

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 16, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

PRAYER

HON. GREG SCOTT, member of the House of Representatives, offered the following prayer:

Dear Heavenly Father, thank You for another day and another opportunity to get this thing that You have summoned us to, called life, right again.

Lord, I thank You for trusting me with this opportunity to serve Your people on this earth. This morning we come before You again as we prepare our hearts and minds to do the people's work. Help us explore all ideas that can bring about appropriate change, and help us recognize those matters that are working and will work for all the people of the Commonwealth of Pennsylvania.

Watch over the leadership of this prestigious body. Help us preserve, protect, and defend the concepts of democratic rule, and put before our hearts and hands the willingness to do our best for our citizens as well as the citizens of the future.

Lord, I ask that You send peace in the Middle East. Please comfort the families that have been impacted by the terrorist attack in Israel. My heart aches for all the innocent children and the families that are impacted by this crisis.

I ask this and many protective blessings in the matchless, marvelous, and majestic name of Jesus the Christ. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, October 5, 2023, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following Journals are in print and, without objection, will be approved: Monday, June 5, 2023; Tuesday, June 6, 2023.

Colleagues, we have some very important guests here, if I can have your attention. The House will come to order.

GUESTS INTRODUCED

The SPEAKER. Seated to the left of the Speaker's rostrum, our colleagues, Representatives Dunbar and Takac, bring to us Adm. Craig Faller. He is a 1983 graduate of the United States Naval Academy, and he has a very distinguished career that includes becoming the commanding officer of the USS *Shiloh*. As commander of the Carrier Strike Group 3, he deployed to the Middle East to support Operations New Dawn in Iraq and Enduring Freedom in Afghanistan. Admiral Faller also became the Navy's Chief of Legislative Affairs. In October 2021 Admiral Faller retired from active duty. He is here today with his wife, Martha, with his dad and his stepmother, Hank and J.D. Faller. Thank you very much, Admiral, for your service, and welcome to the hall of the House. Please stand, Admiral and guests.

Also seated left to the Speaker's rostrum, our colleague, Representative Scialabba, has her husband here today, John Scialabba. Representative Scialabba says that her husband, John, has a heart of gold and is dedicated to serve. He has led many missions trips to Brazil, teaching and helping those in need, spreading love across the globe. They have one child, and they promise to bring him once he grows up a little bit older, and we look forward to having him one day. We welcome you. John Scialabba, welcome.

In the front of the House, we are thrilled to have a guest page, Dylan Larson. He is here today with his father, who is seated in the gallery. Dylan, please stand, and welcome.

In the back of the House, we have some very important guests. Colleagues, if I can have your attention. Representative Napoleon Nelson, chair of the Pennsylvania Legislative Black Caucus, and Representative Donna Bullock are hosting State chapter of the National Council of Negro Women for their day at the Capitol. This organization was founded in 1935 by Dr. Mary McLeod Bethune, an educator and an activist. Today the organization thrives, promoting education, entrepreneurship, financial literacy, economic stability, and they educate women about health, health-care access, civic engagement, public policy, and social justice. Among the women here today are students from Lincoln University, Bloomsburg University, and Shippensburg University. Please stand, Council. Welcome to the hall. Thank you for your hard work.

Separated from the group, but nonetheless a part of the group, we have, seated to the left of the Speaker's rostrum, two very important people all the way from the 191st Legislative District at their first visit to the Capitol. I am so excited that among the outstanding group that is here today from the National Council of

Negro Women are two of my neighbors for almost 15 years. Please stand, Sister Susan Warren and her daughter, Crystal Warren. So glad to have my neighbors here today.

In the gallery, our colleague, Representative Rob Mercuri, has his daughter, Mackenzie; her friend, Samantha. They are both visiting the hall of the House today. They are here with Ellen Wright from his district. Mr. and Mrs. Wright are visiting the Capitol and look forward to seeing us hard at work. Guests of Representative Mercuri, including his daughter, Mackenzie, please stand. Welcome to the hall of the House.

Also in the gallery, our colleague, Representative Schlossberg, has Muhlenberg College students and faculty who have traveled from Allentown, Pennsylvania. They are here to meet with their elected leaders to learn about the legislative process, and we know our colleague, Representative Schlossberg, is a Muhlenberg alum. Please stand, Muhlenberg. Welcome.

Also in the gallery, Representative Valerie Gaydos is hosting Teddy Tolliver. He is shadowing her today. He is a freshman at Washington & Jefferson College. He is here with his mother, Ms. Lisa Tolliver-Lehman, and we welcome them in the gallery. Please stand. Welcome.

Representative Ismail Smith-Wade-El is hosting Ethan Poetic from his district. Mr. Poetic faced a major tragedy in his life and had only a 1-percent chance of surviving. Not only did he survive, but he has become a very active member in the Lancaster community, working and inspiring young people, sharing his story of overcoming adversity. In the gallery, please stand. We are so glad to have you. Thank you for your survival.

Also in the gallery, our colleagues, Representatives Warren and Khan, have brought Faith Bevitz to the Capitol. She is a volunteer with the Pennsylvania Breast Cancer Coalition. She is here to raise awareness about Breast Cancer Month. Faith, please stand. So glad to have you today.

Finally, in the gallery, Representative Solomon has several guests: Pennsylvania college students from Bucknell, from Cairn University, from CMU (Carnegie Mellon University), from Dickinson College, from F&M (Franklin & Marshall), from Gettysburg College, from Haverford College, from Kutztown University, University of Pittsburgh, Swarthmore College, and Widener University, all of whom are here working with the Committee of Seventy and having a rally in the rotunda to repeal closed primaries. Students of Representative Solomon, please stand. Thank you for your advocacy.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

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

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—203

Abney	Flick	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	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,
Fink	Krupa	Rader	Speaker
Fleming			

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

The House will come to order.

Members and guests, if I can have your attention. We have another very special guest joining us today. Sergeant at Arms, please close the doors of the House and clear the aisles as we prepare for the guest to address us this morning.

**DIRECTOR-GENERAL JAMES K.J. LEE
PRESENTED**

The SPEAKER. Located to the left of the Speaker's rostrum, we are so very honored to welcome James K.J. Lee, the Director General of the Taipei Economic and Cultural Office in New York, representing Taipei and Pennsylvania and the tristate area. Director General Lee is also the head of Taipei's United Nations Affairs Task Force. Director General Lee assumed his role in July of 2020 and has had a very distinguished career in foreign service.

Prior to his appointment by President Tsai Ing-wen, Director General Lee served as the Secretary General of the Ministry of Foreign Affairs, overseeing the ministry's core operations for 3 years. During his 35-year career, he has served as Deputy Representative of the Taipei Economic and Cultural Representative Office in the United States, Representative of the Taipei Representative Office in the Netherlands, and as Director General of the Department of European Affairs in Taipei. Throughout his career, Director General Lee has dedicated himself to strengthening bonds and friendship between Taipei and all of its allies. In his current position, he has been instrumental in deepening economic and cultural ties between Taipei and the northeastern part of these United States.

Director General Lee is joined today by director Fuyuan Liu and senior officer Ivana Yun-Hsuan Tsai.

Director General Lee, we would be honored if you would join us on the rostrum to address the floor of the House.

Members, please welcome him.

Mr. LEE. Thank you, Madam Speaker, for your kind introduction.

I am still a little bit nervous, although I have been in such an occasion many times, but this is unique today.

So, Honorable Madam Speaker and distinguished Representatives of the Keystone State, thank you very much for inviting me to witness this memorable moment. It is a great honor and pleasure for me to be here today to speak with you and all Pennsylvanians.

On behalf of the people and government of Taiwan, I would like to express my profound gratitude for the bipartisan support in the General Assembly on the two recently introduced pro-Taiwan resolutions. The first one passed on October 4 and recognized October 10 as the "National Day of the Republic of China (Taiwan)," and thanks to Representative Shusterman for initiating this resolution. The second resolution the Assembly is going to vote later recognizes our long-standing friendship between Taiwan and Pennsylvania. We are thankful to Representatives Rowe and O'Mara for cosponsoring it.

Although Taiwan and Pennsylvania are thousands of miles apart and different considerably in culture, history, and language, we have long enjoyed dynamic interactions in the fields of economy, education, science, and technology. And our bond has been growing stronger along the way. It is easy to see why. We both share an unwavering commitment to freedom, democracy, and human rights. Just as the Commonwealth of Pennsylvania played a key role in the formation of American democracy, Taiwan is at the forefront of democracy in Asia. Our shared commitment to the values that underpin our democracies rings truer than the Liberty Bell, and it is these shared values and common interests that deserve our time and effort to bridge the distance that separates us.

Our partnership's success would not be possible without the support of our friends in this hall. Pennsylvania decided to reopen its Trade and Investment Office in Taipei last year; has led to an even stronger Pennsylvania-Taiwan partnership. Pennsylvanian farmers and manufacturers now have even greater access to our market, and Taiwanese consumers greatly benefit from your quality products. Thank you so much for your hard work.

There are so many opportunities between our two sides for cooperation and we have made excellent progress lately. We are collaborating with partners in western Pennsylvania on AI (artificial intelligence) robotics, advanced manufacturing, and autopilot vehicles. The Pittsburgh Robotics Network has signed an MOU (memorandum of understanding) with the Taiwan Automation Intelligence and Robotics Association lately.

On the east side, through UPenn Innovation Center and Temple University, we are connecting Pennsylvania's bio-med cluster with Taiwan's life science and cloud tech industries. My office is also working with UPenn's Singh Center for Nanotechnology to facilitate a semiconductor collaboration project. These sectors are rising stars for our future cooperation.

And we are also working on educational cooperation and cultural exchanges. Given the increasing needs for Mandarin language learning in the United States and Taiwan's aspiration to become a bilingual nation by 2030, America and Taiwan have launched an education initiative focused on Mandarin and English training. The University of Pittsburgh, Temple University, and Juniata College have established cooperations with schools in Taiwan. We send Chinese language teachers to those universities and pay for their round-trip air tickets, and those universities just need to pay them a reasonable local wage. So we also offer scholarships for their students to study in Taiwan. So if you have any candidate school in your district and would like to have a similar cooperation, please contact with my office and we will try to facilitate this cooperation with you. And I assure you that Taiwan remains committed to further enhance this partnership. My office will continue to be a facilitator, and in the process, I would appreciate your continued support and guidance.

Taiwan is a democratic success story and a trustworthy partner of the United States. We are grateful that the Biden administration often reaffirms the U.S.'s rock-solid commitment to Taiwan and has taken a series of actions to boost our ties. We are also grateful to the strong bipartisan support on Capitol Hill, where more than 30 pro-Taiwan acts and resolutions have been introduced this year. Across the board, we share a high degree of mutual trust and common strategic goals, including how we can work together to preserve a free, open, and rules-based Indo-Pacific. I am grateful that the spirit of friendship and collaboration is also shared by Pennsylvania legislators through actions such as passing the resolution and establishing a Taiwan Caucus.

Ladies and gentlemen, my service in the Navy has taught me that the most powerful battleship is friendship. And my almost 40 years in the foreign service tells me that there is no friendship that is quite like that between Taiwan and the United States. Our relationship has stood the test of time and it continues to grow stronger.

Standing here today I call back to the famous words of William Penn: "A true friend...advises justly, assists readily, adventures boldly...and continues a friend unchangeably," quote, unquote.

I assure you that Taiwan will continue to be a true friend and trustworthy partner of Pennsylvania. And I believe that, by standing united and holding fast to our shared ideals, we can achieve what we set out to accomplish.

Just like Pennsylvania, Taiwan is full of warm and welcoming freedom-loving people. For millions of Americans who have visited Taiwan, T-A-I-W-A-N refers to "They Are Incredibly Warm And Nice." I sincerely hope that through our relationship, more Pennsylvanians will visit Taiwan and see what my country has to offer. Once you experience our famous convenience stores, you might start feeling differently about Wawa.

It is truly a privilege to be here today and share my thoughts with you during such an exciting time, and I look forward to seeing what the future holds. Thank you very much. Thank you.

The SPEAKER. The Chair thanks the Director General and invites him to stay in the chamber as we take up HR 208, a resolution "Supporting the friendship and bilateral relationship between the Commonwealth of Pennsylvania and Taiwan...."

CALENDAR

RESOLUTION

Ms. O'MARA called up **HR 208, PN 1998**, entitled:

A Resolution supporting the friendship and bilateral relationship between the Commonwealth of Pennsylvania and Taiwan and the signing of a United States-Taiwan Bilateral Trade Agreement.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the maker of the resolution, the gentlelady from Delaware County, Representative O'Mara.

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

I just want to take a second and recognize what I think is the significance of us working together to pass this resolution and share a tiny bit about my own experience visiting Taiwan earlier this year. I had a unique opportunity to visit Taiwan with a delegation of other elected officials that were under the age of 35, and there were three State elected officials – one from Utah, one from Georgia, and then me, from Pennsylvania – and we were on very different sides of the political aisle, but we found something in common: that we believe that the support that the United States provides to Taiwan is critical.

Taiwan in so many ways is the farthest beacon of western democracy. In Asia it is instrumental for people to have equality. When they talk about democracy, they are literally talking about preserving freedom in their nation.

So for a resolution that has the names of both David Rowe and Jennifer O'Mara on it, I think it shows in this chamber that we can put our partisan politics aside when it is really important and work together for an issue like this. So I want to thank Representative Rowe, Representative Shusterman, and Madam Speaker for your hospitality.

And for our guests today, know that we, both Democrats and Republicans, stand united here in Pennsylvania to support the Republic of China, Taiwan.

Thank you, Madam Speaker.

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

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

The following roll call was recorded:

YEAS—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	Kaufner	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,
Fink	Krupa	Rader	Speaker
Fleming			

NAYS—0

NOT VOTING—0

EXCUSED—0

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair reminds the members of the national council to remain on the floor for a photograph in a few minutes at our break. The Chair reminds the members of the National Council of Negro Women to remain on the floor for a group photograph.

The Sergeants at Arms will open the doors of the House.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority caucus chair, Representative Hill-Evans, for a caucus announcement.

Mrs. EVANS. Thank you, Madam Speaker.

Democrats will meet at 1:15 in the majority caucus room. We will be prepared to return to the floor at 2 o'clock. Again, we will be meeting at 1:15. Thank you.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will also caucus at 1:15. Republicans will caucus at 1:15.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 236 By Representatives HEFFLEY, SMITH, PICKETT, FLICK and DELLOSO

A Resolution directing the Joint State Government Commission to conduct a thorough and comprehensive study on truck parking in Pennsylvania and provide recommendations to effectively address this issue.

Referred to Committee on TRANSPORTATION, October 13, 2023.

No. 237 By Representatives ROZZI, HILL-EVANS, MADDEN, DELLOSO, SANCHEZ, HADDOCK and OTTEN

A Resolution recognizing October 7, 2023, as "Ostomy Awareness Day" in Pennsylvania.

Referred to Committee on HEALTH, October 13, 2023.

No. 238 By Representatives GLEIM, STAMBAUGH, GREINER, LEADBETER, R. MACKENZIE, M. MACKENZIE, CEPEDA-FREYITZ, M. JONES, KAUFFMAN, MENTZER, KUTZ, OWLETT, SCOTT, ROWE and NEILSON

A Resolution designating October 4, 2023, as "100th Anniversary of The GIANT Company Day" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 13, 2023.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 287 By Representatives KRAJEWSKI, CEPHAS, KHAN, GREEN, WAXMAN, HOHENSTEIN, KENYATTA, FIEDLER, SANCHEZ, MADDEN, HILL-EVANS, STEELE and CEPEDA-FREYITZ

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in personnel of the system, further providing for appointment of personnel and establishing eviction agent advisory boards in cities of the first class and eviction agent education and training programs in cities of the first class; providing for eviction procedure in cities of the first class; making a repeal; and making an editorial change.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, October 10, 2023.

No. 1746 By Representatives DALEY, JOZWIAK, MADDEN, SANCHEZ, VENKAT, FREEMAN, KHAN, T. DAVIS, HOHENSTEIN, HILL-EVANS, MALAGARI, FIEDLER, BOROWSKI, CERRATO, GREEN, BOYD and MARCELL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to licensing, further providing for definitions.

Referred to Committee on CHILDREN AND YOUTH, October 10, 2023.

No. 1747 By Representatives GUENST, FLICK, DELLOSO, HILL-EVANS, DONAHUE, MADDEN, CEPEDA-FREYITZ, KHAN, M. JONES, JAMES, T. DAVIS, CIRESI, BOROWSKI, BELLMON, SANCHEZ, HADDOCK, GREEN, BOYD, HOWARD, D. WILLIAMS and NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for special motorcycle plates related to veterans, for special plates for veterans, for special plates for recipients of Soldier's Medal, for special plates for recipients of Presidential Service Badge, for special plates for recipients of Legion of Merit and for special plates for veterans of an ally foreign country.

Referred to Committee on TRANSPORTATION, October 10, 2023.

No. 1748 By Representative McNEILL

An Act providing for the registration of labor brokers; imposing duties on the Department of Labor and Industry and the Secretary of Labor and Industry; establishing the Labor Broker Registration Account; and imposing penalties.

Referred to Committee on LABOR AND INDUSTRY, October 13, 2023.

No. 1749 By Representatives TOMLINSON, M. JONES, MARCELL and NEILSON

An Act amending the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, further providing for penalties.

Referred to Committee on JUDICIARY, October 13, 2023.

No. 1750 By Representatives LEADBETER, KUTZ, GAYDOS, ROWE, SMITH, MUSTELLO, MIHALEK, STENDER, MOUL, METZGAR, MAJOR, KEEFER and ECKER

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores; in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for heading of article, for authority to issue liquor licenses to hotels, restaurants and clubs, for sales by liquor licensees and restrictions, for secondary service area, for sale of malt or brewed beverages by liquor licensees, for public service liquor licenses, for liquor importers' licenses, fees, privileges and restrictions, for public venue license, for performing arts facility license, for continuing care retirement community retail licenses, for casino liquor license, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for sales by manufacturers of malt or brewed beverages and minimum quantities and for distributors' and importing distributors' restrictions on sales, storage, etc; adding provisions relating to fees and taxation of ready-to-drink cocktails for off-premises consumption; and further providing for unlawful acts relative to malt or brewed beverages and licensees.

Referred to Committee on LIQUOR CONTROL, October 13, 2023.

No. 1751 By Representatives DONAHUE, KAZEEM, MADDEN, PIELLI, McNEILL, HOHENSTEIN, SCHLOSSBERG, BRENNAN, DELLOSO, HADDOCK, OTTEN, GIRAL, SANCHEZ, HILL-EVANS, BOYD, CIRESI, NEILSON, STEELE and FIEDLER

An Act amending the act of October 13, 2010 (P.L.506, No.72), known as the Construction Workplace Misclassification Act, further providing for definitions, for improper classification of employees and for criminal penalties; providing for private right of action and for fines and penalties; further providing for administrative penalties, for retaliation for action prohibited, for availability of information and for funding; and imposing penalties.

Referred to Committee on LABOR AND INDUSTRY, October 13, 2023.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes Representative Harris, majority Appropriations chair, for a committee announcement.

Mr. HARRIS. Thank you, Madam Speaker.

There will be an immediate meeting of the Rules Committee in the majority caucus room at the break; immediate meeting of the Rules Committee in the majority caucus room at the break. Following the Rules Committee meeting, there will be a meeting of the House Appropriations Committee in the majority caucus room as well.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 43, PN 32

By Rep. BULLOCK

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions.

CHILDREN AND YOUTH.

HB 73, PN 2125 (Amended)

By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Operation Inherent Resolve veterans plate.

TRANSPORTATION.

HB 826, PN 2126 (Amended)

By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special plates for recipients of Borinqueneers Congressional Gold Medal.

TRANSPORTATION.

HB 1243, PN 2127 (Amended)

By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, providing for application for REAL ID.

TRANSPORTATION.

HB 1476, PN 2129 (Amended)

By Rep. VITALI

An Act providing for reporting requirements for qualifying crypto-asset mining operations and for an impact study; and imposing duties on the Department of Environmental Protection.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1747, PN 2128 (Amended)

By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for special motorcycle plates related to veterans, for special plates for veterans, for special plates for recipients of Soldier's Medal, for special plates for recipients of Presidential Service Badge, for special plates for recipients of Legion of Merit and for special plates for veterans of an ally foreign country.

TRANSPORTATION.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 173, PN 2130 (Amended)

By Rep. DALEY

A Resolution designating October 20, 2023, as "Kennywood Park Day" in Pennsylvania.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

HR 185, PN 1932

By Rep. VITALI

A Resolution directing the Joint State Government Commission to conduct a study on the feasibility of using geothermal energy technologies that utilize abandoned mining locations and operations in this Commonwealth and issue a report of its findings and recommendations to the House of Representatives.

ENVIRONMENTAL RESOURCES AND ENERGY.

HR 219, PN 2030

By Rep. BULLOCK

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

CHILDREN AND YOUTH.

HR 228, PN 2065

By Rep. VITALI

A Resolution designating the week of October 1 through 7, 2023, as "Climate Week" in Pennsylvania.

ENVIRONMENTAL RESOURCES AND ENERGY.

COMMUNICATION

The SPEAKER. The Chair is in receipt of the following report, which the clerk will now read.

The following communication was read:

The Budget Request of the Office of Consumer Advocate for Fiscal Year 2024-2025.

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

ACTUARIAL NOTES

The SPEAKER. The Chair is in receipt of actuarial notes from the Independent Fiscal Office regarding the following bills, which the clerk will now read.

The following communications were read:

HB 1379, PN 1539, as amended by amendment 1986;

HB 1379, PN 1539, as amended by amendment 2040;

HB 1379, PN 1539, as amended by amendment 2055;

HB 1505, PN 1712, as amended by amendment 1893;

HB 1505, PN 1712, as amended by amendment 1894.

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

RECESS

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

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.

AFTER RECESS

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

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 239 By Representatives T. DAVIS, JOZWIAK, DONAHUE, McNEILL, HILL-EVANS, GIRAL, SANCHEZ, KHAN, HADDOCK, GREEN and DALEY

A Resolution designating October 9, 2023, as "PANDAS Awareness Day" in Pennsylvania to inform and bring greater awareness of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) to the general public and medical community.

Referred to Committee on HEALTH, October 16, 2023.

No. 241 By Representatives KINSEY, BELLMON, MADDEN, HILL-EVANS, NEILSON and D. WILLIAMS

A Resolution designating October 17, 2023, as "Kappa Alpha Psi Day" in Pennsylvania.

Referred to Committee on EDUCATION, October 16, 2023.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1752 By Representatives KAZEEM, KHAN, DAWKINS, WAXMAN, GIRAL, HOHENSTEIN, BRENNAN, HILL-EVANS, KINSEY, N. NELSON, MADDEN, PARKER, SANCHEZ, McNEILL, DELLOSO and STEELE

An Act providing for the annual designation and holiday observance of the first day of the Islamic lunar month of Shawwal as Eid al-Fitr Day in this Commonwealth.

Referred to Committee on STATE GOVERNMENT, October 16, 2023.

No. 1753 By Representatives PIELLI, KAZEEM, PROBST, MADDEN, BRENNAN, DELLOSO, R. MACKENZIE, OTTEN, DONAHUE, GUENST, SANCHEZ and HOWARD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for sexual abuse of children and for transmission of sexually explicit images by minor.

Referred to Committee on JUDICIARY, October 16, 2023.

No. 1754 By Representatives MULLINS, CUTLER, STURLA, STENDER, DONAHUE, BURGOS, MADDEN, FREEMAN, BOROWSKI, SANCHEZ and CERRATO

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for biomarker testing.

Referred to Committee on INSURANCE, October 16, 2023.

No. 1755 By Representatives BRENNAN, MADDEN, SANCHEZ, GIRAL, KHAN, CIRESI, GREEN, DALEY, McANDREW and GERGELY

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in procedure, further providing for written requests.

Referred to Committee on STATE GOVERNMENT, October 16, 2023.

No. 1756 By Representatives KRAJEWSKI, RABB, BULLOCK, DAWKINS, ABNEY, MADDEN, HILL-EVANS, WAXMAN, KHAN, KINSEY, SANCHEZ, CEPEDA-FREYITZ, HOHENSTEIN, HOWARD and GREEN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in qualifications of electors, further providing for rules for determining residence; in voting by qualified absentee electors, further providing for qualified absentee electors and providing for voting by absentee electors in correctional institutions; and imposing duties on the Department of State.

Referred to Committee on STATE GOVERNMENT, October 16, 2023.

No. 1757 By Representatives KRAJEWSKI, RABB, BULLOCK, DAWKINS, ABNEY, MADDEN, HILL-EVANS, WAXMAN, KHAN, KINSEY, SANCHEZ, CEPEDA-FREYITZ, HOHENSTEIN, HOWARD and GREEN

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in voter registration, further providing for qualifications to register, for government agencies and for preparation and distribution of applications; and, in voting procedures, further providing for application for absentee ballots.

Referred to Committee on STATE GOVERNMENT, October 16, 2023.

BILLS REREPORTED FROM COMMITTEES

HB 754, PN 703 By Rep. BRADFORD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to licensing, providing for notice of legal representation for medical assistance.

RULES.

HB 1378, PN 1538 By Rep. HARRIS

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.

APPROPRIATIONS.

HB 1522, PN 2071 By Rep. HARRIS

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

APPROPRIATIONS.

HB 1527, PN 2139 (Amended) By Rep. HARRIS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for personal needs allowance deduction for medical assistance-eligible persons in nursing facilities.

APPROPRIATIONS.

CALENDAR CONTINUED

RESOLUTIONS

Mrs. CEPEDA-FREYITZ called up **HR 189, PN 2072**, entitled:

A Resolution designating the week of October 15 through 21, 2023, as "Military Sexual Trauma Survivor 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
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	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,
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. HOGAN called up **HR 218, PN 2027**, entitled:

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

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the maker of the resolution, the gentleman from Bucks County, Representative Hogan.

Mr. HOGAN. Thank you, Madam Speaker.

Madam Speaker, I rise today in support of this bipartisan resolution recognizing September as "Ovarian Cancer Awareness Month."

Madam Speaker, ovarian cancer impacts thousands of women in Pennsylvania every single year. Many of our constituents have been impacted by this disease, including members of my own wife's family. Because early detection is key, it is important that all women know the symptoms of this cancer and are able to discuss them with their doctor in a timely manner. This resolution helps to raise that awareness so that more lives are saved. But while this disease is taking the lives of women, communities across our Commonwealth are taking a stand, whether it is in boroughs like Doylestown that "Turned the Town Teal" in September, or in my own community, a husband turning his grief into positive action by forming the Barbara T. Foundation, dedicated to eradicating this disease for all women.

I want to thank my colleagues that cosponsored this important women's health resolution, including Senator Farry, who has a similar resolution in the Senate.

Madam Speaker, as an advocate for women's health, I believe the time is now to take steps to recognize those on the front lines of this battle, the need for preventive measures, and ultimately, finding a cure.

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	Guent	Matzie	Scialabba
Brown, A.	Guzman	Mayer	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	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,
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. MACKENZIE called up **HR 222, PN 2044**, entitled:

A Resolution designating the month of October 2023 as "Careers in Construction Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the maker of the resolution, the gentleman from Lehigh County, the chair of Labor, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

I would first like to thank all of the men and women in the construction industry across Pennsylvania and across our country. They are the folks who get up every single day and put in the hard work to actually build our country. So thank you to those construction workers.

Now, as far as careers in that industry go, we know that these are high-paying, lucrative careers that are highly in demand. We are facing a critical shortage of workers in this field, as over the next couple of years, 53 percent of the seasoned workforce is expected to retire, leaving a gap in skills and professionals across our industry.

Now, these jobs we know that they can get into by a variety of different paths – it can be trade schools, apprenticeship programs, employer-sponsored programs. There are lots of different avenues, and whether you choose to go down the union or nonunion path, we want to encourage young men and women across this Commonwealth, and also individuals who may be looking to transition careers, to explore the construction industry because of the skills, the pay, and the career that they can achieve that is highly rewarding and highly in demand.

So again I would like to thank the Speaker for calling up this resolution as we encourage people across this Commonwealth to look at careers in the construction industry. Thank you again, Madam Speaker, and thank you to the hardworking men and women across our country who do this job every day.

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.

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 754, PN 703**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to licensing, providing for notice of legal representation for medical assistance.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 694, PN 1114**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in fireworks, further providing for definitions, for sales locations and for Attorney General.

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

* * *

The House proceeded to second consideration of **SB 851, PN 1158**, entitled:

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.

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 109, PN 2084**, entitled:

An Act prohibiting fees for early termination of certain contracts upon death; providing for waiver of applicable fees; and imposing civil penalties.

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

Mr. **MALAGARI** offered the following amendment
No. **A02425**:

Amend Bill, page 1, line 16, by inserting after "generation" service to a retail electric customer as defined in 66 Pa.C.S. § 2803 (relating to definitions)

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

The **SPEAKER**. On that question, the Chair recognizes the chair of Consumer affairs, Representative MatzIE.

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

This is an agreed-to amendment. I would ask the members to please vote in the affirmative.

The **SPEAKER**. The Chair requests the gentleman to give a summary of said amendment.

Mr. **MATZIE**. Stand by.

The **SPEAKER**. The Chair recognizes the gentleman.

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

I apologize for the tardiness.

I apologize again.

The amendment, A02425, further defines "provider" to clarify electric generation suppliers that are covered by the bill. I ask for an affirmative vote.

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

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

The following roll call was recorded:

YEAS—203

Abney	Flick	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	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,
Fink	Krupa	Rader	Speaker
Fleming			

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

Ms. **DELOZIER** offered the following amendment
No. **A02478**:

Amend Bill, page 1, lines 1 and 2, by striking out "upon death"
Amend Bill, page 1, line 8, by striking out "Upon Death"
Amend Bill, page 2, lines 3 through 7, by striking out all of said
lines and inserting

(a) General rule.—

(1) A provider may not impose a fee for early termination of a service contract if a party to the contract dies before complete performance of the contract and the executor or administrator of the decedent's estate provides notice under subsection (c).

(2) A provider may not impose a fee for early termination of a service contract if a party to the contract breaches the contract as a result of permanently moving out of a high-crime area due to a well-founded fear of the prevalence of crime in the area.

Amend Bill, page 2, line 20, by striking out "(a)" and inserting (a)(1)

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

The **SPEAKER**. On that question, the Chair recognizes the maker of the amendment— And just to clarify, it is amendment A02478. The Chair apologizes to the members.

The Chair recognizes the gentlelady from Cumberland County.

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

My amendment, amendment 02478, I rise to offer this amendment, which would amend HB 109 simply to add moving from a high-crime area as a preclusion for termination of fees. At this point in time, I think it is important that we have this stipulation within the bill, and I ask for an affirmative vote.

Thank you, Madam Speaker.

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

GERMANENESS QUESTIONED

The **SPEAKER**. On that question, the Chair recognizes the gentleman from Beaver, Representative Matzie.

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

The impetus of this bill is death, plain and simple. This amendment runs far afield of the legislative intent and is poorly constructed. "High-crime area" is not defined – jaywalking? loitering? Double-parking? "Well-founded fear" is not defined – fear of heights? fear of snakes? fear of spiders? "Prevalence of crime" is not defined. Uses the word "permanent." What does that mean? How is it quantified? What if the person moves back? Plus, not all providers in this act are geographically encased. Why does moving require canceling a cell phone contract?

Madam Speaker, I would like to make a motion.

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

Mr. **MATZIE**. I make a motion that amendment A02478 is not germane.

The **SPEAKER**. The gentleman, Representative Matzie, has raised the question of whether the amendment, A02478, is germane to the bill. Under House rule 27, questions involving whether an amendment is germane to the subject of the bill shall be decided by the House.

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

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

Mr. **MATZIE**. Madam Speaker, amendment A02478 is not germane to the underlying bill because it contains provisions that run far afield of the area addressed in the underlying bill, to the point where the actual title of the bill had to be changed in order to shove this amendment in. I ask the members to support the motion.

Thank you, Madam Speaker.

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

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

I believe that this is germane in this bill to be able to recognize that, yes, death is very much the reason why termination of fees should happen, but also there are other reasons in our communities – being the victims of high-crime area, being the victims of crime, being the capability of saying to the fact that this is a reason why we should terminate fees goes right in line with another reason; as death would be a reason, this would also be a reason. So I believe this is germane to the underlying bill, and I ask for a positive, or whatever the Speaker decides as to be a positive on the fact that it is germaneness.

Thank you, Madam Speaker.

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

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

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

Madam Speaker, here in Harrisburg, sometimes we like to confuse issues with big words like "germane." The truth is, let us look at the plain English. We are talking about early termination fees – one is for death; one is for high crime. I think that is an issue that everybody outside of this dome could understand. It is germane. It should in fact be included in the bill, and I would urge support of the gentlelady's amendment.

Thank you, Madam Speaker.

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

Those who believe the amendment is germane will be voting "aye"; those who believe the amendment is not germane will be voting "no."

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

The following roll call was recorded:

YEAS—100

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

D'Orsie	Jozwiak	Miller, B.	Stender
Davanzo	Kail	Moul	Struzzi
Delozier	Kaufner	Mustello	Tomlinson
Diamond	Kauffman	Nelson, E.	Topper
Dunbar	Keefer	O'Neal	Twardzik
Ecker	Kephart	Oberlander	Warner
Emrick	Kerwin	Ortitay	Watro
Fee	Klunk	Owlett	Wentling
Fink	Krupa	Pickett	White
Flick	Kutz	Rader	Williams, C.
Flood	Kuzma	Rapp	Zimmerman

NAYS—103

Abney	Fiedler	Krajewski	Rabb
Bellmon	Fleming	Krueger	Rozzi
Benham	Frankel	Kulik	Salisbury
Bizzarro	Freeman	Madden	Samuelson
Borowski	Friel	Madsen	Sanchez
Boyd	Gallagher	Malagari	Sappey
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	Merski	Solomon
Burns	Hanbidge	Miller, D.	Steele
C Freytiz	Harkins	Mullins	Sturla
Cephas	Harris	Munroe	Takac
Cerrato	Hohenstein	Neilson	Venkat
Ciresi	Howard	Nelson, N.	Vitali
Conklin	Isaacson	O'Mara	Warren
Curry	Kazeem	Otten	Waxman
Daley	Kenyatta	Parker	Webster
Davis	Khan	Pashinski	Williams, D.
Dawkins	Kim	Pielli	Young
Deasy	Kinthead	Pisciottano	
Delloso	Kinsey	Powell	McClinton,
Donahue	Kosierowski	Probst	Speaker
Evans			

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. **RADER** offered the following amendment No. **A02479**:

Amend Bill, page 1, lines 1 and 2, by striking out "upon death"
Amend Bill, page 1, line 8, by striking out "Upon Death"
Amend Bill, page 2, line 3, by striking out all of said line and inserting

(a) General rule.—

(1) A provider may not impose a fee for early
Amend Bill, page 2, by inserting between lines 7 and 8

(2) A provider may not impose a fee for early
termination of a service contract if a party to the contract
breaches the contract as a result of a property tax foreclosure.
Amend Bill, page 2, line 20, by striking out "(a)" and inserting
(a)(1)

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

AMENDMENT WITHDRAWN

The SPEAKER. It is the Chair's understanding that amendment is withdrawn. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **OWLETT** offered the following amendment No. **A02480**:

Amend Bill, page 1, lines 1 and 2, by striking out "upon death"
Amend Bill, page 1, line 8, by striking out "Upon Death"
Amend Bill, page 1, by inserting between lines 12 and 13
"Attendance boundary." As defined in section 2002-B of the act
of March 10, 1949 (P.L.30, No.14), known as the Public School Code
of 1949.

"Low-achieving school." As defined in section 2002-B of the
Public School Code of 1949.

Amend Bill, page 2, lines 3 through 7, by striking out all of said
lines and inserting

(a) General rule.—

(1) A provider may not impose a fee for early
termination of a service contract if a party to the contract dies
before complete performance of the contract and the executor or
administrator of the decedent's estate provides notice under
subsection (c).

(2) A provider may not impose a fee for early
termination of a service contract if a party to the contract
breaches the contract as a result of permanently moving out of
the attendance boundary of a low-achieving school and into the
attendance boundary of a school that is not a low-achieving
school. This paragraph shall not apply upon the enactment of
legislation to provide for a program to provide scholarships to
eligible students in low-achieving schools to pay tuition, school-
related fees and special education services fees for attendance at
a participating nonpublic school. The Chief Clerk of the Senate
and the Chief Clerk of the House of Representatives shall jointly
submit a notice of the enactment of legislation specified under
this paragraph to the Legislative Reference Bureau for
publication in the next available issue of the Pennsylvania
Bulletin.

Amend Bill, page 2, line 20, by striking out "(a)" and inserting
(a)(1)

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bradford County, the maker of the amendment, Representative Owlett.

Mr. OWLETT. Thank you, Madam Speaker.

HB 109 prohibits providers from using early contract termination fees due to death, and really has to do with all parties involved. So simply, my amendment, what it would do is it would add moving from a low-performing school district to a preclusion to termination fees.

GERMANENESS QUESTIONED

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

Mr. MATZIE. Thank you, Madam Speaker.

Amendment A02480 prohibits the imposition of an early termination fee for moving out of low-achieving school districts to a non-low-achieving school district. This provision is nullified if the Lifeline Scholarship Program or similar program is passed. A02480 has potential nondelegation issues, however, as they empower the Chief Clerks of the House and Senate to determine when unspecified legislation dealing with a certain subject was passed, which has the legal effect of determining when the act becomes effective. I do not think this subjective judgment is something we can delegate.

Therefore, Madam Speaker, I would like to make a motion.

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

Mr. MATZIE. Thank you, Madam Speaker.

I make a motion that amendment A02480 is not germane.

The SPEAKER. The gentleman, Representative Matzie, has raised the question of whether amendment A02480 is germane to the bill. Under House rule 27, questions involving whether an amendment is germane to the subject of the bill shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

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

Mr. MATZIE. Madam Speaker, amendment A02480 is not germane to the underlying bill because it contains provisions that run far afield of the area addressed in the underlying bill to the point, once again, where the actual title of the bill has to be changed in order to shove this amendment in. I ask the members to support the motion.

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

Mr. OWLETT. Thank you, Madam Speaker.

The reality is, this bill has completely to do with reasons for early termination fees. That is clear in the bill. And I had an interesting conversation about a year and a half ago with a young man who lived in Harrisburg. I had the opportunity to talk with him – he was going to Mansfield University – and he was telling me that he moved out of Harrisburg for one reason and one reason alone, and that was to get out of the failing school districts that are here in Harrisburg for decades upon decades. He moved to a much better district—

The SPEAKER. The gentleman will suspend.

The question is the germaneness of the amendment. The gentleman will keep his argument focused on whether or not the offered amendment is germane to the underlying bill, not on any substantive policy arguments at this moment.

The gentleman may proceed.

Mr. OWLETT. Thank you, Madam Speaker.

I believe this is germane because there are reasons that people are moving out of failing school districts to other areas of the State, and these are big decisions that are made that have to do with contracts that they might be in, and we need to look for ways

that we can help them. That is exactly what this amendment would do, and I believe it is germane to the bill because this has to do with contracts.

We have looked for obvious reasons over the decades to avoid votes just like this. We can make this vote today, and I think it is important to do. Please vote that this is germane to the bill.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those who believe the amendment is germane will be voting "aye"; those who believe the amendment is not germane will be voting "no." Members—

The Chair apologizes. The button is hit. The Chair was on a roll.

The Chair recognizes the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Completely understand of being in a groove and keeping things rolling, but I would like to discuss the amendment and the motion that is here before us.

Here we go again. Rather than vote the underlying issue, we will spend more time debating whether or not it belongs in the bill. And for those outside who are watching, it is fairly simple. We are talking about reasons to terminate a contract. The good gentleman is defending it as, death is the only reason. We happen to believe that there are some other reasons, such as failing schools, as a reason to move. It should also be included. It absolutely is germane because both deal with failing areas of the law, which is as follows: You have to terminate a contract because the law does not protect you.

The SPEAKER. The Chair thanks the gentleman.

Those who believe the amendment is germane will be voting "aye"; those who believe the amendment is not germane will be voting "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—101

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

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	Kinthead	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 amendment was declared not germane.

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 1658, PN 2087**, 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, prohibiting speculative ticketing acts or practices.

On the question,

Will the House agree to the bill on second consideration?

Mr. **ECKER** offered the following amendment No. **A02389**:

Amend Bill, page 3, line 18, by inserting after "THE" exclusive

Amend Bill, page 3, lines 22 through 30; page 4, lines 1 and 2; by striking out all of lines 22 through 30 on page 3, all of line 1 and "(e) (F)" in line 2 on page 4 and inserting

(e)

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Adams County, Representative Ecker.

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

Madam Speaker, this bill currently contains a dual enforcement mechanism, a private right of action that is unnecessary and detrimental to the true intent of the bill – or issue, I should say. My amendment would give the Attorney General the exclusive jurisdiction with an operator, venue, rights holder, or primary ticket platform that suffers an injury as a result of another person's violations of the speculative ticketing acts or practices prohibitions. By allowing the enforcement through litigation, you are also allowing for inconsistent outcomes, an added burden to the legal system, and greater potential for frivolous lawsuits.

AMENDMENT WITHDRAWN

Mr. **ECKER**. I believe that the Attorney General would be best suited to promote consistent outcomes to actually attack this issue; however, in an effort to keep this bill moving forward, I will withdraw my amendment at this time.

The SPEAKER. The gentleman withdraws his amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1278, PN 2037**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

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

Today I ask your support for HB 1278, which not only renews our soon-expiring Wiretap Act, but improves upon it by removing certain communications made in the presence of our State parole agents, commissioned police officers of the Department of Corrections, and calls from telemarketers, and it removes them from the definition of "oral communication" under the Wiretap Act. HB 1278 will extend the Wiretap Act to 2029.

This act has proven to be an extraordinary tool for our law enforcement in the prosecution of many crimes since its inception. And now we have the opportunity to pass this bill as

amended by my esteemed colleague, Representative Bonner, to further protect our citizens from the nefarious acts of manipulative telemarketers. We also help to protect both our State parole officers and State parolees by including the legal use of body cameras to ensure accountability and fairness, and the same can be said for our commissioned police officers employed by the Department of Corrections.

As such, I ask for your vote to support this bill and to ensure the extension of this much-needed tool in the arsenal of our law enforcement. Thank you.

Thank you, Madam Chair.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—110

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

NAYS—93

Table listing names of representatives who voted 'NAYS' in four columns: Adams, Armanini, Banta, Barton, Benninghoff, Bernstine, Borowicz, Brown, M., Cabell, Causer, Cook, Cooper, Cutler, D'Orsie, Davanzo, Delozier, Diamond, Fritz, Gaydos, Gillen, Gleim, Gregory, Greiner, Grove, Hamm, Heffley, Irvin, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufer, Kauffman, Kuzma, Labs, Lawrence, Leadbeter, Mackenzie, M., Mackenzie, R., Major, Mako, Maloney, Marcell, Mentzer, Mercuri, Mihalek, Miller, B., Moul, Mustello, Nelson, E., Rapp, Rigby, Roae, Rossi, Rowe, Ryncavage, Schemel, Scheuren, Schlegel, Schmitt, Scialabba, Smith, Staats, Stambaugh, Stehr, Stender, Struzzi

Table listing names of representatives who were absent in four columns: Dunbar, Ecker, Emrick, Fee, Fink, Flick, Flood, Keefer, Kephart, Kerwin, Klunk, Krupa, Kutz, O'Neal, Oberlander, Ortitay, Owlett, Pickett, Rader, Topper, Twardzik, Warner, Watro, Wentling, 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.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

On that question, the Chair recognizes the maker of the bill, the gentleman from Montgomery County, Representative Malagari.

Mr. MALAGARI. Thank you, Madam Speaker.

Madam Speaker, I rise in support of HB 1378. For those in the audience, it is PN 1538.

Last year thousands of Pennsylvanians filed complaints with the Attorney General's Office regarding issues in the ticketing presale for Taylor Swift's Eras Tour that resulted in Ticketmaster canceling the public sale of concert tickets. So some people were thinking that the system was breaking down, that there had been a glitch. But it was not a brief interruption or a slight malfunction. Really, bots were able to keep the presale tickets and scalpers were attempting to sell them for up \$28,000. Long story short, it was a bad time for fans. So Ticketmaster cited a "staggering number of bot attacks" during this incident and worked with then Attorney General Shapiro's office to reopen ticket sales to legitimate customers.

Scalpers should not have been left to their own devices. Tickets come with prices, but not vices. Entertainers, retailers, and venues want this legislation. Grinch bots create an artificial scarcity of popular and desirable products and services, and therefore, manipulate the market for consumer goods. Grinch

bots never miss a beat, they are lightning on their feet, and that is what we do not see. Consumers literally cannot compete or buy tickets as quickly as the bots can.

Ticket price gouging, scalping, and bots are not new. Thirteen years ago Governor Rendell signed an act into law prohibiting the use of ticket-purchasing software. But nothing seems to work the first few times, am I right?

So now in 2023, there are new tactics. There is new technology, and so we need new legislation. So we need to go so ahead of the curve so that the curve becomes a sphere. We need to tighten the law on this, update the language on electronic queues and waiting periods, and to cover new scam tactics.

So we can improve the online marketplace for entertainment, and we should. In our history, across our great divide, there is a glorious sunrise dappled with the flickers of light. The Federal Reserve has estimated that Swift's Eras Tour boosted the economy, and estimates suggest that boost could be up to \$5 billion. So this is not just champagne problems. With those numbers at stake for the economy, we can see how important it is to ensure a fair marketplace for tickets.

I get it. Look, players are going to play, play, play, play, play, and haters are going to hate, hate, hate, hate, hate, but here is what I am going to ask you to do, is vote "yes" on HB 1378.

Thank you, Madam Speaker.

The SPEAKER. The Chair tells the gentleman to shake it off.

On that question, the Chair recognizes the gentlelady from Delaware County, Representative O'Mara, on final passage of HB 1378.

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

I bow to you. That was good.

I will be brief. We remember all too well the pain beating on us like a drum last year when Eras Tour tickets were as hard to find as twin flame bruises. I recall late November, when fans who were ready for it fought in the great war and found the tickets sold out due to bots. While some may say no body, no crime, it should be criminal for these bots to buy up all the tickets and sell them for up to three times their original price. I am so sick of running as fast as I can to beat these bots. But despite being painted blue, we can drop everything now to prevent future catastrophes on Ticketmaster.

I know this topic is delicate for some of you, but this bill is the one, and I urge all of my colleagues to just say "yes." 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—193

Abney	Flood	Labs	Rigby
Adams	Frankel	Lawrence	Roae
Armanini	Freeman	Leadbeter	Rossi
Barton	Friel	Mackenzie, M.	Rowe
Bellmon	Fritz	Mackenzie, R.	Rozzi
Benham	Gallagher	Madden	Ryncavage
Benninghoff	Galloway	Madsen	Salisbury
Bizzarro	Gaydos	Major	Samuelson
Bonner	Gergely	Mako	Sanchez
Borowski	Gillen	Malagari	Sappey
Boyd	Giral	Maloney	Schemel

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

NAYS—10

Banta	Fink	Keefer	Scialabba
Bernstine	Gleim	Kephart	Zimmerman
Borowicz	Hamm		

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

On that question, the Chair recognizes the maker of the bill, the gentlelady from Monroe County, Representative Probst.

Mrs. PROBST. Thank you, Madam Speaker.

The wildlife rehabilitators are essential in treating and temporarily caring for our injured, diseased, and displaced wildlife. They also provide essential education in order to mitigate human-wildlife conflicts, which is a health and safety factor, and they promote the stewardship of wildlife.

A lot of people may think, and I have heard in the chamber, that I am anti-hunter and anti-wildlife. I am here for the record, my son's name is Hunter, and my family all hunts. So I am definitely looking forward to this legislation because it would establish that there is a wildlife grant to provide grants to them to care for the injured, diseased, and displaced wildlife. And while the program would be administered by the Pennsylvania Game Commission, no money would be allocated from the game fund, and I want to repeat that. They are willing to administer the grant and no money would come from the game fund.

Under this legislation, the General Assembly may appropriate money to carry out the provisions of the act. Furthermore, grants would be awarded on a first-come, first-served basis, with each organization's office location only being eligible for one grant award per calendar year. Lastly, grant awards would be determined based on the wildlife intake numbers of a wildlife rehabilitator from the previous fiscal year.

There are 35 wildlife rehabilitators in Pennsylvania. Pocono Wildlife represents 12 counties. We need to fund them. So I am asking for a "yes" vote to HB 1522. Thank you.

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—103

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

Deasy	Kinlead	Powell	
Delloso	Kinsey	Probst	McClinton,
Donahue	Kosierowski	Rabb	Speaker
Evans			

NAYS—100

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

SB 224 RECONSIDERED

The SPEAKER. The Chair is about to take up a motion to reconsider. Moved by Representative Bradford and Representative Harris that the vote by which SB 224 was defeated on final passage be reconsidered.

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

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

Mr. BRADFORD. Thank you, Madam Speaker.

I would ask everyone to please vote "yes" on the motion to reconsider, as it may be wise to relook at this bill.

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

Mr. CUTLER. Thank you, Madam Speaker.

Respectfully, I have heard from the County Commissioners Association; they have concerns about the date. I think it is too late. We had the opportunity to pass this bill and it was not carried. If my memory serves correctly, I believe we only had 27 votes in the affirmative. I think that we would be best to simply let dead bills be dead. I urge a "no" vote.

The SPEAKER. Those in favor of the motion will be voting "aye"; those opposed will be voting "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	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	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.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds her announcement that SB 224 was agreed to on third consideration.

MOMENT OF SILENCE OBSERVED

The SPEAKER. Members, if I can have your attention. The House is about to take up a moment of silence. If the Sergeants at Arms will close the doors of the House and if all the members can please take their seats at this moment.

Thank you, colleagues.

It is with a very heavy heart this afternoon that we take a moment to recognize a fallen officer from the Philadelphia Police Department. Officer Richard Mendez, a 22-year veteran of the force, was killed in the line of duty at the Philadelphia International Airport on the evening of Thursday, October 12, 2023. Officer Mendez and his partner, Officer Raul Ortiz, had just arrived for their shift at the airport, where they were both assigned as officers of the department's airport unit, when they came across a group of individuals attempting to break into a car in one of the airport's parking garages. As the officers approached the group, the individuals attempting to break into the car opened fire on the officers, fatally wounding Officer Mendez and injuring Officer Ortiz.

I am grateful to say that Officer Ortiz is now home recovering from his injuries, but I am very, very sad that Officer Mendez, although taken to Penn Presbyterian Medical Center, one of the best trauma centers in the nation, ultimately, he succumbed to his wounds and passed away.

Officer Mendez leaves behind a lovely family, a wife and a daughter, as well as a very decorated career of service and leadership within the Philadelphia Police Department. Officer Mendez has been described by his family as someone who worked very hard to serve the community, and he loved spending time with his family and he always wore a smile.

We are very grateful for his dedicated public service, and we send our condolences, love, and support to the family he left behind and to all of the mourning women and men in uniform.

I would ask all the members of this august body to please rise in a moment of silence in honor of fallen Philadelphia Police Officer Richard Mendez.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Officer Richard Mendez.)

The SPEAKER. Thank you, colleagues.

The Sergeants at Arms will open the doors of the House.

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

BILLS RECOMMENDED

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

HB 109;
HB 754;
HB 1658;

SB 224;
SB 694; and
SB 851.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1556 be removed from the tabled calendar and placed on the active calendar.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, the Chair is in receipt of some good information. Two members from Philadelphia County just celebrated their birthdays. Happy birthday, Representative Donna Bullock. Happy birthday, Representative Tarik Khan.

Happy birthday, Representative Giral – three members from the county from which I hail.

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 from the gentelady from Monroe County, Representative Probst, that the House now adjourn until Tuesday, October 17, 2023, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:28 p.m., e.d.t., the House adjourned.