

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 4, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 45

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATTY KIM) PRESIDING

PRAYER

HON. JAMIE BARTON, member of the House of Representatives, offered the following prayer:

Will you please join me in prayer:

Heavenly Father, we thank You for this day and for all the blessings You bestow upon us. We come to You this morning as Your humble servants. And through Your gifts, through Your grace, Lord, we have been entrusted to serving our communities and this Commonwealth. And, Father, we take our service seriously, so seriously that we sometimes are weighed down with darkness. We get discouraged, disgusted, despaired, depressed. And, Lord, we ask You to lift us up and fill us with the power of the Holy Spirit. In the midst of anxiety, give us peace of mind; in the midst of distress, let us know comfort; in the midst of heartache, let us feel hope; in the midst of confusion, grant us focus; in the midst of fear, give us courage.

Psalm 37 reminds us to trust in the Lord and do good. Lord, we look to You for hope, help, and guidance, because, Father, in these chambers, we do not always treat one another with respect. No one has ever been insulted into agreement. We can only persuade with love. "Love one another with brotherly affection. Outdo one another in showing honor...serve the Lord," from Romans 12.

Ground us in awareness, Lord, and grant us knowledge and understanding of the business that needs to be accomplished. And, Father, give us all the spirit of integrity and humility in our voices and our actions, inside and outside these chambers, so that we may hold ourselves accountable to You and this wonderful Commonwealth we serve. God, we know these are just words unless we put them into motion, so please grant us the courage and wisdom to put these words into action.

God bless this body and this meeting, God bless the Commonwealth of Pennsylvania, and God bless the United States of America. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, October 3, 2023, will be postponed until printed.

GUESTS INTRODUCED

The SPEAKER pro tempore. Representatives Hogan and Bullock welcome their friend, Jay Ferraro, to the hall of the House. He is here to visit with them and observe session. He is here to my left. Please rise as we welcome you.

Representative Sturla welcomes students from the Montessori Academy of Lancaster who participated in the Division 1, 2023 Odyssey of the Mind competition. Coached by Meghan Dinardi, they won first place in the regional competition, first place in the State competition, and sixth place in the world competition. Please rise, and congratulations.

Representative Sturla, along with Representative Mentzer, has students from the Manheim Township School District, who also participated in the 2023 Odyssey of the Mind competition. Coached by Corey and Kelly Fogleman, they won second place in the Division 2 regional competition, second place in the State competition, and third place in the world competition. Please rise, and congratulations.

Representative Joe Webster welcomes Brie Berry, assistant professor at Ursinus College. Ms. Berry is here visiting the Capitol with students from environmental studies. I apologize if I said the college wrong. Please rise as we acknowledge you.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes the majority whip, who indicates that there are no leaves of absence.

The Chair recognizes the minority whip, who indicates that there are no leaves of absence.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—203

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—0**

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 231 By Representatives CIRESI, T. DAVIS, ARMANINI, MUSTELLO, BRENNAN, McNEILL, KINSEY, HILL-EVANS, PROBST, BRIGGS, ROWE, DELLOSO, PICKETT, PIELLI, CEPEDA-FREYTIZ, MERSKI, RABB, GUENST, SANCHEZ, ROZZI, HOWARD, MENTZER, ABNEY, HADDOCK, D. WILLIAMS and GREEN

A Resolution recognizing the month of October 2023 as "Italian-American Heritage Month" in Pennsylvania.

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 987 By Representatives RABB, HOHENSTEIN, GIRAL, SANCHEZ, DELLOSO, CONKLIN, KAZEEM, HILL-EVANS, CIRESI, KRAJEWSKI, FLEMING, KINKEAD and SHUSTERMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in matters affecting government units, further providing for exceptions to sovereign immunity and providing for claims for wrongful conviction and imprisonment; and establishing the Exonerated Individual Community Trust Fund.

Referred to Committee on JUDICIARY, October 3, 2023.

No. 1695 By Representatives HEFFLEY, FLICK and JAMES

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for schedules of controlled substances.

Referred to Committee on JUDICIARY, October 3, 2023.

No. 1736 By Representative RADER

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for amendment of declaration; in creation, alteration and termination of cooperatives, further providing for amendment of declaration; and, in creation, alteration and termination of planned communities, further providing for amendment of declaration.

Referred to Committee on JUDICIARY, October 3, 2023.

No. 1737 By Representatives RADER and FLOOD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in taxation and finance, further providing for township and special tax levies.

Referred to Committee on LOCAL GOVERNMENT, October 3, 2023.

No. 1738 By Representatives RADER, PROBST and FLOOD

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in taxation and finance, further providing for tax levy; and, in taxation, further providing for tax levies.

Referred to Committee on LOCAL GOVERNMENT, October 3, 2023.

No. 1739 By Representatives RADER and FLOOD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in finance and taxation, further providing for tax levies.

Referred to Committee on LOCAL GOVERNMENT, October 3, 2023.

No. 1740 By Representatives RABB, SANCHEZ, D. WILLIAMS, KENYATTA, HILL-EVANS, SAPPEY, MADDEN, KHAN, KAZEEM, KRAJEWSKI, CIRESI, O'MARA, ISAACSON, N. NELSON, BRIGGS, SHUSTERMAN, DALEY, FREEMAN, SALISBURY, BRENNAN, FLEMING and OTTEN

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for transition to renewable energy; imposing duties on the Department of Environmental Protection and other Commonwealth agencies relating to energy consumption and renewable energy generation; establishing the Renewable Energy Transition Task Force, the Just Transition Community Advisory Committee, the Renewable Energy Center of Excellence, the Council for Renewable Energy Workforce Development and the Renewable Energy Workforce Development Fund; providing for interim limits on energy produced from nonrenewable sources and for wage requirement for energy producing systems.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 3, 2023.

No. 1741 By Representatives RABB, KRAJEWSKI, FRANKEL, SMITH-WADE-EL, HILL-EVANS, SANCHEZ, BELLMON, GIRAL, SCHLOSSBERG, McNEILL, HOHENSTEIN, PARKER, KHAN, MADDEN, KAZEEM, SCOTT, HADDOCK, KINSEY, GREEN and D. WILLIAMS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement.

Referred to Committee on JUDICIARY, October 3, 2023.

No. 1742 By Representatives CEPEDA-FREYITZ, D. MILLER, MADDEN, KAZEEM, DONAHUE, T. DAVIS, HILL-EVANS, SMITH-WADE-EL, SANCHEZ, PARKER, DELLOSO, KHAN, STEELE, CIRESI, GREEN, KRAJEWSKI and D. WILLIAMS

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

Referred to Committee on FINANCE, October 3, 2023.

SENATE BILLS FOR CONCURRENCE

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

SB 69, PN 858

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

SB 235, PN 1130

Referred to Committee on JUDICIARY, October 3, 2023.

SB 531, PN 1098

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 3, 2023.

SB 749, PN 798

Referred to Committee on LOCAL GOVERNMENT, October 3, 2023.

SB 754, PN 799

Referred to Committee on LOCAL GOVERNMENT, October 3, 2023.

SB 851, PN 960

Referred to Committee on TRANSPORTATION, October 3, 2023.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes Representative Bob Freeman for a caucus announcement.

Mr. FREEMAN. Thank you, Madam Speaker.

On behalf of Caucus Chairman Schlossberg, the Democratic Caucus will meet at 12:30 in the main caucus room.

The SPEAKER pro tempore. Thank you.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Madam Speaker, would it be all right if I would ask the good chairman what time they intend to be back on the floor?

Mr. FREEMAN. Yes. Madam Chair, it is my understanding we will probably return to the floor at 2.

Mr. DUNBAR. 2 o'clock?

Mr. FREEMAN. Yep.

Mr. DUNBAR. Very good.

Mr. FREEMAN. In the afternoon.

Mr. DUNBAR Thank you, Mr. Chairman. I appreciate that.

Republicans will also caucus at 12:30. Republicans will caucus at 12:30. Thank you.

JUDICIARY COMMITTEE MEETING

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

Mr. BRIGGS. Thank you, Madam Speaker.

For the members of the Judiciary Committee, we will be meeting at 11:30 in room 523, a meeting called off the floor by the chair, to consider HB 863, as well as HR 225; 11:30, room 523, Irvis Building, members of the Judiciary Committee. Thank you.

The SPEAKER pro tempore. The Judiciary Committee will meet at 11:30 in room 523, Irvis Building.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. MULLINS. Thank you, Madam Speaker.

The Appropriations Committee will meet immediately upon the break in the majority caucus room; Appropriations Committee, immediately upon recess.

Thank you, Madam Speaker.

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

The House will be at ease.

The House will come to order.

TRANSPORTATION COMMITTEE MEETING

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

Mr. NEILSON. Thank you, Madam Speaker.

There will be a meeting of the House Transportation Committee today in room 515, Irvis Building, immediately after session to consider SB 851 and any other business that comes before the committee; again, at the end of session.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Chairman.

The Transportation Committee will meet immediately after session in room 515, Irvis Building.

The House will be at ease.

The House will come to order.

GUESTS INTRODUCED

The SPEAKER pro tempore. Representative Jesse Topper welcomes the Everett Girls Softball State Champions. After an undefeated season of 26 and zero, the Everett Lady Warriors Girls Softball Team took home its first State championship in its program's history. Ladies, congratulations, and please stand as we recognize you. Well done.

RECESS

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

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.

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

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

GUESTS INTRODUCED

The SPEAKER. We have some very important guests who are on the floor of the House and we would like to introduce you to them properly.

Seated to the left of the Speaker's rostrum, I will take a little bit of personal pride and privilege, the gentlelady from Philadelphia County that represents the neighborhood where I have lived my entire life, both west and southwest Philadelphia, is on the floor of the House. My councilwoman, Jamie R. Gauthier, has been representing the city's third district since 2020. She is here today to fight for her constituents to have not only peace in our streets, but laws that are made here in the Capitol to protect our constituents from gun violence. Please join myself, Representative Krajewski, Representative Rabb, and all the others that invited councilmember Jamie Gauthier to the floor of the House the first time this year.

As many members may have seen – I know some of you participated with us – lots of us joined Moms Demand Action and Everytown for Gun Safety this morning at the Capitol main rotunda to be here advocating against gun violence. Members, if I may have your attention. Among the many folks who traveled from across Pennsylvania to speak at the rally, there is a special neighbor in my community who, sadly, lost her son to gun violence in July of 2016. She is joined today by her brother. Tanisha Pratt, Kenneth Pratt are here. And as I always say, Jaquill forever. We will never forget Tyhir. Please stand up. We continue to pray for you and your family.

The Philadelphia delegation, led by the gentlelady from Philadelphia, Representative Cephas, has brought to the floor of the House this afternoon, seated to the left of the Speaker's rostrum, the head of the Philadelphia Council AFL-CIO, where he leads 100 local unions in the Philadelphia area, along with his staff, Kathryn Martucci. Please welcome Danny Bauder to the floor of the Pennsylvania House.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is in receipt of some very important information. Members, please listen up.

Just yesterday the son of our colleague from Bedford County, Josh Topper, qualified for the State golf tournament. He needed to birdie the final hole and force a playoff, and he was able to do that successfully. We congratulate Josh Topper on his success, and we are rooting for him from here in the Capitol. Congratulations.

SENATE MESSAGE**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 621, PN 1149**.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

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

HB 863, PN 2105 (Amended) By Rep. BRIGGS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, further providing for powers and duties of commission.

JUDICIARY.

HB 972, PN 2102 (Amended) By Rep. BULLOCK

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for title of the act; in preliminary provisions, further providing for applicability; in grounds and buildings, further providing for scope of subdivision, for room or building for juvenile offenders waiting trial, for management of houses for detention of juveniles and appointment of board and ex officio members, for annual report and expenses and for appropriation and bond issues; and making editorial changes.

CHILDREN AND YOUTH.

HB 1238, PN 1329 By Rep. SAMUELSON

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in manufacturing and investment tax credit, further providing for rural growth funds, for business firms, for tax credit certificates and for claiming the tax credit.

FINANCE.

HB 1429, PN 1609 By Rep. SAMUELSON

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

FINANCE.

HB 1593, PN 2103 (Amended) By Rep. BULLOCK

An Act amending the act of December 19, 1990 (P.L.1372, No.212), known as the Early Intervention Services System Act, further providing for title of the act; in general provisions, further providing for legislative findings for early intervention, for definitions, for State interagency agreement, for other duties of State agencies 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; in miscellaneous provisions, further providing for effective date; and making editorial changes.

CHILDREN AND YOUTH.

**RESOLUTIONS REPORTED
FROM COMMITTEES**

HR 80, PN 2104 (Amended) By Rep. BULLOCK

A Resolution directing the Joint State Government Commission to conduct a study and issue a report on the best practices and recommendations for the operation of juvenile detention centers within this Commonwealth.

CHILDREN AND YOUTH.

HR 198, PN 1967 By Rep. BULLOCK

A Resolution designating the week of September 18 through 24, 2023, as "Diaper Need Awareness Week" in Pennsylvania.

CHILDREN AND YOUTH.

HR 225, PN 2062 By Rep. BRIGGS

A Resolution designating October 19, 2023, as "Purple Thursday" and as "Domestic Violence Awareness Day" in Pennsylvania.

JUDICIARY.

HR 232, PN 2090 By Rep. SAMUELSON

A Resolution designating the week of October 6 through 13, 2023, as "Manufacturing Week" in Pennsylvania.

FINANCE.

BILLS REREPORTED FROM COMMITTEE

HB 1258, PN 1768 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 calculation of average daily membership for a dual credit course.

APPROPRIATIONS.

HB 1540, PN 2050 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, further providing for Commission for Agricultural Education Excellence.

APPROPRIATIONS.

HB 1661, PN 2091 By Rep. HARRIS

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for prohibited acts and penalties; and providing for secure storage of xylazine.

APPROPRIATIONS.

SB 141, PN 17 By Rep. HARRIS

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards.

APPROPRIATIONS.

CALENDAR

RESOLUTIONS

Ms. SHUSTERMAN called up **HR 130, PN 1380**, entitled:

A Resolution recognizing October 10, 2023, as "National Day of the Republic of China (Taiwan)" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

* * *

Mr. VENKAT called up **HR 144, PN 1509**, entitled:

A Resolution designating the month of September 2023 as "Cholesterol Education Month" and September 1, 2023, as "LDL-C Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

* * *

Ms. BOYD called up **HR 200, PN 1976**, entitled:

A Resolution recognizing October 6, 2023, as "World Cerebral Palsy Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

* * *

Ms. KRUEGER called up **HR 202, PN 1983**, entitled:

A Resolution designating October 6, 2023, as "College Radio Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS-3

Banta	Diamond	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.

* * *

Ms. KIM called up **HR 206, PN 1997**, entitled:

A Resolution designating the week of September 10 through 16, 2023, as "Personal Care and Assisted Living Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-202

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

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

NAYS-1

Fink

NOT VOTING-0

EXCUSED-0

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

* * *

Mr. GILLEN called up **HR 217, PN 2073**, entitled:

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

On the question,
Will the House adopt the resolution?

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

Mr. GILLEN. To speak on the resolution.

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

Mr. GILLEN. Thank you, Madam Chair.

At first, this may seem inconsequential, as it reads "Navy Week." This is actually Fleet Week that is coming up in Philadelphia from October 9 through 13. And there will be two surface vessels, the USS *Cooperstown*, as well as the USS *Williams*. This is a lead-up to the 250th anniversary coming up on October 13, 2025, the 250th anniversary of the founding of the United States Navy in the city of Philadelphia, as well as November 10, 2025, again, a lead-up to the 250th anniversary of the United States Marine Corps. I would encourage an affirmative vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—202

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1378, PN 1538**, entitled:

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

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 1522, PN 2071**, entitled:

An Act establishing the Wildlife Rehabilitation Grant Program and the Wildlife Rehabilitation Grant Fund; and imposing duties on the Pennsylvania Game Commission.

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

The SPEAKER. For what purpose does gentleman from Lancaster County rise, Representative Cutler, the floor leader? The gentleman waives off. The Chair thanks the gentleman.

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 1466, PN 1650**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for a cause of action on protected public expression and for immunity for protected public expression; and imposing a duty upon the Administrative Office of Pennsylvania Courts and the Legislative Reference Bureau.

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: amendment A02281.

RULING OF CHAIR APPEALED

The SPEAKER. For what purpose does the gentledady from Clarion County rise, Representative Oberlander?

Ms. OBERLANDER. Thank you, Madam Speaker.

I rise to appeal the ruling of the Chair that amendment 02281, which amends HB 1466, is out of order.

The SPEAKER. The Chair thanks the gentledady, the chair of the Committee on Tourism and Economic and Recreational Development.

The gentlelady from Clarion, Representative Oberlander, appeals the ruling of the Chair that amendment A02281 violates House rule 20. House rule 20 provides that no bill shall be passed containing more than one subject. The subject of HB 1466 is to provide for a substantive right of civil immunity based on protected public expression. Amendment A02281 adds a second subject to the bill by providing for venue in medical professional liability actions.

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 amendment and the maker of the motion.

Ms. OBERLANDER. Thank you, Madam Speaker.

As was stated, the underlying bill does deal with limitations on the civil causes of actions that can be filed, and my amendment is on the same subject since it deals with the venue for filing of medically professional liability actions, which are civil actions. And the Pennsylvania Supreme Court recently enacted a revision to the Rules of Civil Procedure to return us to the venue rules that caused the medical malpractice crisis from the early 2000s. At that time medical providers were fleeing the State due to the skyrocketing cost of malpractice insurance. That crisis was only mitigated when the General Assembly passed Act 127 of 2002, which prevented venue shopping from medical malpractice cases, and the Pennsylvania Supreme Court adopted that rule in the Rules of Civil Procedure. My amendment would reenact those prior venue rules and avoid making the same mistake again.

I ask that you support my motion so that we may consider this important amendment.

Thank you, Madam Speaker.

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

Those in favor of sustaining the Chair's decision will vote "aye"; those opposed will vote "no." Members—

The Chair apologizes. The Chair must look at the screen. The screen indicates who wants to speak and the gentleman from Lancaster County had used his button even though he has a microphone.

The Chair cedes the floor to the gentleman from Lancaster.

Mr. CUTLER. Thank you, Madam Speaker.

Just trying to abide by the new rules and the new buttons that are installed on the desks, and certainly appreciate that improvement.

Madam Speaker, very briefly, I think the good lady raises a very good point. The underlying bill concerns jurisdiction in civil actions, as does her underlying amendment. Just last week in the *Weeks v. DHS* case, the Supreme Court determined that a prior Human Services Code bill contained a single subject, which they describe as "...benefits pertaining to the basic necessities of life to...low-income individuals." And since both this amendment and the underlying bill both concern jurisdiction of civil actions, I do believe the good lady from Clarion is correct and would urge support of her motion.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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 was agreed to.

* * *

The House proceeded to second consideration of **SB 224, PN 1097**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in dates of elections and primaries and special elections, further providing for general primary and candidates to be nominated and party officers to be elected; and, in nomination of candidates, further providing for manner of signing nomination petitions and time of circulating and for place and time of filing nomination petitions and filing fees.

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

Mr. **MEHAFFIE** offered the following amendment No. **A02365**:

Amend Bill, page 1, line 11, by inserting after "elections," in preliminary provisions, further providing for definitions; in the Secretary of the Commonwealth, further providing for requirements relating to voter identification;
Amend Bill, page 1, lines 11 and 12, by striking out " "
Amend Bill, page 1, line 17, by striking out the period after "FEES" and inserting
; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges; and, in voting by qualified absentee electors, further providing for canvassing of official absentee ballots and mail-in ballots.

Amend Bill, page 1, lines 23 and 24; page 2, line 1; by striking out all of said lines on said pages and inserting

Section 1. Sections 102(z.5), 206, 603, 908 and 913(d) of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, are amended to read:

Section 102. Definitions.—The following words, when used in this act, shall have the following meanings, unless otherwise clearly apparent from the context:

* * *

(z.5) The words "proof of identification" shall mean:

(1) In the case of an elector who has a religious objection to being photographed, a valid-without-photo driver's license or a valid-without-photo identification card issued by the Department of Transportation.

(2) For an elector who appears to vote under section 1210, a document that:

(i) shows the name of the individual to whom the document was issued and the name substantially conforms to the name of the individual as it appears in the district register;

(ii) shows a photograph of the individual to whom the document was issued;

(iii) includes an expiration date and is not expired, except:

(A) for a document issued by the Department of Transportation which is not more than twelve (12) months past the expiration date; or

(B) in the case of a document from an agency of the Armed forces of the United States or their reserve components, including the Pennsylvania National Guard, establishing that the elector is a current member of or a veteran of the United States Armed Forces or National Guard which does not designate a specific date on which the document expires, but includes a designation that the expiration date is indefinite; and

(iv) was issued by one of the following:

(A) The United States Government.

(B) The Commonwealth of Pennsylvania.

(C) A municipality of this Commonwealth to an employee of that municipality.

(D) An accredited Pennsylvania public or private institution of higher learning.

(E) A Pennsylvania care facility.

(3) For a qualified absentee elector under section 1301 or a qualified mail-in elector under section 1301-D:

(i) in the case of an elector who has been issued a current and valid driver's license, the elector's driver's license number;

(ii) in the case of an elector who has not been issued a current and valid driver's license, the last four digits of the elector's Social Security number;

(iii) in the case of an elector who has a religious objection to being photographed, a copy of a document that satisfies paragraph (1); or

(iv) in the case of an elector who has not been issued a current and valid driver's license or Social Security number, a copy of a document that satisfies paragraph (2).]

(1) In the case of an elector who appears to vote under section 1210:

(i) One of the following forms of photo identification that shows a photo of the elector, the name of the elector to whom the document was issued and the name substantially matches the name of the elector as it appears in the district register:

(A) A driver's license or identification card issued by the Commonwealth or an agency thereof.

(B) A document issued by the Federal Government or by a federally recognized tribal government.

(C) A document from an agency of the armed forces of the United States or their reserve components, including the Pennsylvania National Guard, establishing that the elector is a current member of or veteran of the United States Armed Forces or national guard.

(D) A document issued by a county, municipality or school district of this Commonwealth.

(E) A firearm permit.

(F) A student identification card.

(G) An employee identification card issued by a private or public employer.

(ii) If an elector does not have photo identification as provided for in subparagraph (i), the elector may present to the election officer for examination one of the following forms of identification that contains the elector's name and the name substantially matches the name of the elector as it appears in the district register:

(A) In the case of an elector who has a religious objection to being photographed, a without-photo driver's license or a without-photo identification card issued by the Commonwealth.

(B) A document issued by the Commonwealth, or an agency, county, municipality or school district of this Commonwealth, including a voter identification card issued in accordance with 25 Pa.C.S. § 1328(c) (relating to approval of registration applications).

(C) A document issued by the Federal Government or by a federally recognized tribal government.

(D) A document from a care facility in this Commonwealth.

(E) A utility bill, including a bill from a cellular telecommunications provider.

(F) A bank statement.

(G) A paycheck or paystub.

(H) A government check.

(I) A proof of insurance document.

(J) A tax filing or document.

(K) A registration, fee statement or transcript from an institution of higher education.

(L) A mortgage document.

(M) A residential lease.

(iii) An elector who is unable to provide a form of identification under subparagraph (i) or (ii) may present a qualified elector of the election district who can vouch for the elector's identity. The elector and voucher shall sign an affirmation affirming the name of the elector and that the voucher personally knows the elector. An election official shall confirm that the name provided in the affirmation substantially matches the name of the elector as it appears in the district register. The secretary

shall prescribe the form of affirmation which shall include disclosure of the penalties under section 1802.

(iv) An elector who is unable to provide a form of identification under subparagraph (i) or (ii) or a voucher under subparagraph (iii) may provide a form, prescribed by the Secretary of the Commonwealth and provided to the elector by an election officer, on which the elector shall print their name and address, and affirm their identity. An election officer shall confirm that the name provided in the affirmation substantially matches the name of the elector as it appears in the district register. The affirmation shall include a disclosure of the penalties under section 1802.

* * *

Section 206. Requirements Relating to Voter Identification.—(a) The Secretary of the Commonwealth shall prepare and disseminate information to the public regarding the proof of identification requirements established under sections 1210 and 1302.

(b) Notwithstanding the provisions of 75 Pa.C.S. § 1510(b) (relating to issuance and content of driver's license) to the contrary, the Department of Transportation shall issue an identification card described in 75 Pa.C.S. § 1510(b) at no cost to any registered elector who has made application therefor and has included with the completed application a statement signed by the elector declaring under oath or affirmation that the elector does not possess proof of identification as defined in section 102(z.5)(2) and requires proof of identification for voting purposes.

(c) The Secretary of the Commonwealth shall prepare the form of the statement described in subsection (b) and shall distribute the form to the counties and the Department of Transportation. The Secretary of the Commonwealth, the Secretary of Transportation and the county boards of election shall disseminate information to the public regarding the availability of identification cards under subsection (b).]

Amend Bill, page 3, line 29, by striking out all of said line and inserting

Section 1.1. Section 1210(a) and (a.2) of the act are amended and the section is amended by adding a subsection to read:

Section 1210. Manner of Applying to Vote; Persons Entitled to Vote; Voter's Certificates; Entries to Be Made in District Register; Numbered Lists of Voters; Challenges.—(a) [At every primary and election each elector who appears to vote and who desires to vote shall first present to an election officer proof of identification. The election officer shall examine the proof of identification presented by the elector and sign an affidavit stating that this has been done.

(a.2) If any of the following apply, the elector shall be permitted to cast a provisional ballot in accordance with subsection (a.4):

(1) The elector is unable to produce proof of identification:

(i) on the grounds that the elector is indigent and unable to obtain proof of identification without the payment of a fee; or

(ii) on any other grounds.

(2) The elector's proof of identification is challenged by the judge of elections.] At every primary and election each elector who appears to vote in person shall first present proof of identification to an election officer. The election officer shall examine the proof of identification and sign an affidavit stating that this has been done.

(a.1) If an elector is unable to produce proof of identification, the elector shall be permitted to cast a provisional ballot in accordance with subsection (a.4).

* * *

Section 1.2. Section 1308(h) of the act is amended to read:

Section 1308. Canvassing of Official Absentee Ballots and Mail-in Ballots.—* * *

(h) For those absentee ballots or mail-in ballots for which proof of identification has not been received or could not be verified:

(1) Within twenty-four (24) hours of a finding under this subparagraph, the county board of elections shall notify the voter by email, telephone or text message of the missing proof of identification and shall provide instructions on how to submit a form of identification to the county board that meets the requirements of section 102(z.5)(1)(i) and (ii) via email, text message, facsimile, mail or in person.

(2) If the proof of identification is received and verified prior to the sixth calendar day following the election, then the county board of elections shall canvass the absentee ballots and mail-in ballots under this subsection in accordance with subsection (g)(2).

(3) If an elector fails to provide proof of identification [that can be verified by] to the county board of elections by the sixth calendar day following the election, then the absentee ballot or mail-in ballot shall not be counted.

* * *

Section 2. The amendment or addition of sections 102(z.5), 206, 1210(a), (a.1) and (a.2) and 1308(h) shall not apply to an election occurring before the 2025 primary election.

Section 3. This act shall take effect as follows:

(1) The amendment or addition of sections 102(z.5), 206, 1210(a), (a.1) and (a.2) and 1308(h) shall take effect on January 1, 2025.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

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

Mr. MEHAFFIE. Thank you, Madam Speaker.

This amendment is a bipartisan amendment on a very, very difficult issue that has been talked about, polled, and in a way that we probably never seen polls come back, with a very high, high majority of our voters wanting this. This is not something that came easy. This is a lot of time and a lot of effort, and I thank my colleagues for going through and working through this process to try to come up with something that does not get reversed by the courts, that satisfies and makes sure that we have some kind of requirements for voter ID, and that we can say that we came back and put some kind of safety precautions and bring back integrity and trust to the voters. There are many things in here that you may like, there are many things in here that you may not like, but what it does, it performs the exact thing that majority of the voters want.

So I ask you for an affirmative vote on this amendment. Thank you.

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

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair is in receipt of a request from the gentleman from Lancaster County to speak on the amendment. Representative Brett Miller, you are in order, and you may proceed.

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

Madam Speaker, I rise to raise the question of constitutionality based on a violation of rule 20, the single-subject rule.

The SPEAKER. The gentleman from Lancaster, Representative Miller, moves that amendment A02365 is unconstitutional. The Chair, under House rule 4, is required to submit questions involving the constitutionality of matters to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The Chair recognizes Representative Brett Miller for debate.

Mr. B. MILLER. Thank you very much.

Madam Speaker, the title of this bill is called PA Election Code Presidential primary date change. The single subject there is very clear. This bill has to do with changing the date of the primary. The bill is a very short bill, there is very little in it, and it deals with that single subject of changing the date of the presidential primary election.

Madam Speaker, this particular amendment, A02365, has to do with voter ID and the rules associated with voter ID, which have nothing to do with the Presidential primary date change, and therefore, I believe it is a violation of rule 20, "Bills Confined to One Subject," which says, no bill shall be passed containing more than one subject, etc., which shall be clearly expressed in its title.

Madam Speaker, just a few moments ago there was an amendment that was ruled out of order based on the single-subject rule, rule 20. Previous rulings have been similar to this. The amendment before us related to voter ID is unrelated to the issue of changing the Presidential primary and I believe needs to be ruled also out of order. Thank you.

The SPEAKER. The Chair thanks the gentleman, and so it is clear, this is a question for the House to decide.

Those voting "aye" will vote to declare the matter to be constitutional; those voting "no" will vote to declare the matter to be unconstitutional.

On the question, the Chair recognizes the floor leader, the gentleman from Lancaster.

Mr. CUTLER. Madam Speaker, while I would like to speak on the underlying motion, I have gotten several questions from members. If you could just, please, clarify what each vote does.

The SPEAKER. Absolutely. Those voting "aye" will vote to declare the matter to be constitutional; those voting "no" will be voting to declare the matter to be unconstitutional.

The gentleman is in order and may proceed.

Mr. CUTLER. Thank you, Madam Speaker, and I appreciate the clarification.

Madam Speaker, this is more a question to the body, because this is not a new issue, as the gentleman has raised. On May 23 of just this year, HB 815, which was also an Election Code bill, also had a voter ID amendment that was filed but was ultimately ruled out of order. So the prior ruling was that a voter ID bill would be out of order on an Election Code vehicle generally. And specifically, as the good gentleman from Lancaster County has raised, this bill's title is actually much more finite. It deals solely with the issue of the date change. The bill that was ruled out previously had a much broader title and I think, because I believe in consistency, I will be arguing that it is in fact constitutional, that we can amend Election Code vehicles with Election Code

issues, so ultimately, it would be permissible. But I think it does call into question the prior past practices here in the chamber and the application of the rule in other situations.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

And so it is clear, those voting "aye" will vote to declare the matter to be constitutional; those voting "no" will be voting to declare the matter unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—159

Abney	Fee	Kutz	Pisciottano
Adams	Fleming	Kuzma	Powell
Armanini	Flick	Labs	Probst
Barton	Flood	Lawrence	Rader
Bellmon	Frankel	Mackenzie, M.	Rigby
Benham	Friel	Mackenzie, R.	Rozzi
Benninghoff	Fritz	Madden	Ryncavage
Bizzarro	Gallagher	Madsen	Salisbury
Bonner	Galloway	Major	Samuelson
Borowski	Gaydos	Mako	Sanchez
Boyd	Gergely	Malagari	Sappery
Boyle	Gillen	Marcell	Scheuren
Bradford	Green	Markosek	Schlegel
Briggs	Gregory	Marshall	Schlossberg
Brown, A.	Grove	Matzie	Schmitt
Bullock	Guenst	Mayes	Schweyer
Burgos	Guzman	McAndrew	Scott
Burns	Haddock	McNeill	Shusterman
C Freytiz	Hanbidge	Mehaffie	Siegel
Cabell	Harkins	Mentzer	Smith
Causser	Harris	Mercuri	Smith-Wade-El
Cephas	Heffley	Merski	Solomon
Cerrato	Hogan	Metzgar	Staats
Ciresi	Howard	Miller, D.	Steele
Conklin	Irvin	Moul	Struzzi
Cooper	Isaacson	Mullins	Sturla
Curry	James	Munroe	Takac
Cutler	Jozwiak	Mustello	Tomlinson
Daley	Kail	Neilson	Topper
Davanzo	Kaufner	Nelson, E.	Venkat
Davis	Kauffman	Nelson, N.	Warner
Dawkins	Kenyatta	O'Mara	Watro
Deasy	Kephart	O'Neal	Webster
Delloso	Kerwin	Oberlander	Wentling
Delozier	Khan	Ortitay	White
Diamond	Kim	Owlett	Williams, C.
Donahue	Klunk	Parker	Young
Dunbar	Kosierowski	Pashinski	
Ecker	Krueger	Pickett	McClinton,
Emrick	Kulik	Pielli	Speaker
Evans			

NAYS—44

Banta	Gleim	Krupa	Schemel
Bernstine	Greiner	Leadbeter	Scialabba
Borowicz	Hamm	Maloney	Stambaugh
Brennan	Hohenstein	Mihalek	Stehr
Brown, M.	Jones, M.	Miller, B.	Stender
Cook	Jones, T.	Otten	Twardzik
D'Orsie	Kazeem	Rabb	Vitali
Fiedler	Keefer	Rapp	Warren
Fink	Kinhead	Roae	Waxman
Freeman	Kinsey	Rossi	Williams, D.
Giral	Krajewski	Rowe	Zimmerman

NOT VOTING—0

EXCUSED—0

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

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

The SPEAKER. Does the gentleman, Representative Miller, care to go further with an additional motion?

The Chair thanks the gentleman.

The gentleman from Dauphin County offers amendment A02365.

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

(Members proceeded to vote.)

The SPEAKER. Members are reminded, pursuant to rule 64, all members present on roll call must vote. The Chair will be closing the board very shortly. Please vote.

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

The following roll call was recorded:

YEAS—123

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

NAYS—80

Abney	Evans	Krueger	Sanchez
Bellmon	Fiedler	Madden	Sappay
Benham	Fleming	Madsen	Schlossberg
Bizzarro	Frankel	Markosek	Schweyer
Borowski	Freeman	Mayes	Scott
Boyd	Giral	McAndrew	Shusterman
Bradford	Green	McNeill	Siegel
Brennan	Guzman	Merski	Smith-Wade-El
Briggs	Hanbidge	Miller, D.	Solomon
Brown, A.	Harkins	Nelson, N.	Sturla
Bullock	Harris	O'Mara	Takac
Burgos	Hohenstein	Otten	Vitali
C Freytiz	Howard	Parker	Warren
Cephas	Isaacson	Pielli	Waxman
Conklin	Kazeem	Pisciottano	Webster
Curry	Kenyatta	Powell	Williams, D.
Daley	Khan	Probst	Young
Dawkins	Kim	Rabb	
Deasy	Kinhead	Salisbury	McClinton,
Delloso	Kinsey	Samuelson	Speaker
Donahue	Krajewski		

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. The House will be at ease.

The House will come to order.

It is the Chair's understanding that the gentleman from Schuylkill, Representative Barton, late-filed amendment A02394. Does the gentleman wish to suspend the rules for that amendment?

The House will be at ease.

The House will come to order.

BILL PASSED OVER TEMPORARILY

The SPEAKER. SB 224 will be over temporarily.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1456, PN 1616**, entitled:

An Act amending the act of August 3, 2023 (P.L. , No.1A), known as the General Appropriation Act of 2023, adding appropriations to the Executive Offices, the Department of Education and the Department of Human Services and further providing for Supreme Court.

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

BILL RECOMMITTED

The SPEAKER. The majority leader moves that HB 1456 be referred to the Appropriations Committee.

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

**RULES AND APPROPRIATIONS
COMMITTEE MEETINGS**

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

There will be an Appropriations meeting to follow the Rules meeting in the majority caucus room.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Transportation Committee will meet at 4 p.m. in 515, Irvis. The Transportation Committee will meet at 4 p.m. in room 515, Irvis.

RECESS

The SPEAKER. The House will stand in recess until 8 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 233 By Representatives MERSKI, JOZWIAK, HARKINS, BRENNAN, GIRAL, HOHENSTEIN, SCHLOSSBERG, PICKETT, HILL-EVANS, MENTZER, BOROWSKI, DELLOSO, HADDOCK, CONKLIN, D. WILLIAMS, DELOZIER, CEPEDA-FREYTIZ, RABB, SHUSTERMAN and DALEY

A Resolution recognizing the month of October 2023 as "Polish American Heritage Month" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 4, 2023.

No. 234 By Representatives M. MACKENZIE, R. MACKENZIE, ROWE and HADDOCK

A Resolution recognizing the week of October 8 through 14, 2023, as "International Sterile Processing Week" in Pennsylvania.

Referred to Committee on HEALTH, October 4, 2023.

No. 235 By Representatives FLOOD, M. MACKENZIE, SCHLOSSBERG, PICKETT, KAUFFMAN, KHAN, ROWE, E. NELSON, RADER, R. MACKENZIE, MAKO, KAZEEM, NEILSON, FREEMAN, DELOZIER, McNEILL and DALEY

A Resolution designating the week of November 12 through 18, 2023, as "Kindness Week" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 4, 2023.

SENATE BILLS FOR CONCURRENCE

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

SB 473, PN 1152

Referred to Committee on FINANCE, October 4, 2023.

SB 799, PN 1150

Referred to Committee on TRANSPORTATION, October 4, 2023.

SB 824, PN 1151

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, October 4, 2023.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 851, PN 1158 (Amended) By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for enforcement of failure to stop for school bus with flashing red lights; imposing a penalty; and making an editorial change.

TRANSPORTATION.

BILLS REREPORTED FROM COMMITTEES

HB 27, PN 2106 (Amended) By Rep. BRADFORD

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 Basic Education Funding Commission and for special provisions applicable to limited school years, establishing the Child Reunification Program in the Department of Education and providing for minimum number of days or hours, for public job posting database, for instructional vacancy data and for data transparency; in duties and powers of boards of school directors, further providing for additional schools and departments; in school finances, providing for school district budget timeline for 2024 and for procedure for securing approval of electors; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in school directors' associations and county boards of school directors, further providing for powers and duties; in intermediate units, further providing for visual services and for school safety and security enhancements; in professional employees, repealing provisions relating to religious garb, insignia, etc., prohibited and penalty; in certification of teachers, further providing for substitute teaching permit

for prospective teachers, for locally issued temporary certification for substitute teachers and for permit for classroom monitors; providing for Educator Pipeline Support Grant Program; in pupils and attendance, further providing for compulsory education of physical defectives, for dependent children, for cost of tuition and maintenance of certain exceptional children in approved institutions, for payment of cost of tuition and maintenance of certain exceptional children, for transfer of funds for transferal programs and for children under six with defective hearing and parent or guardian advised of schools, etc.; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records, repealing provisions relating to safe schools advocate in school districts of the first class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for School Safety and Security Committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in school health services, further providing for dental examinations and dental hygiene services and providing for eating disorder awareness and education; in drug and alcohol recovery high school program, providing for enrollment of students; in terms and courses of study, providing for calculation of average daily membership for a dual credit course and further providing for Economic Education and Personal Financial Literacy Programs; in early learning programs, providing for quarterly meetings; in character education program, further providing for character education program; providing for the Dual Credit Innovation and Equity Grant Program; in high schools, further providing for attendance in other districts; in community colleges, further providing for financial program and reimbursement of payments; in educational tax credits, further providing for qualification and application by organizations, for limitations and for low-achieving schools; in school districts of the first class, further providing for qualifications of principals and teachers; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in credit card marketing, further providing for regulation of on-campus credit card marketing; in reimbursements by Commonwealth and between school districts, further providing for definitions and for payments on account of pupils enrolled in career and technical curriculums, providing for Level-Up Supplement for 2022-2023 school year, further providing for payments on account of courses for exceptional children, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for payments, for payments on account of pupil transportation, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; providing for School Environmental Repairs Program; abrogating a regulation; and making an editorial change.

RULES.

HB 1300, PN 2107 (Amended) By Rep. BRADFORD

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for Whole-Home Repairs Program and providing for declined and unclaimed allocations and for adult mental health program funding; providing for tenant protections, for 911 emergency communication services, for medical debt relief and for institutions of purely public charity; in cigarette sales and licensing, further providing for definitions and providing for presumed cost of doing business by retailer, for presumed cost of doing business by stamping agent and for presumed cost of doing business by wholesaler; providing for indigent defense; in oil and gas wells, further providing for Oil and Gas Lease Fund; in transportation network companies, motor carrier companies and parking authority of a city of the first class, providing for designated municipal agent and authorized salvor for city of the first class and for operation as taxicab; in assessments, providing for Statewide quality care assessment;

providing for transportation pilot programs; in human services, providing for payment increase for dental services and for abrogation of department procurement; providing for Attorney General, for mixed-use revitalization and for Pennsylvania Long-Term Care Council; in special funds, further providing for funding and providing for extension of payments; in additional special funds and restricted accounts, further providing for establishment of special fund and account, for use of fund and for distributions from Pennsylvania Race Horse Development Fund and repealing provisions relating to Enhanced Revenue Collection Account; in additional special funds and restricted accounts, further providing for definitions, for Sports Tourism and Marketing Account and for transfer of funds and providing for Facility Transition Account, for Service and Infrastructure Improvement Fund and for School Environmental Repairs Program Restricted Account; in general budget implementation, further providing for executive offices, for Department of Agriculture, for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Education, for Department of Health, for Department of Human Services, for Pennsylvania State Police, for Pennsylvania Emergency Management Agency and for surcharges, repealing provisions relating to deposit into School Safety and Security Fund, further providing for Federal and Commonwealth use of forest land and for Multimodal Transportation Fund, repealing provisions relating to sales by distilleries and providing for Pennsylvania Liquor Control Board wholesale licensee discount program; in 2022-2023 budget implementation, further providing for Department of Education and for Department of Human Services; providing for 2023-2024 budget implementation, for 2023-2024 restrictions on appropriations for funds and accounts, for 2023-2024 fund transfers, for prior year appropriations and for Commonwealth Housing Council; imposing penalties; making repeals; and making an editorial change.

RULES.

HB 1456, PN 2108 (Amended) By Rep. HARRIS

An Act amending the act of August 3, 2023 (P.L. , No.1A), known as the General Appropriation Act of 2023, adding appropriations to the Executive Offices, the Department of Education and the Department of Human Services and further providing for Supreme Court.

APPROPRIATIONS.

SB 621, PN 1149 By Rep. BRADFORD

An Act designating the portion of Pennsylvania Route 41 (Gap Newport Pike) from the intersection with Bernard Avenue to the intersection with Highland Road in West Fallowfield Township, Chester County, as the Corporal Brandon Hardy Memorial Highway; designating a bridge, identified as Bridge Key 13775, carrying Pennsylvania Route 641 over Big Spring Creek on the border of Newville Borough and West Pennsboro Township, Cumberland County, as the SFC Randall Shughart Memorial Bridge; designating a portion of Johnson Mill Road (State Route 1001) from the bridge over Buffalo Creek (Bridge Key 33467) to the intersection of Colonel John Kelly Road (State Route 1002) in Buffalo Township, Union County, as the Sgt. Edward L. Shannon Memorial Highway; designating a bridge, identified as Bridge Key 13617, carrying Pennsylvania Route 34, over Mountain Creek in Mount Holly Springs Borough, Cumberland County, as the Firefighter Jerome Guise Memorial Bridge; designating a bridge, identified as Bridge Key 8553, carrying State Route 1006 on Syberton Road over Clearfield Creek in Gallitzin Township, Cambria County, as the Private Martin J. Hanlon Memorial Bridge; designating a bridge, identified as Bridge Key 36247, carrying Pennsylvania Route 711 over Loyalhanna Creek in Ligonier Township, Westmoreland County, as the Sergeant Alvin P. Carey and Private John C. Ewing Medal of Honor Memorial Bridge; designating the bridge, identified as Bridge Keys 34474 and 34477, carrying Interstate 70 over Pennsylvania Route 18, on the border of Washington City and Canton Township, Washington County, as the Corporal Frank J. Sworden Memorial Bridge; designating a portion of Pennsylvania Route 310 between Knox Dale Road, also known as State Route 2023, and Ash Street in McCalmont Township, Jefferson County, as the Lance Cpl. Bernard Himes Memorial Highway; designating a bridge, identified as Bridge Key 33758, carrying Pennsylvania Route 427 over Sugar Creek in Sugarcreek Borough,

Venango County, as the Staff Sergeant Richard James Mulholland Memorial Bridge; designating a bridge, identified as Bridge Key 8537, carrying Pennsylvania Route 869 over a tributary of the Little Conemaugh River in Jackson Township, Cambria County, as the Sergeant Vance Stephan Keslar Memorial Bridge; designating a bridge, identified as Bridge Key 8392, carrying Pennsylvania Route 53 over Bruebaker Run in Dean Township, Cambria County, as the U.S. Army Technical Sergeant Joseph F. Johnston Memorial Bridge; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; designating a bridge, identified as Bridge Key 45701, carrying Pennsylvania Route 403 over the Conemaugh River between Johnstown City and West Taylor Township, Cambria County, as the Captain Raymond W. Callahan, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 8569, carrying State Route 1021 over Glendale Lake in White Township, Cambria County, as the CPL Reid Rex Ross 3 BT 26 Marine Reg. Memorial Bridge; designating a bridge, identified as Bridge Key 56008, carrying Pennsylvania Route 403 over Stonycreek River in Johnstown City, Cambria County, as the Sgt. John C. Alaimo Memorial Bridge; designating a bridge, identified as Bridge Key 8444, carrying US Route 219 over Pennsylvania Route 56, also known as Scalp Avenue, in Richland Township, Cambria County, as the PFC Stanley Albert Stys Memorial Bridge; designating a bridge, identified as Bridge Key 8547, located on State Route 1002, also known as Friend Lea Road, over U.S. Route 219 in Cambria Township, Cambria County, as the PFC Cyril T. Yeckley Memorial Bridge; designating a bridge, identified as Bridge Key 8654, carrying State Route 3035 over the Little Conemaugh River in East Taylor Township, Cambria County, as the East Taylor Township Veterans Memorial Bridge; designating a bridge, identified as Bridge Key 43558, carrying U.S. Route 22 over a tributary of Hinckston Run in Jackson Township, Cambria County, as the Officer Matthew Krupa Memorial Bridge; designating a bridge, identified as Bridge Key 55994, carrying State Route 4002 over California Run in Cambria Township, Cambria County, as the Senior Chief Stanley "Stush" Kubat, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 46706, carrying State Route 4001, also known as Iverson Road, over Stevens Run in Blacklick Township, Cambria County, as the PVT Donald D. Marsh Memorial Bridge; designating a bridge, identified as Bridge Key 19716, carrying State Route 2019 over Mahoning Creek in Bell Township, Jefferson County, as the SP4 Michael Raymond Ishman Memorial Bridge; designating a bridge, identified as Bridge Key 5550, carrying Woodbury Pike (Pennsylvania Route 36) over Halter Creek, spanning Blair and Freedom Townships, Blair County, as the Pvt. William E. Green Memorial Bridge; designating a bridge, identified as Bridge Key 41606, carrying State Route 3011, also known as Branch Road, over Spring Creek in College Township, Centre County, as the Petty Officer John W. Coble Memorial Bridge; designating a bridge, identified as Bridge Key 46159, carrying Pennsylvania Route 36 on Charger Highway, Blair Township, Blair County, as the Marine Lance Corporal Ralph Hammel Memorial Bridge; designating a bridge, identified as Bridge Key 52767, carrying West High Street (State Route 4031), crossing the Ghost Town Trail, located in Ebensburg Borough, Cambria County, as the Corpsman Charles Doerr, United States Navy, Memorial Bridge; designating a bridge, identified as Bridge Key 11781, on that portion of State Route 3004 over the West Branch Susquehanna River, Burnside Township, Clearfield County, as the United States Army Sergeant Harold Koller Memorial Bridge; designating a bridge, identified as Bridge Key 8555, carrying State Route 1007 over Chest Creek on the border of Allegheny Township and East Carroll Township, Cambria County, as the Sergeant Regis H. Driskel Memorial Bridge; designating a portion of Pennsylvania Route 143 in Lynn Township, Lehigh County, from the intersection of Pennsylvania Route 309 to the border of Berks County, as Heroes Highway, in honor of fallen firefighter Marvin Gruber and Assistant Fire Chief Zachary Paris; designating a bridge, identified as Bridge Key 47515, carrying Pennsylvania Route 286 over Blacklegs Creek in Conemaugh Township, Indiana County, as the Captain Robert M. Young Memorial Bridge; designating a bridge, identified as Bridge Key 8574, carrying State Route 1021 over Clearfield Creek in White Township, Cambria County, as the Charles Owen Jenkins, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 45509, carrying U.S. Route 40 over Pennsylvania Route 43 in Redstone Township, Fayette County, as the PFC John Balog Memorial Bridge; designating a bridge, identified as Bridge Key 47947, carrying State Route 1054 over Indian Creek in Saltlick Township, Fayette County, as the Sgt. Earl D.

Barkley Memorial Bridge; designating the section of State Route 403, also known as Cramer Pike, from the intersection with State Route 3041 in West Taylor Township, Cambria County, to the intersection with State Route 8010, Segment 250 (Ramp E) in East Wheatfield Township, Indiana County, as the Captain Harry G. Cramer Memorial Highway; designating a portion of Pennsylvania Route 173 between the southern border of Slippery Rock Township to the southern border of Slippery Rock Borough in Slippery Rock Township, Butler County, as the 173rd Airborne Brigade Highway; designating a bridge, identified as Bridge Key 53848, carrying Pennsylvania Route 36 over Canoe Creek in Bell Township, Jefferson County, as the PFC Larry E. Frantz Memorial Bridge; designating the interchange of U.S. Route 22/322 with Arch Rock Road in Fermanagh Township, Juniata County, as the Trooper Jacques F. Rougeau, Jr., Memorial Interchange; designating the bridge, identified as Bridge Key 47695, carrying U.S. Route 202 over Almshouse Road in Doylestown Township, Bucks County, as the CPT Connor J. Bednarzyk, USA Memorial Bridge; designating a bridge, identified as Bridge Key 12099, carrying Pennsylvania Route 120, also known as Renovo Road, over Young Women's Creek in Chapman Township, Clinton County, as the Staff Sergeant John F. Curcio Memorial Bridge; designating a bridge, identified as Bridge Key 44399, located on that portion of State Route 4049 over Interstate 70 in South Strabane Township, Washington County, as the Louis E. Waller Memorial Bridge; 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; designating a bridge, identified as Bridge Key 5759, located on that portion of State Route 3002 over South Poplar Run in Greenfield Township, Blair County, as the Corporal Clyde E. Walter, Jr., Memorial Bridge; 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; designating a portion of Pennsylvania Route 445 from the intersection with Pennsylvania Route 45 to the intersection with Pennsylvania Route 192 in Millheim Borough and Penn Township, Centre County, as the Lieutenant General Robert D. Springer Memorial Highway; designating a bridge, identified as Bridge Key 55815, carrying State Route 1005 over Crooked Creek in Rayne Township, Indiana County, as the Sergeant Charles R. Learn Memorial Bridge; designating a bridge, identified as Pennsylvania Route 443 bridge, over the Little Schuylkill River, located in Walker Township, Schuylkill County, as the William Hoffman Memorial Bridge; designating a bridge, identified as Park Road Bridge, located in Wyomissing, Berks County, as the Joseph Walker Memorial Bridge; designating a bridge on U.S. Route 209 over Middle Creek, located in Polk Township, Monroe County, as the Charles Gardner Memorial Bridge; designating a bridge, also known as the Bridge Street Bridge, located in Weissport Borough, Carbon County, as the Ralph Strubinger Memorial Bridge; designating a bridge, identified as U.S. Route 422 Bridge, over the Little Cacoosing Creek, located in Lower Heidelberg Township, Berks County, and South Heidelberg Township, Berks County, as the Wilbur Bohn Memorial Bridge; designating a bridge, on Little Mountain Road over the Little Catawissa Creek, located in Union Township, Schuylkill County, as the Joseph Zienkiewicz Memorial Bridge; designating a bridge, on Pennsylvania Route 191 over Brodhead Creek, located in Stroud Township, Monroe County, as the Gordon Brink Memorial Bridge; designating a bridge, on Pennsylvania Route 924 over the railroad, located in Gilberton Borough, Monroe County, as the Walter Skubel Memorial Bridge; designating a bridge, on Pennsylvania Route 512 over the Monocacy Creek, located in Bethlehem City, Northampton County, as the Raphael Rivera Memorial Bridge; designating a bridge on Pennsylvania Route 443 over the Schuylkill River, located in Schuylkill Haven Borough, Schuylkill County, as the Caitlin McGarry Memorial Bridge; designating the portion of State Route 1013 (Academy Road) from the intersection with Cromwell Road to the intersection with Comly Road in Philadelphia, Philadelphia County, as the U.S. Army Ranger SPC Devin J. Kuhn Memorial Highway; designating a bridge, identified as Bridge Key 8660, carrying State Route 3039 over the Conemaugh River in the City of Johnstown, Cambria County, as the Corporal Robert J. Rusnak Memorial Bridge; designating a bridge, identified as Bridge Key 11476, on State Route 322, also known as Nichols Street over the West Branch of the Susquehanna River in the Borough of Clearfield, Clearfield County, as the Walter Lane Memorial Bridge; designating a bridge, identified as Bridge Key 5221, carrying U.S. Route 422 Business, also known as Penn Street, over the Schuylkill River in the City of Reading, Berks County, as the Police Officer Scott A. Wertz Memorial Bridge;

designating a portion of State Route 2005, known as Lehigh Street, in Allentown, Lehigh County, from Segment 0060/Offset 1800 to the intersection with Vultee Street, as the Chief Christopher Kiskeravage Memorial Highway; and making repeals.

RULES.

CALENDAR CONTINUED

CONSIDERATION OF SB 224 CONTINUED

The SPEAKER. The Chair recognizes the majority leader, who calls up SB 224, PN 1097, on page 4 of today's House calendar.

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A02305**:

Amend Bill, page 1, line 11, by inserting after "elections," in preliminary provisions, further providing for definitions; in the Secretary of the Commonwealth, further providing for requirements relating to voter identification;

Amend Bill, page 1, line 14, by striking out "AND"

Amend Bill, page 1, line 17, by striking out the period after "FEES" and inserting
, for withdrawal of candidates, for place and time of filing nomination papers and for objections to nomination petitions and papers; in electronic voting systems, further providing for supplies and preparation of the voting system and of polling places and for statistical sample; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges; in voting by qualified absentee electors, further providing for date of application for absentee ballot, for approval of application for absentee ballot, for envelopes for official absentee ballots, for delivering or mailing ballots, for voting by absentee electors and for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for date of application for mail-in ballot, for envelopes for official mail-in ballots and for voting by mail-in electors; in Election Integrity Grant Program, further providing for funding for elections; and, in recounts and contests, further providing for opening ballot boxes upon petition of electors alleging fraud or error and deposit or bond, for recanvassing voting machines upon petition of electors alleging fraud or error and for correction of returns, decision not to be final and evidence for prosecution.

Amend Bill, page 1, lines 23 and 24; page 2, line 1; by striking out all of said lines on said pages and inserting

Section 1. Sections 102(q.1), 603, 908, 913(d), 914, 953(b) and 977 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, are amended to read:

Section 102. Definitions.—The following words, when used in this act, shall have the following meanings, unless otherwise clearly apparent from the context:

(q.1) The word "pre-canvass" shall mean the inspection and opening of all envelopes containing official absentee ballots or mail-in ballots, the removal of such ballots from the envelopes and [the counting, computing and tallying of the votes reflected on the ballots.] the preparation of those ballots for scanning, including unfolding, straightening and duplicating if the ballot is damaged in some way that

prevents it from being scanned but where the voter's intent is still clear. The term shall also include scanning the ballot into a voting machine or other automatic tabulating device, if the equipment used by the county board of elections permits a ballot to be scanned without tabulating or counting the votes on the ballot scanned. The term does not include the recording or publishing of the votes reflected on the ballots.

Amend Bill, page 3, line 16, by striking out "ELEVENTH" and inserting

twelfth

Amend Bill, page 3, line 18, by striking out "ELEVENTH" and inserting

twelfth

Amend Bill, page 3, line 19, by striking out "EIGHTH" and inserting

ninth

Amend Bill, page 3, line 26, by striking out "EIGHTH" and inserting

ninth

Amend Bill, page 3, line 29, by striking out all of said line and inserting

Section 914. Withdrawal of Candidates.—[Any]

(1) Except as provided under paragraph (2), any of the candidates for nomination or election at any primary may withdraw his name as a candidate by a request in writing, signed by him and acknowledged before an officer empowered to administer oaths, and filed in the office in which his nomination petition was filed. Such withdrawals, to be effective, must be received in the office of the Secretary of the Commonwealth not later than 5 o'clock P. M. on the fifteenth day next succeeding the last day for filing nomination petitions in said office, and in the office of any county board of elections, not later than the ordinary closing hour of said office on the fifteenth day next succeeding the last day for filing nomination petitions in said office. No name so withdrawn shall be printed on the ballot or ballot labels. No candidate may withdraw any withdrawal notice already received and filed, and thereby reinstate his nomination petition.

(2) For the General primary that occurs in 2024, any of the candidates for nomination or election may withdraw his name as a candidate by a request in writing, signed by him and acknowledged before an officer empowered to administer oaths, and filed in the office in which his nomination petition was filed. Such withdrawals, to be effective, must be received in the office of the Secretary of the Commonwealth not later than five o'clock P.M. on the tenth day next succeeding the last day for filing nomination petitions in said office, and in the office of any county board of elections, not later than the ordinary closing hour of said office on the tenth day next succeeding the last day for filing nomination petitions in said office. No name so withdrawn shall be printed on the ballot or ballot labels. No candidate may withdraw any withdrawal notice already received and filed, and thereby reinstate his nomination petition.

Section 953. Place and Time of Filing Nomination Papers.—

(b) No nomination paper shall be circulated prior to the [tenth Wednesday prior to the primary] day following the last day for filing nomination petitions under section 913, and no signature shall be counted unless it bears a date affixed not earlier than the [tenth Wednesday prior to the primary] day following the last day for filing nomination petitions under section 913, nor later than the second Friday subsequent to the primary.

Section 977. Objections to Nomination Petitions and Papers.—[All]

(1) Except as provided in paragraph (2), all nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid, unless, within seven days after the last day for filing said nomination petition or paper, a petition is presented to the court specifically setting forth the objections thereto, and praying that the said petition or paper be set aside. A copy of said petition shall,

within said period, be served on the officer or board with whom said nomination petition or paper was filed. Upon the presentation of such a petition, the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition or paper, and specifying the time and manner of notice that shall be given to the candidate or candidates named in the nomination petition or paper sought to be set aside. On the day fixed for said hearing, the court shall proceed without delay to hear said objections, and shall give such hearing precedence over other business before it, and shall finally determine said matter not later than fifteen (15) days after the last day for filing said nomination petitions or papers. If the court shall find that said nomination petition or paper is defective under the provisions of section 976, or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of this act, or was not filed by persons entitled to file the same, it shall be set aside. If the objections relate to material errors or defects apparent on the face of the nomination petition or paper, the court, after hearing, may, in its discretion, permit amendments within such time and upon such terms as to payment of costs, as the said court may specify. In case any such petition is dismissed, the court shall make such order as to the payment of the costs of the proceedings, including witness fees, as it shall deem just. If a person shall sign any nomination petitions or papers for a greater number of candidates than he is permitted under the provisions of this act, if said signatures bear the same date, they shall, upon objections filed thereto, not be counted on any petition or paper and if they bear different dates, they shall be counted in the order of their priority of date, for only so many persons as there are candidates to be nominated or elected. The office of the Prothonotary of the Commonwealth Court and the office of the Secretary of the Commonwealth and the various offices of prothonotary of the court of common pleas shall be open between the hours of eight-thirty o'clock A.M. and five o'clock P.M. on the last day to withdraw after filing nomination petitions and on the last day to file objections to nomination petitions.

(2) For the General primary that occurs in 2024, all nomination petitions and papers received and filed within the periods limited by this act shall be considered to be valid unless, within six (6) days after the last day for filing the nomination petition or paper, a petition is presented to the court specifically setting forth the objections thereto and praying that the petition or paper be set aside. A copy of the petition shall, within the period, be served on the officer or board with whom said nomination petition or paper was filed. Upon the presentation of a petition, the court shall make an order fixing a time for hearing which shall not be later than ten (10) days after the last day for filing said nomination petition or paper and specifying the time and manner of notice that shall be given to the candidate or candidates named in the nomination petition or paper sought to be set aside. On the day fixed for the hearing, the court shall proceed without delay to hear said objections, and shall give the hearing precedence over other business before it, and shall finally determine the matter not later than fifteen (15) days after the last day for filing the nomination petitions or papers. If the court shall find that the nomination petition or paper is defective under the provisions of section 976.1 or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of this act, or was not filed by persons entitled to file the same, it shall be set aside. If the objections relate to material errors or defects apparent on the face of the nomination petition or paper, the court, after hearing, may, in its discretion, permit amendments within the time and upon the terms as to payment of costs, as the court may specify. If a petition is dismissed, the court shall make an order as to the payment of the costs of the proceedings, including witness fees, as it shall deem just. If a person signs any nomination petitions or papers for a greater number of candidates than he is permitted under the provisions of this act, if the signatures bear the same date, they shall, upon objections filed thereto, not be counted on any petition or paper, and if they bear different dates they shall be counted in the order of their priority of date for only so many persons as there are candidates to be nominated or elected. The office of the Prothonotary of Commonwealth Court and the office of the Secretary of the

Commonwealth and the various offices of prothonotary of the court of common pleas shall be open between the hours of eight-thirty o'clock A.M. and five o'clock P.M. on the last day to withdraw after filing nomination petitions and on the last day to file objections to nomination petitions.

Section 2. Section 1110-A of the act is amended by adding subsections to read:

Section 1110-A. Supplies; Preparation of the Voting System and of Polling Places.—* * *

(a.1) Each county board shall use a chain of custody log to maintain and document an uninterrupted chain of custody for each ballot cast and each ballot storage container, including in person, provisional, mail-in and absentee ballots. Chain of custody logs shall be in a form prescribed by the secretary and, at a minimum, include an identifying number of each ballot storage container and the number of a tamper-evident seal affixed to each ballot storage container. Chain of custody logs shall be made available for public inspection after the computation and canvassing of returns is completed, subject to any redactions the county board deems necessary to protect the safety and private information of individual custodians.

(a.2) The secretary shall establish, and issue by directive, written procedures to ensure the security, confidentiality and integrity of ballots, cast vote records or any other data collected, stored or otherwise used in the election.

(a.3) The procedures under subsections (a.2) and (a.3) shall be published on the department's publicly accessible Internet website.

* * *

Section 3. Section 1117-A of the act is amended to read:

Section 1117-A. [Statistical Sample.—The county board of elections, as part of the computation and canvass of returns, shall conduct a statistical recount of a random sample of ballots after each election using manual, mechanical or electronic devices of a type different than those used for the specific election. The sample shall include at least two (2) per centum of the votes cast or two thousand (2,000) votes whichever is the lesser.] Risk-limiting Audit.—(a) The Department of State, in conjunction with the county boards of elections, shall conduct risk-limiting audits after each primary, general and municipal election to be completed prior to certification of the contests chosen by the Secretary of the Commonwealth to be subject to a risk-limiting audit in accordance with the requirements of this section.

(b) The audit shall be conducted as follows:

(1) The Secretary of the Commonwealth shall randomly determine what contests shall be subject to a risk-limiting audit.

(2) The Secretary of the Commonwealth shall provide notice of the time and place of the random selection of the audit units to be manually tallied and of the times and places of the audits.

(3) The Secretary of the Commonwealth shall make available to the public a report of the unofficial results for the contest prior to the random selection of audit units to be manually tallied and prior to the commencement of the audit.

(4) The county board of elections shall conduct the audit upon the tabulation of the unofficial returns.

(5) The county board of elections shall conduct the audit in public view by manually interpreting the ballots according to rules established by the secretary.

(c) If a risk-limiting audit of a contest leads to a full manual tally of the ballots cast using the voting system, the vote counts according to that manual tally shall replace the vote.

(d) The results of audits conducted under this section shall be published on the website of the Department of State within forty-eight hours of being accepted by the Secretary of the Commonwealth. If the audit involved a manual tally of one or more entire precincts, the names and numbers of all precincts audited and a comparison of the vote tabulator results with the hand counts for each precinct shall be published with the audit results on the Department of State's publicly accessible Internet website.

(e) Any audit required under this section shall not commence for any election subject to a recount until the conclusion of the recount.

(f) The Secretary of the Commonwealth shall promulgate rules, regulations and procedures as necessary to implement this section.

(g) For purposes of this section, the following terms shall have the following meanings:

"Audit unit" means a precinct, a set of ballots or a single ballot. A precinct, a set of ballots or a single ballot may be used as an audit unit for purposes of the section only if all of the following conditions are satisfied:

(1) the relevant vote-tabulating device is able to produce a report of the votes cast in the precinct, set of ballots or single ballot; and

(2) each ballot is assigned to not more than one audit unit.

"Contest" means an election for an office.

"Risk-limiting audit" means a manual tally employing a statistical method that ensures a large, predetermined minimum chance of requiring a full manual tally when a full manual tally would show an electoral outcome that differs from the outcome reported by the vote-tabulating system for the audited contest. A risk-limiting audit shall begin with a hand tally of the votes in one or more audit units and shall continue to hand tally votes in additional audit units until there is strong statistical evidence that the electoral outcome is correct. In the event that counting additional audit units does not provide strong statistical evidence that the electoral outcome is correct, the audit shall continue until there has been a full manual tally to determine the correct electoral outcome of the audited contest.

Section 4. (Reserved).

Section 5. Section 1210(a.4)(5)(ii)(F) of the act is amended to read:

Section 1210. Manner of Applying to Vote; Persons Entitled to Vote; Voter's Certificates; Entries to Be Made in District Register; Numbered Lists of Voters; Challenges.—***

(a.4) ***

(4) Within seven calendar days of the election, the county board of elections shall examine each provisional ballot envelope that is received to determine if the individual voting that ballot was entitled to vote at the election district in the election. One authorized representative of each candidate in an election [and], one representative from each political party, a voter who cast a provisional ballot and their attorney and a nonpartisan organization who has no stake in the outcome of the election but whose mission includes advancing voting rights for all voters shall be permitted to remain in the room in which the determination is being made. A county board of elections may establish reasonable limits on the number of persons permitted in the room. Representatives shall be permitted to keep a list of those persons who cast a provisional ballot and shall be entitled to challenge any determination of the county board of elections with respect to the counting or partial counting of the ballot under this section. Upon challenge of any provisional ballot under this clause, the ballot envelope shall be marked "challenged" together with the reason for the challenge, and the provisional ballot shall be set aside pending final determination of the challenge according to the following procedure:

(i) Provisional ballots marked "challenged" shall be placed unopened in a secure, safe and sealed container in the custody of the county board of elections until it shall fix a time and place for a formal hearing of all such challenges, and notice shall be given where possible to all provisional electors thus challenged and to every attorney, watcher or candidate who made the challenge. The following apply:

(A) The county board of elections shall provide notice to any elector whose provisional ballot will not be counted and any elector whose ballot has been challenged. Notice shall be given by mail, email, telephone or text message within twenty-four (24) hours of a formal hearing being scheduled. The provisional elector shall be advised of the grounds upon which their ballot has been rejected or challenged and be provided an opportunity to submit documents or evidence electronically or physically to overcome the challenge and an opportunity to be heard at the hearing either in person, by phone or virtually.

(B) If the elector does not respond after notice under clause (A) is attempted, the county board shall send a representative to the address of the voter to attempt to contact the voter prior to the scheduled hearing,

and if necessary, leave a notice of the hearing posted on the elector's door.

(5) ***

(ii) A provisional ballot shall not be counted if:

[(D) in the case of a provisional ballot that was cast under subsection (a.2)(1)(i), within six calendar days following the election the elector fails to appear before the county board of elections to execute an affirmation or the county board of elections does not receive an electronic, facsimile or paper copy of an affirmation affirming, under penalty of perjury, that the elector is the same individual who personally appeared before the district election board on the day of the election and cast a provisional ballot and that the elector is indigent and unable to obtain proof of identification without the payment of a fee;]

(E) in the case of a provisional ballot that was cast under subsection [(a.2)(1)(ii)] (a.1), within six calendar days following the election, the elector fails to appear before the county board of elections to present proof of identification and execute an affirmation or the county board of elections does not receive an electronic, facsimile or paper copy of the proof of identification and an affirmation affirming, under penalty of perjury, that the elector is the same individual who personally appeared before the district election board on the day of the election and cast a provisional ballot; or

(F) the elector's absentee ballot or mail-in ballot is timely received by a county board of elections[,] unless the county board of elections determines that the elector's absentee or mail-in ballot will not be counted.

(11.1) For any elector that submits a provisional ballot, the county board shall give notice to the provisional elector by mail, email, telephone or text message within twenty-four (24) hours of the provisional ballot being submitted of the additional information needed for the ballot to be canvassed and the process to submit the additional information.

(11.2) For a provisional ballot that is rejected for any reason, the county shall notify the elector by mail, email, telephone or text message of the reason their provisional ballot was rejected and instructions on how to appeal the decision.

Section 6. Section 1302.1(a) and (a.3)(1) and (2) of the act are amended and the section is amended by adding a subsection to read:

Section 1302.1. Date of Application for Absentee Ballot.—(a) Except as provided in subsection (a.3), applications for absentee ballots shall be received in [the] an office of the county board of elections not earlier than fifty (50) days before the primary or election, except that if a county board of elections determines that it would be appropriate to its operational needs, any applications for absentee ballots received more than fifty (50) days before the primary or election may be processed before that time. Applications for absentee ballots shall be processed if received not later than five o'clock P.M. of the [first Tuesday] tenth day prior to the day of any primary or election.

(a.3) (1) The following categories of electors may apply for an absentee ballot under this subsection, if otherwise qualified:

(i) An elector whose physical disability or illness prevented the elector from applying for an absentee ballot before five o'clock P.M. on the [first Tuesday] tenth day prior to the day of the primary or election.

(ii) An elector who, because of the elector's business, duties or occupation, was unable to apply for an absentee ballot before five o'clock P.M. on the [first Tuesday] tenth day prior to the day of the primary or election.

(iii) An elector who becomes so physically disabled or ill after five o'clock P.M. on the [first Tuesday] tenth day prior to the day of the primary or election that the elector is unable to appear at the polling place on the day of the primary or election.

(iv) An elector who, because of the conduct of the elector's business, duties or occupation, will necessarily be absent from the elector's municipality of residence on the day of the primary or

election, which fact was not and could not reasonably be known to the elector on or before five o'clock P.M. on the [first Tuesday] tenth day prior to the day of the primary or election.

(2) An elector described in paragraph (1) may submit an application for an absentee ballot at any time up until the time of the closing of the polls on the day of the primary or election. The application shall include a declaration describing the circumstances that prevented the elector from applying for an absentee ballot before five o'clock P.M. on the [first Tuesday] tenth day prior to the day of the primary or election or that prevent the elector from appearing at the polling place on the day of the primary or election, and the elector's qualifications under paragraph (1). The declaration shall be made subject to the provisions of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

* * *

(e) A qualified elector may submit an application for an absentee ballot in person at an office of the county board of elections not later than five o'clock P.M. on the Saturday prior to the day of a primary or election and the following process shall apply:

(1) The county board of elections shall immediately determine the qualifications of the applicant by verifying the proof of identification and comparing the information provided on the application with the information contained on the applicant's permanent registration card.

(2) If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "approved."

(3) The elector shall receive an official absentee ballot and the two envelopes for the official absentee ballot.

(4) The absentee ballot shall be processed in accordance with the other procedures outlined in this article.

Section 7. Sections 1302.2(c), 1304 and 1305(a) of the act are amended to read:

Section 1302.2. Approval of Application for Absentee Ballot.—

* * *

(c) The county board of elections, upon receipt of any application of a qualified elector required to be registered under the provisions of preceding section 1301, shall determine the qualifications of such applicant by verifying the proof of identification and comparing the information set forth on such application with the information contained on the applicant's permanent registration card. If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "approved." Such approval decision shall be final and binding, except that challenges may be made only on the ground that the applicant was not a qualified elector. Such challenges must be made to the county board of elections [prior to] by five o'clock p.m. on the [Friday] eighth day prior to the election: Provided, however, That a challenge to an application for an absentee ballot shall not be permitted on the grounds that the elector used an application for an absentee ballot instead of an application for a mail-in ballot or on the grounds that the elector used an application for a mail-in ballot instead of an application for an absentee ballot.

* * *

Section 1304. Envelopes for Official Absentee Ballots.—

The county boards of election shall provide two additional envelopes for each official absentee ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official Election Ballot," and nothing else. On the larger of the two envelopes, to be enclosed within the mailing envelope, shall be printed the form of the declaration of the elector, and the name and address of the county board of election of the proper county. The larger envelope shall also contain information indicating the local election district of the absentee voter. Said form of declaration and envelope shall be as prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the electors qualifications, together with a

statement that such elector has not already voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes, the official absentee ballot, lists of candidates, when authorized by section 1303 subsection (b) of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else. Use of the inner envelope is at the discretion of the voter. A failure to use the inner envelope shall not be an acceptable reason for disqualifying the ballot.

Section 1305. Delivering or Mailing Ballots.—

(a) [The] (1) Except as provided in paragraph (2), the county board of elections upon receipt and approval of an application filed by any elector qualified in accordance with the provisions of section 1301, subsections (a) to (h), inclusive, shall not later than fifty days prior to the day of the primary or not later than seventy days prior to the day of the election commence to deliver or mail to such elector who has included with said application a statement that he or she is unable to vote during the regular absentee balloting period by reason of living or performing military service in an extremely remote or isolated area of the world, and not later than forty-five days prior to the day of the primary or election commence to deliver or mail to all other such electors as provided for in section 1301, subsections (a) to (h), inclusive, official absentee ballots or special write-in absentee ballots as prescribed by subsection (d) of section 1303 when official absentee ballots are not yet printed; as additional applications of such electors are received, the board shall deliver or mail official absentee ballots or special write-in absentee ballots when official absentee ballots are not yet printed to such additional electors within forty-eight hours after approval of their application. If the calling of a special election would make it impossible to comply with the forty-five day delivery or mailing requirement of this section, then the county board of elections shall mail absentee ballots or special write-in absentee ballots within five days of the county board's receipt of the information necessary to prepare said ballots.

(2) Notwithstanding paragraph (1) and 25 Pa.C.S. § 3508(b) (relating to transmission of unvoted ballots), for the general primary that occurs in 2024, the county board of elections, upon receipt and approval of an application filed by any elector qualified in accordance with the provisions of section 1301(a), (b), (c), (d), (e), (f), (g) and (h), inclusive, shall, not later than forty-five (45) days prior to the day of the primary, commence to deliver or mail to the elector who has included with the application a statement that he or she is unable to vote during the regular absentee balloting period by reason of living or performing military service in an extremely remote or isolated area of the world.

* * *

Section 8. Section 1306 of the act is amended by adding a subsection to read:

Section 1306. Voting by Absentee Electors.—* * *

(d) The date written on the envelope shall be the date the elector has signed the declaration. Failure to date the envelope or signing the envelope with a date that is not within the time period between the date the ballot was received by the voter and when it was received by the county board of election shall not disqualify the ballot if the declaration is otherwise properly executed.

Section 9. Section 1308(a), (g)(1), (1.1), (2) and (3) and (h) of the act are amended and subsection (g) is amended by adding paragraphs to read:

Section 1308. Canvassing of Official Absentee Ballots and Mail-in Ballots.—(a) The county boards of election, upon receipt of official absentee ballots in sealed official absentee ballot envelopes as provided under this article and mail-in ballots as in sealed official mail-in ballot envelopes as provided under Article XIII-D, shall [safely keep the ballots in sealed or locked containers until they are to be canvassed by the county board of elections. An absentee ballot, whether issued to a civilian, military or other voter during the regular or emergency application period, shall be canvassed in accordance with subsection (g). A mail-in ballot shall be canvassed in accordance with subsection (g).] mark the date of receipt in the voter's record and shall examine the ballot envelope containing the declaration of the elector to verify completion of the declaration as required under sections 1306 and 1306-D. The

following shall apply:

(1) If the declaration of the elector has been completed as required under sections 1306 and 1306-D, the absentee and mail-in ballots shall safely be kept in sealed or locked containers until the ballots are to be pre-canvassed or canvassed by the county board of elections. An absentee ballot, notwithstanding if the absentee ballot is issued to a civilian, military or other voter during the regular or emergency application period, shall be pre-canvassed or canvassed in accordance with subsection (g). A mail-in ballot shall be pre-canvassed in accordance with subsection (g).

(2) If the declaration of the elector has not been correctly signed as required under sections 1306 and 1306-D, the county board of elections shall enter into the voter's record in the voter registration system that the absentee ballot or mail-in ballot has an issue with the voter's declaration requiring correction in order for the absentee ballot or mail-in ballot to be counted. Absentee ballots or mail-in ballots with erroneous declaration of the elector shall be kept in a separate sealed or locked container. The following shall apply:

(i) Within twenty-four (24) hours of a finding under this paragraph, the county board of elections shall notify the voter by email, telephone or text message of the error and shall provide an Absentee Ballot and Mail-in Ballot Cure Form. The form shall be created by the Secretary of the Commonwealth and shall contain a location for the voter to place the voter's Pennsylvania driver's license or Department of Transportation identification card number or last four digits of the voter's Social Security number and instructions on how to return the form. Instead of providing a driver's license, Department of Transportation identification card number or the last four digits of the voter's Social Security number, a voter may provide a legible copy or photograph of a form of identification that meets the requirements of section 102(z.5)(1)(i) and (ii). The cure form shall include the following attestation in substantially the following form:

I hereby declare that I am a qualified registered elector in this election who requested and returned an absentee ballot or mail-in ballot to (county) and that I have not and will not vote more than one ballot, other than a provisional ballot as permitted by law, in this election.

(Date)

(Signature of Elector)

(ii) The Absentee Ballot and Mail-in Ballot Cure Form and instructions on how to return the form shall be made available on the Department of State and each county board of election's publicly accessible Internet website.

(iii) If the voter completes and returns the Absentee Ballot and Mail-in Ballot Cure Form before noon on the sixth day after the election, the voter's ballot shall be counted as provided under subsection (g)(4)(iii). If the voter fails to complete and return the form before noon on the sixth day after the election, the absentee ballot or mail-in ballot shall be set aside and declared void. The voter may return the Absentee Ballot and Mail-in Ballot Cure Form by email, facsimile, text message or other form of electronic submission, mail or delivery in person to the county board of elections.

(iv) The voter shall be provided with information on how to vote by provisional ballot on election day instead of completing an Absentee Ballot and Mail-In Ballot Cure Form.

(v) A missing or inaccurate date on the declaration of the elector on the outer return envelope of an absentee or mail-in ballot shall not be a fatal defect for the ballot, if the voter's declaration signature is contained in the declaration, or the signature has been cured through use of the notice and cure process under this section.

(vi) Within twenty-four (24) hours of a finding under this paragraph, counties shall compile a list of voters eligible to cure defective ballots and must make the list available to the public.

* * *

(g) (1) (i) An absentee ballot cast by any absentee elector as defined in section 1301(a), (b), (c), (d), (e), (f), (g) and (h) shall be canvassed in accordance with this subsection if the ballot is cast, submitted and received in accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to uniform military and overseas voters).

(ii) An absentee ballot cast by any absentee elector as defined in section 1301(i), (j), (k), (l), (m) and (n), an absentee ballot under section [1302(a.3)] 1302.1(a.3) or a mail-in ballot cast by a mail-in elector shall be canvassed in accordance with this subsection if the absentee ballot or mail-in ballot is received in the office of the county board of elections no later than eight o'clock P.M. on the day of the primary or election.

(1.1) The county board of elections shall meet no earlier than [seven o'clock A.M. on] three (3) days prior to election day to pre-canvass all ballots received prior to the meeting. A county board of elections shall provide at least forty-eight hours' notice of a pre-canvass meeting by publicly posting a notice of a pre-canvass meeting on its publicly accessible Internet website. [One] In accordance with paragraph (1.2), one authorized representative of each candidate in an election and one representative [from] of each political party shall be permitted to remain in the room in which the absentee ballots and mail-in ballots are pre-canvassed. No person observing, attending or participating in a pre-canvass meeting may disclose the results of any portion of any pre-canvass meeting prior to the close of the polls.

(1.2) An authorized representative under paragraph (1.1) shall be permitted access to view and observe the entire process of pre-canvassing or canvassing, subject to the requirement that the authorized representative shall not distract, hinder or otherwise interfere with the pre-canvassing or canvassing process. A county board of elections shall designate an official to receive concerns reported by an authorized representative. The Department of State shall establish a procedure for an authorized representative to report a concern arising from a pre-canvass meeting and then investigate and report on the concern raised.

(1.3) A county board of elections shall record the pre-canvassing and canvassing meetings with audio and visual recordings. The recordings under this paragraph may be stored as an encrypted file. The recording may be posted on the county's publicly accessible Internet website in the encrypted format. The password or encryption software may be distributed as necessary.

(2) The county board of elections shall meet no earlier than the close of polls on the day of the election and no later than eight o'clock A.M. the [third] day following the election to begin canvassing absentee ballots and mail-in ballots not included in the pre-canvass meeting. The meeting under this paragraph shall continue until all absentee ballots and mail-in ballots received prior to the close of the polls have been canvassed. The county board of elections shall not record or publish any votes reflected on the ballots prior to the close of the polls. The canvass process shall continue through the eighth day following the election for valid military-overseas ballots timely received under 25 Pa.C.S. § 3511 (relating to receipt of voted ballot). A county board of elections shall provide at least forty-eight hours' notice of a canvass meeting by publicly posting a notice on its publicly accessible Internet website. One authorized representative of each candidate in an election and one representative from each political party shall be permitted to remain in the room in which the absentee ballots and mail-in ballots are canvassed.

(3) When the county board meets to pre-canvass or canvass absentee ballots and mail-in ballots under paragraphs (1), (1.1) and (2), the board shall [examine];

(i) Examine the declaration on the envelope of each ballot not set aside under subsection (d) and shall compare the information thereon with that contained in the ["Registered Absentee and Mail-in Voters File," the] absentee voters' list [and/or] or the "Military Veterans and Emergency Civilians Absentee Voters File," whichever is applicable.

(ii) If the county board has verified the proof of identification as required under this act and is satisfied that the declaration is sufficient and the information contained in the ["Registered Absentee and Mail-in Voters File," the] absentee voters' list and/or the "Military Veterans and Emergency Civilians Absentee Voters File" verifies his right to vote, [the county board shall] provide a list of the names of electors whose absentee ballots or mail-in ballots are to be pre-canvassed or canvassed.

(iii) Place and seal an absentee ballot or mail-in ballot that does not have a ballot envelope or has unidentifiable marks on the envelope into an empty official election ballot envelope and secure the envelope with the other removed official election ballot envelopes to be tabulated.

(3.1) A county board of elections may use an automated sorting or extracting machine to assist in the processing of absentee ballots and mail-in ballots.

* * *

Section 10. Section 1302.1-D(a) of the act is amended and the section is amended by adding a subsection to read:
Section 1302.1-D. Date of application for mail-in ballot.

(a) General rule.—Applications for mail-in ballots shall be received in the office of the county board of elections not earlier than 50 days before the primary or election, except that if a county board of elections determines that it would be appropriate to the county board of elections' operational needs, any applications for mail-in ballots received more than 50 days before the primary or election may be processed before that time. Applications for mail-in ballots shall be processed if received not later than five o'clock P.M. of the [first Tuesday] tenth day prior to the day of any primary or election.

* * *

(c) In-person request for mail-in ballot.—A qualified elector may submit an application for a mail-in ballot in person at an office of the county board of elections not later than five o'clock P.M. of the Saturday prior to the day of a primary or election and the following process shall apply:

(1) The county board of elections shall immediately determine the qualifications of the applicant by verifying the proof of identification and comparing the information provided on the application with the information contained in the applicant's voter registration record.

(2) If the board is satisfied that the applicant is qualified to receive an official mail-in ballot, the application shall be marked "approved."

(3) The elector shall receive an official mail-in ballot and the two envelopes for the official mail-in ballot.

(4) The mail-in ballot shall be processed in accordance with the other procedures outlined in this article.

Section 11. Sections 1304-D and 1306-D of the act are amended by adding subsections to read:
Section 1304-D. Envelopes for official mail-in ballots.

* * *

(e) Inner envelope.—Use of the inner envelope is at the discretion of the voter. A failure to use the inner envelope shall not be an acceptable reason for disqualifying the ballot.

Section 1306-D. Voting by mail-in electors.

* * *

(d) Date.—The date written on the envelope shall be the date the elector has signed the declaration. Failure to date the envelope or signing the envelope with a date that is not within the time period between the date the ballot was received by the voter and when it was received by the county board of election shall not disqualify the ballot if the declaration is otherwise properly executed.

Section 12. Section 1602-A(j)(1) of the act, added July 11, 2022 (P.L.1577, No.88), is amended to read:
Section 1602-A. Funding for elections.

* * *

(j) Grant agreement.—The grant agreement between the department and the county under this section shall include the following requirements for counties:

(1) The county shall begin pre-canvassing at [7] 9 a.m. on the third day prior to election day [and shall continue without interruption until each mail-in ballot and absentee ballot received by 7 a.m. on election day is pre-canvassed].

(2) The county shall begin canvassing mail-in ballots and absentee ballots at 8 p.m. on election day and shall continue day to day without unnecessary interruption until each ballot has been canvassed.

* * *

Section 13. Sections 1701(a), (a.1)(2)(ii), (b), (d) and (e), 1702(a)(1) and (2)(ii)(B), (a.1), (b.1) and (b.2) and 1703(a)(1) of the act are amended to read:

Section 1701. Opening Ballot Boxes upon Petition of Electors Alleging Fraud or Error; Deposit or Bond.—(a) Except as set forth in subsection (a.1), the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall [not] be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, [nor] and to offer evidence to substantiate the allegations of their petition.

(a.1) In cases resulting from a recount or canvass order by the Secretary of the Commonwealth under section 1404(g), all of the following apply:

* * *

(2) To obtain relief under clause (1):

* * *

(ii) It is [not] necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed [nor] and to offer evidence to substantiate the allegations of their petition.

(b) Every petition for the opening of a ballot box under the provisions of this section shall be filed in the office of the prothonotary of the proper county, accompanied by a deposit of cash in the amount of [fifty (\$50.00)] eight hundred fifty (\$850) dollars, or by a bond signed by the petitioners as principals and by a corporate surety to be approved by the court, in the amount of [one hundred (\$100.00)] one thousand five hundred (\$1,500) dollars, conditioned upon the payment to the county treasurer for the use of the county of the sum of [fifty (\$50.00)] eight hundred fifty (\$850) dollars, in the event that, upon the opening of the ballot box, it shall not appear that fraud or substantial error was committed in the computation of the votes cast on the ballots contained therein, or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots.

* * *

(d) If, upon opening any such ballot box, it shall appear that fraud or substantial error was committed in the computation of the votes cast on the ballots contained therein, or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots, it shall be the duty of the court to certify such fact to the prothonotary and thereupon the prothonotary shall return to the petitioners the said sum of [fifty (\$50.00)] eight hundred fifty (\$850) dollars, or if the petitioners shall have filed a bond in lieu of cash, to mark said bond cancelled and notify the petitioners that he has done so.

(e) If, upon opening any ballot box under the provisions of this section, it shall not appear that fraud or substantial error was committed in the computation of the votes cast on the ballots contained therein, or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots, the persons upon whose petition such ballot box shall have been opened shall forfeit to the county the sum of [fifty (\$50.00)] eight hundred fifty (\$850) dollars. If said petitioners shall have deposited the said sum in cash with the prothonotary at the time of filing the petition, the prothonotary, upon certification of the court that fraud or substantial error was not discovered, shall pay said sum deposited with him to the county treasurer; and if the petitioners shall have filed with their petition a bond in the sum of [one hundred (\$100.00)] one thousand five hundred (\$1,500) dollars, it shall be the duty of the county treasurer forthwith to collect from the principals or surety on said bond, the sum of [fifty (\$50.00)] eight hundred fifty (\$850) dollars, and costs of suit, and for this purpose, he is hereby authorized to institute any necessary legal proceedings. When so

collected, the said sum of [fifty (\$50.00)] eight hundred fifty (\$850) dollars shall be paid over to the county treasurer.

* * *

Section 1702. Recanvassing Voting Machines upon Petition of Electors Alleging Fraud or Error.—(a) Judicial proceedings shall be as follows:

(1) Except as set forth in clause (2), the court of common pleas, or a judge thereof, of the county in which any election district is located, shall make visible the registering counters of the voting machine or machines used in such election district at any primary or election, and without unlocking the machine against voting, shall recanvass the vote cast therein, if three qualified electors of the election district shall file a petition, duly verified by them, alleging that, upon information which they consider reliable, they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the canvassing of the votes cast on such machine or machines. It shall [not] be necessary for the petitioners to specify in their petition the particular act of fraud or error they believe to have been committed, [nor] and to offer evidence to substantiate the allegations of their petition.

(2) In cases resulting from a recount or recanvass ordered by the Secretary of the Commonwealth under section 1404(g), all of the following apply:

* * *

(i) To obtain relief under subclause (i):

* * *

(B) It is [not] necessary for the petitioners to specify in their petition the particular act of fraud or error they believe to have been committed [nor] and to offer evidence to substantiate the allegations of the petition.

(a.1) Every petition for the recanvassing of votes cast in the voting machine, or voting machines of an election district, under the provisions of this section, shall be filed in the office of the prothonotary of the proper county accompanied by a deposit of cash in the amount of [fifty (\$50)] eight hundred fifty (\$850) dollars, or by a bond signed by the petitioners as principals and by a corporate surety to be approved by the court in the amount of [one hundred (\$100)] one thousand five hundred (\$1,500) dollars, conditioned upon the payment to the county treasurer for the use of the county of the sum of [fifty (\$50)] eight hundred fifty (\$850) dollars, in the event that upon the recanvassing of the votes cast in a voting machine or voting machines, it does not appear that fraud or substantial error was committed in the canvassing of the votes cast on such machine or otherwise in connection with such voting machines.

* * *

(b.1) If, upon the recanvassing of the votes in any voting machine, it shall appear that fraud or substantial error was committed in the computation of the votes cast on the voting machine or otherwise in connection with such voting machine, it shall be the duty of the court to certify such fact to the prothonotary, and thereupon the prothonotary shall return to the petitioners the said sum of [fifty (\$50)] eight hundred fifty (\$850) dollars, or if the petitioners shall have filed a bond, in lieu of cash, to mark said bond cancelled and notify the petitioners that he has done so.

(b.2) If, upon the recanvassing of the votes in any voting machine under the provisions of this section, it shall not appear that fraud or substantial error was committed in the computation of the votes cast in the voting machine or otherwise in connection with such voting machine, the persons upon whose petition such voting machine was recanvassed shall forfeit to the county the sum of [fifty (\$50)] eight hundred fifty (\$850) dollars. If said petitioners shall have deposited the said sum in cash with the prothonotary at the time of filing the petition, the prothonotary, upon certification of the court that fraud or substantial error or otherwise in connection with such machine was not discovered, shall pay said sum deposited with him to the county treasurer, and if the petitioners shall have filed with their petition a bond in the sum of [one hundred (\$100)] one thousand five hundred (\$1,500) dollars, it shall be the duty of the county treasurer forthwith to collect from the principals or surety on said bond the sum of [fifty (\$50)] eight hundred fifty (\$850) dollars and costs of suit, and for this purpose he is hereby authorized to

institute any necessary legal proceedings. When so collected, the said sum of [fifty (\$50)] eight hundred fifty (\$850) dollars shall be paid over to the county treasurer.

* * *

Section 1703. Correction of Returns; Decision Not to Be Final; Evidence for Prosecution.—

(a) (1) Any petition to open a ballot box or to recanvass the votes on a voting machine or an electronic voting system pursuant to sections 1701 and 1702 shall be filed no later than [five (5)] three (3) days after the completion of the computational canvassing of all returns of the county by the county board. If any error or fraud is found the court shall grant the interested parties an additional five (5) days to file petitions requesting additional ballot boxes to be opened or voting machines or electronic voting systems to be recanvassed.

(i) [Except as set forth in subclause (ii)] The following apply:

(A) a recount or recanvass shall include all election districts in which ballots were cast for the office in question; and

(B) petitions, accompanied by the appropriate money or bond, must be filed in each election district in accordance with this act.

[(ii) Subclause (i) shall not apply if a petitioner under section 1701 or 1702 pleads that a particular act of fraud or error occurred and offers prima facie evidence supporting the allegation.]

(iii) The county board shall have three (3) days to file a response to any petition for recount file with the court.

* * *

Section 14. The amendment or addition of sections 102(z.5), 206, 1210(a), (a.1) and (a.2), 1308(a)(2)(i) relating to proof of identification and 1308(h) of the act shall not apply to an election occurring before the 2025 primary election.

Section 15. This act shall take effect as follows:

(1) The amendment or addition of sections 102(z.5), 206, 1210(a), (a.1) and (a.2), 1308(a)(2)(i) concerning section 102(z.5) and 1308(h) of the act shall take effect January 1, 2025.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, Representative Dan Miller.

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

Madam Speaker, my amendment makes sizeable changes to SB 224 to make sure that it improves our election process and does much to which our counties have asked us to do in relation to improving the process overall.

It changes the nomination petition timeframe. It requires a chain of custody log for ballots and containers. It requires the Department of State to conduct risk-limiting audits after each election. It improves transparency for county provisional ballots. It updates absentee and mail-in ballot timeframes. It improves ballot security during canvassing and pre-canvassing. It allows for pre-canvassing for 3 days. It sets up a procedure for curing ballots prior to the election. And it requires counties to provide notification of ballot problems.

That is just the tip of what it does. It addresses so much that would improve the ability for Pennsylvanians to cast a ballot and make sure their voices are heard and make sure we have improved security. It helps to be sure that our counties have a process that can work for them. With all that, Madam Speaker, I ask for an affirmative vote on amendment 02305.

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

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?

MOTION TO TABLE AMENDMENTS

The SPEAKER. For what purpose does the gentleman from Montgomery County, Representative Bradford, rise?

Mr. BRADFORD. Madam Speaker, I rise to make a motion.

The SPEAKER. The gentleman is in order and may state his motion.

Mr. BRADFORD. Madam Speaker, I make a motion to table all remaining amendments to SB 224.

The SPEAKER. The gentleman, Representative Bradford, moves that all remaining amendments be laid on the table.

On that question, members are reminded, the motion to lay on the table is debatable only by the leaders, the maker of the motion, the maker of the amendment under consideration, and the prime sponsor of the bill under consideration.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, the Chair recognizes the gentleman, Representative Bradford.

The gentleman is in order, and he may proceed.

Those in favor of the motion to table—

The Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, regarding the motion to table the amendments, I cannot believe that we are here yet again. We have heard the discussions about how a humble majority will work across the aisle, and yet when it comes time to actually debate issues, even if it is in the late hours of the night and out of the public's eye, once again Republican voices and options are not being discussed.

I understand the board. I know what it will look like. I think it is a shame that despite promises to work together, promises that the rules were for the betterment of the chamber, and promises that rulings would be different, it seems that the same sad song continues to play.

I oppose the motion to table the amendments in their entirety because I believe that many of these ideas are worth discussing.

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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappey
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele

C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Dellosa	Kinthead	Powell	McClinton,
Donahue	Kinsey	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 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 1634, PN 1918**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in dates of elections and primaries and special elections, further providing for general primary and candidates to be nominated and party officers to be elected.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. It is the Chair's understanding that the gentleman from Dauphin County has withdrawn amendment A02364, Representative Mehaffie. It is the Chair's understanding that the gentleman from Dauphin County has withdrawn amendment A02364. The Chair thanks the gentleman.

MOTION TO TABLE AMENDMENTS

The SPEAKER. For what purpose does the gentleman from Montgomery County, Representative Bradford, rise?

Mr. BRADFORD. Madam Speaker, I rise to make a motion.

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

Mr. BRADFORD. Madam Speaker, I make a motion to table all remaining amendments to HB 1634.

The SPEAKER. The gentleman, Representative Bradford, moves that all remaining amendments be laid on the table.

On that question, members are reminded, the motion to lay on the table is debatable by the leaders, the maker of the motion, the maker the amendment under consideration, and the prime sponsor of the bill under consideration.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, the Chair recognizes the maker of the motion, the floor leader from Montgomery County, Representative Bradford. The gentleman waives off.

On the motion, the Chair recognizes the gentleman from Westmoreland County, Representative Davanzo.

Mr. DAVANZO. Thank you, Madam Speaker.

Madam Speaker, I rise tonight almost in disgust that the minority party is being silenced. We hear back home from our county elections bureau, they need help with election reform. We bring them here, right? We are here to do the people's work. We are here to stand for the people, but yet here we are, our voices are silenced. We are silenced.

For 4 years I sat in this chamber and the Democrats cried about their voices being silenced. We took a tour, the Democrats took a tour, and said, hey, we are going to listen to every voice; every voice in this Commonwealth is going to be heard. Well, that was nothing but a big, fat lie, because tonight, guess what we are doing? We are being silenced. We are being silenced.

Completely uncalled for, Madam Speaker. And I am completely disappointed in this chamber tonight. Thank you.

The SPEAKER. The Chair reminds the members not to impugn the integrity of other members.

On that question, the Chair recognizes the gentleman from Lebanon, Representative Diamond, on the motion to table.

Mr. DIAMOND. Thank you, Madam Speaker.

I rise to oppose this motion, which is shortsighted, ignorant of the democratic process, and beneath this chamber. This will not serve the people of Pennsylvania well.

Madam Speaker, the underlying bill as written, the practical reality is that it creates an incumbent protection program, and my amendments, which are being threatened to be tabled now by the humble majority, would serve to decrease that advantage for incumbents in Pennsylvania.

I began my career in politics as an activist on the outside, fighting for those citizen legislators who may get elected. This bill as written does nothing but give incumbents an advantage — the very incumbents who may be voting on this motion.

Madam Speaker, this is a disgrace, and it is a shame we are even entertaining this lowbrow motion by the humble majority. I am stunned. I am shocked. I am disappointed. But I know what the numbers are. Enjoy your humble majority. You will not have it forever, and when it is gone, it might be gone for good.

Madam Speaker, I oppose the motion to table all of the amendments because I do believe that we ought not create an incumbent protection program that will benefit the very people who are voting on this motion.

Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes the floor leader from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, no surprise, I will also be opposing the motion to table the amendments. It was just a few short weeks ago that the Speaker and I had the opportunity to appear before a panel, and we were presented with a unique and bipartisan opportunity. The gentleman who was overseeing the panel encouraged us both to say something nice about one another. I thought that that was a very kind gesture, and I appreciated the kind words the Speaker said.

What the Speaker shared at the conference that we were speaking at, and I will paraphrase, was essentially that while I was Speaker, she appreciated the fact that while we did not always agree, that we were able to discuss issues and that they felt that they were heard. I complimented her on her advocacy skills, and we had a nice exchange in a manner which I think is befitting of this institution.

There were concerns raised about impugning the honor of the members – and that is correct; that is something that we need to always be mindful of – but I think that the one thing that is being impugned tonight is the honor of the institution. You see, these rulings and these motions make a mockery of the rules. Now, I understand, I did not vote for the rules, but I thought that people who did would actually follow them.

I urge a "no" vote on the motion to table.

The SPEAKER. The Chair thanks the gentleman.

And in the spirit of the event that we attended in Washington County, I will remind the members that this precedent was not created by this Chair but the prior chair.

On the motion, the Chair recognizes the gentleman from Montgomery County.

Mr. BRADFORD. So I do not mean to belabor the point, because the hour is late, and I do not do hypocrisy well, so I just want to point this out for a few people. It was not this majority that created tabling amendments. It is not new to the rules of this session. And I know some folks are getting the first perspective on being on the other side of these process issues.

Let me just say this, now that we both have some experience and some thoughtful reflection: maybe there will be a different way forward, but I am not going to stand here and try to be sanctimonious and act like I have no idea where these things came from, because everyone knows where this came from.

Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I do appreciate the gentleman's acknowledgement of the history; however, I would simply point out the following. If you thought it was wrong when you were in the minority, that means you either believe it was hypocritical or

you were lying when you said that you would follow the rules and move forward.

We were promised a new day. I have not seen it. I cannot wait for the sun to rise on the new day. I would welcome it. I thought that we have been working through, late into the night, as you pointed out, as we have moved— It is not our fault that we are here late in the night. Had amendments been drafted sooner, had bills been posted sooner, and quite frankly, I am not sure why we are here hiding in the darkness, voting on issues that people care about, when we are scheduled to return here at 8 tomorrow morning. If we are not going to actually discuss the amendments, why do we not just adjourn and we can resume this conversation in its entirety tomorrow morning at 8.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—102

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to second consideration of **HB 1258, PN 1768**, 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 calculation of average daily membership for a dual credit course.

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

Abney	Fleming	Krupa	Rader
Adams	Flick	Kulik	Rapp
Armanini	Flood	Kutz	Rigby
Banta	Frankel	Kuzma	Roae
Barton	Freeman	Labs	Rossi
Bellmon	Friel	Lawrence	Rowe
Benham	Fritz	Leadbeter	Rozzi
Benninghoff	Gallagher	Mackenzie, M.	Ryncavage
Bernstine	Galloway	Mackenzie, R.	Salisbury
Bizzarro	Gaydos	Madden	Samuelson
Bonner	Gergely	Madsen	Sanchez
Borowicz	Gillen	Major	Sappey
Borowski	Giral	Mako	Schemel
Boyd	Gleim	Malagari	Scheuren
Boyle	Green	Maloney	Schlegel
Bradford	Gregory	Marcell	Schlossberg
Brennan	Greiner	Markosek	Schmitt
Briggs	Grove	Marshall	Schweyer
Brown, A.	Guent	Matzie	Scialabba

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

NAYS—1

Twardzik

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 1540, PN 2050**, 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, further providing for Commission for Agricultural Education Excellence.

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—123

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

NAYS—80

Armanini	Fritz	Lawrence	Rapp
Banta	Gaydos	Leadbeter	Roae
Barton	Gillen	Mackenzie, M.	Rossi
Bernstine	Gleim	Mackenzie, R.	Rowe
Bonner	Gregory	Major	Ryncavage
Borowicz	Greiner	Mako	Schemel
Brown, M.	Grove	Maloney	Scheuren
Cabell	Hamm	Marshall	Scialabba
Cook	Heffley	Mentzer	Smith
Cooper	Irvin	Mercuri	Staats
Cutler	Jones, M.	Metzgar	Stambaugh
D'Orsie	Jones, T.	Mihalek	Stehr
Davanzo	Jozwiak	Miller, B.	Stender
Delozier	Kail	Mustello	Topper
Dunbar	Kauffman	Nelson, E.	Twardzik
Emrick	Keefer	O'Neal	Warner
Fee	Kephart	Oberlander	Watro
Fink	Kerwin	Ortitay	Wentling
Flick	Krupa	Owlett	Williams, C.
Flood	Kutz	Pickett	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 1661, PN 2091**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for prohibited acts and penalties; and providing for secure storage of xylazine.

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 gentlelady from Allegheny County, Representative Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

Let me first begin by saying, I am not farmer. I have no history in animal husbandry. I have no cattle, no horses, or any other large animals that have ever or will ever require the use of xylazine. That said, as a lawyer, I am well aware that ignorance is not a defense. So I have spent my time as a member of the House Agriculture and Rural Affairs Committee committed to learning things that I did not know because this job requires us all to stretch ourselves outside of our comfort zones and grow our knowledge.

In this role, we are constantly challenged to make important decisions that impact areas well outside our expertise, and we have a responsibility to make wise and informed decisions in every area. I know that xylazine is an essential medication necessary to treat our large animals and critical to the success of our Commonwealth's largest industry. I know that the critical shortage of large animal veterinarians means that these animals could wait hours or days for care. I know that often the choice is to tranquilize to keep the animals comfortable and to be able to have safe access to treat the animal or the animals would be required to be euthanized. Xylazine needs to be readily available to our farmers. I also know that a recent Executive order threatens access to this critical medication, and this legislation seeks to address that quickly.

But now let me lean into my own expertise. We know, unequivocally, based on more than 50 years of research, that the war on drugs – and specifically, the criminalization of the possession and use of illicit drugs – does absolutely nothing to deter the use of these drugs. More than that, we know that charging low-level drug users accomplishes nothing more than introducing more people to our criminal justice system, which is wholly unequipped to actually help people with substance use disorders. The conventional wisdom that has governed our drug policies for half a century, which assumes that drug problems are attributable to morally compromised or pathological individuals who lack proper values and must be disciplined and punished by authorities to deter further involvement with dangerous and addicting substances, is demonstrably false.

We seek out simple explanations like this because categorizing our world helps us make it make sense. The problem is that there is a price to be paid for simple ideas. Simplification distorts our perception of problems and makes us reach for the

easy solution. Unfortunately, the fact is that to get serious about ending drug abuse requires a complicated approach that is both holistic and compassionate. It includes harm reduction; investment in mental health services, drug treatment resources, and antipoverty programs; expansion of education, job training, and social programs; growth in affordable housing; and yes, the decriminalization of drug use by people with substance use disorders.

For 50 years we have tried it the other way – the law-and-order way – and it has done nothing but benefited organized crime syndicates to the detriment of our communities. The criminalization of illicit drug use has led to rampant overdose deaths by people who are afraid to seek treatment for fear of criminal prosecution and cost the lives of countless of our neighbors who get caught in the middle when commercial disputes are solved with automatic weapons on the street. And it has created a public health menace, not just through drug use, but as a result of the myriad infections from HIV (human immunodeficiency virus) to endocarditis that result because people are too scared of criminal prosecution to seek proper medical care. Criminalization of illicit drug use quite literally scares people to death. And because we treat low-level users the same as the masterminds behind the distribution of illicit drugs, we leave them to be victims of these organizations too, because new drugs are introduced to the market by cutting the old drugs with them, without the knowledge or consent of the end users.

Enter xylazine. I am not sure how many of you may have seen flesh-eating bacteria in action, either in real life or in pictures, but that is what xylazine does to the human body. People are losing chunks of skin and muscle, even whole sections of limbs because of xylazine. Most of them have absolutely no idea that xylazine is in the drugs they have taken until it is too late. If we talk about punitive measures for substance use disorder, I can think of nothing worse.

I appreciate the maker of this bill for working with us to make this bill better. I will be a "no" on this bill today because fundamentally, my constituents sent me here to support approaching substance use disorders differently than we have in the past. I cannot in good conscience open more individuals up to having their medical conditions addressed through an unequipped criminal system.

But I am not going to ask any of my colleagues to join me in that vote. The maker of this bill seeks to address an equally urgent need to ensure that our State's livestock is able to get the essential medical care that they need, and this bill accomplishes that. If we had more time, we could treat both humans and animals with dignity and humanity, but that is not the reality of today.

Madam Speaker, vote the way that your constituents need you to vote for legitimate-purpose use of xylazine, but please also join me in crafting the humane, compassionate, and evidence-based policy to help the constituents that we all have who have substance use disorders tomorrow. Thank you.

The SPEAKER. On that question, the Chair recognizes the gentlelady from Bucks County, Representative Marcell.

Mrs. MARCELL. Thank you, Madam Speaker.

Today I rise in support of HB 1661, a bill that would criminalize illicit possession of xylazine with an exemption for legal veterinary use, but not make it a Schedule III controlled substance due to the risk that it will cease to be available in Pennsylvania for veterinarians to access.

I would like to thank the gentleman from Somerset County for helping to address growth in the illicit use of xylazine, which is only approved for use as an animal tranquilizer by prescription but currently is being used as a cutting agent for heroin and fentanyl by humans. You may have heard about it in media reports by the name of "tranq." Many of these media reports focus on the drug's tendency to cause wounds that do not readily heal. As its illicit use has grown, it has attracted the attention of media and public health officials. No community in the Commonwealth of Pennsylvania has been untouched by the opioid and heroin epidemics.

Roughly half of the Commonwealth counties saw cases where the illicit use of xylazine caused a death in 2021. Worse, 90 percent of the opioid sampled by the city of Philadelphia showed xylazine in 2021. Nearly every family knows someone who has been struggling with addiction to substances like opioids, heroin, fentanyl, and xylazine. While policymakers have been working to enact policies to address the epidemic, progress has not been as quick as one might hope. Drug overdoses contributed to 5,000 deaths per year in Pennsylvania since 2020. In fact, in June 2023, the Acting Secretary of Health temporarily scheduled xylazine as a Schedule III controlled substance.

However, we cannot wait for the regulatory process to play out. We must act now as a legislature.

This issue really hit home for me earlier this year in a recent meeting I had with a constituent who was a recovered addict herself and tries to help others to recover from drug addiction. She described the devastation caused by the drug's growth and implored policymakers to wake up to the growing threat. That is why I recently worked with several of my House colleagues to introduce five bills to stem the drug's usage and educate the public on this deadly epidemic.

Please join me in voting "yes" on HB 1661 to take this important step to stem the growth and the abuse of this drug, and consider also supporting our package of xylazine bills. We cannot wait to see how bad this will get before we act.

Thank you, Madam Speaker.

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Khan.

Mr. KHAN. Thank you, Madam Speaker.

I rise to speak against HB 1661. I know the hour is late. I am going to make this really quick.

I am a health-care provider, and there is a phrase that health-care providers use and it is "do no harm." If I had a patient with high blood pressure, and I had a medicine to treat the blood pressure but that would shut their kidneys down, I would not give it because it would cause harm.

This bill, I agree, is well-intentioned, but what it does, in addition to the fact that it will help those who use the medicine for large animals, it will criminalize the use of substances. Those most affected by this will be low-income individuals, communities of color who often shoulder the inequities of our criminal justice system.

There is a phrase: "Nothing about us without us." I would ask, where is the treatment community on this bill? Has anyone asked them? Where are people who are dealing with substance abuse on this bill and the community that works with them? Where are they on this bill, have they been asked? Substance abuse is a disease. It should be treated as such. We should treat them with health-care providers, not with prison.

My last point is, I want you to think of the list of people who made the world a better place. Think of some of those individuals. On that list you might find someone like Benjamin Franklin, Thomas Edison, Winston Churchill; all of those individuals had substance use issues. And think of what would happen if we threw them in jail for 5 years, made them convicted felons. Think of that every time you walk in this Capitol and you walk under the painting of Benjamin Franklin. Think about it every time you turn on a light bulb. And think about it when you think about the heroes who helped defeat Nazi Germany during World War II. Our constituents deserve that same consideration.

I would ask you to vote "no" on HB 1661. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—169

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

NAYS—34

Abney	Fiedler	Kinkead	Parker
Bellmon	Frankel	Kinsey	Powell
Benham	Friel	Krajewski	Rabb
Boyd	Green	Madden	Salisbury
Bullock	Harris	Mayes	Samuelson
C Freytiz	Hohenstein	McAndrew	Smith-Wade-El
Cephas	Isaacson	Nelson, N.	Waxman
Curry	Kazeem	Otten	Young
Dawkins	Khan		

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.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Allegheny County, Representative Dan Miller, rise?

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

I rise to correct the record.

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

Mr. D. MILLER. Madam Speaker, I rise to correct the record on behalf of Representative Pielli on the constitutionality vote on amendment A02365 to SB 224. He was recorded as a "yes" and would like to be recorded as a "no."

The SPEAKER. The Chair thanks the gentleman.

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

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1456, PN 2108**, entitled:

An Act amending the act of August 3, 2023 (P.L. , No.1A), known as the General Appropriation Act of 2023, adding appropriations to the Executive Offices, the Department of Education and the Department of Human Services and further providing for Supreme Court.

On the question,

Will the House agree to the bill on third consideration?

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1456 will temporarily be over.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 141, PN 17**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards.

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—200

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

Dunbar	Kim	Pielli	Williams, C.
Ecker	Kinkead	Pisciottano	Williams, D.
Emrick	Kinsey	Powell	Young
Evans	Klunk	Probst	Zimmerman
Fee	Kosierowski	Rabb	
Fiedler	Krajewski	Rader	McClinton,
Fink	Krueger	Rapp	Speaker
Fleming	Krupa		

NAYS—3

Dawkins Madden Parker

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 without amendment.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 621, PN 1149**, entitled:

An Act designating the portion of Pennsylvania Route 41 (Gap Newport Pike) from the intersection with Bernard Avenue to the intersection with Highland Road in West Fallowfield Township, Chester County, as the Corporal Brandon Hardy Memorial Highway; designating a bridge, identified as Bridge Key 13775, carrying Pennsylvania Route 641 over Big Spring Creek on the border of Newville Borough and West Pennsboro Township, Cumberland County, as the SFC Randall Shughart Memorial Bridge; designating a portion of Johnson Mill Road (State Route 1001) from the bridge over Buffalo Creek (Bridge Key 33467) to the intersection of Colonel John Kelly Road (State Route 1002) in Buffalo Township, Union County, as the Sgt. Edward L. Shannon Memorial Highway; designating a bridge, identified as Bridge Key 13617, carrying Pennsylvania Route 34, over Mountain Creek in Mount Holly Springs Borough, Cumberland County, as the Firefighter Jerome Guise Memorial Bridge; designating a bridge, identified as Bridge Key 8553, carrying State Route 1006 on Syberton Road over Clearfield Creek in Gallitzin Township, Cambria County, as the Private Martin J. Hanlon Memorial Bridge; designating a bridge, identified as Bridge Key 36247, carrying Pennsylvania Route 711 over Loyalhanna Creek in Ligonier Township, Westmoreland County, as the Sergeant Alvin P. Carey and Private John C. Ewing Medal of Honor Memorial Bridge; designating the bridge, identified as Bridge Keys 34474 and 34477, carrying Interstate 70 over Pennsylvania Route 18, on the border of Washington City and Canton Township, Washington County, as the Corporal Frank J. Sworden Memorial Bridge; designating a portion of Pennsylvania Route 310 between Knox Dale Road, also known as State Route 2023, and Ash Street in McCalmont Township, Jefferson County, as the Lance Cpl. Bernard Himes Memorial Highway; designating a bridge, identified as Bridge Key 33758, carrying Pennsylvania Route 427 over Sugar Creek in Sugarcreek Borough, Venango County, as the Staff Sergeant Richard James Mulholland Memorial Bridge; designating a bridge, identified as Bridge Key 8537, carrying Pennsylvania Route 869 over a tributary of the Little Conemaugh River in Jackson Township, Cambria County, as the Sergeant Vance Stephan Keslar Memorial Bridge; designating a bridge, identified as Bridge Key 8392, carrying Pennsylvania Route 53 over

Bruebaker Run in Dean Township, Cambria County, as the U.S. Army Technical Sergeant Joseph F. Johnston Memorial Bridge; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; designating a bridge, identified as Bridge Key 45701, carrying Pennsylvania Route 403 over the Conemaugh River between Johnstown City and West Taylor Township, Cambria County, as the Captain Raymond W. Callahan, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 8569, carrying State Route 1021 over Glendale Lake in White Township, Cambria County, as the CPL Reid Rex Ross 3 BT 26 Marine Reg. Memorial Bridge; designating a bridge, identified as Bridge Key 56008, carrying Pennsylvania Route 403 over Stonycreek River in Johnstown City, Cambria County, as the Sgt. John C. Alaimo Memorial Bridge; designating a bridge, identified as Bridge Key 8444, carrying US Route 219 over Pennsylvania Route 56, also known as Scalp Avenue, in Richland Township, Cambria County, as the PFC Stanley Albert Stys Memorial Bridge; designating a bridge, identified as Bridge Key 8547, located on State Route 1002, also known as Friend Lea Road, over U.S. Route 219 in Cambria Township, Cambria County, as the PFC Cyril T. Yeckley Memorial Bridge; designating a bridge, identified as Bridge Key 8654, carrying State Route 3035 over the Little Conemaugh River in East Taylor Township, Cambria County, as the East Taylor Township Veterans Memorial Bridge; designating a bridge, identified as Bridge Key 43558, carrying U.S. Route 22 over a tributary of Hinckston Run in Jackson Township, Cambria County, as the Officer Matthew Krupa Memorial Bridge; designating a bridge, identified as Bridge Key 55994, carrying State Route 4002 over California Run in Cambria Township, Cambria County, as the Senior Chief Stanley "Stush" Kubat, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 46706, carrying State Route 4001, also known as Iverson Road, over Stevens Run in Blacklick Township, Cambria County, as the PVT Donald D. Marsh Memorial Bridge; designating a bridge, identified as Bridge Key 19716, carrying State Route 2019 over Mahoning Creek in Bell Township, Jefferson County, as the SP4 Michael Raymond Ishman Memorial Bridge; designating a bridge, identified as Bridge Key 5550, carrying Woodbury Pike (Pennsylvania Route 36) over Halter Creek, spanning Blair and Freedom Townships, Blair County, as the Pvt. William E. Green Memorial Bridge; designating a bridge, identified as Bridge Key 41606, carrying State Route 3011, also known as Branch Road, over Spring Creek in College Township, Centre County, as the Petty Officer John W. Coble Memorial Bridge; designating a bridge, identified as Bridge Key 46159, carrying Pennsylvania Route 36 on Charger Highway, Blair Township, Blair County, as the Marine Lance Corporal Ralph Hammel Memorial Bridge; designating a bridge, identified as Bridge Key 52767, carrying West High Street (State Route 4031), crossing the Ghost Town Trail, located in Ebensburg Borough, Cambria County, as the Corpsman Charles Doerr, United States Navy, Memorial Bridge; designating a bridge, identified as Bridge Key 11781, on that portion of State Route 3004 over the West Branch Susquehanna River, Burnside Township, Clearfield County, as the United States Army Sergeant Harold Koller Memorial Bridge; designating a bridge, identified as Bridge Key 8555, carrying State Route 1007 over Chest Creek on the border of Allegheny Township and East Carroll Township, Cambria County, as the Sergeant Regis H. Driskel Memorial Bridge; designating a portion of Pennsylvania Route 143 in Lynn Township, Lehigh County, from the intersection of Pennsylvania Route 309 to the border of Berks County, as Heroes Highway, in honor of fallen firefighter Marvin Gruber and Assistant Fire Chief Zachary Paris; designating a bridge, identified as Bridge Key 47515, carrying Pennsylvania Route 286 over Blacklegs Creek in Conemaugh Township, Indiana County, as the Captain Robert M. Young Memorial Bridge; designating a bridge, identified as Bridge Key 8574, carrying State Route 1021 over Clearfield Creek in White Township, Cambria County, as the Charles Owen Jenkins, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 45509, carrying U.S. Route 40 over Pennsylvania Route 43 in Redstone Township, Fayette County, as the PFC John Balog Memorial Bridge; designating a bridge, identified as Bridge Key 47947, carrying State Route 1054 over Indian Creek in Saltlick Township, Fayette County, as the Sgt. Earl D. Barkley Memorial Bridge; designating the section of State Route 403, also known as Cramer Pike, from the intersection with State Route 3041 in West Taylor Township, Cambria County, to the intersection with State Route 8010, Segment 250 (Ramp E) in East Wheatfield Township, Indiana County, as the Captain Harry G. Cramer Memorial Highway;

designating a portion of Pennsylvania Route 173 between the southern border of Slippery Rock Township to the southern border of Slippery Rock Borough in Slippery Rock Township, Butler County, as the 173rd Airborne Brigade Highway; designating a bridge, identified as Bridge Key 53848, carrying Pennsylvania Route 36 over Canoe Creek in Bell Township, Jefferson County, as the PFC Larry E. Frantz Memorial Bridge; designating the interchange of U.S. Route 22/322 with Arch Rock Road in Fermanagh Township, Juniata County, as the Trooper Jacques F. Rougeau, Jr., Memorial Interchange; designating the bridge, identified as Bridge Key 47695, carrying U.S. Route 202 over Almshouse Road in Doylestown Township, Bucks County, as the CPT Connor J. Bednarzyk, USA Memorial Bridge; designating a bridge, identified as Bridge Key 12099, carrying Pennsylvania Route 120, also known as Renovo Road, over Young Women's Creek in Chapman Township, Clinton County, as the Staff Sergeant John F. Curcio Memorial Bridge; designating a bridge, identified as Bridge Key 44399, located on that portion of State Route 4049 over Interstate 70 in South Strabane Township, Washington County, as the Louis E. Waller Memorial Bridge; 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; designating a bridge, identified as Bridge Key 5759, located on that portion of State Route 3002 over South Poplar Run in Greenfield Township, Blair County, as the Corporal Clyde E. Walter, Jr., Memorial Bridge; 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; designating a portion of Pennsylvania Route 445 from the intersection with Pennsylvania Route 45 to the intersection with Pennsylvania Route 192 in Millheim Borough and Penn Township, Centre County, as the Lieutenant General Robert D. Springer Memorial Highway; designating a bridge, identified as Bridge Key 55815, carrying State Route 1005 over Crooked Creek in Rayne Township, Indiana County, as the Sergeant Charles R. Learn Memorial Bridge; designating a bridge, identified as Pennsylvania Route 443 bridge, over the Little Schuylkill River, located in Walker Township, Schuylkill County, as the William Hoffman Memorial Bridge; designating a bridge, identified as Park Road Bridge, located in Wyomissing, Berks County, as the Joseph Walker Memorial Bridge; designating a bridge on U.S. Route 209 over Middle Creek, located in Polk Township, Monroe County, as the Charles Gardner Memorial Bridge; designating a bridge, also known as the Bridge Street Bridge, located in Weissport Borough, Carbon County, as the Ralph Strubinger Memorial Bridge; designating a bridge, identified as U.S. Route 422 Bridge, over the Little Cacoosing Creek, located in Lower Heidelberg Township, Berks County, and South Heidelberg Township, Berks County, as the Wilbur Bohn Memorial Bridge; designating a bridge, on Little Mountain Road over the Little Catawissa Creek, located in Union Township, Schuylkill County, as the Joseph Zienkiewicz Memorial Bridge; designating a bridge, on Pennsylvania Route 191 over Brodhead Creek, located in Stroud Township, Monroe County, as the Gordon Brink Memorial Bridge; designating a bridge, on Pennsylvania Route 924 over the railroad, located in Gilberton Borough, Monroe County, as the Walter Skubel Memorial Bridge; designating a bridge, on Pennsylvania Route 512 over the Monocacy Creek, located in Bethlehem City, Northampton County, as the Raphael Rivera Memorial Bridge; designating a bridge on Pennsylvania Route 443 over the Schuylkill River, located in Schuylkill Haven Borough, Schuylkill County, as the Caitlin McGarry Memorial Bridge; designating the portion of State Route 1013 (Academy Road) from the intersection with Cromwell Road to the intersection with Comly Road in Philadelphia, Philadelphia County, as the U.S. Army Ranger SPC Devin J. Kuhn Memorial Highway; designating a bridge, identified as Bridge Key 8660, carrying State Route 3039 over the Conemaugh River in the City of Johnstown, Cambria County, as the Corporal Robert J. Rusnak Memorial Bridge; designating a bridge, identified as Bridge Key 11476, on State Route 322, also known as Nichols Street over the West Branch of the Susquehanna River in the Borough of Clearfield, Clearfield County, as the Walter Lane Memorial Bridge; designating a bridge, identified as Bridge Key 5221, carrying U.S. Route 422 Business, also known as Penn Street, over the Schuylkill River in the City of Reading, Berks County, as the Police Officer Scott A. Wertz Memorial Bridge; designating a portion of State Route 2005, known as Lehigh Street, in Allentown, Lehigh County, from Segment 0060/Offset 1800 to the intersection with Vultee Street, as the Chief Christopher Kiskeravage Memorial Highway; and making repeals.

On the question,
Will the House concur in Senate amendments to House amendments?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna County, Representative Mullins, for a brief description of the Senate amendments.

Mr. MULLINS. Thank you, Madam Speaker.

The amendments from the Senate were simply to add a series of additional bridge and road designations.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

Emrick	Kinsey	Pisciottano	Young
Evans	Klunk	Powell	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	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 amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, earlier this afternoon it was a privilege for the Chair to acknowledge the achievements in golf of Joshua Topper.

This evening the Chair is in receipt of information about Hunter Probst, a junior at Stroudsburg High School who just placed second in District 11 and is going to a golf trip himself. We congratulate the young constituent from Representative Probst's district, who happens to be her son.

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1300, PN 2107**, as further amended by the House Rules Committee:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in emergency COVID-19 response, further providing for Whole-Home Repairs Program and providing for declined and unclaimed allocations and for adult mental health program funding; providing for tenant protections, for 911 emergency communication services, for medical debt relief and for institutions of purely public charity; in cigarette sales and licensing, further providing for definitions and providing for presumed cost of doing business by retailer, for presumed cost of doing business by stamping agent and for presumed cost of doing business by wholesaler; providing for indigent defense; in oil and gas wells, further providing for Oil and Gas Lease Fund; in transportation network companies, motor carrier companies and parking authority of a city of the first class, providing for designated municipal agent and authorized salvor for city of the first class and for operation as taxicab; in assessments, providing for Statewide quality care assessment; providing for transportation pilot programs; in human services, providing for payment increase for dental services and for abrogation of department procurement; providing for Attorney General, for mixed-use revitalization and for Pennsylvania Long-Term Care Council; in special funds, further providing for funding and providing for extension of payments; in additional special funds and restricted accounts, further providing for establishment of special fund and account, for use of fund and for distributions from Pennsylvania Race Horse Development Fund and repealing provisions relating to Enhanced Revenue Collection Account; in additional special funds and restricted accounts, further providing for definitions, for Sports Tourism and Marketing Account and for transfer of funds and providing for Facility Transition Account, for Service and Infrastructure Improvement Fund and for School

Environmental Repairs Program Restricted Account; in general budget implementation, further providing for executive offices, for Department of Agriculture, for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Education, for Department of Health, for Department of Human Services, for Pennsylvania State Police, for Pennsylvania Emergency Management Agency and for surcharges, repealing provisions relating to deposit into School Safety and Security Fund, further providing for Federal and Commonwealth use of forest land and for Multimodal Transportation Fund, repealing provisions relating to sales by distilleries and providing for Pennsylvania Liquor Control Board wholesale licensee discount program; in 2022-2023 budget implementation, further providing for Department of Education and for Department of Human Services; providing for 2023-2024 budget implementation, for 2023-2024 restrictions on appropriations for funds and accounts, for 2023-2024 fund transfers, for prior year appropriations and for Commonwealth Housing Council; imposing penalties; making repeals; and making an editorial change.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Harris, for a brief description of the Senate amendments as amended by the House.

Mr. HARRIS. Thank you, Madam Speaker.

Madam Speaker, before us is a comprehensive Fiscal Code that encapsulates and enables all of the provisions of this year's budget.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentlelady from York, Representative Klunk, has late-filed amendment A02444.

Does the gentlelady wish to suspend the rules for immediate consideration of A02444? The gentlelady waives off.

MOTION TO SUSPEND RULES

The SPEAKER. The gentlelady from Clarion, Representative Oberlander, late-filed amendment A02431.

Does the gentlelady move that the House rules be suspended for immediate consideration of her amendment?

Ms. OBERLANDER. That is correct, Madam Speaker.

I rise to make a motion to suspend the rules for the immediate consideration of amendment A02431 to amend HB 1300.

The SPEAKER. Representative Oberlander moves to suspend the rules for immediate consideration of A02431.

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

On the motion, the Chair recognizes the maker of the motion and the amendment, Representative Oberlander.

Ms. OBERLANDER. Thank you, Madam Speaker.

I believe it is absolutely critical that we suspend the rules to immediately consider amendment A02431 to amend HB 1300.

As I had mentioned earlier today, in 2002 and in 2003, the Commonwealth was facing a crisis. Medical providers were fleeing the State due to the skyrocketing costs of malpractice insurance. That crisis was only mitigated with the action of the

General Assembly when it passed Act 127 of 2002, which prevented venue shopping for medical malpractice cases. And the Pennsylvania Supreme Court adopted that rule in the Rules of Civil Procedure.

Again, I believe it is absolutely critical that we suspend the rules for the immediate consideration of this amendment so that we are able, under this amendment, to offer the extension of the fees that fund the judicial department's operations and that they would take place when the prior medical malpractice venue rule is reinstated. We cannot go back to a time where doctors are fleeing this State because of out-of-control malpractice insurance costs.

Thank you, and I ask the members to vote to allow my amendment to be considered with the suspension of the rules.

Thank you, Madam Speaker.

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

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

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 concur in Senate amendments as amended by the Rules Committee?

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Lycoming County, Representative Hamm, rise?

Mr. HAMM. Madam Speaker, a parliamentary inquiry.

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

Mr. HAMM. Thank you, Madam Speaker.

As I read the Fiscal Code bill, there is language creating a grant program that is essentially nonpreferred budget language. I would like a ruling from the Chair as to whether this is going to require a two-thirds majority or a simple majority, given the language on the grant program for the nonpreferreds is the nonpreferred budget language.

The SPEAKER. It is the opinion of the Chair that this is not a nonpreferred and the required vote is a simple majority.

The gentlery, Representative Pickett, late-filed amendment A02432. Does the gentlery from Bradford County wish to suspend the rules? It is the Chair's understanding the gentlery withdraws the late-filed amendment. The Chair thanks the gentlery.

The gentleman from Blair County, Representative Gregory, offers A02434, late-filed. Does the gentleman wish to suspend the rules? The Chair thanks the gentleman and notes that he withdraws the amendment.

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Allegheny County, Representative Kuzma, offers amendment A02435 as a late-filed amendment. The question is, does the gentleman wish to suspend the rules for immediate consideration of that amendment?

The gentleman is in order, and he may proceed.

Mr. KUZMA. Thank you, Madam Speaker.

Madam Speaker, I rise to make a motion to suspend the rules for the immediate consideration of my amendment, A02122, to amend HB 1300.

The SPEAKER. Does the gentleman indicate amendment A02435?

Mr. KUZMA. Yes. Thank you, Madam Speaker; yes.
The SPEAKER. The Chair thanks the gentleman.
Representative Kuzma moves to suspend the rules for the immediate consideration of late-filed amendment A02435.

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, the maker of the bill, the prime sponsor of the bill under consideration.

On that question, the Chair recognizes the gentleman from Allegheny County, Representative Kuzma.

Mr. KUZMA. Thank you, Madam Speaker.

I think that we can all agree, and one of the main reasons that I serve in this body is to address blight in this State. If you go all across Pennsylvania, you see abandoned and forgotten properties all over this Commonwealth. I represent the South Hills in Mon Valley of Allegheny County and Washington County, and 75 and 80 years ago, our area was booming, and since that time, industry has left. In one municipality alone in my district, I have 300 abandoned properties. It costs my local municipalities hundreds and hundreds of thousands of dollars every year.

The House bill, 1300, currently allocates \$31.9 million from the medical marijuana fund to the General Fund, and I think that it would be much better served being allocated to the CFA (Commonwealth Financing Authority) program that would target blight remediation. So I would greatly appreciate an affirmative vote and I think we can address blight all across our Commonwealth. 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—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
Causser	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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappay
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinkead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

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 concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The gentleman from Allegheny County, Representative Mercuri, late-files amendment A02436. Does the gentleman wish for the House to suspend its rules for immediate consideration of A02436? It is the Chair's understanding that the gentleman withdraws the late-filed amendment. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Schuylkill County, Representative Barton, late-files amendment A02437. Does the gentleman wish for the House to suspend its rules?

Mr. BARTON. Thank you, Madam Speaker.

I rise to make a motion to suspend the rules for immediate consideration of my amendment, A02144, to amend the House bill, 1300.

The SPEAKER. The Chair clarifies for the record, the amendment is A02437.

Representative Barton moves to suspend the rules for the purpose of immediate consideration of A02437.

On the question,

Will the House agree to the motion?

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

The gentleman is in order and may proceed.

Mr. BARTON. Thank you, Madam Speaker.

For far too long the Department of Environmental Protection has had a reputation of being slow to review permit applications, which just further delays economic development. The current Secretary is making attempts to improve this process, and the budget reflects that commitment by providing additional funding for improvement of permit processing, inspections, and program oversight.

My amendment gives the Secretary just another tool in his toolbox by allowing this funding to be used for the implementation of third-party reviews for the permitting process.

I thank you, and I ask members to vote to allow my amendment to be considered.

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—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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappay
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon

Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinkead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

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 concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The gentelady from Philadelphia County, Representative White, late-files amendment A02445. Does the gentelady wish to suspend the rules? It is the Chair's understanding the gentelady withdraws the amendment. The Chair thanks the gentelady.

The gentleman from Cumberland County, Representative Kutz, late-files amendment A02446. The question is, does the gentleman wish to move for the rules to be suspended? It is the Chair's understanding that the gentleman withdraws amendment A02446.

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman late-filed A02448 and wishes to suspend the rules.

The gentleman is in order, and he may proceed.

Mr. KUTZ. Thank you, Madam Speaker.

I rise to make a motion to suspend the rules for the immediate consideration of my amendment, A02448, to amend HB 1300.

The SPEAKER. Representative Kutz, the gentleman from Cumberland County, moves to suspend the rules for the purpose of immediate consideration of A02448.

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

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

Mr. KUTZ. Thank you, Madam Speaker.

This amendment is designed to address an issue that has arisen in my district. There is a DCNR (Department of Conservation and Natural Resources)-owned road with several primary residents on it that has become unpassable because they have decided to stop maintaining it.

My amendment would ensure that DCNR repairs that road, which should be their responsibility to repair. I ask – it is important that we move to suspend the rules right now because

the residents of Mount Holly Springs cannot go another year without DCNR fulfilling their duty. We must suspend the rules because people who live on top of a mountain in rural Cumberland County, Pennsylvania, cannot afford to have a road impassable, where emergency vehicles cannot even come up the mountain to save them. Madam Speaker, it is imperative that we move to suspend the rules for the sake of all the constituents in the 87th District in Cumberland County that DCNR has abandoned by failing to maintain this road in Mount Holly Springs Borough.

Madam Speaker, I urge my colleagues on both sides of the aisle to please consider this motion to suspend because we need to help these residents right now. We must do it. We must act. The time is now.

Thank you, Madam Speaker. I urge a "yes" vote.

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	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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sapppey
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren

Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinhead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

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 concur in Senate amendments as amended by the Rules Committee?

MOTION TO SUSPEND RULES

The SPEAKER. The gentledady from Cumberland County late-files amendment A02449. The question is, does she move to suspend the rules? The gentledady is in order and may proceed.

Ms. DELOZIER. Thank you, Madam Speaker.

I rise to make a motion to suspend the rules for the immediate consideration of my amendment, A02449, to amend HB 1300.

The SPEAKER. Representative Delozier moves to suspend the rules for immediate consideration of amendment A02449.

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

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

The gentledady is in order and may proceed.

Ms. DELOZIER. Thank you, Madam Speaker.

This amendment would redirect the funding from expired judicial surcharges to the Pennsylvania Commission on Crime and Delinquency for critical public safety investments to assist the victims of crime.

I think we can all agree, on both sides of the aisle, as to the fact that we need to stand up for our victims of crime. These grants would be made available for important priorities, like additional funding for scholarships for children of police officers that are killed in the line of duty, as well as the ability to financial assistance for victims of domestic abuse, the establishment of a rape kit tracking system – we have all voted for that in the past unanimously – the grants for police retention and recruitment, and additional safety gear for our police officers.

As we talk about this, I ask for a "yes" vote for those that will absolutely stand for the retention and safety of those who want to protect us, as well as the families when they give their all and they give their life in the line of duty, as well as stand for a "yes" vote in order to suspend the rules to stand for our rape crisis and domestic violence victims.

Thank you, Madam Speaker. I ask for a "yes" vote to suspend the rules.

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—102

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

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 concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The gentleman from Union County, Representative Rowe, late-files amendment A02450. Does the gentleman move for the House to suspend its rules? It is the Chair's understanding the gentleman withdraws. The Chair thanks the gentleman.

The gentleman from Indiana County, Representative Struzzi, late-files amendment A02451. Does the gentleman move to suspend the rules? The Chair thanks the gentleman and understands it is withdrawn.

The gentleman from Westmoreland, Representative Dunbar, late-files amendment A02433. The Chair thanks the gentleman and understands it is withdrawn.

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1300 is temporarily gone over.

SUPPLEMENTAL CALENDAR B CONTINUED

CONSIDERATION OF HB 1456 CONTINUED

The SPEAKER. The Chair recognizes the majority leader, who calls up HB 1456, PN 2108, on page 1 of supplemental calendar B.

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

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Westmoreland, Representative Eric Nelson, late-files amendment A02447. Does the gentleman move for suspension of the rules?

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

I rise to request this chamber suspend the rules for consideration of A02447, which has been late-filed on 1456.

The SPEAKER. The gentleman, Representative Nelson, moves that the House suspend its rules for immediate consideration of late-filed amendment A02447.

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

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

On that question, the Chair recognizes the maker of the motion, Representative Eric Nelson, for argument.

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

And I must say, we are back again. And to start out these remarks, we have to use another classic line from our tried-and-true Gomer Pyle: "Shazam." The Gomer Pyle of dark government

has struck again. Not less than 4 hours ago in Appropriations this bill was amended to include not six, not seven, but the Democratic majority just added \$800 million to the budget with no opportunity to make an amendment.

As a matter of fact, Madam Speaker, a mere 15 minutes ago this amendment was able to be filed because of the delayed process. And very simply, all my amendment suggests is that we include an agency to manage these hundreds of millions of dollars, that PHEAA (Pennsylvania Higher Education Assistance Agency) would be the administer of this grant support.

We are not trying to change this corrupt process. We are not trying to switch what would be \$9,500 to families earning \$120,000 a year, or \$8,000 grants to families earning \$250,000 a year. This amendment does not change any of that, which is what would happen if we directly funded students. All this amendment does is give an opportunity for this chamber, consider who is going to manage the money, and I would like to suggest we use a transparent agency that has been working for this State for decades, and that would be PHEAA.

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—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
Causser	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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappay
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El

Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinthead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

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 third consideration?

BILL PASSED OVER TEMPORARILY

The SPEAKER. The House will temporarily go over HB 1456.

SUPPLEMENTAL CALENDAR C CONTINUED

CONSIDERATION OF HB 1300 CONTINUED

The SPEAKER. The Chair recognizes the majority leader, who calls up HB 1300, PN 2107 on page 3 of supplemental calendar C, for concurrence in Senate amendments as amended by the House.

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the Chair recognizes the gentleman from York County, the minority Appropriations chairman, Representative Grove.

Mr. GROVE. Thank you, Madam Speaker.

As always with Fiscal Codes, they are packed with a multitude of different policies and movement of transfer of funds. It is, without a doubt, a daunting task putting these together.

One area I did want to highlight this evening is section 1702-A, the Rainy Day Fund. The language, quote, "...no more than \$500 million of the surplus in the General Fund for the 2022-23 fiscal year shall be deposited into the Budget Stabilization Fund," or the Rainy Day Fund, either one. According to the fiscal note produced, quote, this provision establishes a cap of \$500 million on the transfer made from 2022-23 budget surplus in the General Fund, but it does not require that this amount be transferred; does not require this amount to be transferred.

We know that there is a great question of the \$411.6 million. According to this, it has already been transferred. That is not true. It is still housed in the Treasury. The Treasurer sent a letter for the Budget Secretary to clarify numerous issues, including whether previous Budget Offices have failed to comply with the law that the current Budget Secretary is now adjusting, whether the impact of the bonds and our bond rating, and whether our financial reports, annual financial reports, have been incorrectly calculated for the past 30 years.

The current law states that we should have close to \$900 million being transferred. I believe it is this legislator's prerogative to make changes necessary via the legislative process; however, this language, no more than as an option, is not well-intended.

Further, there is no timeline included in this language that delineates when the surplus is to be deposited, as has been the case since we have had this fund since its creation. This is very bad drafting. It is poor drafting. It is poor fiscal policy. This is just one of the many, many reasons this body should reject this bill.

Financial management is critical. We have seen, with our previous budgets, an upgrade to our outlook. We need to continue that process this week. It does not add to that process. It will lead to bond downgrades, as part of this legislation will show. I urge a "no" vote.

Thank you, Madam Speaker.

THE SPEAKER PRO TEMPORE (ROBERT F. MATZIE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman. Do any other members wish to be recognized?

The Chair recognizes the gentlelady from Fayette, Representative Krupa.

Mrs. KRUPA. Thank you, Mr. Speaker.

I rise in opposition to HB 1300. This 260-page bill appropriates millions of dollars of taxpayer money. This bill was rushed through committee late in the day today by the majority party. Whether this act was intentional or whether it was negligent, it deprives our House members of thoughtful review to support or to oppose the bill, it deprives us of the opportunity to file appropriate amendments, and it deprives us of the ability to get thoughtful input from our constituents.

Regardless of the majority party's attempts to rush this bill through, it is obvious that the bill must be opposed for violating the Pennsylvania Constitution. HB 1300 appropriates – and I do not care if you want to call it a grant or you want to call it an appropriation; it is an appropriation – HB 1300 appropriates over \$640 million to our higher education. Although it claims to be through grant funding, our Constitution clearly requires that there needs to be a two-thirds vote in support of this, and as Representative Hamm questioned earlier, that is not the intent of the Speaker today.

I want to read to you, in case you do not know what the Constitution says on this, the Pennsylvania Constitution, Article III, section 30: "Charitable and educational appropriations. No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each House."

I submit to you, the members of this body who took an oath to abide by and uphold our Constitution, that any vote in the affirmative of this bill, HB 1300, is to deny and walk all over that oath.

Mr. Speaker, I urge a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

Before recognizing the floor leaders, are there any other members wishing to be recognized?

Seeing none, the Chair recognizes the gentleman from Lancaster, the floor leader, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to start with a simple question. That question is this: What is the single unifying subject of HB 1300 as it was recently amended? I want the members to consider this because, obviously, we have had a series of rulings on amendments and what is and not contained in a single subject. And this is not just a theoretical exercise, because very recently the Supreme Court has issued a series of opinions on the issue of single subject. In *Sears v. Wolf*, a Supreme Court decision from 2015, the court recognized that the single subject of the Fiscal Code is essentially the implementation of the Commonwealth's operating budget. I believe the good gentleman from Philadelphia essentially described it as that earlier.

Now, specifically as to what is in the bill, and this is important because I believe it is incumbent upon us to understand what each individual component is, what is the connection between a single unifying subject and making the Philadelphia Parking Authority the authorized salvor for abandoned vehicles in the city of Philadelphia? For the members who are interested, that is section 1607, subsection M. What is the connection between that single unifying subject and authorizing a city of the second class to allow low-speed electric scooters? Article XVI, subsection Q.1. What is the connection between that single unifying subject and statutorily designating an additional category of fraternal societies, orders, or associations as institutions as a purely public charity? Article I-M.

You see, in *Sears v. Wolf*, the court recognized the single subject of the Fiscal Code as being the implementation of the Commonwealth's operating budget. But the court warned that the approach that we have been taking here in this body for years, and I am quoting, quote, "...facially appears to test the limits of the practical germaneness litmus which this Court conventionally applies to assess single-subject challenges..." end quote. And even as recently as last week the court warned us, in *Weeks v. DHS*, about another code bill saying, quote, "...we conclude this appeal presents a close call, and find it is at the very boundary of what is permissible under the single-subject mandate..." end quote. I wanted to make sure we were all well aware of the limits of the code bills with respect to single subject and the court's interpretation.

Now, Mr. Speaker, why is that important? The reason that is important – and we have had this happen from time to time – is bills have actually been invalidated in their entirety because they violated this particular piece. Additionally, there has been some case law where the court came down hard on the chambers for not fully considering legislation on three separate days in each chamber. It is essentially "logrolling," is what they referred to it as, where you take a bunch of different ideas, you amend them at the last minute, and you put them in a bill and expect the public to understand it and vote on it.

Well, Mr. Speaker, that is essentially where we are tonight. I can say that we have finally arrived. Ninety-six days late into the fiscal year, we are finally taking up that one bill, the very bill that is absolutely necessary for the completion of the budget process. That is a good thing, because it is a job that should have been done a long time ago. If only I could say that we arrived here in a bipartisan basis with good legislation before us. Unfortunately, and I am sorry for continuing a pattern, but this Fiscal Code represents a missed opportunity – several, actually. Instead of coming in here discussing and passing a budget implementation bill that involved the normal amendment process that would likely receive bipartisan support here in the House and move quickly to the Governor, we have yet another legislative goody bag. We have budget implementation language wrapped in a few special interest giveaways with one-sided Democratic Caucus priorities in a behemoth bill that carries legislation that otherwise would not pass – the very thing that the courts had previously warned us about. And as we previously noted in debate on this and other legislation, it implements a likely unconstitutional scheme to fund our State-related institutions.

While the hour is late and I do not want to overstate the point, I think it is important to remember that we may be crossing a finish line today, but that finish line is one of failure. We will leave here today having passed a one-sided Fiscal Code bill that faces an uncertain future at best, and that budget will still be incomplete. One point one billion dollars of appropriated money will still be sitting in the Treasury. Our 911 system's funding will still not yet be authorized. The hospital assessment will not yet be completed. Like in prior bills we have seen this week – and I am sad to say that we have started governing through omnibus gut-and-replace amendments at the last possible minute in committee that sometimes contains good policy.

But we will not be held hostage. We will not be bullied into voting for bad legislation just because it has sprinkled amongst it a few good policy initiatives, especially when this bill as currently drafted will likely not actually finish the budget process, at least not in the short-term. You see, today is day 96, as I mentioned earlier. By the weekend we will be well on our way to 100 days into the fiscal year. By the time that the Senate is back into session, it will have been weeks before this legislation is taken up, if at all.

This is no way to govern, Mr. Speaker. We can do better; the constituents expect better. I will be a "no" vote on both the policy and the process contained on this bill.

Thank you, Mr. Speaker.

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

Mr. BRADFORD. Thank you, Mr. Speaker.

Before us this evening is an honest attempt to facilitate those loose ends that came from the unilateral attempt to pass a GA (general appropriations) bill without an agreed-to Fiscal Code in place. Yes, this is unorthodox, but this is the reality of governing in uncharted territories. That is what responsible leaders do. They take the entire budget as it was passed, they look at what needs to be done, and they do it. That is what responsible governing requires, and that is what we will do again this evening.

Thank you, Mr. Speaker.

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

The House will come to order.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 1300 will temporarily be over.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 27, PN 2106**, as further amended by the House Rules Committee:

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 Basic Education Funding Commission and for special provisions applicable to limited school years, establishing the Child Reunification Program in the Department of Education and providing for minimum number of days or hours, for public job posting database, for instructional vacancy data and for data transparency; in duties and powers of boards of school directors, further providing for additional schools and departments; in school finances, providing for school district budget timeline for 2024 and for procedure for securing approval of electors; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in school directors' associations and county boards of school directors, further providing for powers and duties; in intermediate units, further providing for visual services and for school safety and security enhancements; in professional employees, repealing provisions relating to religious garb, insignia, etc., prohibited and penalty; in certification of teachers, further providing for substitute teaching permit for prospective teachers, for locally issued temporary certification for substitute teachers and for permit for classroom monitors; providing for Educator Pipeline Support Grant Program; in pupils and attendance, further providing for compulsory education of physical defectives, for dependent children, for cost of tuition and maintenance of certain exceptional children in approved institutions, for payment of cost of tuition and maintenance of certain exceptional children, for transfer of funds for transferal programs and for children under six with defective hearing and parent or guardian advised of schools, etc.; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records, repealing provisions relating to safe schools advocate in school districts of the first class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for School Safety and Security Committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in school health services, further providing for dental examinations and dental hygiene services and providing for eating disorder awareness and education; in drug and alcohol recovery high school program, providing for enrollment of students; in terms and courses of study, providing for calculation of average daily membership for a dual credit course and further providing for Economic Education and Personal Financial Literacy Programs; in early learning programs, providing for quarterly meetings; in character education program, further providing for character education program; providing for the Dual Credit Innovation and Equity Grant Program; in high schools, further providing for attendance in other districts; in community colleges, further providing for financial program and reimbursement of payments; in educational tax credits, further providing for qualification and application by organizations, for limitations and for low-achieving schools; in school districts of the first class, further providing for

qualifications of principals and teachers; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in credit card marketing, further providing for regulation of on-campus credit card marketing; in reimbursements by Commonwealth and between school districts, further providing for definitions and for payments on account of pupils enrolled in career and technical curriculums, providing for Level-Up Supplement for 2022-2023 school year, further providing for payments on account of courses for exceptional children, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for payments, for payments on account of pupil transportation, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; providing for School Environmental Repairs Program; abrogating a regulation; and making an editorial change.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. On that question, the Chair recognizes the prime sponsor – deck that, the Republican chair of the Education Committee, Representative Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

While I do not always like to take credit for things that I do write, I certainly will not take credit for anything I do not write, but I am not the prime sponsor. I will however speak on HB 27, which the original bill which was put forth by the gentleman from Indiana, Mr. Struzzi, is a much-needed provision. And actually, the unfortunate thing about this evening is there are several parts of this omnibus School Code bill that are important and that we do need to continue to work on, some that we have actually passed from this House. But there is also some language, Mr. Speaker, that I believe is very problematic. This bill does include increases in the educational tax credits, the EITC (educational improvement tax credit) money, but unfortunately, it also has language that surrounds it that is very problematic, language that we believe will have a detrimental effect on the administration of a program that has been widely successful through the Commonwealth.

In this time we understand we are here in this late moment in our budgeting process largely because of a disagreement we are having with education. That disagreement I know has not been resolved with the majority in the Senate, and I believe that this Ed Code bill will, unfortunately, meet a very disastrous fate in the other chamber, and I would urge my colleagues to vote "no."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the majority chairman of the Education Committee, the gentleman, Representative Schweyer, for a brief description of the Senate amendments as amended by the House.

Mr. SCHWEYER. Thank you, Mr. Speaker.

The underlying bill, HB 27, as my minority chair counterpart said, is an exceptionally important piece of legislation to make sure that we have substitute teachers. It is important to note, Mr. Speaker, that was in fact a Republican bill that was agreed to, I believe unanimously, in the House. The Senate included additional provisions on school safety programs, additional funding for school-based mental health, and some other changes.

In addition to that, Mr. Speaker, there has been a large amendment that was placed in earlier tonight. I am not going to go into each and every one of those details, Mr. Speaker, but the most important provisions, number one, is that it would create a formula to help us push out the Level Up, the additional Level

Up funding – something that is a priority to 107 school districts across the Commonwealth of Pennsylvania, from Erie County to Philadelphia County and all counties in between.

Mr. Speaker, in addition to that, whereas my friend and colleague from the other side of the aisle mentions an increase in EITC and OSTC (opportunity scholarship tax credit), from my perspective, the most important provision regarding the EITC and OSTC is, for the first time, we are putting guardrails and requesting actual information on its overall impact: what students are going to be receiving these funds, what do they look like, where do they come from, and what schools are they going to. This additional data is something that we desperately need and it is something that we have been – many of us have been advocating for some time.

Mr. Speaker, in addition to that, it includes a grand total of 10 different provisions that were individual bills, 8 of which were considered by one of these chambers already, so people have had ample time to review and in fact vote on the overwhelming majority of the provisions of it. And, Mr. Speaker, in addition to that, there are five Republican bills and five Democratic bills – a tie, if you will, Mr. Speaker – a tie of the number of bills that were both Democrat and Republican that were included in this.

This is a responsible School Code. This is something, Mr. Speaker, I believe we can all be proud of and I think deserves bipartisan support as it is in fact a bipartisan piece of legislation in its entirety.

So thank you, Mr. Speaker. I ask for an affirmative vote on HB 27 as amended.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Philadelphia, Representative White.

Ms. WHITE. Thank you very much, Mr. Speaker.

While the legislation in front of us today makes many changes to the School Code, I would like to draw your attention to the changes to the EITC and OSTC programs.

It increases funding for the highly successful and bipartisan EITC and OSTC programs, yet simultaneously makes it more difficult for those very students to obtain an opportunity scholarship. The opportunity scholarship program allows students attending a low-achieving school, which is a school ranked in the bottom 15 percent. Under current law, low-achieving schools are required to notify parents that their child attends a low-achieving school; that two, it provides instructions on how to apply for an opportunity scholarship; and three, explains that parents have responsibilities, that they can apply to a participating school district or nonpublic school. But for some reason, this bill removes this parental notification requirement.

How can parents make informed decisions on their child's education if they are left in the dark about the school's performance and the available alternatives? Sending parents a simple letter or an e-mail with this information is not a burden. The real burden is felt by parents and their children who are trapped in these low-achieving schools and falling further and further behind.

But the Democrat majority would like you all to believe that supporting this program today is something that they believe in. After all, this bill does increase EITC and OSTC funding by \$150 million. But all the House Democrats have done is put up barriers to the program by making it more difficult for parents to obtain opportunity scholarships and for scholarship organizations to administer them.

This bill also adds additional hardships on how scholarship organizations administer the program by giving the Department of Education free rein to determine eligible administrative expenses for any other use that the department deems appropriate, without any legislative oversight.

So just to recap, on one hand, you claim to be making a significant investment in the EITC and OSTC programs, but then on the other hand, you make it much more difficult for parents to even know if their child qualifies for a scholarship: harder to apply, harder for organizations to give out opportunity scholarships, and most notably, harder for children to escape failing schools.

This bill is a shameful political game being played by House Democrats while tens of thousands of students in my home city of Philadelphia and across this Commonwealth suffer the very real consequences. I will be a "no" on this bill and I urge all of my colleagues who are serious about rescuing our kids from failing schools to be a "no" as well.

And now I just want to make sure that my colleagues across the aisle are aware of an organization, a very large, one of the most powerful unions in the nation, the American Federation of Teachers, that they are opposed to this bill as well. Now, while we oppose this legislation for different reasons, I suspect that would be information that you would like to be aware of.

Thank you very much, Mr. Speaker. I appreciate your time.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman from Franklin, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

I find it somewhat ironic that a bill that we just debated a few minutes ago, that we will be voting on soon, appropriates hundreds of millions of dollars of taxpayer money with virtually no accountability. What classes do the students take? What do they do after graduation? We seem to have no intellectual curiosity as to these critical questions, but we are going to harass children that are taking part in and participating in the EITC program.

Mr. Speaker, do you want to know where these children go in the EITC program? They go to schools that educate them, that give them opportunities that the failing schools that they are otherwise forced to go to because of the government monopoly do not provide them. God bless them. I oppose this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Representative Mike Jones.

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

The hour is late. Let us keep it brief and call a spade a spade. The other side of the aisle was bought and paid for by the unions. They are throwing our kids down the drain in their defense, and that is the reality of the situation—

The SPEAKER pro tempore. The gentleman will suspend. We will not attack the integrity of members of this House.

Do any other members wish to speak before recognizing the Republican floor leader?

The Chair recognizes the gentleman, Representative Struzzi.

Mr. STRUZZI. Thank you, Mr. Chairman.

You know, HB 27 originated as a heartfelt need from our school districts to help with the substitute teacher crisis. I fashioned this bill as a very simple remedy to help our teachers and our students in classrooms that are struggling to find teachers. They are sitting through hour-long study halls because there are

not enough substitute teachers. That is all this bill was intended to do, and I had hoped that we could see it through. It passed both chambers unanimously and then it was amended in the Senate, you know, with the changes that they made, and I was okay with that.

But I am just so highly disappointed at what has happened to it now. And, I do not know, I hope, I hope that we can still find a way to address the substitute teacher needs, because that is all this bill was intended to do. And I understand why my colleagues are having trouble with it right now, but I have to say, just, I need to express that I am so severely disappointed that we are not taking the steps to simply address the substitute teacher crisis, which was the only reason this bill was put forward.

So vote as you must, but we cannot abandon our public schools. We cannot abandon our substitute teachers and our teachers that really want to be in the classrooms working to educate our students, and really, this is failing our families and our children. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Adams County, Representative Ecker.

Mr. ECKER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask that the majority chairman of the Appropriations Committee stand for brief interrogation.

The SPEAKER pro tempore. The gentleman agrees, and you may proceed.

Mr. ECKER. Mr. Speaker, we are in October working on an Education Code bill dealing with the budget, and my question is whether or not this would be an agreed-to – and to pass a budget, we need comprehensive support from the Senate and the Governor – so the question, Mr. Speaker, would be whether or not this is an agreed-to product by the Senate.

Mr. HARRIS. Thank you for the question.

This bill contains many provisions that are priorities for the House Republican Caucus, based off of prior votes; of course, our caucus; Senate Democrats; and Senate Republicans. So just like the Senate leader said last night when we passed our Tax Code, that many on the other side of the aisle said had no chance of being passed or was dead on arrival and then the Senate leader got up and said he was intrigued and congratulated us on the bill that we passed last night, I think this bill will see a similar fate in the Senate because it possesses a lot of what folks say their priorities are.

Mr. ECKER. Mr. Speaker, one more question, please?

The SPEAKER pro tempore. The gentleman is in order.

Mr. ECKER. Mr. Speaker, a throwback to our old colleague, former Speaker Turzai, that the magic numbers in Harrisburg are 102, 26, and 1, so that 1 would be the Governor. Mr. Speaker, I would ask whether or not the Governor has agreed to these provisions, being that he is also somebody who is a part of this, and whether or not he has been in discussions with this bill.

Mr. HARRIS. So thank you for the question.

What I would say is that the Governor, in many speeches that he has made, has shown a tremendous interest in a lot of the provisions that are in this piece of legislation, and I think the same way that the Senate majority leader was intrigued last night by our comprehensive Tax Code, I think that the Governor would also probably be intrigued by the way we are looking to further education in this Commonwealth for all of our children.

Mr. ECKER. Mr. Speaker, on the bill?

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

Mr. ECKER. First, I want to thank the gentleman from Philadelphia and the majority chairman for taking my questions, but I think it also highlights the dilemma we have here. So a simple yes would have been what we need to talk about right now. We are in October, Mr. Speaker. It is October. We are not in June. We are not in May. We are not here at the negotiating table; it is October, and we still have not passed the necessary bills to complete the budget. And I know the good minority chairman from Appropriations is running a clock of where we are at, and I am sure we will hear from him later as to where we are on that, but we are well past due when we need to pass the necessary budget items to complete the budget for the Commonwealth of Pennsylvania.

And while we can talk about what we see in press releases and press conferences and what we think someone thinks about a bill, the time to come to the table and negotiate is now, and that requires folks to sit down like adults and talk about the things that we actually agree on.

But last time I checked, we were in a divided government. And we refer to the humble majority and, you know, whether or not we have 102 votes here. Sure, this bill may make it out of the House tonight, but across the building, our friends in the Senate is controlled by the other opposite party. And when we are not sitting down at the table having conversations about where we agree on common ground, but instead, we are listening about intriguing press conferences and intriguing press releases, we are not accomplishing anything for the people of Pennsylvania.

And while there are great components of this bill for some Republicans, and there are probably great components for House Democrats and there are probably great components for the Governor, there are things in this bill that our sides cannot agree on, and that is because we have not sat down at the table together and hashed this out like we have done in the past when the House Republicans were in the majority with a divided government.

So, Mr. Speaker, we can pass this bill today, and the good gentleman from Indiana County, whose bill actually tried to accomplish a workforce issue is now being used to push an agenda which has not been negotiated, is not something that will ultimately be accomplished. It is disappointing, and I hope that we soon can get to the table and have those conversations so that we can bring a completed budget to the people of Pennsylvania like they are asking for.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

One last call, any other members wishing to be recognized before recognizing the Republican leader?

Seeing none, the Chair recognizes the Republican leader, the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

As I stand here, I reflect on the words by the great communicator, President Ronald Reagan, when he said, "There you go again." Less than a day after we passed a tax-and-spend code bill, that will spend hundreds of millions of dollars this year and billions by next year on special interest giveaways that did nothing to complete the budget, here we are with yet another hodgepodge of legislative ideas that do nothing to help advance the underlying issue: helping students trapped in schools in crisis, empowering parents and families to make the best choices for their children's education.

As the good chairman pointed out, are there proposals to this legislation that we could support? Absolutely. But we actually have a saying in our office, one that we implement quite often, and that is as follows: "You don't have to guess when you can ask." And I appreciate the communication that we have had with my counterpart on the other side of the aisle in terms of the calendar and the events, because that is helpful. It is helpful in moving issues, ideas.

While some of our members' bills are in fact included in this proposal – and some Senate Republican bills are also included, as the good gentleman from Adams County pointed out – this is not a negotiated product as it currently stands. This legislation, once again, does more for special interests than helping kids. It does more to maintain the status quo than bring about transformational change – the change that is needed to promote a student-first and family-focused educational experience. And ultimately, this is yet again another missed opportunity. Our friends on the other side of the aisle could have and should have, in my opinion, taken the seeds of the agreement in this legislation, as originally envisioned, to fix a workforce problem and turn it into a very viable bipartisan package. Instead, they simply watched that pitch go by.

Now, I am sure we will hear, just as we did on the last bill, that leaders lead, we make decisions, and we pass bills, and that is accurate. But just like when the question was asked earlier, "Is this an agreed-to product?" we got a good demonstration of some verbal dancing. Well, there are lots of priorities that are in it, there are lots of things people like, both the Governor, the Senate, the House, Republicans and Democrats, but it was not a yes. It was not a yes. So while we will hear a lot of good things, I am not sure that the people of Pennsylvania will be seeing a lot of good outcomes based on the process.

And we did hear the discussion that unilaterally bills should not be passed. My friend, the leader, is correct on that, and if that is a correct statement, we should not be doing the same thing here. The good gentleman from Adams County is correct: we need to focus on the issues that people care about.

On top of the obvious things missing, like the lifeline scholarships and doing more to address the school busing crisis that is currently facing many of our districts across the Commonwealth, this bill misses what many parents and students have already asked for. It does nothing to get rid of pornography in our schools. It does nothing to provide curriculum transparency. It does nothing to change the reality that students face each and every day when they enter a school that is in crisis and is in failing.

We want to work on these things; we must work on these things. The students and the parents expect it. As you know, we have been focused on delivering the Keystone Commitment, and I will say here once again: we are ready, willing, and able to work with anyone who wants to work with us to provide students and families options in education, support and attract teachers in Pennsylvania, reimagine our education system to reform traditional education, and advance all opportunities for learning so that students can enjoy the success that would come from such an approach. But what we have before us today is more one-sided guesswork that avoids dealing with the underlying issues currently in our education system. It keeps children trapped in crisis schools, and it is a big missed opportunity to do something substantial for our students and our families.

I will be a "no" vote. Thank you, Mr. Speaker.

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

Mr. BRADFORD. Thank you, Mr. Speaker.

I think we just heard the good minority leader decry the passage of an unagreed-to product, and I do not want to belabor the point and I am not going to go through the chronology of how we find ourselves today. The simple reality is, there were those who thought it was a good idea to send a \$45 billion blank check. They thought they would force a shutdown or they would force a result. We governed. That is what you do, you govern. The gentleman wants an agreed-to product, but he did not hold the other chamber to that standard. That is not hypocrisy, but it is misguided. And let me tell you something, what we have done is govern. And I know the gentleman has a hard time getting his head around this, but what we have done today is take the best product from what his caucus and our caucus and the other chamber have put forward. This is a threading-together in public for all to see.

And the gentleman talks about poor kids and poor schools, and I have got to tell you, I look forward to having that discussion over the next year, because the gentleman never talks about a Commonwealth Court case that is out there, and the \$4 billion to \$6 billion that is due to our public schools. And the gentleman does not talk about all the OSTC money, because when you are talking about poor kids and poor schools, you should be talking about OSTC, not EITC or private school vouchers. We are going to have that debate later, and that debate is the reason why the gentleman in front of us continues to try to gridlock this process. We will not do that. We did not gridlock that when the Senate passed over their unilateral general appropriations budget. We did not do that when they failed to pass funding for our three State-related universities. We did not let abortion politics cloud our support for our students, and tonight, even at this late hour, we are going to govern, because that is what we must do.

Some have said, when are you going to pass a Fiscal Code? And we said, well, the simple reality is, we never thought it a good idea to send a GA over without an agreed-to product, but we did that, and now we have passed the School Code. And you know what? We are going to pass a GAA (General Appropriation Act) in a few minutes to make sure we do what the good representative from Lehigh said, to make sure we take care of those direct-support professionals in our ID (intellectual disabilities) community. See, this is governing, this is making it happen, this is showing a path forward. We did not create this crazy path; what we are doing is illuminating the path forward, a way to put this thing to bed so we can do the tough work that we need to do.

And I would remind the minority party that last night, the good leader of your caucus said, do not vote for that Tax Code, it is DOA. Well, it turns out, it has got a little bit of a heartbeat.

Some of us want to talk about real policies to grow this Commonwealth, educate our kids. And you know what? While we are doing that, we can even show that this body can still work. Let us get about doing that, and let us vote "yes" tonight.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader from Lancaster, Representative Cutler, for the second time – third time.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the good gentleman's discussion about leading. I actually have some experience with that. When

we did it, the budgets were on time. I remember having a discussion here in June where I asked what the approach was, what the timeline was, and I was assured that we would get a good bipartisan product that we could all be proud of that would be done on time. Turns out, that is not true. We are 96 days in, soon to be 100.

And while the good gentleman would attempt to cloud the issues of education, which I know we will get to shortly, with hyperpartisan politics – using his words, not mine – the truth is, let us stay focused on what matters: let us stay focused on the kids, let us stay focused on educating individuals and giving them opportunity.

And while the good gentleman references the court case, I would encourage him to read it in its entirety, because specifically contained in that court case, it references that money alone will not solve this problem. You see, only in Harrisburg can you be the cause of the problem and then claim that you have the solution. Only in Harrisburg can you say, well, the budget is late, but we are going to govern. Well, you did not govern if the budget is late – you messed up to begin with. That is where we are at tonight, Mr. Speaker.

Mr. Speaker, we are here tonight because of mismanagement. We are here tonight because of the inability to manage a timeline, hit deadlines, and come up with legislation that can get good, strong, bipartisan support. That is the reason we are here. That is not leadership; that is failed leadership.

Mr. Speaker, it is time that we finish the budget.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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—106

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

NAYS—97

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

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 amendments as amended by the Rules Committee were concurred in.

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

CONSIDERATION OF HB 1300 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls up HB 1300, PN 2107, on Page 3 of supplemental calendar C, for concurrence in Senate amendments as amended by the House.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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—121

Abney	Evans	Krajewski	Rozzi
Adams	Fiedler	Krueger	Ryncavage
Bellmon	Fleming	Kulik	Salisbury
Benham	Flick	Kuzma	Samuelson
Benninghoff	Frankel	Madden	Sanchez
Bizzarro	Freeman	Madsen	Sappery
Borowski	Friel	Malagari	Schlossberg
Boyd	Fritz	Markosek	Schweyer
Boyle	Gallagher	Marshall	Scott
Bradford	Galloway	Matzie	Shusterman

Brennan	Gergely	Mayes	Siegel
Briggs	Giral	McAndrew	Smith-Wade-El
Brown, A.	Green	McNeill	Solomon
Bullock	Guenst	Mehaffie	Steele
Burgos	Guzman	Merski	Sturla
Burns	Haddock	Mihalek	Takac
C Freytiz	Hanbidge	Miller, D.	Tomlinson
Cabell	Harkins	Mullins	Venkat
Causar	Harris	Munroe	Vitali
Cephas	Hogan	Neilson	Warren
Cerrato	Hohenstein	Nelson, N.	Watro
Ciresi	Howard	O'Mara	Waxman
Conklin	Isaacson	Otten	Webster
Curry	Kaufer	Parker	White
Daley	Kazeem	Pashinski	Williams, C.
Davis	Kenyatta	Pielli	Williams, D.
Dawkins	Khan	Pisciottano	Young
Deasy	Kim	Powell	
Deloso	Kinhead	Probst	McClinton,
Donahue	Kinsey	Rabb	Speaker
Emrick	Kosierowski	Rader	

NAYS—82

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

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 amendments as amended by the Rules Committee were concurred in.

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

SUPPLEMENTAL CALENDAR B CONTINUED**CONSIDERATION OF HB 1456 CONTINUED**

The SPEAKER. The Chair recognizes the majority leader, who calls up HB 1456, PN 2108, on page 1 of supplemental calendar B.

On the question recurring,
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 the gentleman from Clearfield County, Dallas Kephart.

POINT OF ORDER

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

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman, the minority leader, is recognized. For what purpose does the gentleman rise?

Mr. CUTLER Mr. Speaker, I would like a ruling from the Chair regarding the vote threshold for this bill since it contains nonpreferred appropriations. Will that be the two-thirds majority traditionally used for nonpreferred appropriations or a simple majority since this has been a repurposed bill?

The SPEAKER pro tempore. It is the ruling of the Chair that the bill before us does not contain a nonpreferred appropriation. A simple majority is necessary.

RULING OF CHAIR APPEALED

Mr. CUTLER. I would like to appeal the ruling of the Chair, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order.

Representative Cutler appeals the decision of the Chair that HB 1456 does not contain a nonpreferred appropriation.

On the question,

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

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

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, very simply, nonpreferred appropriations require a higher vote threshold. That is contained in our Constitution. That is a requirement that we have abided by for some time in the House.

Given that this does in fact have funding for schools, it is my belief that it would have the higher vote threshold, and the Speaker's ruling was contrary to that, being simply a majority. I appeal the ruling of the Chair. Thank you.

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

CONSTITUTIONAL POINT OF ORDER

The SPEAKER pro tempore. On the bill, the Chair recognizes the gentleman from Clearfield County, Representative Kephart. Mr. KEPHART. Thank you, Mr. Speaker.

Mr. Speaker, I rise to challenge the constitutionality of HB 1456 under Article III, section 30, of the Pennsylvania Constitution.

The SPEAKER pro tempore. The Chair requests the gentleman to restate the motion.

Mr. KEPHART. Mr. Speaker, I challenge the constitutionality of HB 1456 under Article III, section 30, of the Pennsylvania Constitution.

The SPEAKER pro tempore. The Chair's ruling is, this is the same question that was previously stated and the ruling of the Chair stands. The motion is not in order.

The Chair recognizes the gentleman from Clearfield, Representative Kephart.

Mr. KEPHART. Thank you, Mr. Speaker.

I am not challenging the motion of the Chair. I am making a motion of constitutionality.

The SPEAKER pro tempore. The constitutionality question deals with whether or not that the underlying bill is a nonpreferred appropriation. The Chair already ruled on that question and the House sustained the Chair's ruling. The Chair thanks the gentleman.

POINT OF ORDER

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

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

Mr. CUTLER. Mr. Speaker, I recognize that the Chair has ruled and that ruling has been sustained; however, I believe the gentleman is still making a motion that it is unconstitutional as an underlying bill, and according to rule 4, I believe the decision regarding constitutionality should be put before the House for a vote and not the determination of a single individual such as the Speaker.

The SPEAKER pro tempore. It is the ruling of the Chair that the House has already voted on that.

Mr. CUTLER. I will appeal the ruling of the Chair.

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

The SPEAKER. It is the Chair's understanding that the gentleman will withdraw the appeal.

Mr. CUTLER. Thank you, Madam Speaker.

Yes, I will withdraw the appeal with the understanding the question of constitutionality be placed before the body, according to rule 4. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Representative Kephart moves that HB 1456 is unconstitutional. The Chair, under House rule 4, is required to submit questions involving the constitutionality of matters to the decision of the House.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair now does and recognizes Representative Kephart.

Mr. KEPHART. Thank you, Madam Speaker.

This evening I rise to challenge the constitutionality of 1456 under Article III, section 30 of the Pennsylvania Constitution.

Madam Speaker, when we took the oath of office back in January, the first thing we did was swear an oath to the Constitution, both the United States and Pennsylvania. It is very critical that we continue to uphold that oath.

If you read section 30 of the Constitution, it says, "No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each House." That would include this one.

Madam Speaker, it is not— For my personal background, I am somewhat conflicted in this, but we must uphold the Pennsylvania Constitution. I am personally an alumnus of Penn State University. I love the university, been there, but to the best of my knowledge, it is not a normal school. It is an educational institution not under the absolute control of the Commonwealth; therefore, it must require a two-thirds vote.

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

The SPEAKER. Those voting "aye" will vote to declare the matter to be constitutional; those voting "no" will vote to declare the matter unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—102

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On final passage of HB 1456, the Chair recognizes the gentleman from Bedford County, Representative Topper.

Mr. TOPPER. Thank you, Madam Speaker.

Under HB 1456, the majority is proposing to make payments to our State-related universities through a new grant program which, as we have now established, requires a simple majority. However, unfortunately, sometimes when we do not vet ideas or we rush through them, we can miss things. For instance, the General Appropriation Act this year appropriated over \$57 million to the ag scrip land fund, which basically funds our ag extension, and we need to do this through the language that can be found in the nonpreferred language that requires a two-thirds vote.

So, Madam Speaker, at this point I believe we will be leaving over \$57 million for our ag extension offices throughout the State in an account that will not be able to be accessed, and this will be very detrimental to not just our ag extension agencies, but the farmers that they serve throughout the Commonwealth.

The SPEAKER. The gentleman will suspend.

MOTION FOR PREVIOUS QUESTION

The SPEAKER. For what purpose does the gentleman from Allegheny County, Representative Dan Miller, rise?

Mr. D. MILLER. Madam Speaker, I rise to make a motion.

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

Mr. D. MILLER. Madam Speaker, I rise under rule 61 to move the previous question.

The SPEAKER. The gentleman, Representative Miller, moves the previous question on HB 1456. Those who second the motion will rise and remain standing until their names are recorded.

The Chair recognizes Takac, Siegel, Cepeda-Freytiz, Kazeem, Munroe, Nelson, Cerrato, Madsen, Friel, Guzman, Mullins, Curry, Ciresi, Madden, Krueger, Bradford, Harris, Sanchez, Malagari, Boyd, Dellosso, Schweyer, Daley, Rabb, Donahue.

The motion for previous question having been made and seconded, members are reminded, pursuant to House rule 61, the motion is only debatable by the leaders for up to 3 minutes each.

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

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, congratulations to the majority. They have now surpassed the number of times that the question was called in the entirety of last session, and I am sad to hear the clapping, because I do not think that is something to celebrate. Silencing the voices of the people we represent is never appropriate; the idea that as soon as we just started discussing issues that were difficult, out comes the question.

Madam Speaker, we heard earlier all about inclusivity, the need to arrive at a product. This is exactly why we are where we are tonight. The failed leadership, the lack of discussion, the lack of meetings, that is why we should have this debate. We should discuss this. This is a serious issue that funds our schools. We have consistently argued that the days of blank checks are over, that there should be transparency, freezes in tuition, and accountability with these institutions.

Some would try to cloud this debate with outside partisan political points, and they are wrong. Cutting off debate prevents the truth from coming out, and we have seen it time and time again here this evening. I, for one, am ready to debate these issues. I would love and welcome the opportunity to discuss them. And if we are concerned about the proximity to 11 p.m. and the stop time, perhaps it is best that we simply adjourn for the evening and come back tomorrow at 8 a.m. to resume the debate.

MOTION TO ADJOURN

Mr. CUTLER. I make the motion to adjourn.

Mr. BRADFORD. Madam Speaker, I call the question.

The SPEAKER. The gentleman, Representative Cutler, makes a motion to adjourn.

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

MOTION FOR PREVIOUS QUESTION

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

Mr. BRADFORD. Madam Speaker, I make a motion to call the question.

The SPEAKER. The gentleman, Representative Bradford, makes a motion to call the question.

Members in agreement to second that motion should stand on their feet.

Miller, Nelson, Krueger, Harris, Delosso, Boyd, Malagari, Sanchez, Madden, Schweyer, Daley, Rabb, Donahue, Pashinski, Guzman, Munroe, Friel, Takac, Kazeem, Cepeda-Freytiz, Burgos, Khan, Kenyatta.

The motion for previous question having been seconded, members are reminded, according to rule 61, the motion is only debatable by the leaders for up to 3 minutes each.

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

The SPEAKER. The Chair recognizes Representative Cutler. Mr. CUTLER. Thank you, Madam Speaker, and thank you for the opportunity to speak for an additional 3 minutes. I certainly welcome that because I think this debate is important, even if it is in 3-minute increments.

Once again we have a rush to not debate. It makes no sense. I think these issues are very important, the issues of funding our schools, the issues of spending additional money that was not originally contained in the underlying budget bill. The reality that we are here at seven of eleven looking at these bills and people are at home wondering what we are doing – I would offer that we are seeing exactly why we are 96 days late. The refusal to discuss reasonable issues and solutions is the reason that we have arrived 96 days late with the budget, a budget that, I would point out, was agreed to by the Senate and the Governor and was blown up by this chamber, individuals in this chamber who said, under no conditions will certain elements, such as the opportunity scholarships, pass.

Madam Speaker, that is the reason we are here: the refusal to discuss the underlying topics, just as we are seeing here time and time again; four times, Madam Speaker, twice as many times as we saw last session. That is the tyranny of a one-seat majority. That is no way to run a chamber; that is no way to govern the Commonwealth. Madam Speaker, our citizens deserve better. They deserve input and they deserve a deliberative process, none of which they are getting tonight.

I do not believe that calling the question on the motion to adjourn actually makes much sense, because we had an opportunity to talk, and we have wasted more time talking about calling the question on the motions than if we just discussed the issues. I did not realize we would be in such a hurry to not discuss the issues. I thought that is why we were here in Harrisburg. I thought that is why we were coming back in early tomorrow morning at 8 a.m.

I hope that we have that opportunity to discuss the issues, because it is one that I think our constituents deserve. And we may not agree on the solutions to what those issues are, but as was shared earlier tonight, in prior sessions, everyone got an opportunity to be heard. That is not happening tonight, and that is unfortunate for the 65,000 people that I represent and the 65,000 people that you each represent.

More importantly, this is not just silencing one side or the other; the truth is, earlier this evening additional amendments were tabled. They were also removed from discussion, Republican and Democrat.

Madam Speaker, that is no way to run a democracy, that is no way to govern our Commonwealth, and it is beneath the dignity of this institution.

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

The following roll call was recorded:

YEAS—102

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

NAYS—77

Adams	Gleim	Leadbeter	Rossi
Armanini	Greiner	Mackenzie, M.	Rowe
Barton	Grove	Mackenzie, R.	Ryncavage
Bonner	Hamm	Major	Scheuren
Borowicz	Hogan	Mako	Schlegel
Brown, M.	James	Maloney	Scialabba
Cabell	Jones, M.	Marcell	Smith
Causar	Jones, T.	Marshall	Staats
Cooper	Kail	Mehaffie	Stehr
Cutler	Kaufner	Mentzer	Stender
D'Orsie	Kauffman	Mercuri	Struzzi
Delozier	Keefer	Metzgar	Tomlinson
Dunbar	Kephart	Mihalek	Topper
Ecker	Kerwin	Mustello	Warner
Fink	Klunk	Oberlander	Watro
Flick	Krupa	Ortitay	Wentling
Flood	Kutz	Pickett	White
Fritz	Labs	Rapp	Williams, C.
Gaydos	Lawrence	Roae	Zimmerman
Gillen			

NOT VOTING—24

Banta	Emrick	Kuzma	Rader
Benninghoff	Fee	Miller, B.	Rigby
Bernstine	Gregory	Moul	Schemel
Cook	Heffley	Nelson, E.	Schmitt
Davanzo	Irvin	O'Neal	Stambaugh
Diamond	Jozwiak	Owlett	Twardzik

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 motion?

The SPEAKER. Representative Cutler moves that the House adjourn until Thursday, October 5, at 8 a.m. The question is on the motion to adjourn.

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	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	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappey
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinhead	Powell	McClinton,
Donahue	Kinsey	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 motion was not agreed to.

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

The SPEAKER. Those in favor of the motion for previous question will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

YEAS—102

Abney	Evans	Kosierowski	Rabb
Bellmon	Fiedler	Krajewski	Rozzi
Benham	Fleming	Krueger	Salisbury
Bizzarro	Frankel	Kulik	Samuelson
Borowski	Freeman	Madden	Sanchez
Boyd	Friel	Madsen	Sappery
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinkead	Powell	McClinton,
Donahue	Kinsey	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	Kaufner	Moul	Struzzi
Delozier	Kauffman	Mustello	Tomlinson
Diamond	Keefer	Nelson, E.	Topper
Dunbar	Kephart	O'Neal	Twardzik
Ecker	Kerwin	Oberlander	Warner
Emrick	Klunk	Ortitay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

NOT VOTING—0

EXCUSED—0

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

On the question recurring,
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—115

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

NAYS—88

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County for a committee announcement.

Mr. HARRIS. Thank you, Madam Speaker.

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

Thank you, Madam Speaker.

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

BILLS RECOMMITTED

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

HB 1378;
HB 1466;
HB 1522;
HB 1634; and
SB 224.

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

BILLS REMOVED FROM TABLE

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

HB 109;
HB 1490; and
SB 694.

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

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair is in receipt of a motion by the gentleman from Somerset County, Representative Metzgar, that the House now adjourn until Thursday, October 5, 2023, at 8 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 10:59 p.m., e.d.t., the House adjourned.