000 (P.L.394, No.54), known as the Tobacco Settlement Agreement Act, further providing for definitions.

**SB 829, PN 1014**

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, 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.

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

**DEMOCRATIC CAUCUS**

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

House Democrats will caucus at 1:30. We will be prepared to return to the floor at 2 p.m.

**REPUBLICAN CAUCUS**

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will caucus at 1 o'clock; Republicans will caucus at 1 o'clock.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

**RECESS**

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

**AFTER RECESS**

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

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Members, I have an important announcement. I have an important announcement about our updated and improved voting system. If I may have your attention.

Members, as part of our continuing bipartisan efforts to modernize the Pennsylvania House of Representatives, you will notice the new voting boxes on your desks. Particularly, to everyone's relief, you will notice a new button labeled "Speak." Moving forward, if you would like to speak on a question under the normal order of business, simply press the speak button and the Speaker will be notified of your request. Once pressed, your button will light out. If, during the course of our debate here on the floor, you decide you no longer want to speak or to be recognized, simply press the speak button again and your name will be removed from the list. At this point your speak button will no longer be lit up.

If you ever need to seek immediate recognition – for example, if you have a point of order – you may still stand next to a microphone and raise your hand to be recognized.

Members, if I may have your attention. We are about to take up a condolence resolution for a deceased member of this august body. The Sergeants at Arms will close the doors of the House. Members, please take your seats.

**UNCONTESTED CALENDAR****RESOLUTION PURSUANT TO RULE 35**

Mr. SCHLEGEL called up **HR 207, PN 2003**, entitled:

A Resolution celebrating the life and honoring the memory of former Representative George W. Jackson, who passed away July 6, 2023.

On the question,

Will the House adopt the resolution?

The following resolution was read:

**A RESOLUTION**

Celebrating the life and honoring the memory of former Representative George W. Jackson, who passed away July 6, 2023.

WHEREAS, George W. Jackson was born September 19, 1924, in Philadelphia to George W. and Ethel Morrett Dissinger Jackson; and WHEREAS, Representative Jackson graduated from Lebanon High School in 1943 and Lebanon Business College before serving in the Marine Corps during World War II with the 4th Division; and

WHEREAS, After returning from World War II, Representative Jackson graduated from Lebanon Business College in 1949, before returning to service in the Korean War as a Sergeant with the 2nd Division; and

WHEREAS, Representative Jackson went on to serve as President of the Lebanon County Republican Party for eight years and President of the Lebanon County Young GOP for four years and was elected to the council of Mt. Gretna Borough; and

WHEREAS, In 1980, Representative Jackson was elected to the Pennsylvania House of Representatives to represent part of Lebanon County where he served five terms in the House of Representatives as a Republican representative; and

WHEREAS, Representative Jackson received awards for his dedication to public service, including the Distinguished Service Award from the Disabled American Veterans in 1981, the Better Life Award from the Pennsylvania Health Care Association in 1983, the Alumnus of the Year from Lebanon Senior High School in 1990 and the American Family Institution at Valley Forge Award of Honor in 1990; and

WHEREAS, After retiring from the House of Representatives, Representative Jackson continued to be involved in his community and was a 50-year member of the Lebanon Mt. Olivet Lodge, Tall Cedars of Lebanon, the Travelers Protective Association and the former Quentin Riding Club; and

WHEREAS, Representative Jackson is survived by his wife, Esther, his daughter, Beth Renee, his three grandchildren and his three great-grandchildren; therefore be it

RESOLVED, That the House of Representatives celebrate the life and honor the memory of former Representative George W. Jackson, who passed away July 6, 2023.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Lebanon County, Representative Schlegel.

Mr. SCHLEGEL. Thank you, Madam Speaker.

Madam Speaker, I rise to pay tribute to a former member of this chamber.

Representative George W. Jackson, Jr., formerly of Mount Gretna, honorably served the residents of the 101st Legislative District in Lebanon County from 1981 to 1990.

He was truly a man of service. After graduating from Lebanon High School in 1943, George enlisted in the Marines. He was a World War II and a Korean war combat veteran.

George had a distinguished career as a public servant. Prior to his service as a State Representative, he was a legislative aide to former Congressmen Edwin Eshleman and Robert Walker, who served the people in Lancaster and Lebanon Counties. George was the chairman of the Lebanon County Republican Party for 8 years. He also held several leadership positions in Lebanon County, including, but not limited to, the Quentin United Church of Christ, Salvation Army, Cancer Society, and the Tall Cedars of Lebanon.

Eventually, George moved with his wife to Rock Hill, South Carolina. He was 98 when he went home to be with the Lord on July 6 of this year. He is survived by his wife, his daughter, three grandchildren, and three great-grandchildren.

It is truly an honor to recognize the life and service of former Representative George W. Jackson. May he rest in peace.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The SPEAKER. Those in favor of the resolution will rise and remain standing for a moment of silence as a mark of respect for the deceased former member, Representative George W. Jackson. Guests will also please rise as able.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable George W. Jackson.)

The SPEAKER. The resolution has been unanimously adopted. Sergeants at Arms will open the doors of the House.

## CALENDAR

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 250, PN 213**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for exemption of persons, entities and vehicles from fees.

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

\* \* \*

The House proceeded to second consideration of **HB 1409, PN 1577**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, further providing for power to set fees; and, in fishing licenses, further providing for license, permit and issuing agent fees.

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

\* \* \*

The House proceeded to second consideration of **HB 1507, PN 1723**, 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 minimum number of days or hours.

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

\* \* \*

The House proceeded to second consideration of **HB 1291, PN 1788**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for issuance and content of driver's license.

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

**MOTION TO SUSPEND RULES**

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

Ms. GAYDOS. Thank you, Madam Speaker.

I would like to suspend the rules for consideration of my amendment to HB 1291.

The SPEAKER. Representative Gaydos moves to suspend the rules for the purpose of immediate consideration of amendment A02088.

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

The SPEAKER. Members are reminded that, pursuant to rule 77, the motion to suspend is only debatable by the leaders, the maker of the motion, the maker of the amendment under consideration, and the prime sponsor of the bill under consideration.

On that question, the Chair recognizes Representative Gaydos.

Ms. GAYDOS. Thank you, Madam Speaker.

I am sorry; could you repeat that, please?

The SPEAKER. The Chair reminds the gentlelady, you are required to give a brief explanation of the underlying amendment and the purpose for which you want the rules to be suspended.

Ms. GAYDOS. Thank you, Madam Speaker.

So I would like to suspend the rules for amendment A02088. This amends the bill to include a requirement for the Department of State to notify all other departments of the residency changes, including voter registration applications.

The SPEAKER. The Chair thanks the gentlelady.

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

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—101**

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

**NOT VOTING—0**

**EXCUSED—0**

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

**MOTION TO SUSPEND RULES**

The SPEAKER. For what purpose does the gentlelady, Representative Krupa of Fayette County, rise?

Mrs. KRUPA. Thank you, Madam Speaker.

I would like to make a motion to suspend the rules to allow for my amendment.

The SPEAKER. The Chair thanks the gentlelady.

Representative Krupa moves to suspend the rules for the purpose of immediate consideration of amendment A02119.

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

The SPEAKER. On the question, the Chair recognizes the maker of the amendment and the maker of the motion, Representative Krupa.



Mrs. KRUPA. This amendment was filed today to address a time-sensitive issue that has arisen with the Governor's decision to require that the Department of Transportation register people to vote when they get their driver's license renewed, unless they specifically opt out. This automatic voter registration program, which was enacted by the Executive without legislative authority, raises significant questions about the—

The SPEAKER. The gentledady will suspend. The question before the House is the suspension of the rules. While rule 77 requires a brief description of an amendment, the amendment itself is not yet before the House, and arguments supporting or opposing the amendment are not in order. The only question before the House is whether the rules should be suspended for the immediate consideration of the amendment.

If you would like to speak more generally about voter registration here in the Commonwealth of Pennsylvania, you are welcome to do so at the conclusion of business on the last session day of this week, pursuant to rule 17.

The gentledady may proceed on the motion to suspend the rules.

Mrs. KRUPA. Under House rule 77, I am entitled to give a brief description of my amendment. That brief description would include that the amendment would, one, require an audit of the Governor's system; two, require county registration boards to certify that the people who are registered to vote under this system are actually eligible voters; and three, require that individuals who are registered to vote under this automatic system show their State-issued photo ID when voting, moving forward, throughout future elections.

For these reasons, I ask for a vote to suspend the rules and move forward with a vote on the amendment. Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentledady.

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

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—101

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

NOT VOTING—0

EXCUSED—0

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

\* \* \*

The House proceeded to second consideration of **HB 1278, PN 1764**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions and for exceptions to prohibition of interception and disclosure of communications, providing for Department of Corrections retention policy and further providing for expiration of chapter.

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

Mr. **PIELLI** offered the following amendment No. **A02085**:

- Amend Bill, page 1, line 5, by inserting after "FOR" public access and for
- Amend Bill, page 1, line 13, by striking out "A DEFINITION" and inserting definitions
- Amend Bill, page 1, by inserting after line 20 "Department." The Department of Corrections of the Commonwealth.
- Amend Bill, page 2, lines 6 and 7, by striking out "BY A PERSON SUBJECT TO STATE PAROLE"
- Amend Bill, page 2, line 7, by inserting after "agent"

from or to an individual subject to State supervision or parole

Amend Bill, page 2, lines 17 and 18, by striking out "THE AGENCY" and inserting  
an agent

Amend Bill, page 2, lines 19 through 23, by striking out all of said lines

Amend Bill, page 2, line 25, by striking out "Department of Corrections" and inserting  
department

Amend Bill, page 3, lines 12 and 13, by striking out "DEPARTMENT OF CORRECTIONS" and inserting  
department

Amend Bill, page 3, by inserting between lines 15 and 16 "Secretary. The Secretary of Corrections of the Commonwealth.

Amend Bill, page 3, lines 23 through 30; page 4, lines 1 through 6; by striking out all of said lines on said pages and inserting  
(19) An agent to intercept, record, monitor or divulge any oral communication if the following conditions are met:

(i) The department shall adhere to the following procedures and restrictions when intercepting, recording, monitoring or divulging any oral communication:

(A) The individual subject to State supervision or parole shall be notified in writing that as of the effective date of this paragraph the person's oral communications may be intercepted, recorded, monitored or divulged.

(B) Unless otherwise provided in this paragraph, after intercepting or recording an oral communication, only the secretary, an agent, other administrative officials of the department designated by the secretary and employees of the Pennsylvania Parole Board shall have access to the recording or interception.

(C) The contents of an intercepted and recorded oral communication shall be divulged only as necessary to safeguard the orderly operation of State supervision, parole hearing purposes, in response to a court order or in the prosecution or investigation of a crime.

(ii) This paragraph shall apply to the following:

(A) Oral communication made from or to an individual subject to State supervision or parole or a third party while in the vicinity of an agent interacting with an individual on State supervision or parole.

(B) Oral communication made by an agent, investigative or law enforcement officer present during the agent's interaction with a person subject to State supervision or parole.

(iii) No interception or recording of an oral communication made under this paragraph shall be shared with an investigative or law enforcement officer unless pursuant to a lawful warrant.

(iv) The department shall develop guidelines to implement this paragraph for State supervision.

Section 3. Subchapter B of Chapter 57 of Title 18 is amended by adding a section to read:  
§ 5729. Public access.

A request for access to audio and video recordings made by an agent under this chapter shall not be subject to the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, and shall follow the access procedures provided for under 42 Pa.C.S. Ch. 67A (relating to recordings by law enforcement officers).

Amend Bill, page 4, line 7, by striking out "3" and inserting  
4

Amend Bill, page 4, line 10, by striking out "SECRETARY OF CORRECTIONS" and inserting  
secretary

Amend Bill, page 4, line 12, by striking out "DEPARTMENT OF CORRECTIONS" and inserting  
department

Amend Bill, page 4, line 13, by striking out "SECRETARY OF CORRECTIONS" and inserting  
secretary

Amend Bill, page 4, line 15, by striking out "DEPARTMENT OF CORRECTIONS" and inserting  
department's

Amend Bill, page 4, line 19, by striking out "4" and inserting  
5

Amend Bill, page 4, line 23, by striking out "5" and inserting  
6

Amend Bill, page 5, line 1, by striking out "6" and inserting  
7

Amend Bill, page 5, lines 2 through 4, by striking out all of said lines and inserting

(1) The amendment or addition of 18 Pa.C.S. §§ 5702 and 5704 shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

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

Mr. PIELLI. Thank you, Madam Chair, for the opportunity to speak in support of amendment 2085 to HB 1278.

Madam Speaker, this amendment is listed under my name, but truthfully, it was a product of numerous stakeholders from the Department of Corrections, the administration, various attorneys, and various groups like the ACLU (American Civil Liberties Union).

A special thanks to Representative Kinkead, Representative Hohenstein, and Chairman Briggs for their help. The end result of this is a much better bill that protects third parties and answers questions of protection, and other issues regarding that same issue, when we remove communications made in the presence of State parole agents and persons holding police commissions employed by the Department of Corrections, in addition to extending this Wiretap Act.

I would ask for your support. 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	Donahue	Kinsey	Rabb
Bellmon	Evans	Kosierowski	Rozzi
Benham	Fiedler	Krajewski	Salisbury
Bizzarro	Fleming	Krueger	Samuelson
Bonner	Frankel	Kulik	Sanchez
Borowski	Freeman	Madden	Sappey
Boyd	Friel	Madsen	Schlossberg
Boyle	Gallagher	Malagari	Schweyer
Bradford	Galloway	Markosek	Scott
Brennan	Gergely	Matzie	Shusterman
Briggs	Giral	Mayes	Siegel
Brown, A.	Green	McAndrew	Smith-Wade-El
Bullock	Guenst	McNeill	Solomon
Burgos	Guzman	Merski	Steele
Burns	Haddock	Miller, D.	Sturla
C Freytiz	Hanbidge	Mullins	Takac
Cephas	Harkins	Munroe	Venkat
Cerrato	Harris	Neilson	Vitali

Ciresi	Hohenstein	Nelson, N.	Warren
Conklin	Howard	O'Mara	Waxman
Curry	Isaacson	Otten	Webster
Daley	Kazeem	Parker	Williams, D.
Davis	Kenyatta	Pashinski	Young
Dawkins	Khan	Pielli	
Deasy	Kim	Pisciottano	McClinton,
Delloso	Kinkead	Probst	Speaker

## NAYS—100

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
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Cabell	Hogan	Marshall	Schmitt
Causar	Irvin	Mehaffie	Scialabba
Cook	James	Mentzer	Smith
Cooper	Jones, M.	Mercuri	Staats
Cutler	Jones, T.	Metzgar	Stambaugh
D'Orsie	Jozwiak	Mihalek	Stehr
Davanzo	Kail	Miller, B.	Stender
Delozier	Kaufer	Moul	Struzzi
Diamond	Kauffman	Mustello	Tomlinson
Dunbar	Keefer	Nelson, E.	Topper
Ecker	Kephart	O'Neal	Twardzik
Emrick	Kerwin	Oberlander	Warner
Fee	Klunk	Ortitay	Watro
Fink	Krupa	Owlett	Wentling
Flick	Kutz	Pickett	White
Flood	Kuzma	Rader	Williams, C.
Fritz	Labs	Rapp	Zimmerman

## NOT VOTING—0

## EXCUSED—0

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

On the question,

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

Mr. **BONNER** offered the following amendment No. **A01835**:

Amend Bill, page 3, lines 16 and 17, by striking out "A PARAGRAPH" and inserting paragraphs

Amend Bill, page 4, by inserting between lines 6 and 7

(20) A person to intercept the wire communications of a telemarketer, telemarketing business or an individual or entity that initiates robocalls, as those terms are defined in section 2 of the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, provided that the person who received the telephone call has consented to the interception, for purposes of enforcing any of the following:

(i) 47 U.S.C. § 227 (relating to restrictions on use of telephone equipment).

(ii) The act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law.

(iii) The Telemarketer Registration Act.

Amend Bill, page 5, lines 2 through 4, by striking out "amendment of the definition of "oral" in line 2 and all of lines 3 and 4 and inserting

following shall take effect in 60 days:

(i) The amendment of the definition of "oral communication" in 18 Pa.C.S. § 5702.

(ii) The addition of 18 Pa.C.S. § 5704(20).

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.

It is my understanding that this is an agreed-to amendment.

The SPEAKER. The gentleman must give a brief explanation of the amendment.

Mr. BONNER. Madam Speaker, 38 States have a provision that only one party to a telephone conversation needs to give consent for that conversation to be recorded. Pennsylvania is one of the 12 States that says you have to have both parties' permission to record such a statement. The amendment will set forth an exception under the Wiretap Act that will allow a homeowner to record the statement of a telemarketer, if that homeowner believes that fraudulent activity is occurring in that phone call.

In the United States, we lose \$40 billion a year to telemarketer scammers, who routinely record the phone calls that they make. This will level the playing field and give our citizens an opportunity to also record the telescammer to provide evidence, then, to law enforcement officials.

I would ask, then, for your support of this amendment that will bring a more level playing field and cause much distress with telemarketers.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman from Mercer County.

On that question, the Chair recognizes the maker of the bill, the gentleman from Chester County, Representative Pielli.

Mr. PIELLI. Thank you, Madam Chair, and thank you, Representative Bonner.

I wholeheartedly support amendment 1835. It is my understanding that this ran as a bill separately and got unanimous support from this chamber. It is creating an exception, as the good Representative said.

Many of our seniors are being scammed by these telemarketers. This is a really good amendment. It makes HB 1278 a much better bill, so I urge my colleagues, please, to vote "yes" on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from Chester and Delaware Counties, Representative Craig Williams.

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

I rise today in support of amendment 1835 and I would like to briefly tell you why.

As was noted previously, it is a crime in Pennsylvania for you to record a conversation with someone else without their consent. I would like to play for you just one example where this could come to play in your personal life and that of your constituents.

My son was online and got one of those alerts that said, if you do not click this link right now, your computer is going to be seized. At 12 years old he believed it, and by the end of an hour of trying to problem-solve with somebody halfway across the world about what he thought was the only way to save the data on his computer, he was in a phone conversation with someone. We had no ability for, in that moment, my son and I to record that telephone conversation without me having to commit a crime in Pennsylvania to record that conversation without the consent of the other person.

So while the previous speaker and the maker of the amendment talk about seniors and the fraud that is happening to seniors by way of telemarketing, it is all ages. It is all ages of people that can be called in their home to be solicited by somebody claiming to be from the energy company, claiming to be from your communications company, claiming to be the FBI, and you have no recourse whatsoever to record that telephone call and provide evidence to law enforcement.

This amendment will cure that under the Wiretap Act, and I encourage its passage. Thank you very much.

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—201

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

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

NAYS—1

Heffley

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?  
Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **SB 838, PN 993**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for order of probation, for conditions of probation and for modification or revocation of order of probation and providing for probation review conference.

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

Ms. **DELOZIER** offered the following amendment  
No. **A01722**:

Amend Bill, page 9, line 23, by striking out "**OFFICER**" and inserting

office

Amend Bill, page 9, line 24, by striking out the period after "**DEFENDANT**" and inserting

, in accordance with standards developed by the Pennsylvania Commission on Crime and Delinquency. The Pennsylvania Commission on Crime and Delinquency shall develop standards pursuant to this paragraph.

Amend Bill, page 9, line 30, by inserting a comma after "**court**;"  
Amend Bill, page 9, line 30, by striking out "**AND**" where it occurs the first time

Amend Bill, page 10, line 2, by inserting after "**program**"  
and any victim registered with either the Pennsylvania Office of Victim Advocate or a county victim witness program

Amend Bill, page 10, line 14, by striking out "**of**" and inserting  
or

Amend Bill, page 10, lines 28 and 29, by striking out "**A person entitled to the probation status report under subsection (d)**" and inserting

The Commonwealth and the defendant

Amend Bill, page 11, line 1, by inserting after "report."

A victim shall have 30 days from the date of the status report to provide input or otherwise respond to the probation status report.

Amend Bill, page 14, lines 21 through 23, by striking out "A" in line 21 and all of lines 22 and 23 and inserting

the remaining balance of the defendant's probation sentence if:

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentelady from Cumberland County, Representative Delozier.

Ms. DELOZIER. Thank you, Madam Speaker.

This amendment to this bill for SB 838 clarifies that the probation office, not the officer, shall identify conditions of probation and lead to an early conference; reinstates language requiring PCCD (Pennsylvania Commission on Crime and Delinquency) to establish the standards for these conditions; reinstates some language that allows victims to receive copies of a defendant's probation status report; and makes a few technical changes.

I ask for a "yes" vote to this amendment to SB 838.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentelady.

On that question, the Chair recognizes the gentleman from Montgomery County, Representative Briggs.

Mr. BRIGGS. Thank you, Madam Speaker.

And I do want to thank the gentelady, the previous speaker, the maker of the amendment, regarding this. This was a good conversation. There were some concerns that were raised during the committee meeting on SB 838, and a number of us – bipartisan, bicameral – a number of the stakeholders got together to address some of the concerns, and that is the product of this amendment.

So I think it makes 838 better, and I support the amendment and hope to encourage – so it is an agreed-to amendment, and thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentelady from Allegheny County, Representative Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

I rise also in support of this amendment. This amendment allows for victims to have input, but not the ability to object to probation proceedings. It puts some guardrails in on things that were a little bit of an overreach, and it is the product of painstaking negotiation on both sides, and so I would ask my colleagues for a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentelady.

On the question recurring,

Will the House agree to the amendment?

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	Sappery
Borowicz	Gillen	Major	Schemel
Borowski	Giral	Mako	Scheuren
Boyd	Gleim	Malagari	Schlegel
Boyle	Green	Maloney	Schlossberg
Bradford	Gregory	Marcell	Schmitt
Brennan	Greiner	Markosek	Schweyer
Briggs	Grove	Marshall	Scialabba
Brown, A.	Guent	Matzie	Scott
Brown, M.	Guzman	Mayes	Shusterman
Bullock	Haddock	McAndrew	Siegel
Burgos	Hamm	McNeill	Smith
Burns	Hanbidge	Mehaffie	Smith-Wade-El
C Freytiz	Harkins	Mentzer	Solomon
Cabell	Harris	Mercuri	Staats
Causar	Heffley	Merski	Stambaugh
Cephas	Hogan	Metzgar	Steele
Cerrato	Hohenstein	Mihalek	Stehr
Ciresi	Howard	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	Neilon	Twardzik
Daley	Kail	Nelson, E.	Venkat
Davanzo	Kaufer	Nelson, N.	Vitali
Davis	Kauffman	O'Mara	Warner
Dawkins	Kazeem	O'Neal	Warren
Deasy	Keefer	Oberlander	Watro
Delloso	Kenyatta	Ortitay	Waxman
Delozier	Kephart	Otten	Webster
Diamond	Kerwin	Owlett	Wentling
Donahue	Khan	Parker	White
Dunbar	Kim	Pashinski	Williams, C.
Ecker	Kinkead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

**RESOLUTIONS REPORTED FROM COMMITTEE**

**HR 125, PN 2038 (Amended)**

By Rep. SOLOMON

A Resolution designating the week of November 4 through 11, 2023, as "Veterans Week of Service" in Pennsylvania to coincide with the annual Veterans Day observance on November 11, 2023.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HR 138, PN 1424** By Rep. SOLOMON

A Resolution celebrating the National Guard on its 387th birthday.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HR 178, PN 1862** By Rep. SOLOMON

A Resolution designating the month of September 2023 as "Emergency Preparedness Month" in Pennsylvania.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HR 215, PN 2015** By Rep. SOLOMON

A Resolution recognizing the week of October 8 through 14, 2023, as "Fire Prevention Week" in Pennsylvania.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

### **BILLS RECOMMITTED**

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

HB 250;  
HB 1278;  
HB 1291;  
HB 1409;  
HB 1507; and  
SB 838.

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

### **BILLS REMOVED FROM TABLE**

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

HR 178;  
HR 180;  
HR 193; and  
HR 205.

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

### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. For the members' attention, tonight is the Seventh Annual Capitol All-Stars game. It will be starting promptly at 5 p.m. at the FNB Field on Harrisburg's City Island.

We hope that you will join us as we cheer on lawmakers from both sides of the aisle and both chambers, as the Yinz and the Youse help raise money to fight hunger. Members are reminded to be very careful in the rain.

Members, after working very hard all summer in your districts, I just must say, it is great to see everybody back here on today.

### **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 Chester County, Representative Pielli, that the House now adjourn until Wednesday, September 27, 2023, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:57 p.m., e.d.t., the House adjourned.