

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, MAY 26, 2021

SESSION OF 2021

205TH OF THE GENERAL ASSEMBLY

No. 31

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (BRYAN CUTLER)  
PRESIDING**

#### PRAYER

HON. FRANCIS X. RYAN, member of the House of Representatives, offered the following prayer:

Mr. Speaker, thank you so much for allowing me to offer this prayer today for children and families, and members, I ask you to please join with me as we celebrate this prayer to honor children and parents, as we cherish them and nurture them throughout life. And this is a prayer that I offer each day and I hope that you join with me.

O God, the Father of mankind, who hast given unto me these my children, and committed them to my charge to bring them up for Thee, and to prepare them for eternal life: help me with Thy heavenly grace, that I may be able to fulfill this most sacred duty and stewardship. Teach me both what to give and what to withhold; what to reprove and when to forbear; make me to be gentle, yet firm; considerate and watchful; and deliver me equally from the weakness of indulgence and the excess of severity; and grant that, both by word and example, I may be careful to lead them in the ways of wisdom and true piety, so that at last I may, with them, be admitted to the unspeakable joys of our true home in heaven, in the company of the blessed angels and saints. 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 Tuesday, May 25, 2021, will be postponed until printed.

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

**HB 508, PN 1562**

By Rep. COX

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, establishing the Back-to-Work Bonus Program; and making an appropriation.

LABOR AND INDUSTRY.

**HB 512, PN 1632 (Amended)**

By Rep. ROAE

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for general requirements.

COMMERCE.

**HB 922, PN 911**

By Rep. COX

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for compensable injuries, subrogation and proration.

LABOR AND INDUSTRY.

**HB 993, PN 1628 (Amended)**

By Rep. COX

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth agency fees, further providing for Department of Labor and Industry to collect fees.

LABOR AND INDUSTRY.

**HB 1059, PN 1630 (Amended)**

By Rep. PEIFER

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 withholding tax requirement for nonemployer payors, for information statement for nonemployer payors, for information statement for payees and for declarations of estimated tax, providing for electronic payment and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees.

FINANCE.

**HB 1103, PN 1140**

By Rep. ROAE

An Act amending the act of December 20, 1982 (P.L.1404, No.325), known as the Self-Service Storage Facility Act, further providing for owner's lien, for enforcement of lien, for notice, for advertisement of sale and for location of sale.

COMMERCE.

**HB 1230, PN 1295**

By Rep. PEIFER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, further providing for political subdivision and volunteer service use of tax-free motor fuels.

FINANCE.

**HB 1303, PN 1631 (Amended)**

By Rep. PEIFER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax credit eligibility, further providing for definitions and for eligibility and providing for application and administration, for assessment, for administering agency training, for broker registration, for tax credit and tax benefit reports, for allocation of tax credits awarded upon appeal and for guidelines; in research and development tax credit, further providing for credit for research and development expenses, for carryover, carryback, refund and assignment of credit and for report to General Assembly; in keystone innovation zones, further providing for keystone innovation zone tax credits and for annual report; in procedure and administration, further providing for petition for reassessment, for petition procedure and for review by board; and making editorial changes.

FINANCE.

**HB 1387, PN 1629 (Amended)**

By Rep. COX

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in Uninsured Employers Guaranty Fund, further providing for claim petition.

LABOR AND INDUSTRY.

(This committee report was later corrected to reflect that the bill was reported as committed. See corrective reprint, printer's No. 1657, June 2, 2021.)

**SB 74, PN 684**

By Rep. PEIFER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for pediatric cancer research tax credit.

FINANCE.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1481** By Representatives B. MILLER, SMITH, HICKERNELL, MILLARD, PICKETT, JAMES, KULIK, GLEIM, GROVE, MOUL, HAMM, THOMAS, ZIMMERMAN, RYAN, RADER, WHEELAND, MASSER, ROWE, HERSHEY, R. MACKENZIE, KEEFER, WARNER, SCHMITT, LEWIS, FRITZ, SCHEMEL, OWLETT, POLINCHOCK, DIAMOND, KLUNK, EMRICK, BERNSTINE, COOK and MIZGORSKI

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in the Governor and disaster emergencies, further providing for general authority of Governor.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 26, 2021.

**No. 1484** By Representatives KAIL, BERNSTINE, COOK, SCHLEGEL CULVER, ECKER, HAMM, HENNESSEY, HERSHEY, HILL-EVANS, KAUFFMAN, MOUL, PISCIOTTANO and ROZZI

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, further providing for hotel room rental tax in third through eighth class counties.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, May 26, 2021.

**No. 1485** By Representatives QUINN, FREEMAN, D. WILLIAMS, TOMLINSON, ROTHMAN, KULIK, SMITH, CONKLIN, THOMAS, MADDEN, SCHLOSSBERG, HILL-EVANS, POLINCHOCK, BROOKS, RYAN, SCHLEGEL CULVER, DELLOSO, ZIMMERMAN, R. BROWN, STEPHENS, WARREN, CIRESI, ROZZI, STRUZZI, GILLEN and PISCIOTTANO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing the Active Volunteer First Responder Education Tax Credit Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 26, 2021.

**No. 1487** By Representatives POLINCHOCK, TOMLINSON, SCHROEDER, THOMAS, LABS, STAATS, FARRY, BOBACK, R. BROWN, SCHLEGEL CULVER, T. DAVIS, DRISCOLL, HILL-EVANS, JAMES, LEWIS DELROSSO, LONGIETTI, MILLARD, MIZGORSKI, NEILSON, RADER, ROWE, SCHMITT, STRUZZI and QUINN

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 Hospitality Industry Recovery Program; and making an appropriation.

Referred to Committee on COMMERCE, May 26, 2021.

**No. 1491** By Representatives STAMBAUGH, COOK, COX, ECKER, GROVE, HAMM, HEFFLEY, JAMES, KAUFFMAN, KEEFER, KERWIN, MALONEY, METCALFE, PENNYCUICK, PICKETT, ROTHMAN, ROWE, RYAN, SCHMITT, SMITH and ZIMMERMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms.

Referred to Committee on JUDICIARY, May 26, 2021.

**No. 1493** By Representatives BOROWICZ, HENNESSEY, MALONEY, DAVANZO, SCHMITT, BURNS, STRUZZI, HILL-EVANS, COX, VITALI, ROZZI, HAMM, MILLARD, CAUSER, MOUL, NEILSON and ROWE

An Act designating a bridge, identified as Bridge Key 12165, carrying Pennsylvania Route 150 over the Bald Eagle Creek, in Bald Eagle Township, Clinton County, as the Colonel Henry Bossert Memorial Bridge.

Referred to Committee on TRANSPORTATION, May 26, 2021.

**No. 1494** By Representatives DALEY, McCLINTON, FRANKEL, SCHLOSSBERG, FREEMAN, SAMUELSON, LEE, GUENST, SANCHEZ, HOWARD, HOHENSTEIN, GILLEN, KRAJEWSKI, McNEILL, HILL-EVANS, WEBSTER, GALLOWAY, WARREN, SIMS and INNAMORATO

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in general administration, further providing for State recording system for application of restraints to pregnant prisoners or detainees; in county correctional institutions, further providing for county recording system for application of restraints to pregnant prisoners or detainees; and, in miscellaneous provisions, further providing for healthy birth for incarcerated women.

Referred to Committee on JUDICIARY, May 26, 2021.

**No. 1495** By Representatives MULLINS, ROTHMAN, ROZZI, KINSEY, BURGOS, SANCHEZ, KULIK, SCHLOSSBERG, A. DAVIS, HOWARD, FREEMAN, SAINATO, WEBSTER, CIRESI, MALAGARI, GALLOWAY and INNAMORATO

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for leaves of absence, for anti-retaliation protection for military spouses and for employment protection.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 26, 2021.

**No. 1496** By Representatives MULLINS, ECKER, MARKOSEK, ROTHMAN, ROZZI, KINSEY, RYAN, CONKLIN, HARKINS, FREEMAN, HERSHEY, PASHINSKI, MALAGARI and GALLOWAY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of bullying.

Referred to Committee on JUDICIARY, May 26, 2021.

**No. 1497** By Representatives JONES, MOUL, ZIMMERMAN, NEILSON, ROTHMAN, DOWLING, PUSKARIC, HERSHEY and ROWE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for rights of municipalities preserved.

Referred to Committee on LIQUOR CONTROL, May 26, 2021.

## SENATE BILLS FOR CONCURRENCE

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

### SB 82, PN 60

Referred to Committee on CONSUMER AFFAIRS, May 26, 2021.

### SB 403, PN 394

Referred to Committee on GAME AND FISHERIES, May 26, 2021.

### SB 521, PN 541

Referred to Committee on JUDICIARY, May 26, 2021.

## LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence. Are there any requests for leaves of absence?

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

The Chair now recognizes the Democratic whip, who indicates that there are none. The Chair thanks the gentleman.

## 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—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappey
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causer	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats

Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Deloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinthead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuik	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

### CONDOLENCE RESOLUTION

The SPEAKER. The House will please come to order. Members, please take your seats. We are about to take up a condolence resolution of a House employee. Members, please take your seats, clear the aisles. Move any conversations off the back of the House.

We are about to take up a condolence resolution for an employee from the Democratic Caucus. The Sergeants at Arms will please close the doors of the House.

The Clerk will please read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of Gail McDermott, who passed away at the age of seventy on April 23, 2021; and

WHEREAS, Born on October 23, 1950, Ms. McDermott began her career with the House of Representatives of Pennsylvania as a Legislative Assistant in 1994. Three years later, she joined the Democratic Caucus's Office of Member Services, serving as an Administrative Assistant and then a Research Analyst. In 2008, Ms. McDermott was named Director of the Office of Member Services. After the office was restructured and renamed as District Operations and Outreach in 2018, she became its first Director. A mentor to countless staff members of the House of Representatives of Pennsylvania, Ms. McDermott also provided advice to legislators on how to better

serve their constituents. Active in her community, she served several terms as Chair of the Cumberland County Democratic Party and was active with the Daughters of the American Revolution; and

WHEREAS, A beloved family member, dedicated worker and avowed community steward, Ms. McDermott generously gave of her heart and time to enhance the quality of life of her family and community, and her loss will be felt by the many individuals who knew, admired and loved her; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of Gail McDermott; and extend heartfelt condolences to her husband, John McDermott; son, Andrew; grandsons, Patrick and Declan; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Joanna McClinton, MaryLouise Isaacson, Joseph C. Hohenstein and Sheryl M. Delozier on April 30, 2021, be transmitted to John McDermott.

Joanna McClinton, Sponsor  
MaryLouise Isaacson, Sponsor  
Joseph C. Hohenstein, Sponsor  
Sheryl M. Delozier, Sponsor

Bryan Cutler, Speaker of the House

ATTEST:

Brooke Wheeler, Acting Chief Clerk of the House

On the question,

Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will please rise and remain standing as a mark of respect for the deceased employee. Guests will also please rise.

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

The SPEAKER. The resolution has been unanimously adopted. You may be seated.

### REMARKS BY SPEAKER

The SPEAKER. I had the brief opportunity to speak with the family immediately prior to session. They were listed during the reading of the resolution, but I would like to recognize them once again; please stand. We have with us, in the well of the House, John McDermott, who is currently working for Representatives Isaacson and Hohenstein; Andrew, Gail's son, and his wife, Julie; and the grandsons who were mentioned, Patrick and Declan. Thank you very much for sharing time with us here today.

I want to just invite the members, at the break here, to please feel free to come down and share any personal stories you might have of working with Gail. You may be seated.

We as elected officials get the blessing of working with wonderful staff, and, John, I know that is something that you yourself are also very aware of. And I often say that our staff have the toughest job, because any time that we make a vote that people disagree with or they are upset with us, they call in and yell at you, and then any time that we are out in the public and we get thanked for something that got done – in terms of fixing a driver's license or helping somebody with an issue – it was also you. And so we get thanked for all the great work you do, and then, unfortunately, sometimes you catch the brunt of some

things that we do up here. We are great members because we have great staff.

And I also recognize that as family members, it is not just the staff who sacrifice long hours up here on behalf of service to the Commonwealth. As family members, you all also do, because there are events that we sometimes miss, and I appreciate that you were willing to share your family with us.

We are very thankful for the service to the Commonwealth and its citizens, and we are very, very sad for your loss.

### REMARKS BY DEMOCRATIC LEADER

The SPEAKER. With that, I will turn it to Madam Leader, Leader McClinton, for some brief comments.

Ms. McCLINTON. Thank you, Mr. Speaker, and good morning again.

Gail McDermott was a 27-year employee of the Democratic Caucus of the Pennsylvania House of Representatives. She had very deep roots right here in central Pennsylvania and in Cumberland County.

She joined our staff in 1994, first as a legislative assistant. In 1997 she helped to create the Democratic Caucus's Office of Member Services, serving first as an administrative assistant and then as a research analyst. In 2008 Gail was named director of the Office of Member Services, and when the office was later restructured and renamed District Operations and Outreach, she became the first director.

Mr. Speaker, Gail's colleagues from the staff of the District Operations and Outreach are here with us today as we honor and remember our friend. They are seated up in the gallery. If you all could please stand. Thank you.

We know that it is teamwork that makes any dream work, and during her 27 years of faithful, dedicated House service, Gail was known to be a true team leader who had an unselfish, unassuming brand of leadership. She would be the last to boast about all of her accomplishments and the impactful work she did both inside and outside the building. The idea that we are talking about her like this right now, she would say, that is enough. Shut up, Madam Leader, please.

Her first goal was not to get the credit, but to always help others succeed. That was true for members of the House that she worked with, along with so many others. Gail was a mentor to countless generations of district staff, so many over all of this time. She shared her knowledge, her experience, and helped people learn and grow. She was patient and a wise listener for dozens of lawmakers when we were always seeking ways to best serve our constituents in our district offices.

Mr. Speaker, Gail was a true believer of American democracy. She was a member of the Daughters of the American Revolution, and she served several terms as the chairperson for the Cumberland County Democratic Party. But her greatest joy, we all know, was her family, and that is why we are certainly continuing to pray for you all throughout this loss.

She is survived by her husband – and another amazing House dedicated team member – John McDermott, and along with her son – we are so glad to see you today – Andy and Julie, and the grandsons, Patrick, and the communicator, who talks a lot, like me, Declan.

Gail certainly meant the world to so many members and to our staff and our caucus, and she meant even more to her actual loving family. I know you all miss her so very much, just as we do. Sometimes when you work in these types of environments, our lives become our work, and so many of us have been touched by the hard work of this great and gentle woman.

I just learned, Mr. Speaker, in talking to John a few minutes ago, that Gail grew up as a child watching every Democratic National Convention with her father. She never would have dreamt that one day she would be a part of this process.

This morning I started my day listening to a message on what does it mean to live in purpose? What does it mean to fulfill the visions that you have for your life? And the Speaker shared that when you live out your purpose, you will never be forgotten. Certainly, that was Gail McDermott. She lived out her purpose – whether she was working with a State committee outside the building, whether she was giving the gentle lady from Cumberland County a lot of trouble by getting all of those people registered as Democrats – whatever she was doing, she was doing it to live out her purpose and her childhood dreams that came to fruition and that involved impacting the whole Commonwealth.

How can one office impact the entire Commonwealth? Well, if you are training the district staff, if you are letting people know how to answer the phones and how to engage and how to impact the community – whether rural or urban or suburban – you as 1 person end up impacting 12 million, and for that, we will always, always remember Gail McDermott and continue to pray for comfort and that every memory brings you joy and encouragement, because she will never be forgotten.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Madam Leader.

### REMARKS BY MRS. ISAACSON

The SPEAKER. The Speaker would now like to recognize Representative Isaacson for remarks.

Mrs. ISAACSON. Thank you, Mr. Speaker.

And so much has been said about Gail. I am not going to repeat about all her dedicated service or how hard she worked on behalf of our caucus. As each one of us came in in our caucus, she was like a mother to us – helping us get our offices up and running, she and her staff dedicated to making sure that we were able to have proper outreach and reach our constituents and have all of our needs met. And in that way, just like to you, Andy and Julie, she was a mom to all of us, and she will be greatly missed.

But some anecdotal things about Gail. I find it amusing that we mentioned the Democratic National Convention. Gail and I were at the Democratic National Convention a few years back and we got to go see Secretary Clinton, at the time, and it was the highlight of her life to finally get there in person. And I was glad to share that experience with her as she was there representing Cumberland County as their chair, a role she took very seriously and was very proud of how she helped build the party in Cumberland County.

I have known John and Gail for 15 years and they have been a part of my political family, and while we heard about her being a Daughter of the Revolution today, you know, something most people would not know is that she was also an avid Yankees fan

and a Cowboys fan, and how she and John were able to live together for all these years with him being a Philly and an Eagles fan, I will never know, but it says a lot about them and what a great relationship they had.

They met on the first Bill Clinton campaign. They met phonebanking, and John will tell you that he did not speak to many voters that night when he met Gail because he was too interested in talking to her. And they had a wonderful, loving marriage for all of these years, and I was happy to be a part of their family and know how much and how deeply we all miss Gail, but her memory will live on in all the hard work that she has done and all the hard work you will continue doing for our caucus.

So thank you, Andy and Julie, and the boys for sharing her with us, and, John, know that our thoughts are always with you. Thank you.

The SPEAKER. The Chair thanks the lady.

### REMARKS BY MS. DELOZIER

The SPEAKER. The Chair recognizes the gentlewoman from Cumberland, Representative DeLozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

Not a lot more that I can say. You certainly have talked about Gail and all that she has done, all the impacts that she has had and the only thing that I wanted to add is, many times, as you have seen her biography – obviously, we had some philosophical differences – but Gail and I always went at it and to John and had those conversations, and the only thing that I really wanted to add is wholeheartedly, all of us in this chamber, we all are elected and we are elected to serve our communities, but we cannot do that without people being involved in the democratic process, as was mentioned by the leader the ability for her and how important that was to her, the democratic process.

So time and time again you served as a borough council member, she served as the chair of the Democratic Party – we need those folks in our communities with differing viewpoints, with differing philosophies, to have that debate. That is what America is built on.

Thank you for your time as a council member and her serving as the Democratic chair, because time and time again, as was mentioned, it takes away from family. And I remember when she retired, and we had a long conversation about her hanging it up, but the ability for her to recognize that she wanted to be with her grandsons, so that was her priority. She adored the two of you, as well as, obviously, her children, and the ability to talk about all of her family was very important to her.

But thank you for sharing her with us. She added a lot to the debate. She will continue to do so, I am sure, from above; she will poke and prod us, I am sure, on many, many issues. But thank you for sharing her with us, and we are all better when we have people that we can talk to on all sides of the issues. So thank you very much.

The SPEAKER. The Chair thanks the lady.

And again on behalf of the House, we express our sincere thanks for the years of service and sacrifice that your family has made. It is with deep sorrow that we acknowledge the loss.

At this time the House will be briefly at ease so the family can exit the floor, and as I expressed before, I think sometimes it is very good to always share memories and the "legacy," I think was

the word that Leader McClinton used, in terms of living up to our fulfillment.

So we will invite the family up here for a picture and presentation of the citation recognizing the service and the loss, and then we will go at ease briefly so that they can exit the floor as we move on.

The House will please return to order.

### PAUL PARSELLS PRESENTED

The SPEAKER. We now will get to recognize another great employee. Today I am pleased to recognize a very familiar face around the halls of the State Capitol once again here on the House floor. Following 38 years of distinguished service to the House Democratic Caucus, Paul Parsells is retiring. Paul, on behalf of the entire House of Representatives, I thank you for your many years of hard work and the loyalty to this institution.

Working for seven different committee chairs, serving as chief of staff to former Speaker Keith McCall and later to Democratic Leaders Frank Dermody and Joanna McClinton, you certainly experienced a lot over those past nearly four decades. During this time, your steady hand has guided the Democratic Caucus through various challenges; be they personal or policy-related, your leadership provided stability and continuity when it was needed the most.

Today we salute you, Paul, and this recognition is well deserved. I know that Leader McClinton will shortly pay tribute to you as well, but before she begins, I would like to recognize some of our former leaders and members who have joined us here today. Seated to the left of the rostrum, please give a warm welcome to former Speaker Keith McCall, who served as Speaker during the 2009-2010 session and represented the 122d District for 27 years. Seated with him is his son, Keith McCall, Jr. Welcome, Mr. Speaker.

I also would like to take this opportunity to welcome Paul's good friend and former Representative Joe Preston. Joe served as chairman of the Consumer Affairs Committee and represented the 24th district for nearly 30 years. We are very pleased to welcome Paul's wife, Michele, and daughters, Ashley and Rachel, who will be seeing a little more of their husband and father, I think, after today. Representative Preston, members of the family, welcome.

It is with some sadness that we recognize all of these individuals today because, just speaking personally for a moment, Gail as well as Paul were familiar faces that I had seen every year during my time in the House. And, Paul, on a personal note, I always enjoyed our meetings between the leaders. I enjoyed our time together, hearing the different stories and the different approaches that all of our predecessors had. That experience will certainly be missed.

The humor we could always use a little more of, so feel free to share some of those stories privately as you have time – which I think you will have plenty of time now if your family does not overload you with things to do at home. But I, for one, again, I want to recognize the greatness of our staff. I want to thank you for your service, thank your family for the sacrifices they have made through the years, because budgets were not always easy. The legislative cycle is not always timely in terms of the hours of operation, but yet you were always here making sure that we were well served.

So thank you for your service. You will certainly be missed. Congratulations, Mr. Parsells, and enjoy your retirement. I also know how much Paul loves to be the center of attention, so I am very grateful that he is indulging us here.

### REMARKS BY DEMOCRATIC LEADER

The SPEAKER. With that, I will turn it over to Leader McClinton for some additional remarks.

Ms. McCLINTON. Thank you, Mr. Speaker.

Paul Parsells is indeed a very familiar face here at the Capitol. It is fitting that we recognize him as he retires. My staff was a little surprised, given how long Paul has worked here, that there really are not a lot of pictures of him, as we tried to put together a little video. That is because even though he has been around, he has always been in the background, making sure things get done and that they get accomplished.

He actually has not been seeking to be the center of attention, and people outside the House might not know this much about Paul, but the people who work here understand that even if you do not see him in the photographs, he has been busy working hard behind the scenes

He joined the House staff in May of 1983 with the Transportation Committee. At that time Ronald Reagan was our President, Richard Thornburgh was the Governor, and K. Leroy Irvis was the Speaker of the House. I was going to say where I was, Paul, but I did not think that was appropriate. I was here in '83.

Paul actually first worked at the Capitol 10 years before that when he had a summer job here. He was picking up the trash, moving furniture, and polishing brass all over the Capitol – my goodness. Mr. Speaker, even as a young man, Paul was making all of us look good. After playing collegiate soccer in Georgia, he first worked for 2 years in the Pennsylvania Auditor General's Office before finding his way to the House and the 38-year career that awaited him.

For more than two decades he served for the House Transportation Committee, and he shared with me that when one of his daughters was getting ready to be driving age, he changed the driving laws – single-handedly. You might have been changing them for me, too, Paul. I do not know, depends on what year it was. But for all of that time, he was the Democratic boating designee on the State Transportation Commission.

The Speaker mentioned that he served seven different chairmen on that committee. They included Representatives Joe Petrarca, Sr., Ronald Gamble, Richard Olsz, Joseph Battisto, Italo Cappabianca, Michael McGeehan, and of course, the former Speaker, Keith McCall.

In 2007 Paul moved along with Keith McCall to the majority whip's office, and when Keith became Speaker of the House in 2009, he named Paul Parsells as his chief of staff.

Mr. Speaker?

The SPEAKER. Yes, Madam Leader?

Ms. McCLINTON. If we could just have order.

The SPEAKER. We do, and you may proceed.

Ms. McCLINTON. Thank you.

For several months in that year, Paul was doing double duty. He served as the acting Chief Clerk of the House. He later joined our immediate former leader, Democratic Leader Frank Dermody. As chief of staff for the Democratic Caucus, Paul has

overseen hundreds of staff people that are spread around the entire Commonwealth, and of course, meeting the needs of all of our demanding members. Holding that job often means telling people no. Raise your hand if Paul ever told you no. Keep your hand raised if he told you no before you made the ask. Oh, wait – his daughters are raising their hands too. So it was not just in the Capitol. It was at least at home as well.

He was telling us no for my entire career here, my journey, and so many of our members. And while whom I affectionately call Mama McClinton was hoping Paul would stay for my, hopefully, first term as leader, I said, "Mom, I think the members want a little change. They want to be told yes from time to time, as appropriate."

But the Paul we know has given special attention to the development of our staff, their health and well-being. He has been able to truly transform and modernize our Pennsylvania House Democratic Caucus operation. He made sure that we added a trainer to our staff who is dedicated to helping hundreds of members learn new skills, and certainly in the COVID pandemic that we are still in, he oversaw the almost overnight jump to teleworking by most of our staff.

He worked with the Chief Clerk and he worked across the aisle to ensure that the voting sessions would continue and that the proxy voting worked effectively. These changes had never been attempted before even in a career as long as Paul's. He saw a new challenge, was able to rise to it, and succeed.

Mr. Speaker, not everyone may know that Paul is directly related, on his mother's side, to one of the Founding Fathers, James Madison. Madison, through his actions and words, was one of the greatest forces in the creation of our United States. It is worth noting that link; while Paul is too humble to mention it, we see him as one of the principal architects of our caucus's modernization in current form. He served our caucus. He served the people of Pennsylvania for just about four decades. He wrote countless bills and amendments, managed hundreds of projects, approved the hiring of staff; when it was warranted, he even had to let some of them go.

He did his job so well that for more than a decade, he has been at the top of our staff structure in a position where it often fell to him to be the one that would even tell us his favorite word: "no." But even then he has kept all of our respect and all of our affection, and that is not an easy task.

Paul's family is here with us today, and we are so very excited to have you, Michele, and of course Rachel and Ashley, whom he sometimes says that I remind him of. He has also got his handsome grandson, whom he has been able to spend a lot more time with lately, and I know that he is one of the main reasons why Paul finally decided to retire.

So to all of the Parsellses that are here, we cannot thank you enough for four decades of sharing him in a major way with all of us and our entire Commonwealth of Pennsylvania. And on behalf of our caucus, Paul, if we have not said it before, thank you.

The SPEAKER. Thank you, Madam Leader.

If you would like to come up to the rostrum, we can do the presentation to Mr. Parsells now. Paul, we will invite you up to the rostrum; you, your family. Speaker McCall and Chairman Preston, if you would like to join us, you may feel free to do so.

### GUESTS INTRODUCED

The SPEAKER. Located in the gallery, the Chair is pleased to welcome Jessica Lofton. She is a senior at Perkiomen Valley High School and she will be attending Lock Haven University in the fall. She is the guest of Representative Webster. Jessica, please rise and be welcomed.

Also located in the gallery, the Chair is pleased to welcome Jean Miller, who is the grandmother-in-law of Representative Kenyatta. She is visiting here from California.

Located in the gallery, the Chair is also pleased to welcome family and friends of Frank Ciaccio, also known as Hank Cisco. He passed away on January 14, 2020, at the age of 96. He was the longtime honorary ambassador of Norristown and cheerleader of most everything that was connected to Montgomery County.

He hosted a cable access program for three decades, was a professional boxer, a police officer, and a detective.

Joining us today are Hank's daughters, Joanne Marano, Mary Ciaccio, and Carol Griffith and her husband, Richard; Hank's niece, Joanne Olszewski; and close family and friends Dick Mardi, Dave Sereny, Rochelle Culbreath, Mary Ellen DiGregorio, and Deborah Cranata. They are the guests of Representative Bradford. Welcome.

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

**SB 664, PN 815** (Amended)

By Rep. SONNEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for extended special education enrollment due to COVID-19; and, in terms and courses of study, providing for optional year of education due to COVID-19.

EDUCATION.

The SPEAKER. Turning to caucus announcements and committee announcements.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Is the gentleman, Representative Saylor, seeking recognition for a committee announcement?

The gentleman is recognized and you may proceed.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately at the recess in the majority caucus room, Mr. Speaker. Thank you.

The SPEAKER. The Appropriations Committee will meet immediately at the recess in the majority caucus room.

### REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will caucus at 1 o'clock in the majority caucus room, both live and virtually. We will be prepared to be back on the floor at 2:15. So Republicans will meet at 1 o'clock in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

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

Mrs. EVANS. Thank you, Mr. Speaker.

The Democrats will caucus at 1 o'clock. Again, the Democrats will caucus at 1 o'clock. Thank you.

### RECESS

The SPEAKER. This House will stand in recess until 2:15, unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 2:46 p.m.; further extended until 3:03 p.m.

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

**HB 141, PN 107**

By Rep. SAYLOR

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots.

APPROPRIATIONS.

**HB 221, PN 188**

By Rep. SAYLOR

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

APPROPRIATIONS.

**HB 490, PN 453**

By Rep. SAYLOR

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for active duty military fishing reciprocity and for disabled veteran annual fishing license reciprocity; and, in hunting and furtaking licenses, providing for active duty military hunting reciprocity and for disabled veteran annual hunting license reciprocity.

APPROPRIATIONS.

**HB 681, PN 1187**

By Rep. SAYLOR

An Act prohibiting enforcement of covenants not to compete in health care practitioner employment agreements.

APPROPRIATIONS.



**HB 996, PN 1617**

By Rep. SAYLOR

An Act providing for access to long-term care facilities for members of the clergy, for additional safety requirements for residents, for suspension of access for members of the clergy and for personal protective equipment for members of the clergy.

APPROPRIATIONS.

**HB 1122, PN 1170**

By Rep. SAYLOR

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

APPROPRIATIONS.

**HB 1169, PN 1449**

By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for definitions, for changes in assessed valuation and for abstracts of building and demolition permits to be forwarded to the county assessment office.

APPROPRIATIONS.

**HB 1184, PN 1616**

By Rep. SAYLOR

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in creation and alteration, further providing for definitions, for contiguous areas, for applications, for borough advisory committee, for adjustment of indebtedness, for judicial adjustment, for judicial adjustment award proceedings, for compensation, expenses and costs, for territory located in multiple counties and for bond issues and taxation; in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

APPROPRIATIONS.

**HB 1213, PN 1273**

By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to home rule and optional plan government, further providing for definitions, providing for appointment of government study commission in distressed municipality and further providing for first meeting of commission, for function and duty of commission, for hearings and public forums, for report of findings and recommendations, for limitation on enactment of ordinance or filing of petition and for limitation on municipal powers.

APPROPRIATIONS.

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

**HB 1508, PN 1603**

By Rep. SAYLOR

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of

Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

APPROPRIATIONS.

**HB 1509, PN 1604**

By Rep. SAYLOR

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

APPROPRIATIONS.

**HB 1510, PN 1605**

By Rep. SAYLOR

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

APPROPRIATIONS.

**HB 1511, PN 1606**

By Rep. SAYLOR

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

APPROPRIATIONS.

**HB 1512, PN 1607**

By Rep. SAYLOR

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

APPROPRIATIONS.

**HB 1513, PN 1608**

By Rep. SAYLOR

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021.

APPROPRIATIONS.

**HB 1514, PN 1609**

By Rep. SAYLOR

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the fiscal year July 1, 2021, to June 30, 2022.

APPROPRIATIONS.

**HB 1515, PN 1610**

By Rep. SAYLOR

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2021, to June 30, 2022.

## APPROPRIATIONS.

**HB 1516, PN 1611**

By Rep. SAYLOR

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2021, to June 30, 2022, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2021; and making additional appropriations from the restricted revenue accounts within the State Gaming Fund to the Pennsylvania State Police for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020.

## APPROPRIATIONS.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 243, PN 688**

Referred to Committee on GAMING OVERSIGHT, May 26, 2021.

**SB 341, PN 375**

Referred to Committee on CONSUMER AFFAIRS, May 26, 2021.

**SB 426, PN 430**

Referred to Committee on STATE GOVERNMENT, May 26, 2021.

**SB 442, PN 460**

Referred to Committee on CONSUMER AFFAIRS, May 26, 2021.

**SENATE MESSAGE****HOUSE BILLS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 832, PN 814**, and **HB 1101, PN 1132**, with information that the Senate has passed the same without amendment.

**BILLS SIGNED BY SPEAKER**

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

**HB 832, PN 814**

An Act designating a bridge, identified as Bridge Key 37135, located on Pennsylvania Route 92 over the Susquehanna River, Falls Township, Wyoming County, as the Falls Veterans Memorial Bridge.

**HB 1101, PN 1132**

An Act designating a portion of Pennsylvania Route 981 from the intersection with Pennsylvania Route 819 to the intersection with State Route 2021 in Mount Pleasant Township, Westmoreland County, as the Honorable Mike Reese Memorial Highway.

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

**CALENDAR****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 142, PN 108**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in facilities and supplies, further providing for deposits into account.

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 1348, PN 1442**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for Department of Human Services.

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 253, PN 1415**, entitled:

An Act establishing a task force on the opioid abuse epidemic's impact on children and providing for powers and duties of the task force.

On the question,

Will the House agree to the bill on second consideration?

Ms. **DeLISSIO** offered the following amendment No. **A01046**:

Amend Bill, page 3, lines 26 through 30; page 4, lines 1 through 4; by striking out all of said lines on said pages and inserting

(4) Three members appointed by the Senate, as follows:

(i) two members appointed by the President pro tempore of the Senate, one of whom shall be a layperson who is a biological parent, foster parent or adoptive parent of an infant or young child with current or previous involvement in the child welfare system as a result of a parent's substance abuse; and

(ii) one member appointed by the Minority

Leader of the Senate.

(5) Three members appointed by the House of

Representatives, as follows:

(i) two members appointed by the Speaker of the House of Representatives, one of whom shall be a layperson who is a biological parent, foster parent or adoptive parent of an infant or young child with current or previous involvement in the child welfare system as a result of a parent's substance abuse; and

(ii) one member appointed by the Minority Leader of the House of Representatives.

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

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

Except for laypersons appointed under paragraphs (4)(i) and (5)(i), individuals

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

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the opportunity to work with the prime sponsor on this bill and to include on this task force consumers, "consumers" being defined as those individuals who may have a lived experience, such as folks who may have gone through a substance abuse problem while having babies.

So this will be very, very helpful to the task force overall, and I appreciate the opportunity now for the minority leaders, as well as the majority leaders, to offer specific recommendations of members or appoint people specifically to the task force and not just in consultation with their respective Speaker and Senate President.

So that is the amendment. I ask for everybody's thoughtful consideration the same.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Owlett, on the amendment.

Mr. OWLETT. Thank you, Mr. Speaker.

This is an agreed-to amendment. It has been great working with my colleague to come up with the language for this, and I would appreciate an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappay
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causer	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufman	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler, Speaker
Fitzgerald	Labs	Rader	
Flood	Lawrence	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 764, PN 1416**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for employees having contact with children and adoptive and foster parents.

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

Mrs. **GLEIM** offered the following amendment No. **A00985**:

Amend Bill, page 4, line 26, by striking out "January 1, 2022" and inserting immediately

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Representative Brett Miller.

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

This is an agreed-to amendment, and I would ask the members for their support. Thank you.

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

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

(Members proceeded to vote.)

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

Mr. **HARRIS**. Thank you, Mr. Speaker.

The electronic board is accurate.

The **SPEAKER**. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. **OBERLANDER**. Thank you, Mr. Speaker.

The electronic board is accurate.

The **SPEAKER**. The Chair thanks the lady.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longiotti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappey
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causar	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims

Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stevens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortity	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

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. **DeLISSIO** offered the following amendment No. **A01068**:

Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 6344(b.1) and (m) of Title 23 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding subsections to read:

Amend Bill, page 2, line 3, by inserting after "(m.1)" or (m.2)

Amend Bill, page 4, by inserting between lines 24 and 25

(5) This subsection shall expire December 31, 2021.

(m.2) Provisional employees for limited periods.—Beginning January 1, 2022, employers, administrators, supervisors or other persons responsible for employment decisions may not employ applicants on a provisional basis, except that the department is authorized to grant a waiver of this provision upon request from a child day-care center, group day-care home or family child-care home. If a child day-care center, group day-care home or family child-care home is granted a waiver, an applicant may be employed on a provisional basis for a single period not to exceed 45 days, if all of the following conditions are met:

(1) The applicant has applied for the information required under subsection (b) and the applicant provides a copy of the appropriate completed request forms to the employer.

administrator, supervisor or other person responsible for employment decisions.

(2) The employer, administrator, supervisor or other person responsible for employment decisions has no knowledge of information pertaining to the applicant which would disqualify him from employment pursuant to subsection (c).

(3) The applicant swears or affirms in writing that he is not disqualified from employment pursuant to subsection (c) or has not been convicted of an offense similar in nature to those crimes listed in subsection (c) under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

(3.1) A child day-care center, group day-care home or family child-care home received the result of the report of the criminal history record information under subsection (b)(1) or (3).

(4) If the information obtained pursuant to subsection (b) reveals that the applicant is disqualified from employment pursuant to subsection (c), the applicant shall be immediately dismissed by the employer, administrator, supervisor or other person responsible for employment decisions.

(5) The employer, administrator, supervisor or other person responsible for employment decisions requires that the applicant not be permitted to work alone with children and that the applicant work in the immediate vicinity of a permanent employee.

Amend Bill, page 4, line 26, by striking out "January 1, 2022" and inserting  
immediately

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

#### AMENDMENT WITHDRAWN

The SPEAKER. The gentlewoman indicates she wishes to pull that amendment? Is that correct? 1068?

The Chair thanks the lady.

Does she wish to offer 1069? Very well.

On the question recurring,

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

Ms. **DeLISSIO** offered the following amendment No. **A01069**:

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

subsections

Amend Bill, page 2, line 3, by inserting after "(m.1)"

or (m.2)

Amend Bill, page 4, by inserting between lines 24 and 25

(5) This subsection shall expire December 31, 2022.

(m.2) Provisional employees for limited periods.—Beginning January 1, 2022, employers, administrators, supervisors or other persons responsible for employment decisions may not employ applicants on a provisional basis, except that the department is authorized to grant a waiver of this provision upon request from a child day-care center, group day-care home or family child-care home. If a child day-care center, group day-care home or family child-care home is granted a waiver, an applicant may be employed on a provisional basis for a single period not to exceed 45 days, if all of the following conditions are met:

(1) The applicant has applied for the information required under subsection (b) and the applicant provides a copy of the

appropriate completed request forms to the employer, administrator, supervisor or other person responsible for employment decisions.

(2) The employer, administrator, supervisor or other person responsible for employment decisions has no knowledge of information pertaining to the applicant which would disqualify him from employment pursuant to subsection (c).

(3) The applicant swears or affirms in writing that he is not disqualified from employment pursuant to subsection (c) or has not been convicted of an offense similar in nature to those crimes listed in subsection (c) under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

(3.1) A child day-care center, group day-care home or family child-care home received the result of the report of the criminal history record information under subsection (b)(1) or (3).

(4) If the information obtained pursuant to subsection (b) reveals that the applicant is disqualified from employment pursuant to subsection (c), the applicant shall be immediately dismissed by the employer, administrator, supervisor or other person responsible for employment decisions.

(5) The employer, administrator, supervisor or other person responsible for employment decisions requires that the applicant not be permitted to work alone with children and that the applicant work in the immediate vicinity of a permanent employee.

Amend Bill, page 4, line 26, by striking out "January 1, 2022" and inserting  
immediately

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

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I think we all agree the intent of the Child Protective Services Law is to mitigate risk to our children, and the underlying bill for this, HB 764, permits provisional hiring to an expanded employers who work in the child-care arena.

I do understand the challenges those employers have, and in fact, those employers of services like summer camps, sports camps, etc., provide a very important service to our children. As we have been discussing this bill, the prime sponsor, the gentleman from Lancaster County, and myself, we have discovered along the way that interestingly enough the Department of Education can access FBI clearances differently than DHS (Department of Human Services) accesses clearances. So the ideal situation would be to allow DHS access to clearances so they get out to employers very, very timely.

My amendment here was to extend the provisional hiring with a sunset date that would coincide with the end of calendar year December 2022, but it would also then negate the waivers that the Department of Human Services wants in the bill that the prime sponsor was good enough to include.

#### AMENDMENT WITHDRAWN

Ms. DeLISSIO. So I am going to withdraw the amendment at this time and the prime sponsor and I are going to continue to work on the issue to ensure that DHS has the same opportunities that the Department of Education has. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Brett Miller.

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

I would like to thank the gentelady from Philadelphia for her comments and for her willingness to work with me on this. As she had stated, we had discovered that the education world has this special carveout that no one else has, and we are going to work together on that to make sure that we can expand this quick turnaround time for those applying for the FBI clearances.

So I greatly appreciate her work on this issue in protecting young people, and also working to help our employers and employees in this process. So we are going to work on that together, and so I appreciate the gentelady for her work on this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair just wishes to clarify with the gentelady, she is going to withdraw this amendment and continue to work with the prime sponsor?

The Chair thanks the lady.

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 1033, PN 1064**, entitled:

An Act providing for patient access to diagnostics and treatments for Lyme disease and related tick-borne illnesses; and requiring health care policies to provide certain coverage.

On the question,

Will the House agree to the bill on second consideration?

Mr. **FRANKEL** offered the following amendment No. **A01154**:

Amend Bill, page 2, lines 14 through 21, by striking out all of lines 14 through 20 and "(7)" in line 21 and inserting

(5)

Amend Bill, page 2, lines 22 and 23, by striking out ", including diagnosis and treatment options"

Amend Bill, page 4, line 30; page 5, line 1; by striking out "long-term antibiotic" in line 30 on page 4 and "and antimicrobial therapy for a patient with" in line 1 on page 5

Amend Bill, page 5, lines 2 through 6, by striking out "when determined by a health care" in line 2, all of lines 3 through 5 and "response to treatment" in line 6 and inserting

in accordance with clinical best practices

Amend Bill, page 5, lines 10 through 29, by striking out all of said lines

Amend Bill, page 5, line 30, by striking out "7" and inserting

6

Amend Bill, page 6, line 17, by striking out "8" and inserting

7

On the question,

Will the House agree to the amendment?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

This amendment requires payment for Lyme disease according to best practices, and it allows the medical profession to sanction members that practice medicine in a way they believe is unsafe and harmful to patients. Sufferers of long-term Lyme disease deserve more attention from the medical community – there is no question about that. They do not deserve to be the subjects of experiments, however, and sending patients home with IV PICC (peripherally inserted central catheter) lines sending antibiotics directly into their blood for months with no set limit is just that.

The best explanation I have heard of long-term Lyme disease is a comparison with COVID long-haulers. The symptoms of the illness last long after the disease is over. But we do not treat COVID long-haulers as though they have COVID, because the infection is gone. And we should not treat long-term Lyme sufferers as if they have Lyme by having months of antibiotics when it might be harmful to their health. And no question, it can be. There are the harmful side effects we are all aware of from overuse of antibiotics, but even worse, there are documented cases of people getting infected from PICC lines in their veins for months, getting sepsis, and dying.

Given the possible harms, we reviewed the guidelines put out by the organization promoting long-term antibiotic use to determine the benefits. They state themselves in their guidelines that there is, quote, "very low quality evidence" for the effectiveness of the treatment.

I am a strong advocate for patient-centered care, but we expect doctors to be experts and protect patients from harm. People are suffering. We need to provide better care for Lyme disease long-haulers. We need a Lyme vaccine, but we should not sanction dangerous care for desperate patients.

So I would ask for a "yes" vote on amendment 01154.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentelady, Representative Rapp, on the amendment.

Ms. RAPP. Thank you, Mr. Speaker.

This is not an agreed-to amendment, Mr. Speaker. What the gentleman's amendment would do would actually gut and replace the bill as is, which already requires that the doctors work very closely with their patient in regard to anyone who is diagnosed with any Lyme disease or related tick-borne disease.

Mr. Speaker, the Health Committee conducted a hearing last session on this bill and this bill passed last session, and I would ask the members to please vote "no" on this amendment.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Millard, on the amendment.

Mr. MILLARD. Thank you, Mr. Speaker.

I rise in opposition to this amendment. Different diagnoses by different physicians can lead to different treatments. Sometimes a prescribed treatment may not be as effective as a second prescribed treatment, and to remove long-term use of antibiotics as prescribed by a physician is the wrong thing to do.

We do not go to our insurance companies for a medical diagnosis, and I do not know why we would allow them to dictate what a physician would prescribe to a patient to remedy their situation. I would ask for a "no" vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—89

Benham	Driscoll	Kinsey	Parker
Bizzarro	Evans	Kirkland	Pashinski
Boyle	Fiedler	Kosierowski	Pisciottano
Bradford	Fitzgerald	Krajewski	Rabb
Briggs	Flynn	Krueger	Rozzi
Brown, A.	Frankel	Kulik	Sainato
Bullock	Freeman	Lee	Samuelson
Burgos	Gainey	Longietti	Sanchez
Burns	Galloway	Madden	Schlossberg
Carroll	Guenst	Malagari	Schweyer
Cephas	Guzman	Markosek	Shusterman
Ciresi	Hanbidge	Matzie	Sims
Conklin	Harkins	McClinton	Snyder
Cruz	Harris	McNeill	Solomon
Daley	Herrin	Merski	Sturla
Davidson	Hohenstein	Miller, D.	Vitali
Davis, A.	Howard	Mullery	Warren
Davis, T.	Innamorato	Mullins	Webster
Dawkins	Isaacson	Neilson	Wheatley
Deasy	Kenyatta	Nelson, N.	Williams, D.
DeLissio	Kim	O'Mara	Young
Delloso	Kinthead	Otten	Zabel
DeLuca			

NAYS—112

Armanini	Gregory	Mehaffie	Ryan
Benninghoff	Greiner	Mentzer	Sankey
Bernstine	Grove	Mercuri	Sappey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder
Brown, R.	Hershey	Miller, B.	Silvis
Causer	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Cox	James	Mustello	Staats
Culver	Jones	Nelson, E.	Stambaugh
Davanzo	Jozwiak	O'Neal	Stephens
Day	Kail	Oberlander	Struzzi
Delozier	Kaufer	Ortitay	Thomas
DelRosso	Kauffman	Owlett	Tomlinson
Diamond	Keefer	Peifer	Toohil
Dowling	Kerwin	Pennycuik	Topper
Dunbar	Klunk	Pickett	Twardzik
Ecker	Knowles	Polinchock	Warner
Emrick	Labs	Puskaric	Wentling
Farry	Lawrence	Quinn	Wheeland
Fee	Lewis	Rader	White
Flood	Mackenzie, M.	Rapp	Williams, C.
Fritz	Mackenzie, R.	Rigby	Zimmerman

Gaydos	Mako	Roae	
Gillen	Maloney	Rothman	Cutler,
Gillespie	Marshall	Rowe	Speaker
Gleim	Masser		

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. The gentleman, Representative Frankel, offers amendment 1157.

The gentleman indicates he is withdrawing the amendment. 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 1257, PN 1446**, entitled:

An Act establishing the COVID-19 Vaccine Providers Reimbursement Program and the COVID-19 Vaccine Providers Reimbursement Account to reimburse COVID-19 vaccine providers for the costs incurred in storing the COVID-19 vaccine; and making an appropriation.

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 425, PN 616**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in medical professional liability, further providing for informed consent.

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 150, PN 115**, entitled:

An Act designating a bridge, identified as Bridge Key 8391, on that portion of Pennsylvania Route 53 over Laurel Run, also known as Lost Creek, in Dean Township, Cambria County, as the Seaman 2nd Class Louis J. Benzie WWII Memorial Bridge.

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 176, PN 144**, entitled:

An Act designating a bridge, identified as Bridge Key 5840, on that portion of SR 4010 (17th Street) over Interstate 99 in Logan Township, Blair County, as the Honorable Richard A. Geist Memorial Bridge.

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 722, PN 709**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for maximum gross weight of vehicles.

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 987, PN 1000**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege.

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 1390, PN 1506**, entitled:

An Act designating a bridge, identified as Bridge Key 37590, carrying Pennsylvania Route 425 over Fishing Creek, Chanceford Township, York County, as the PFC James Joseph Criswell Memorial Bridge.

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 445, PN 636**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for contributions for breast cancer research.

On the question,  
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 third consideration of **HB 996, PN 1617**, entitled:

An Act providing for access to long-term care facilities for members of the clergy, for additional safety requirements for residents, for suspension of access for members of the clergy and for personal protective equipment for members of the clergy.

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 gentleman, Representative Davanzo.

Mr. DAVANZO. Thank you, Mr. Speaker.

This legislation was derived from a constituent interaction I had with a member of the clergy who was no longer able to visit folks in a long-term care facility during the coronavirus pandemic. When he was permitted to have access to certain end-of-life situations, he commented on the significant decline he noticed in many of the individuals he used to visit with.

This legislation, the Religious Liberty in Long-Term Care Facilities Act, ensures that the process is in place for residents and their facilities to safely request and receive visitation from members of the clergy during emergency declarations. Many folks in long-term care facilities do not have frequent visits from family and friends. HB 996 provides a way for residents, regardless of their faith, to practice and request the company of a leader in their organization.

I would like to thank the members on both sides of the aisle for the unanimous vote yesterday on second consideration, and I respectfully ask for an affirmative vote today to make sure that we have a plan in place to continue to protect the religious liberties of residents in these facilities. Thank you.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker. The electronic board is accurate.



The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappery
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causer	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinkead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuik	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded third consideration of **HB 490, PN 453**, entitled:

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for active duty military fishing reciprocity and for disabled veteran annual fishing license reciprocity; and, in hunting and furtaking licenses, providing for active duty military hunting reciprocity and for disabled veteran annual hunting license reciprocity.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappery
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causer	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney

Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

\* \* \*

The House proceeded to third consideration of **HB 1122, PN 1170**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.  
The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the Democratic leader, Representative McClinton, for board verification.

Ms. McCLINTON. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS-201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sapprey
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causar	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

\* \* \*

The House proceeded to third consideration of **HB 141, PN 107**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots.

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 gentleman, Representative Maloney.

Mr. MALONEY. Thank you, Mr. Speaker.

I appreciate your support on this. This is really a simple bill, something to keep us with our heritage of our homes and our property. This will be known as the Family Heritage Open Space Protection Act, and it did arise from a problem that I experienced and some others did also.

So I appreciate your support, and thank you so much.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Freeman, on final passage.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 141. As I mentioned on my amendments which I offered yesterday on second, all of the local government associations oppose this legislation. The Pennsylvania Municipal League, the Township Association, and the Boroughs Association are all in opposition, as are the Pennsylvania chapter of the American Planning Association and the Department of Environmental Protection, which is the agency that issues the waivers on the nonbuilding lot issue.

Among the concerns raised by all of these groups is, first and foremost, that it would mandate on local government to accept the DEP waiver, which currently is an optional waiver. It is up to the municipality to determine whether they feel it is appropriate to accept the waiver for a nonbuilding lot. So one of their concerns is that this would move it from optional to a mandate, and thereby bypass the local planning procedures and bypass the ability to look at unique circumstances as they exist within a municipality which may not choose to adopt the waiver.

The second concern is that it skirts the local land use regulations by sidestepping these subdivision and land development ordinance provisions of the law in a municipality, in this particular issue, and thereby undercuts the municipality's ability and authority to ensure lot conformity, the applicability of zoning and subdivision requirements, and properly recording the changes to the lot itself.

And finally, they have raised a concern that this leaves an open possibility that future purchasers of the lot in question will be unaware that the lot did not go through the normal subdivision and land development process.

While I cannot support this bill today and will be voting "no" on 141, I do wish to extend to the prime sponsor an offer to work with him on amending this bill, should it go to the Senate. I think there is ample opportunity to find common ground with the various groups that have opposed this legislation. I think the one amendment I offered yesterday, that was drafted by the American Planning Association, really is a very reasonable proposal that could address his concerns, while ensuring that local government remains in control of local land use decisions and the SALDO (subdivision and land development ordinance) process.

So I am more than happy to extend an opportunity to work with him on language, should this bill go to the Senate, to address all the concerns by the various groups – the local government associations, the American Planning Association, and the Department of Environmental Protection, which have all come out against this bill.

As it stands today, however, I cannot support HB 141 in its current form, and as such, I urge a "no" vote on HB 141 today.  
Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Maloney, for the second time.

Mr. MALONEY. Thank you, Mr. Speaker.

I could not hear everything he said, but after yesterday's amendments, I am sure he said some of the things he did yesterday that were typically inaccurate to the rights of property owners. And so if you are not going to give a choice to a family to keep property in their possession and then say that a township or a municipality has the right to block you, I do not believe in that policy.

So having said that, I will leave it at that, where this is about keeping our rights to our family heritage property and not being blocked and not giving that right to those who would choose to keep it. So I would ask for an affirmative vote, and thank you so much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Representative Freeman, for the second time.  
Mr. FREEMAN. Thank you, Mr. Speaker.

I do not want to belabor the debate on this issue, but I do take issue with having my comments made yesterday being categorized as inaccurate. My comments were in keeping with the opposition posed by all the local government associations, the Pennsylvania chapter of the American Planning Association, and the Department of Environmental Protection, which is the issuer of the waiver in question.

There are serious concerns about this legislation. I think we can resolve those concerns if the gentleman would be willing to meet with the groups in opposition, and to possibly forge some compromise language, if this bill goes to the Senate. I extend that offer to work with him and with the groups that have opposed this legislation to see if a resolution can be reached on the differences, but as of today, I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—111

Table listing names of representatives who voted 'YEAS' (111 total). Includes names like Armanini, Benninghoff, Bernstine, etc.

NAYS—90

Table listing names of representatives who voted 'NAYS' (90 total). Includes names like Benham, Bizzarro, Boyle, etc.

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 221, PN 188, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

You are keeping us on our toes today as you work the floor.

Mr. HARRIS. I am all over the place. I am all over.

Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—201

Table listing names of representatives who voted 'YEAS' (201 total). Includes names like Armanini, Benham, Bizzarro, etc.

Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciotano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

\* \* \*

The House proceeded to third consideration of **HB 1169, PN 1449**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for definitions, for changes in assessed valuation and for abstracts of building and demolition permits to be forwarded to the county assessment office.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS-201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longietti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappery
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causar	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufner	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinhead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciotano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler,
Fitzgerald	Labs	Rader	Speaker
Flood	Lawrence	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

\* \* \*

The House proceeded to third consideration of **HB 1184, PN 1616**, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in creation and alteration, further providing for definitions, for contiguous areas, for applications, for borough advisory committee, for adjustment of indebtedness, for judicial adjustment, for judicial adjustment award proceedings, for compensation, expenses and costs, for territory located in multiple counties and for bond issues and taxation; in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication.

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.

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—118

Armanini	Gillespie	Marshall	Ryan
Benninghoff	Gleim	Masser	Sainato
Bernstine	Gregory	Mehaffie	Sankey
Bizzarro	Greiner	Mentzer	Saylor
Boback	Grove	Mercuri	Schemel
Bonner	Hamm	Metcalfe	Schmitt
Borowicz	Heffley	Metzgar	Schroeder
Brooks	Helm	Mihalek	Silvis
Brown, A.	Hennessey	Millard	Smith

Brown, R.	Hershey	Miller, B.	Snyder
Burns	Hickernell	Mizgorski	Sonney
Causser	Irvin	Moul	Staats
Cook	James	Mustello	Stambaugh
Cox	Jones	Nelson, E.	Stephens
Culver	Jozwiak	O'Neal	Struzzi
Davanzo	Kail	Oberlander	Thomas
Day	Kaufner	Ortitay	Tomlinson
Delozier	Kauffman	Owlett	Toohil
DelRosso	Keefer	Peifer	Topper
Diamond	Kerwin	Pennycuick	Twardzik
Dowling	Klunk	Pickett	Warner
Dunbar	Knowles	Polinchock	Wentling
Ecker	Labs	Puskaric	Wheeland
Emrick	Lawrence	Quinn	White
Farry	Lewis	Rader	Williams, C.
Fee	Longiatti	Rapp	Young
Flood	Mackenzie, M.	Rigby	Zimmerman
Fritz	Mackenzie, R.	Roae	
Gaydos	Mako	Rothman	Cutler,
Gillen	Maloney	Rowe	Speaker

NAYS—83

Benham	Evans	Kinsey	Parker
Boyle	Fiedler	Kirkland	Pashinski
Bradford	Fitzgerald	Kosierowski	Pisciottano
Briggs	Flynn	Krajewski	Rabb
Bullock	Frankel	Krueger	Rozzi
Burgos	Freeman	Kulik	Samuelson
Carroll	Gainey	Lee	Sanchez
Cephas	Galloway	Madden	Sapprey
Ciresi	Guent	Malagari	Schlossberg
Conklin	Guzman	Markosek	Schweyer
Cruz	Hanbidge	Matzie	Shusterman
Daley	Harkins	McClinton	Sims
Davidson	Harris	McNeill	Solomon
Davis, A.	Herrin	Merski	Sturla
Davis, T.	Hohenstein	Miller, D.	Vitali
Dawkins	Howard	Mullery	Warren
Deasy	Innamorato	Mullins	Webster
DeLissio	Isaacson	Neilson	Wheatley
Delloso	Kenyatta	Nelson, N.	Williams, D.
DeLuca	Kim	O'Mara	Zabel
Driscoll	Kinlead	Otten	

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 1213, PN 1273**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to home rule and optional plan government, further providing for definitions, providing for appointment of government study commission in distressed municipality and further providing for first meeting of commission, for function and duty of commission, for hearings and public forums, for report of findings and recommendations, for limitation on enactment of ordinance or filing of petition and for limitation on municipal powers.

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 gentleman, Representative James.

Mr. JAMES. Thank you, Mr. Speaker.

Just a few quick comments. This is a Local Government Commission bill, under the government study commission for distressed communities. So this will be affecting Act 47 municipalities. It is offering them an alternate process to form a study commission to propose home rule charter to help solve their problems. Current law does not help the study commission consider the recovery objectives of the distressed community. The bill allows for a single election by the municipal authority, where time is of the essence, as opposed to normal two separate elections. Additionally, the home rule charter provides for a taxpayer protection by tax rate limitations on authorized taxes.

During the previous session, 2019-20, HB 2141 passed unanimously by the House and was referred to the Senate Local Government Commission, where it remained upon sine die adjournment. I ask for unanimous approval of this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—201

Armanini	Flynn	Lee	Rigby
Benham	Frankel	Lewis	Roae
Benninghoff	Freeman	Longiotti	Rothman
Bernstine	Fritz	Mackenzie, M.	Rowe
Bizzarro	Gainey	Mackenzie, R.	Rozzi
Boback	Galloway	Madden	Ryan
Bonner	Gaydos	Mako	Sainato
Borowicz	Gillen	Malagari	Samuelson
Boyle	Gillespie	Maloney	Sanchez
Bradford	Gleim	Markosek	Sankey
Briggs	Gregory	Marshall	Sappey

Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causser	Harris	Merski	Silvis
Cephas	Heffley	Metcalfe	Sims
Ciresi	Helm	Metzgar	Smith
Conklin	Hennessey	Mihalek	Snyder
Cook	Herrin	Millard	Solomon
Cox	Hershey	Miller, B.	Sonney
Cruz	Hickernell	Miller, D.	Staats
Culver	Hohenstein	Mizgorski	Stambaugh
Daley	Howard	Moul	Stephens
Davanzo	Innamorato	Mullery	Struzzi
Davidson	Irvin	Mullins	Sturla
Davis, A.	Isaacson	Mustello	Thomas
Davis, T.	James	Neilson	Tomlinson
Dawkins	Jones	Nelson, E.	Toohil
Day	Jozwiak	Nelson, N.	Topper
Deasy	Kail	O'Mara	Twardzik
DeLissio	Kaufert	O'Neal	Vitali
Delloso	Kauffman	Oberlander	Warner
Delozier	Keefer	Ortitay	Warren
DelRosso	Kenyatta	Otten	Webster
DeLuca	Kerwin	Owlett	Wentling
Diamond	Kim	Parker	Wheatley
Dowling	Kinthead	Pashinski	Wheeland
Driscoll	Kinsey	Peifer	White
Dunbar	Kirkland	Pennycuick	Williams, C.
Ecker	Klunk	Pickett	Williams, D.
Emrick	Knowles	Pisciottano	Young
Evans	Kosierowski	Polinchock	Zabel
Farry	Krajewski	Puskaric	Zimmerman
Fee	Krueger	Quinn	
Fiedler	Kulik	Rabb	Cutler, Speaker
Fitzgerald	Labs	Rader	
Flood	Lawrence	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1024, PN 1596**, entitled:

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in program, further providing for lawful use of medical marijuana; in practitioners, further providing for duration; in patients, further providing for caregivers; in medical marijuana organizations, further providing for permits and for relocation; in medical marijuana controls, further providing for grower/processor and for laboratory; in dispensaries, further providing for dispensing to patients and caregivers and for facility requirements; and, in miscellaneous provisions, further providing for applicability.

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

Mr. COX offered the following amendment No. A01170:

Amend Bill, page 1, line 19, by inserting after "FOR" where it occurs the first time  
electronic tracking, for

Amend Bill, page 2, lines 21 and 22, by striking out ", 609, 702, 704, 801(e), 802(a)(1) and 2109(a)" and inserting  
and 609

Amend Bill, page 5, by inserting between lines 19 and 20  
Section 3. Section 701 of the act is amended by adding a  
subsection to read:

Section 701. Electronic tracking.

\* \* \*

(c.1) Application programming interface.—The department and or the department's contracted seed-to-sale vendor shall allow two-way communication and application-programming interface of a medical marijuana organization's inventory, accounting and point-of-sale software with the software of the department or the department's contracted seed-to-sale vendor. The department or the department's contracted seed-to-sale vendor shall provide for the development and use of a seed-to-sale cannabis tracking system, which shall include a secure application program interface capable of accessing all data required to be transmitted to the advisory board to ensure compliance with the operational reporting requirements established under this act and the regulations of the advisory board.

\* \* \*

Section 4. Sections 702, 704, 801(e), 802(a)(1) and 2109(a) of the act are amended to read:

Amend Bill, page 9, line 6, by striking out "3" and inserting  
5

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Cox.

Mr. COX. Thank you, Mr. Speaker.

This is a fairly simple amendment. It allows communication between a mainframe and the rest of the inventory. It is something that will enable the dispensaries to be able to better serve the needs of their consumers and make sure that patients get the right medicine at the right time and that their order is fulfilled properly. So this is simply something that allows that to occur without error. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Wheatley, on the amendment.

Mr. WHEATLEY. Thank you, Mr. Speaker.

I would ask all of my colleagues to support this agreed-to amendment, please.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of the amendment will vote "aye"— I apologize. I did not see the gentleman from Delaware County seeking recognition. Representative Vitali, you are in order to speak on the amendment.

Mr. VITALI. Real quickly, I just wanted to inform the members that the administration does not support this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

#### YEAS—196

Armanini	Flood	Labs	Rigby
Benham	Flynn	Lawrence	Roach
Benninghoff	Frankel	Lee	Rothman
Bernstine	Freeman	Lewis	Rowe
Bizzarro	Fritz	Longietti	Rozzi
Boback	Gainey	Madden	Ryan
Bonner	Galloway	Malagari	Sainato
Borowicz	Gaydos	Markosek	Samuelson
Boyle	Gillen	Marshall	Sanchez
Bradford	Gillespie	Masser	Sankey
Briggs	Gleim	Matzie	Sappey
Brooks	Gregory	McClinton	Saylor
Brown, A.	Greiner	McNeill	Schemel
Brown, R.	Grove	Mehaffie	Schlossberg
Bullock	Guenst	Mentzer	Schmitt
Burgos	Guzman	Mercuri	Schroeder
Burns	Hamm	Merski	Schweyer
Carroll	Hanbidge	Metcalfe	Shusterman
Causar	Harkins	Metzgar	Silvis
Cephas	Harris	Mihalek	Sims
Ciresi	Heffley	Millard	Smith
Conklin	Helm	Miller, B.	Snyder
Cook	Hennessey	Miller, D.	Solomon
Cox	Herrin	Mizgorski	Sonney
Cruz	Hershey	Moul	Staats
Culver	Hickernell	Mullery	Stambaugh
Daley	Hohenstein	Mullins	Stephens
Davanzo	Howard	Mustello	Struzzi
Davidson	Innamorato	Neilson	Sturla
Davis, A.	Irvin	Nelson, E.	Thomas
Davis, T.	Isaacson	Nelson, N.	Tomlinson
Dawkins	James	O'Mara	Toohil
Day	Jones	O'Neal	Topper
Deasy	Jozwiak	Oberlander	Twardzik
DeLissio	Kail	Ortitay	Warner
Delloso	Kaufner	Otten	Warren
Delozier	Kauffman	Owlett	Webster
DelRosso	Keefer	Parker	Wentling
DeLuca	Kenyatta	Pashinski	Wheatley
Diamond	Kerwin	Peifer	Whealand
Dowling	Kim	Pennycuick	White
Driscoll	Kinkead	Pickett	Williams, C.
Dunbar	Kinsey	Pisciottano	Williams, D.
Ecker	Kirkland	Polinchock	Young



Emrick	Klunk	Puskaric	Zabel
Evans	Knowles	Quinn	Zimmerman
Farry	Kosierowski	Rabb	
Fee	Krajewski	Rader	Cutler,
Fiedler	Krueger	Rapp	Speaker
Fitzgerald	Kulik		

NAYS—5

Mackenzie, M.	Mako	Maloney	Vitali
Mackenzie, R.			

NOT VOTING—0

EXCUSED—0

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

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

Mr. COX offered the following amendment No. A01172:

Amend Bill, page 1, line 19, by inserting after "GROWER/PROCESSOR", for storage and transportation  
Amend Bill, page 2, line 22, by inserting after "702," 703(8),  
Amend Bill, page 7, by inserting between lines 20 and 21 Section 703. Storage and transportation.  
The department shall develop regulations relating to the storage and transportation of medical marijuana among grower/processors, testing laboratories and dispensaries which ensure adequate security to guard against in-transit losses. The tracking system developed by the department shall include all transportation and storage of medical marijuana. The regulations shall provide for the following:

\*\*\*

(8) Requirements to utilize any electronic tracking system required by the department, which shall allow for the two-way communication and application-programming interface between a medical marijuana organization's inventory, accounting and point-of-sale software and the software of the department or the department's vendor.

\*\*\*

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Cox.

Mr. COX. Thank you, Mr. Speaker.

As was just summarized by the clerk, this is something very similar to an API (application-programming interface) system. It helps automate and allows systems to speak to systems. This is a storage and transportation API interface, and so it, again, it allows for convenience and accuracy and to make sure our consumer patients get the right medication and that it is tracked all the way along properly.

I would appreciate a "yes" vote on the amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Wheatley.  
Mr. WHEATLEY. Thank you, Mr. Speaker.  
Again, I would ask my colleagues to support this amendment.  
The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—196

Armanini	Flood	Labs	Rigby
Benham	Flynn	Lawrence	Roae
Benninghoff	Frankel	Lee	Rothman
Bernstine	Freeman	Lewis	Rowe
Bizzarro	Fritz	Longietti	Rozzi
Boback	Gainey	Madden	Ryan
Bonner	Galloway	Malagari	Sainato
Borowicz	Gaydos	Markosek	Samuelson
Boyle	Gillen	Marshall	Sanchez
Bradford	Gillespie	Masser	Sankey
Briggs	Gleim	Matzie	Sappey
Brooks	Gregory	McClinton	Saylor
Brown, A.	Greiner	McNeill	Schemel
Brown, R.	Grove	Mehaffie	Schlossberg
Bullock	Guenst	Mentzer	Schmitt
Burgos	Guzman	Mercuri	Schroeder
Burns	Hamm	Merski	Schweyer
Carroll	Hanbidge	Metcalfe	Shusterman
Causer	Harkins	Metzgar	Silvis
Cephas	Harris	Mihalek	Sims
Ciresi	Heffley	Millard	Smith
Conklin	Helm	Miller, B.	Snyder
Cook	Hennessey	Miller, D.	Solomon
Cox	Herrin	Mizgorski	Sonney
Cruz	Hershey	Moul	Staats
Culver	Hickernell	Mullery	Stambaugh
Daley	Hohenstein	Mullins	Stephens
Davanzo	Howard	Mustello	Struzzi
Davidson	Innamorato	Neilson	Sturla
Davis, A.	Irvin	Nelson, E.	Thomas
Davis, T.	Isaacson	Nelson, N.	Tomlinson
Dawkins	James	O'Mara	Toohil
Day	Jones	O'Neal	Topper
Deasy	Jozwiak	Oberlander	Twardzik
DeLissio	Kail	Ortitay	Warner
Delloso	Kaufert	Otten	Warren
Delozier	Kauffman	Owlett	Webster
DelRosso	Keefer	Parker	Wentling
DeLuca	Kenyatta	Pashinski	Wheatley
Diamond	Kerwin	Peifer	Wheeland
Dowling	Kim	Pennycuick	White
Driscoll	Kinhead	Pickett	Williams, C.
Dunbar	Kinsey	Pisciottano	Williams, D.
Ecker	Kirkland	Polinchock	Young
Emrick	Klunk	Puskaric	Zabel
Evans	Knowles	Quinn	Zimmerman

Farry	Kosierowski	Rabb	
Fee	Krajewski	Rader	Cutler,
Fiedler	Krueger	Rapp	Speaker
Fitzgerald	Kulik		

NAYS—5

Mackenzie, M.	Mako	Maloney	Vitali
Mackenzie, R.			

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. COX offered the following amendment No. **A01167**:

Amend Bill, page 5, line 3, by inserting after "corporation"  
or an owner of 5% or less in a privately held business  
entity

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Cox.

Mr. COX. Thank you, Mr. Speaker.

Current law requires the medical marijuana companies to obtain fingerprints and conduct extensive background checks for every single financial backer, no matter how small their ownership percentage. This amendment simply aligns the background check requirements for privately and publicly held companies. And so the hope is here that it will reduce the financial and operational burdens on these privately held companies, allowing the medical marijuana organizations to focus on getting the medicine to patients, and so this will benefit particularly smaller businesses that have limited capital. So I would appreciate the ability of this amendment to allow medical marijuana operators to diversify their investor pool by limiting background checks for smaller investors.

I would appreciate a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Again, I would ask my colleagues to join in support of this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—125

Benham	Ecker	Kirkland	Pashinski
Benninghoff	Evans	Kosierowski	Peifer
Bernstine	Fiedler	Krajewski	Pisciottano
Bizzarro	Fitzgerald	Krueger	Rabb
Boback	Flood	Kulik	Rothman
Boyle	Flynn	Lee	Rowe
Bradford	Frankel	Lewis	Rozzi
Briggs	Fritz	Longietti	Sainato
Brooks	Gainey	Madden	Samuelson
Brown, A.	Galloway	Malagari	Sanchez
Bullock	Gleim	Markosek	Sappay
Burgos	Guenst	Marshall	Schemel
Burns	Guzman	Masser	Schlossberg
Carroll	Hanbidge	Matzie	Schmitt
Cephas	Harkins	McClinton	Schweyer
Ciresi	Harris	McNeill	Shusterman
Conklin	Hennessey	Merski	Sims
Cox	Herrin	Mihalek	Snyder
Cruz	Hershey	Millard	Solomon
Daley	Hohenstein	Miller, D.	Stephens
Davidson	Howard	Mizgorski	Struzzi
Davis, A.	Innamorato	Moul	Sturla
Davis, T.	Irvin	Mullery	Toohil
Dawkins	Isaacson	Mullins	Warren
Day	Jones	Neilson	Webster
Deasy	Kail	Nelson, N.	Wheatley
Delloso	Kaufner	O'Mara	White
DeRosso	Kenyatta	Oberlander	Williams, C.
DeLuca	Kim	Ortitay	Williams, D.
Diamond	Kinhead	Ottung	Young
Dowling	Kinsey	Parker	Zabel
Driscoll			

NAYS—76

Armanini	Grove	Mercuri	Saylor
Bonner	Hamm	Metcalfe	Schroeder
Borowicz	Heffley	Metzgar	Silvis
Brown, R.	Helm	Miller, B.	Smith
Causer	Hickernell	Mustello	Sonney
Cook	James	Nelson, E.	Staats
Culver	Jozwiak	O'Neal	Stambaugh
Davanzo	Kauffman	Owlett	Thomas
DeLissio	Keefer	Pennycuick	Tomlinson
Delozier	Kerwin	Pickett	Topper
Dunbar	Klunk	Polinchock	Twardzik
Emrick	Knowles	Puskaric	Vitali
Farry	Labs	Quinn	Warner
Fee	Lawrence	Rader	Wentling
Freeman	Mackenzie, M.	Rapp	Wheeland
Gaydos	Mackenzie, R.	Rigby	Zimmerman
Gillen	Mako	Roae	
Gillespie	Maloney	Ryan	Cutler,
Gregory	Mehaffie	Sankey	Speaker
Greiner	Mentzer		

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. COX offered the following amendment No. A01171:

Amend Bill, page 5, line 24, by inserting after "SEED" and immature plant material

Amend Bill, page 5, line 24, by inserting after "COMMONWEALTH" during at least one 30-day period per year as designated by the department

Amend Bill, page 5, line 25, by inserting a bracket before "INITIALLY"

Amend Bill, page 5, line 25, by inserting a bracket after "INITIALLY"

Amend Bill, page 5, by inserting between lines 28 and 29 (2.1) Obtain postharvest plant material from another grower/processor within this Commonwealth. As used in this paragraph, the term "postharvest plant material" includes all unfinished plant and plant-derived material, whether fresh, dried, partially dried, frozen or partially frozen, oil, concentrate or similar byproducts derived from medical marijuana. The department shall establish a process to implement the provisions of this paragraph within 60 days of the effective date of this paragraph.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Cox.

Mr. COX. Thank you, Mr. Speaker.

Act 16 explicitly allowed grower/processors to source their plant material, and as you can imagine, this is an important part of the Pennsylvania Medical Marijuana Program, and when it is implemented, it should result in the cultivation of more resilient plants for use in the production of medical products and the development of innovative new medicines.

Unfortunately, the intent under Act 16 to allow the program to continue to develop and continue to purchase plant material among in-State operators, we are 5 years into the program now, and so the genetics of the existing plant crop are pretty narrow, and as you can imagine, when you have got a limited genetic pool to draw from – not too different than what we see in humans – a limited genetic pool for plants is also dangerous and can start to begin to cause defects and other things like that. So this simply allows them – it is a 30-day window; it is not an ongoing process – but it is a 30-day window that allows them to purchase the genetic material – the plants that they need, potentially from out of State, other vendors within the State – and allow for that cross-pollination, if you will, of the various plant sources.

So I would appreciate a "yes" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Again, I would ask my colleagues to join in support of this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—177

Armanini	Fiedler	Krueger	Rabb
Benham	Fitzgerald	Kulik	Rader
Benninghoff	Flood	Labs	Rigby
Bernstine	Flynn	Lee	Roae
Bizzarro	Frankel	Lewis	Rothman
Boback	Freeman	Longietti	Rowe
Borowicz	Fritz	Madden	Rozzi
Boyle	Gainey	Malagari	Ryan
Bradford	Galloway	Markosek	Sainato
Briggs	Gaydos	Marshall	Samuelson
Brooks	Gillen	Masser	Sanchez
Brown, A.	Gleim	Matzie	Sankey
Brown, R.	Grove	McClinton	Sapprey
Bullock	Guent	McNeill	Saylor
Burgos	Guzman	Mehaffie	Schemel
Burns	Hanbidge	Mercuri	Schlossberg
Carroll	Harkins	Merski	Schmitt
Causer	Harris	Metcalfe	Schweyer
Cephas	Heffley	Metzgar	Shusterman
Ciresi	Helm	Mihalek	Silvis
Conklin	Hennessey	Millard	Sims
Cook	Herrin	Miller, D.	Smith
Cox	Hershey	Mizgorski	Snyder
Cruz	Hohenstein	Moul	Solomon
Culver	Howard	Mullery	Sonney
Daley	Innamorato	Mullins	Stambaugh
Davanzo	Irvin	Mustello	Stephens
Davidson	Isaacson	Neilson	Struzzi
Davis, A.	James	Nelson, E.	Sturla
Davis, T.	Jones	Nelson, N.	Thomas
Dawkins	Kail	O'Mara	Tomlinson
Day	Kaufner	O'Neal	Toohil
Deasy	Kauffman	Oberlander	Twardzik
DeLissio	Keefer	Ortitay	Vitali
Delloso	Kenyatta	Otten	Warner
Delozier	Kerwin	Parker	Warren
DelRosso	Kim	Pashinski	Webster
DeLuca	Kinthead	Peifer	Wheatley
Diamond	Kinsey	Pennycuik	Wheeland
Dowling	Kirkland	Pickett	White
Driscoll	Klunk	Pisciottano	Williams, C.
Dunbar	Knowles	Polinchock	Williams, D.
Ecker	Kosierowski	Puskaric	Young
Evans	Krajewski	Quinn	Zabel
Farry			

## NAYS—24

Bonner	Hickernell	Mentzer	Topper
Emrick	Jozwiak	Miller, B.	Wentling
Fee	Lawrence	Owlett	Zimmerman
Gillespie	Mackenzie, M.	Rapp	
Gregory	Mackenzie, R.	Schroeder	Cutler,
Greiner	Mako	Staats	Speaker
Hamm	Maloney		

## NOT VOTING—0

## EXCUSED—0

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

On the question recurring,

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

Mr. **LAWRENCE** offered the following amendment No. **A01138**:

Amend Bill, page 1, line 17, by inserting after "permits"  
, for granting of permit  
Amend Bill, page 2, line 21, by inserting after "602(a)(4),"  
603(a.1),  
Amend Bill, page 5, by inserting between lines 7 and 8  
Section 603. Granting of permit.

\* \* \*

(a.1) Determination.—In making a decision under subsection (a), the department shall determine that:

- (1) The applicant will maintain effective control of and prevent diversion of medical marijuana.
- (2) The applicant will comply with all applicable laws of this Commonwealth.
- (3) The applicant is ready, willing and able to properly carry on the activity for which a permit is sought.
- (4) The applicant possesses the ability to obtain in an expeditious manner sufficient land, buildings and equipment to properly grow, process or dispense medical marijuana.
- (5) It is in the public interest to grant the permit.
- (6) The applicant, including the financial backer or principal, is of good moral character and has the financial fitness necessary to operate.
- (7) The applicant is able to implement and maintain security, tracking, recordkeeping and surveillance systems relating to the acquisition, possession, growth, manufacture, sale, delivery, transportation, distribution or the dispensing of medical marijuana as required by the department.

(8) The applicant satisfies any other conditions as determined by the department.

(9) For an application submitted after December 31, 2021, the applicant is a resident of, or incorporated in, this Commonwealth.

\* \* \*

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Lawrence.

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with the fact – you know, hindsight is often 20/20, and to be candid with you, when we

moved this law to begin with a couple years ago, this should have been a provision that we put in at the very beginning, that folks applying for a license or permit to be involved in the medical marijuana business or businesses that are applying for a license should be incorporated within the Commonwealth of Pennsylvania. Folks applying, applicants should be residents of the Commonwealth.

So the amendment that I put forward here would propose that for new applicants submitted after December 31, 2021, those new applicants would in fact have to either be residents of Pennsylvania or incorporated within the Commonwealth.

## AMENDMENT WITHDRAWN

Mr. **LAWRENCE**. With that being said, I do have a concern with kind of creating a two-tier system, and so I will be pulling this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **LAWRENCE** offered the following amendment No. **A01137**:

Amend Bill, page 1, line 14, by inserting after "for"  
confidentiality and public disclosure and for  
Amend Bill, page 2, line 21, by inserting after "Sections"  
302(b),  
Amend Bill, page 2, by inserting between lines 23 and 24  
Section 302. Confidentiality and public disclosure.

\* \* \*

(b) Public information.—The following records are public records and shall be subject to the Right-to-Know Law:

- (1) Applications for permits submitted by medical marijuana organizations.
- (2) The names, business addresses and medical credentials of practitioners authorized to provide certifications to patients to enable them to obtain and use medical marijuana in this Commonwealth. All other practitioner registration information shall be confidential and exempt from public disclosure under the Right-to-Know Law.
- (3) Information relating to penalties or other disciplinary actions taken against a medical marijuana organization or practitioner by the department for violation of this act.
- (4) The names of the individuals retained by the department to review applications submitted by a medical marijuana organization seeking a permit.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Lawrence.

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, I would like to refer to an article published by PennLive, June 14, 2019: "Medical marijuana rollout marked by 'significant errors and irregularities,' records show." The article goes on to say, "From the outset, Pennsylvania's new medical marijuana industry was shrouded in secrecy. Companies vying for lucrative state permits to grow or sell cannabis blacked out key information on their permit applications at the state's

encouragement. The Wolf administration waged a two-year court battle to protect those redactions and to shield bureaucrats who decided how permits were awarded from scrutiny.

"Recent court-ordered releases of public information resulting from PennLive's years-long legal battle with the state as well as testimony given as part of administrative appeals shine a light on the inner workings – and lapses of judgment – undergirding what could soon become a multi-billion dollar industry...."

It then goes on to describe an applicant who ended up requesting a new scoring for their application, goes on to say, "The Bethlehem-based applicant was one of just two companies to successfully appeal their scores..." because they were "...able to convince the appeals officer of failures in the department's process...Health Secretary Rachel Levine, who would usually have final say on...administrative appeals, recused herself."

It then goes on to describe further about the appeals officer's order: "Apart from the irregularities at issue..." in this application "...which, it should be noted, likely won't lead to the wholesale reconsideration of hundreds of applicants – internal documents shine a light on an opaque process of vetting prospective distributors and manufacturers of what remains a Schedule I controlled substance.

"Why does all this matter? Put simply: Cannabis is big business and it's getting bigger."

So to the amendment that I am offering, Mr. Speaker: "In early 2017, 12 current and former state employees were assembled to begin the process of reviewing the applications. It would be their responsibility to read and independently score different sections of applications, of which contain hundreds of pages of information ranging from sensitive information about security to billing and diversity plans.

"For years the..." Department of Health "...fought to keep their names secret – even after their work had been completed...."

"A clause in the state law governing medical marijuana stipulated that the committee members' names not be disseminated to applicants, but it made no indication that their identities be protected in perpetuity...."

Now, why does this matter, Mr. Speaker? It matters because the folks – eventually the courts did release, after several years, the courts did order that the names of the folks who were reviewing these application had to be released. Why a news organization had to wage a 2-year battle to get this information, I do not know. But this amendment, A01137, before the House today, would correct this deficiency. The reason this is important is that folks getting into this business – it is a large, you know, we are talking about significant funds being transacted, and we should know who is reviewing these applications. Do they have a conflict of interest? Do they have a stake themselves in a medical marijuana-licensed operation? So the amendment simply adds that the names of the individuals, retained by the Department of Health to review applications submitted by any medical marijuana organization seeking a permit, are subject to the Right-to-Know Law.

I would appreciate an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. SCHEMEL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to ask members to make their own determination on this. This was not a part of our agreed-to amendment process, but it is up to the members to determine where they are going on this one.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of the amendment will vote "aye"; those opposed, "no." Members—

I apologize. The gentleman was still in his seat and not at the microphone. I did not see him seeking recognition.

The gentleman, Representative Kenyatta, is in order and may proceed.

Mr. KENYATTA. My apologies, Mr. Speaker.

The SPEAKER. No worries, sir. You may proceed.

Mr. KENYATTA. Would the gentleman stand for a quick – I do not even know if it is an interrogation, but just a question, but I guess interrogation.

The SPEAKER. The gentleman indicates he will, and you are in order and may proceed.

Mr. KENYATTA. Thank you.

So currently, are these applications being reviewed by department staff or have they had this done by outside third-party reviewers?

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, the Department of Health put together a 12-person committee to review applications being made under the law – and I have the names here from this PennLive article of the individuals; I am happy to share it with you – but they were folks, they were either current State employees or former State employees, as it turned out, from the Department of Agriculture, DCED (Department of Community and Economic Development), DGS (Department of General Services), the Department of Labor and Industry, and the Pennsylvania State Police.

Mr. KENYATTA. Okay. Thank you.

And one more question, Mr. Speaker.

The SPEAKER. You are in order and may continue interrogation, sir.

Mr. KENYATTA. Thank you.

Are there other permits that are approved in this manner, and are those applications and the folks reviewing those – is it subject to the same sort of Right-to-Know requests that you would envision with your amendment?

Mr. LAWRENCE. So I think that is, with respect, I think that is a pretty broad question. I do not know of another – I mean, just to be candid, we are talking about a substance that to this day is a Schedule I controlled substance.

Mr. KENYATTA. To be clear, I am thinking about voting for the amend—

The SPEAKER. The gentleman will please suspend. The gentleman will please suspend. He is attempting to answer your inquiry. I would ask that you not speak over him and allow him to answer, and then you may either ask a follow-up question or may speak freely on the amendment.

You are in order, Representative Lawrence. You may proceed.

Mr. LAWRENCE. Right. So again, to try to answer your question, this remains a Schedule I under Federal regulations, a Schedule I controlled substance. So the question of who is going to approve applications for dealing in such a substance, this is

somewhat of a unique situation. With that being said, I can think of many other State applications or State permits that one would have to apply for that you would know who the individual on the other end of it is, maybe it would be DEP or any number of other State agencies, where we would in fact – a dental board, right? – it could be any number of things.

Mr. KENYATTA. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Frankel, on the amendment.

Mr. FRANKEL. Thank you, Mr. Speaker.

I am going to ask members to oppose this amendment. These are State employees, and I think, you know, we want to protect them from undue influence in this particularly delicate area. So I believe that this should be a "no" vote. Thank you.

The SPEAKER. The gentleman, Representative Lawrence, wishes to speak on the amendment for the second time. You are recognized and in order.

Mr. LAWRENCE. Thank you, Mr. Speaker.

And I appreciate the concerns of the good gentleman from Allegheny. The question at hand here, again, is, there is no, necessarily, requirement that these folks would have to be State employees. So it was, again, a matter of a 2-year court battle. Eventually, these names were released by order of the court. So the question becomes, again, should we have a panel – and this is not a crazy theory. This was the subject of intense media speculation at the time. I do not want to suffer the members reading through the rest of this article, but it is not pleasant reading through this article. And the concern was, we do not know who is approving, we do not even know who is on the panel looking over all of these requirements for these applicants. Could the folks who are approving the applications have a financial stake in the applicants themselves? We did not know. And eventually, the courts ruled that yes, this information had to be released.

So going forward, it makes sense to say, look, let us be very clear about what is and is not subject to the Right-to-Know Law. It is simply listing the names of the individuals who are approving these what could be fairly lucrative licenses from – frankly, many of them were out-of-State applicants who ended up winning these licenses, and it should be a matter of public record.

I always am in support of transparency and accountability. This is very much a transparency measure, and I would encourage an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel, for the second time on the amendment.

Mr. SCHEMEL. Thank you, Mr. Speaker.

The government should not keep secrets from its own people. The government should not have government functionaries that make decisions that are secret committees. This is an agreed-to amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

#### YEAS—134

Armanini	Gillespie	Maloney	Rowe
Benninghoff	Gleim	Markosek	Ryan
Bernstine	Gregory	Marshall	Sainato
Boback	Greiner	Masser	Samuelson
Bonner	Grove	Matzie	Sankey
Borowicz	Hamm	Mehaffie	Sappery
Brooks	Heffley	Mentzer	Saylor
Brown, R.	Helm	Mercuri	Schemel
Burns	Hennessey	Metcalfe	Schmitt
Carroll	Hershey	Metzgar	Schroeder
Causer	Hickernell	Mihalek	Silvis
Cook	Irvin	Millard	Smith
Cox	James	Miller, B.	Snyder
Culver	Jones	Mizgorski	Solomon
Daley	Jozwiak	Moul	Sonney
Davanzo	Kail	Mullery	Staats
Day	Kaufner	Mustello	Stambaugh
Deasy	Kauffman	Nelson, E.	Stephens
DeLissio	Keefer	O'Neal	Struzzi
Delozier	Kenyatta	Oberlander	Thomas
DeRosso	Kerwin	Ortitay	Tomlinson
DeLuca	Klunk	Otten	Toohil
Diamond	Knowles	Owlett	Topper
Dowling	Kosierowski	Peifer	Twardzik
Dunbar	Kulik	Pennycuick	Warner
Ecker	Labs	Pickett	Wentling
Emrick	Lawrence	Polinchock	Wheeland
Farry	Lewis	Puskaric	White
Fee	Longiatti	Quinn	Williams, C.
Flood	Mackenzie, M.	Rader	Young
Freeman	Mackenzie, R.	Rapp	Zimmerman
Fritz	Madden	Rigby	
Gaydos	Mako	Roae	Cutler,
Gillen	Malagari	Rothman	Speaker

#### NAYS—67

Benham	Driscoll	Isaacson	Pashinski
Bizzarro	Evans	Kim	Pisciottano
Boyle	Fiedler	Kinkead	Rabb
Bradford	Fitzgerald	Kinsey	Rozzi
Briggs	Flynn	Kirkland	Sanchez
Brown, A.	Frankel	Krajewski	Schlossberg
Bullock	Gainey	Krueger	Schweyer
Burgos	Galloway	Lee	Shusterman
Cephas	Guenst	McClinton	Sims
Ciresi	Guzman	McNeill	Sturla
Conklin	Hanbidge	Merski	Vitali
Cruz	Harkins	Miller, D.	Warren
Davidson	Harris	Mullins	Webster
Davis, A.	Herrin	Neilson	Wheatley
Davis, T.	Hohenstein	Nelson, N.	Williams, D.
Dawkins	Howard	O'Mara	Zabel
Delloso	Innamorato	Parker	

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?

Mrs. **PARKER** offered the following amendment No. **A01140**:

Amend Bill, page 2, line 1, by striking out "a definition" and inserting

definitions

Amend Bill, page 2, line 9, by inserting after "marijuana."

The term shall include an organization or facility caregiver.

Amend Bill, page 2, by inserting between lines 15 and 16

"Natural person." An individual.

"Organization or facility caregiver." The term shall include the following:

(1) An organization that provides hospice, palliative or home health care services and:

(i) is licensed under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act;

(ii) has significant responsibility for managing the health care and well-being of a patient; and

(iii) is designated by the patient as an additional caregiver.

(2) A residential facility, including, but not limited to, a long-term care nursing facility, a skilled nursing facility, an assisted living facility, a personal care home, an independent long-term care facility or an intermediate care facility for individuals with intellectual disabilities that:

(i) is licensed by the department or the Department of Human Services;

(ii) has significant responsibility for managing the health care and well-being of a patient; and

(iii) is designated by the patient as an additional caregiver.

\* \* \*

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Parker.

Mrs. PARKER. Thank you, Mr. Speaker.

This amendment ensures that people in long-term care facilities and group homes can get medical cannabis from their caretakers. This amendment is at the request of RCPA (Rehabilitation and Community Providers Association), which represents the providers of health and human services in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. SCHEMEL. Thank you, Mr. Speaker.

The prime sponsor recognizes the good intentions of the good lady from Philadelphia, but this is not an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative DeLissio, on the amendment.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, will the prime sponsor stand for brief interrogation?

The SPEAKER. May the Speaker inquire, is it of the bill or of the amendment?

Ms. DeLISSIO. The amendment, Mr. Speaker.

So can I only direct that at the sponsor, or – I would like to interrogate the prime sponsor on the amendment.

The SPEAKER. You would like to interrogate the prime sponsor of the bill, regarding the amendment.

Ms. DeLISSIO. Correct.

The SPEAKER. The gentleman indicates he will stand for interrogation. You are in order and may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I just want to understand. Again, long-term care is a profession near and dear to me. I have spent a couple decades in it, reflecting on how, perhaps, somebody is using medical marijuana to help them before going to live either for a short-term or a longer term stay in another type of home, which would be long-term care. I just want to understand, perhaps, what the hiccup is or why this may not be a good idea. Because it strikes me that all of our citizens should have access to this, and because for whatever reasons they need to live in a different setting other than perhaps their own home – although I would consider a long-term resident in long-term care, that is their home – I just want to understand why it is not a good idea.

Mr. SCHEMEL. Thank you, Mr. Speaker.

It is our belief that this is redundant. What the good lady from Philadelphia is trying to accomplish is already accomplished in the underlying bill. That is the advice of legal counsel. I would also add that the executive branch has indicated they are not supportive of this amendment because they believe that this is redundant.

Ms. DeLISSIO. So just for a point of clarification, Mr. Speaker, that somebody currently today who is a resident of a skilled nursing facility or group home or the facilities that were identified in fact can have a medical marijuana card in their possession and can in fact use that as any other citizen in the Commonwealth can who is otherwise eligible. Is that correct?

Mr. SCHEMEL. So not today, but with the underlying bill, this is already covered in the underlying bill. That is the redundancy. So the underlying bill already solves this problem; adding this amendment would make a redundancy in the legislation, which is why it is not supported by myself, as the prime sponsor, or the administration.

Ms. DeLISSIO. I appreciate the clarification. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

## YEAS—90

Benham	Driscoll	Kirkland	Pashinski
Bizzarro	Evans	Kosierowski	Pisciottano
Boyle	Fiedler	Krajewski	Rabb
Bradford	Fitzgerald	Krueger	Rozzi
Briggs	Flynn	Kulik	Sainato
Brown, A.	Frankel	Lee	Samuelson
Bullock	Freeman	Longietti	Sanchez
Burgos	Gainey	Madden	Sappey
Burns	Galloway	Malagari	Schlossberg
Carroll	Guenst	Markosek	Schweyer
Cephas	Guzman	Matzie	Shusterman
Ciresi	Hanbidge	McClinton	Sims
Conklin	Harkins	McNeill	Snyder
Cruz	Harris	Merski	Solomon
Daley	Herrin	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Vitali
Davis, A.	Howard	Mullins	Warren
Davis, T.	Innamorato	Neilson	Webster
Dawkins	Isaacson	Nelson, N.	Wheatley
Deasy	Kenyatta	O'Mara	Williams, D.
DeLissio	Kim	Otten	Young
Deloso	Kinthead	Parker	Zabel
DeLuca	Kinsey		

## NAYS—111

Armanini	Gregory	Masser	Rowe
Benninghoff	Greiner	Mehaffie	Ryan
Bernstine	Grove	Mentzer	Sankey
Boback	Hamm	Mercuri	Saylor
Bonner	Heffley	Metcalfe	Schemel
Borowicz	Helm	Metzgar	Schmitt
Brooks	Hennessey	Mihalek	Schroeder
Brown, R.	Hershey	Millard	Silvis
Causar	Hickernell	Miller, B.	Smith
Cook	Irvin	Mizgorski	Sonney
Cox	James	Moul	Staats
Culver	Jones	Mustello	Stambaugh
Davanzo	Jozwiak	Nelson, E.	Stephens
Day	Kail	O'Neal	Struzzi
Delozier	Kaufer	Oberlander	Thomas
DelRosso	Kauffman	Ortitay	Tomlinson
Diamond	Keefer	Owlett	Toohil
Dowling	Kerwin	Peifer	Topper
Dunbar	Klunk	Pennycuik	Twardzik
Ecker	Knowles	Pickett	Warner
Emrick	Labs	Polinchock	Wentling
Farry	Lawrence	Puskaric	Wheeland
Fee	Lewis	Quinn	White
Flood	Mackenzie, M.	Rader	Williams, C.
Fritz	Mackenzie, R.	Rapp	Zimmerman
Gaydos	Mako	Rigby	
Gillen	Maloney	Roae	Cutler,
Gillespie	Marshall	Rothman	Speaker
Gleim			

## NOT VOTING—0

## EXCUSED—0

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

On the question recurring,

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

Ms. SHUSTERMAN offered the following amendment No. A01132:

Amend Bill, page 1, line 14, by inserting after "for" program established, for

Amend Bill, page 1, line 14, by inserting after "marijuana" and for unlawful use of medical marijuana

Amend Bill, page 1, line 17, by inserting after "for" where it occurs the first time

medical marijuana organizations, for

Amend Bill, page 1, line 17, by striking out "AND" and inserting , for granting of permit, for application and issuance, for fees and other requirements,

Amend Bill, page 1, line 18, by inserting after "RELOCATION" and for limitations on permits

Amend Bill, page 1, line 19, by inserting after "FOR" where it occurs the first time

electronic tracking, for

Amend Bill, page 1, line 19, by inserting after "GROWER/PROCESSOR"

and for storage and transportation

Amend Bill, page 1, lines 21 and 22, by striking out "and, in miscellaneous provisions, further providing" and inserting in tax on medical marijuana, further providing for tax on medical marijuana; in Medical Marijuana Advisory Board, further providing for advisory board; in academic clinical research centers and clinical registrants, further providing for clinical registrants; and, in miscellaneous provisions, further providing for zoning and

Amend Bill, page 1, lines 25 and 26, by striking out ""caregiver" and "continuing care"" and inserting "caregiver," "continuing care" and "medical marijuana organization"

Amend Bill, page 2, line 1, by striking out "a definition" and inserting definitions

Amend Bill, page 2, by inserting between lines 15 and 16 "Farmer-grower." A small business as defined in 62 Pa.C.S. § 2102 (relating to definitions) that:

(1) is a farm engaged in agricultural production, including the cultivation of crops or horticulture products, the production of food and fiber or the raising of livestock or aquaculture and has been in operation in this Commonwealth for no less than two seasons in the past five years and the owner of which has been a resident of this Commonwealth for at least two years;

(2) is an agricultural enterprise actively engaged in agricultural production for no less than two season in the past five years and the owner of which has been a resident of this Commonwealth for at least two years; or

(3) holds a permit issued by the Department of Health to grow or otherwise cultivate medical marijuana in this Commonwealth.

\*\*\*

"Medical marijuana organization." A dispensary, farmer-grower or a grower/processor. The term does not include a health care medical marijuana organization under Chapter 19.

\*\*\*

Amend Bill, page 2, lines 21 through 23, by striking out all of said lines and inserting

Section 2. Sections 301(a)(8), 303(b)(4), 304(b)(3), 405, 502(b), 601, 602(a) introductory paragraph, (1) and (4), 603(a) and (d) and 606(a) introductory paragraph of the act are amended to read:

Section 301. Program established.

(a) Establishment.—A medical marijuana program for patients suffering from serious medical conditions is established. The program shall be implemented and administered by the department. The department shall:



\* \* \*

(8) Develop enforcement procedures, including announced and unannounced inspections of facilities of the grower/processors, farmer-growers and dispensaries and all records of the medical marijuana organizations.

\* \* \*

Amend Bill, page 3, by inserting between lines 1 and 2 Section 304. Unlawful use of medical marijuana.

(b) Unlawful use described.—It is unlawful to:

\* \* \*

(3) Grow medical marijuana unless the grower/processor or farmer-grower has received a permit from the department under this act.

\* \* \*

Amend Bill, page 4, by inserting between lines 6 and 7 Section 601. Medical marijuana organizations.

The following entities shall be authorized to receive a permit to operate as a medical marijuana organization to grow, process or dispense medical marijuana:

(1) Grower/processors.

(2) Dispensaries.

(3) Farmer-growers.

Amend Bill, page 4, line 8, by inserting after "grower/processor" , farmer-grower

Amend Bill, page 4, by inserting between lines 11 and 12

(1) Verification of all principals, operators, financial backers or employees of a medical marijuana grower/processor, farmer-grower or dispensary.

Amend Bill, page 5, line 6, by inserting after "organization."

This paragraph shall not apply to an employee of a farmer-grower, if the department determines that the employee is not involved, either directly or indirectly, in the business activities of the farmer-grower or in any activity related to the growth, cultivation or harvesting of medical marijuana. It shall be the duty of the farmer-grower to provide evidence or proof, as the department may require, that the employee is not engaged in business activities or in any activity related to the growth, cultivation or harvesting of medical marijuana conducted by the farmer-grower under this act.

Amend Bill, page 5, by inserting between lines 7 and 8 Section 603. Granting of permit.

(a) General rule.—The department may grant or deny a permit to a grower/processor, farmer-grower or dispensary.

\* \* \*

(d) Regions.—

(1) The department shall establish a minimum of three regions within this Commonwealth for the purpose of granting permits to grower/processors, farmer-growers and dispensaries and enforcing this act. The department shall approve permits for grower/processors and dispensaries in a manner which will provide an adequate amount of medical marijuana to patients and caregivers in all areas of this Commonwealth. The department shall consider the following when issuing a permit:

(1) Regional population.

(2) The number of patients suffering from serious medical conditions.

(3) The types of serious medical conditions.

(4) Access to public transportation.

(5) Any other factor the department deems relevant.]

(i) Regional population.

(ii) The number of patients suffering from serious medical conditions.

(iii) The types of serious medical conditions.

(iv) Access to public transportation.

(v) Any other factor the department deems relevant.

(2) Notwithstanding paragraph (1), the department shall

establish criteria to govern the issuance of permits to farmer-growers, provided that the department may issue a minimum of 75 farmer-grower permits in a manner that ensures participation by farmer-growers in all regions of this Commonwealth.

(3) In issuing farmer-grower permits in accordance with paragraph (2), the department shall consider:

(i) The percent increase or decrease in patients seeking medical marijuana in this Commonwealth;

(ii) The need for additional supply of medical marijuana to satisfy increases in the number of medical marijuana patients;

(iii) Patient demand;

(iv) The availability and consistency in marijuana products, including the availability of a particular form of medical marijuana, including strains or new strains of medical marijuana and medical marijuana products;

(v) Competition, including competition involving illegal markets; and

(vi) other criterion that will ensure an adequate supply of medical marijuana for patients and caregivers.

Section 606. Application and issuance.

(a) Duty to report.—An applicant to be a grower/processor or farmer-grower or to operate a dispensary is under a continuing duty to:

\* \* \*

Section 3. Section 607 of the act is amended by adding a paragraph to read:

Section 607. Fees and other requirements.

The following apply:

\* \* \*

(2.1) For a farmer-grower:

(i) An initial application fee in the amount of \$2,500 shall be paid. The fee is nonrefundable.

(ii) A fee for a permit as a farmer-grower in the amount of \$2,500 shall be paid. The permit shall be valid for one year. Applicants shall submit the permit fee at the time of submission of the application. The fee shall be returned if the permit is not granted.

(iii) A renewal fee for the permit as a grower/processor in the amount of \$2,500 shall be paid and shall cover renewal for all locations. The renewal fee shall be returned if the renewal is not granted.

(iv) An application to renew a permit must be filed with the department not more than six months nor less than four months prior to expiration.

(v) All fees shall be paid by certified check or money order.

(vi) Before issuing an initial permit under this paragraph, the department shall verify that the applicant has enough capital as determined by the department, which must be on deposit with a financial institution.

\* \* \*

Section 3.1. Section 609 of the act is amended to read:

Amend Bill, page 5, by inserting between lines 19 and 20

Section 4. Section 616 introductory paragraph of the act is amended and the section is amended by adding paragraphs to read: Section 616. Limitations on permits.

The following limitations apply to approval of permits for grower/processors, farmer-growers and dispensaries:

\* \* \*

(8) Notwithstanding section 603(d)(2), the number of farmer-grower permits issued shall be determined by the department.

(9) The department shall determine the maximum number of farmer-grower permits that shall be issued to any natural person, partnership, corporation, association, trust or other entity or combination thereof.

(10) A farmer-grower may only provide medical

marijuana to a grower/processor holding a valid permit under this act.

Section 5. Section 701(d) introductory paragraph of the act is amended, subsections (a) and (d) are amended by adding paragraphs and the section is amended by adding a subsection to read: Section 701. Electronic tracking.

(a) Requirement.—A grower/processor or dispensary must implement an electronic inventory tracking system which shall be directly accessible to the department through its electronic database that electronically tracks all medical marijuana on a daily basis. The system shall include tracking of all of the following:

\* \* \*

(6) For a grower/processor, a purchase-to-sale tracking system that tracks medical marijuana procured from a farmer-grower for processing until the medical marijuana is sold to a dispensary.

(a.1) Requirement for farmer-growers.—A farmer-grower must implement an inventory tracking system which shall be accessible to the department. The system shall include tracking of all of the following:

(1) The number of medical marijuana plants located on a site used for growing or cultivating medical marijuana.

(2) The number of medical marijuana plants located on a site used for growing or cultivating medical marijuana that have been successfully cultivated for sale to a grower/processor.

(3) The number of medical marijuana plants located on a site used for growing or cultivating medical marijuana that are unfit for cultivation and marked for disposal as plant waste.

(4) A system to track the plant waste resulting from the growth of medical marijuana or other disposal, including the name and address of any disposal service.

(5) A weekly log of each week's beginning inventory, acquisitions, amounts sold, disbursements, disposals and ending inventory. The tracking system shall include prices paid and amounts collected from grower/processors.

(6) Sites, including farmland, used for growing or cultivating medical marijuana must be certified, inspected and permitted by and registered with the department. The failure to permit inspection by the department shall be a violation of this chapter.

\* \* \*

(d) Reports.—Within one year of the issuance of the first permit to a grower/processor, farmer-grower or dispensary, and every three months thereafter in a form and manner prescribed by the department, the following information shall be provided to the department, which shall compile the information and post it on the department's publicly accessible Internet website:

\* \* \*

(2.1) The amount of medical marijuana sold by a farmer-grower during each three-month period.

(2.2) The price of amounts of medical marijuana sold by a farmer-grower.

\* \* \*

Section 6. Section 702 of the act is amended to read:

Amend Bill, page 7, by inserting between lines 20 and 21

Section 6.1. The act is amended by adding a section to read:

Section 702.1. Farmer-growers.

(a) Authorization.—Subject to subsection (b), a farmer-grower may obtain seed and plant material from a grower/processor within this Commonwealth to grow medical marijuana in accordance with department regulations.

(b) Limitations.—A farmer-grower may only grow, store or harvest medical marijuana in an enclosed, secure area which:

(1) is delineated to a single site at the address identified on the permit issued by the department;

(2) does not exceed two acres of land;

(3) includes locking systems and other security and surveillance features required by the department; and

(4) is located within this Commonwealth.

(c) Use of farmland.—

(1) Notwithstanding any provisions of this act, regulation of the department or any other law to the contrary, a farmer-grower may grow or otherwise cultivate medical marijuana on farmland owned and operated by the grower-farmer. If farmland is jointly owned, each person holding an amount of ownership interest or control over the farmland, including a natural person, partnership, corporation, association, trust or other such entity or combination thereof, shall be subject to section 602.

(2) The department, in consultation with the Department of Agriculture, shall adopt and promulgate regulations to govern the use of farmland to grow medical marijuana in accordance with the requirements of this act.

Section 7. Section 703 introductory paragraph and (9) of the act are amended to read:

Section 703. Storage and transportation.

The department shall develop regulations relating to the storage and transportation of medical marijuana among grower/processors and farmer-growers, testing laboratories and dispensaries which ensure adequate security to guard against in-transit losses. The tracking system developed by the department shall include all transportation and storage of medical marijuana. The regulations shall provide for the following:

\* \* \*

(9) Transporting medical marijuana to a grower/processor or farmer-grower, approved laboratory or dispensary.

Section 8. Sections 704, 801(a) and (e), 802(a), 901(a) and (f), 1201(j)(5)(iv), 2002(b)(8), 2107 and 2109(a) of the act are amended to read:

Amend Bill, page 8, by inserting between lines 28 and 29 Section 901. Tax on medical marijuana.

(a) Tax imposed.—A tax is imposed on the gross receipts of a grower/processor received from the sale of medical marijuana by a grower/processor to a dispensary, to be paid by the grower/processor, at the rate of 5%[.], unless the medical marijuana was purchased from a farmer-grower, in which case the tax imposed on the gross receipts shall be at a rate of 1%. The tax shall be charged against and be paid by the grower/processor and shall not be added as a separate charge or line item on any sales slip, invoice, receipt or other statement or memorandum of the price paid by a dispensary, patient or caregiver.

\* \* \*

(f) Information.—A grower/processor or farmer-grower that sells medical marijuana shall provide to the Department of Revenue information required by the department.

Section 1201. Advisory board.

\* \* \*

(j) Duties.—The advisory board shall have the following duties:

\* \* \*

(5) The written report under paragraph (4) shall include recommendations and findings as to the following:

\* \* \*

(iv) Whether to change, add or reduce the number of growers/processors, farmer-growers or dispensaries.

\* \* \*

Section 2002. Clinical registrants.

\* \* \*

(b) Requirements.—The following shall apply to clinical registrants:

\* \* \*

(8) A grower/processor facility owned by a clinical registrant may sell its medical marijuana products only to the clinical registrant's dispensary facilities and the dispensary facilities of other clinical registrants. The facility may sell seeds, medical marijuana plants and medical marijuana products to, or

exchange seeds, medical marijuana plants and medical marijuana products with, any other grower/processor facility or farmer-grower holding a permit under Chapter 6 or this chapter.

\* \* \*

Section 2107. Zoning.

The following apply:

(1) A grower/processor shall meet the same municipal zoning and land use requirements as other manufacturing, processing and production facilities that are located in the same zoning district.

(1.1) A farmer-grower shall meet the same municipal zoning and land use requirements as other normal agricultural operations that are located in the same zoning district.

(2) A dispensary shall meet the same municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district.

Amend Bill, page 9, line 6, by striking out "3" and inserting 9

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Shusterman.

Ms. SHUSTERMAN. Thank you, Speaker.

I am asking for a "yes" vote on this amendment. Right now there are several barriers that keep our Pennsylvania small farmers out of the medical marijuana production. In fact, all medical marijuana currently sold in Pennsylvania dispensaries comes from out of State. This amendment would create a PA small farmer-grower permit for medical marijuana production and equip our small farmers with critical access to this industry. Medical marijuana is here to stay, and we need to give our small farmers every opportunity to succeed. Along with helping our small farmers, this legislation—

The SPEAKER. The gentlewoman will please suspend. The noise level is slowly increasing here in the chamber and members are indicating they cannot hear. Members, please move any conversations to the back of the House.

You are in order and may proceed, ma'am.

Ms. SHUSTERMAN. You have got to give love to our small farmers, a little bit of love.

Along with helping our farmers, this legislation would also address supply and accessibility issues that burden medical marijuana patients. Allowing these 75 additional small farmer-grower permits would increase supply and meet the needs of Pennsylvanians, all while reducing costs and keeping profits right here in the Commonwealth. I ask you for a "yes" vote on amendment 01132 to give Pennsylvania small farmers a fair shot at participating in this industry and increase accessibility for existing and future patients. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. SCHEMEL. The prime sponsor thanks the good lady from Chester County; however, this is not an agreed-to amendment. When the underlying legislation, which we enacted to authorize medical marijuana, was passed through this House and signed by the Governor, it was intended that all the marijuana product be grown safely indoors. For a multitude of reasons, primarily two of which – one, for security purposes; number two, it would prevent any sort of contaminants getting into the product, since it is used as a medical product.

The good lady's proposed amendment would undermine both objectives of the original legislation, which is why it is not an agreed-to amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman, and the gentlewoman, Representative Shusterman, wishes to be recognized for the second time. You are in order and may proceed.

Ms. SHUSTERMAN. Thank you to the maker of the bill, but I met with the small farmers and went through the process of how they were able to create these microbusinesses that are secure inside. They are not interested in growing this outside because there are a lot of security risks, and we have to look at business as a whole across the Commonwealth. It is our microbusinesses and our gig workers that continue to grow, and our small farmers are interested in being a part of this economy. They have done it with hemp, they have done it inside with microgreens, and they are aware of the expense of security and possibly aware of working together to co-opt that expense. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

YEAS—92

Benham	Diamond	Kinsey	Pashinski
Bizzarro	Driscoll	Kirkland	Pisciottano
Boyle	Evans	Kosierowski	Rabb
Bradford	Fiedler	Krajewski	Rozzi
Briggs	Fitzgerald	Krueger	Sainato
Brown, A.	Flynn	Kulik	Samuelson
Bullock	Frankel	Lee	Sanchez
Burgos	Freeman	Longietti	Sappery
Burns	Gainey	Madden	Schlossberg
Carroll	Galloway	Malagari	Schweyer
Cephas	Guenst	Markosek	Shusterman
Ciresi	Guzman	Matzie	Sims
Conklin	Hanbidge	McClinton	Snyder
Cruz	Harkins	McNeill	Solomon
Daley	Harris	Merski	Sturla
Davidson	Herrin	Miller, D.	Vitali
Davis, A.	Hohenstein	Mullery	Warren
Davis, T.	Howard	Mullins	Webster
Dawkins	Innamorato	Neilson	Wheatley
Deasy	Isaacson	Nelson, N.	Williams, D.
DeLissio	Kenyatta	O'Mara	Young
Delloso	Kim	Otten	Zabel
DeLuca	Kinkead	Parker	Zimmerman

NAYS—109

Armanini	Gregory	Masser	Rowe
Benninghoff	Greiner	Mehaffie	Ryan
Bernstine	Grove	Mentzer	Sankey
Boback	Hamm	Mercuri	Saylor
Bonner	Heffley	Metcalfe	Schemel
Borowicz	Helm	Metzgar	Schmitt
Brooks	Hennessey	Mihalek	Schroeder
Brown, R.	Hershey	Millard	Silvis
Causar	Hickernell	Miller, B.	Smith
Cook	Irvin	Mizgorski	Sonney
Cox	James	Moul	Staats
Culver	Jones	Mustello	Stambaugh
Davanzo	Jozwiak	Nelson, E.	Stephens
Day	Kail	O'Neal	Struzzi
DeLozier	Kaufner	Oberlander	Thomas
DelRosso	Kauffman	Ortitay	Tomlinson
Dowling	Keefer	Owlett	Toohil
Dunbar	Kerwin	Peifer	Topper
Ecker	Klunk	Pennycuick	Twardzik
Emrick	Knowles	Pickett	Warner
Farry	Labs	Polinchock	Wentling
Fee	Lawrence	Puskaric	Wheeland
Flood	Lewis	Quinn	White
Fritz	Mackenzie, M.	Rader	Williams, C.
Gaydos	Mackenzie, R.	Rapp	
Gillen	Mako	Rigby	Cutler,
Gillespie	Maloney	Roae	Speaker
Gleim	Marshall	Rothman	

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Ms. DeLISSIO offered the following amendment No. A01179:

Amend Bill, page 1, line 21, by inserting after "requirements;" in Medical Marijuana Advisory Board, further providing for advisory board and for regulations based on recommendations of advisory board;

Amend Bill, page 1, line 25, by striking out "'caregiver" and" and inserting "caregiver,"

Amend Bill, page 1, line 26, by inserting after "care"" and "serious medical condition"

Amend Bill, page 2, by inserting between lines 20 and 21 "Serious medical condition." Any of the following:

- (1) Cancer, including remission therapy.
- (2) Positive status for human immunodeficiency virus or acquired immune deficiency syndrome.
- (3) Amyotrophic lateral sclerosis.
- (4) Parkinson's disease.
- (5) Multiple sclerosis.
- (6) Damage to the nervous tissue of the [spinal cord] central nervous system with objective neurological indication of intractable spasticity and other associated neuropathies.
- (7) Epilepsy.
- (8) Inflammatory bowel disease.
- (9) Neuropathies.

- (10) Huntington's disease.
- (11) Crohn's disease.
- (12) Post-traumatic stress disorder.
- (13) Intractable seizures.
- (14) Glaucoma.
- (15) Sickle cell anemia.
- (16) Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain [in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective].
- (17) Autism.
- (18) Neurodegenerative diseases.
- (19) Terminal illness.
- (20) Dyskinetic and spastic movement disorders.
- (21) Opioid use disorder for which conventional therapeutic interventions are contraindicated or ineffective, or for which adjunctive therapy is indicated in combination with primary therapeutic interventions.
- (22) Anxiety disorders.
- (23) Tourette Syndrome.

\* \* \*

Amend Bill, page 2, line 22, by striking out "801(e)" and inserting

801(b) and (e)

Amend Bill, page 2, line 22, by inserting after "802(a)(1)" , 1201, 1202

Amend Bill, page 5, lines 29 and 30; page 6, lines 1 through 12; by striking out all of said lines on said pages

Amend Bill, page 6, lines 21 through 26, by striking out "FOR THE PURPOSE OF PARAGRAPH (1), THE" in line 21 and all of lines 22 through 26 and inserting

In addition to the requirements of the department under paragraph (1), a grower/processor shall maintain continuous video surveillance. A grower/processor is required to retain the recordings for a period of no less than one year, unless otherwise required for investigative or litigation purposes.

Amend Bill, page 6, lines 27 through 30; page 7, lines 1 through 20; by striking out all of said lines on said pages and inserting

(c) Pesticides.—The department shall establish, in cooperation with the Department of Agriculture, a periodic process under which pesticides may be reviewed and approved for use by a grower/processor.

Amend Bill, page 7, line 22, by striking out "(A) GENERAL TESTING.—"

Amend Bill, page 7, line 23, by striking out the bracket before "AN"

Amend Bill, page 7, line 23, by striking out "] ONE OR MORE INDEPENDENT LABORATORIES"

Amend Bill, page 7, line 27, by striking out the bracket before the comma after "DETERMINE"

Amend Bill, page 7, line 28, by striking out "] OF"

Amend Bill, page 8, lines 1 through 12, by striking out all of said lines

Amend Bill, page 8, by inserting between lines 14 and 15

(b) Requirements.—A dispensary shall have a physician or a pharmacist [onsite] available, either in person or remotely, to verify patient certifications and to consult with patients and caregivers at all times during the hours the dispensary is open to receive patients and caregivers. If a dispensary has more than one separate location, a physician assistant or a certified registered nurse practitioner may [be onsite at] cover each of the other locations in lieu of the physician or pharmacist. A physician, a pharmacist, a physician assistant or a certified registered nurse practitioner shall, prior to assuming duties under this paragraph, successfully complete the course established in section 301(a)(6). A physician may not issue a certification to authorize patients to receive medical marijuana or otherwise treat patients at the dispensary.

\* \* \*

Amend Bill, page 8, by inserting between lines 28 and 29 Section 1201. Advisory board.

\* \* \*

(j) Duties.—The advisory board shall have the following duties:

(1) To examine and analyze the statutory and regulatory law relating to medical marijuana within this Commonwealth.

(2) To examine and analyze the law and events in other states and the nation with respect to medical marijuana.

(3) To accept and review written comments from individuals and organizations about medical marijuana.

(4) To issue [two years after the effective date of this section a written report] written reports to the Governor, the Senate and the House of Representatives no more frequently than annually.

(5) The written [report] reports under paragraph (4) shall include recommendations and findings as to the following:

(i) Whether to change the types of medical professionals who can issue certifications to patients.

(ii) Whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions under this act.

(iii) Whether to change the form of medical marijuana permitted under this act.

(iv) Whether to change, add or reduce the number of growers/processors or dispensaries.

(v) How to ensure affordable patient access to medical marijuana.

[(vi) Whether to permit medical marijuana to be dispensed in dry leaf or plant form, for administration by vaporization.]

(6) The [final written report] written reports issued under this section shall be adopted at a public meeting. The [report] reports shall be a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Section 1202. Regulations based on recommendations of advisory board.

After receiving [the] a report of the advisory board under section 1201(j)(4), at the discretion of the secretary, the department may promulgate regulations to effectuate recommendations made by the advisory board. The secretary shall issue notice in the Pennsylvania Bulletin within 12 months of the receipt of [the] a report of the advisory board. The notice shall include the recommendations of the advisory board and shall state the specific reasons for the decision of the secretary on whether or not to effectuate each recommendation.

Amend Bill, page 9, line 6, by striking out "in 60 days" and inserting immediately

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, remediation can jeopardize consumer health. We have been blessed in Pennsylvania with this bill. I remember very clearly in 2016 when it was going through, and thrilled in 2018 when we were able to get it up and running in what I thought was fairly short order. It is still a very nascent industry in the Commonwealth of Pennsylvania, and I appreciate how thoughtful we have been as we continue to grow the industry – no pun intended – but if we were to remove this from the bill, we could be jeopardizing consumers' health. So I appreciate

everybody's thoughtful consideration of this. There are a few other things in here, also, that continue to allow physicians and pharmacists to consult off-site.

We found out during this previous 15 months under the pandemic that that was a very, very useful way of conducting business. This amendment would permit that to continue. It, of course, allows the board to continue operating and it deals with video surveillance as well. Continuous video surveillance is probably more helpful than just a motion detector-type of surveillance, because this particular product is at risk.

So thank you for your thoughtful consideration of a "yes" vote.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. SCHEMEL. Thank you, Mr. Speaker.

The prime sponsor thanks the good lady from Philadelphia. This is not, however, an agreed-to amendment. We believe that their concerns are addressed already under the Department of Agriculture, which is the appropriate agency in Pennsylvania, which regulates consumables, which this is. And with regard to remediation, these are products that will be tested following the remediation, where laboratorily we can prove, or I would say that the growers can prove that the contaminant has been removed. So I see no compelling reason to support the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative DeLissio, for the second time on the amendment.

Ms. DeLISSIO. Thank you.

Just a quick comment. I can appreciate that the Department of Agriculture regulates consumables, but in fact, in 2016, this is a medicine. This is not a consumable that you are kind of walking into the local Weis or Giant or ShopRite or wherever you shop for. So I think the comfort level to have this under the Department of Health, who is looking at this and that appropriate way is much more towards safeguarding our citizens than in fact the Department of Agriculture would be here. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Representative Wheatley, on the amendment.

Mr. WHEATLEY. Thank you, Mr. Speaker.

I certainly appreciate the good woman from Philadelphia's intention with this amendment, but I would have to ask my colleagues to vote "no" to this amendment so that we can move our agreed-to bill over to the Senate as quickly as possible.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

## YEAS—13

Daley	Kenyatta	Rabb	Solomon
DeLissio	Madden	Rozzi	Vitali
Freeman	Otten	Sappey	Young
Harris			

## NAYS—188

Armanini	Flood	Lawrence	Rader
Benham	Flynn	Lee	Rapp
Benninghoff	Frankel	Lewis	Rigby
Bernstine	Fritz	Longietti	Roae
Bizzarro	Gainey	Mackenzie, M.	Rothman
Boback	Galloway	Mackenzie, R.	Rowe
Bonner	Gaydos	Mako	Ryan
Borowicz	Gillen	Malagari	Sainato
Boyle	Gillespie	Maloney	Samuelson
Bradford	Gleim	Markosek	Sanchez
Briggs	Gregory	Marshall	Sankey
Brooks	Greiner	Masser	Saylor
Brown, A.	Grove	Matzie	Schemel
Brown, R.	Guenst	McClinton	Schlossberg
Bullock	Guzman	McNeill	Schmitt
Burgos	Hamm	Mehaffie	Schroeder
Burns	Hanbidge	Mentzer	Schweyer
Carroll	Harkins	Mercuri	Shusterman
Causar	Heffley	Merski	Silvis
Cephas	Helm	Metcalfe	Sims
Ciresi	Hennessey	Metzgar	Smith
Conklin	Herrin	Mihalek	Snyder
Cook	Hershey	Millard	Sonney
Cox	Hickernell	Miller, B.	Staats
Cruz	Hohenstein	Miller, D.	Stambaugh
Culver	Howard	Mizgorski	Stephens
Davanzo	Innamorato	Moul	Struzzi
Davidson	Irvin	Mullery	Sturla
Davis, A.	Isaacson	Mullins	Thomas
Davis, T.	James	Mustello	Tomlinson
Dawkins	Jones	Neilson	Toohil
Day	Jozwiak	Nelson, E.	Topper
Deasy	Kail	Nelson, N.	Twardzik
Delloso	Kaufner	O'Mara	Warner
Delozier	Kauffman	O'Neal	Warren
DelRosso	Keefer	Oberlander	Webster
DeLuca	Kerwin	Ortitay	Wentling
Diamond	Kim	Owlett	Wheatley
Dowling	Kinhead	Parker	Wheeland
Driscoll	Kinsey	Pashinski	White
Dunbar	Kirkland	Peifer	Williams, C.
Ecker	Klunk	Pennycuik	Williams, D.
Emrick	Knowles	Pickett	Zabel
Evans	Kosierowski	Pisciottano	Zimmerman
Farry	Krajewski	Polinchock	
Fee	Krueger	Puskaric	Cutler,
Fiedler	Kulik	Quinn	Speaker
Fitzgerald	Labs		

## NOT VOTING—0

## EXCUSED—0

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

On the question recurring,

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

Mr. **FRANKEL** offered the following amendment No. **A01130**:

Amend Bill, page 1, line 17, by striking out "AND" and inserting a comma

Amend Bill, page 1, line 18, by inserting after "RELOCATION" and for limitations on permits

Amend Bill, page 1, line 21, by inserting after "requirements;" in Medical Marijuana Advisory Board, further providing for advisory board and for regulations based on recommendations of advisory board; in academic clinical research centers and clinical registrants, further providing for clinical registrants;

Amend Bill, page 1, lines 25 through 27; page 2, line 1; by striking out all of said lines on said pages and inserting

Section 1. The definitions of "caregiver," "continuing care" and "serious medical condition" in section 103 of the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, are amended and the section is amended by adding a definition to read:

Amend Bill, page 2, by inserting between lines 20 and 21

"Serious medical condition." Any of the following:

(1) Cancer, including remission therapy.

(2) Positive status for human immunodeficiency virus or acquired immune deficiency syndrome.

(3) Amyotrophic lateral sclerosis.

(4) Parkinson's disease.

(5) Multiple sclerosis.

(6) Damage to the nervous tissue of the [spinal cord] central nervous system with objective neurological indication of intractable spasticity and other associated neuropathies.

(7) Epilepsy.

(8) Inflammatory bowel disease.

(9) Neuropathies.

(10) Huntington's disease.

(11) Crohn's disease.

(12) Post-traumatic stress disorder.

(13) Intractable seizures.

(14) Glaucoma.

(15) Sickle cell anemia.

(16) Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective.

(17) Autism.

(18) Terminal illness.

(19) Dyskinetic and spastic movement disorders.

(20) Opioid use disorder for which conventional therapeutic interventions are contraindicated or ineffective, or for which adjunctive therapy is indicated in combination with primary therapeutic interventions.

(21) Anxiety disorders.

(22) Tourette Syndrome.

\* \* \*

Amend Bill, page 2, line 21, by inserting after "609," 616(1) and (2),

Amend Bill, page 2, line 22, by striking out "801(e)" and inserting

801(b) and (e)

Amend Bill, page 2, line 22, by inserting after "802(a)(1)" , 1201(j), 1202, 2002(a)

Amend Bill, page 5, by inserting between lines 19 and 20 Section 616. Limitations on permits.

The following limitations apply to approval of permits for grower/processors and dispensaries:

(1) The department may not initially issue permits to more than [25] 50 growers/processors.

(2) The department may not initially issue permits to more than [50] 100 dispensaries. Each dispensary may provide medical marijuana at no more than three separate locations.

\* \* \*

Amend Bill, page 8, by inserting between lines 14 and 15

(b) Requirements.—A dispensary shall have a physician or a pharmacist [onsite] available, either in person or remotely, to verify patient certifications and to consult with patients and caregivers at all times during the hours the dispensary is open to receive patients and caregivers. If a dispensary has more than one separate location, a physician assistant or a certified registered nurse practitioner may [be onsite at] cover each of the other locations in lieu of the physician or pharmacist. A physician, a pharmacist, a physician assistant or a certified registered nurse practitioner shall, prior to assuming duties under this paragraph, successfully complete the course established in section 301(a)(6). A physician may not issue a certification to authorize patients to receive medical marijuana or otherwise treat patients at the dispensary.

\* \* \*

Amend Bill, page 8, by inserting between lines 28 and 29  
Section 1201. Advisory board.

\* \* \*

(j) Duties.—The advisory board shall have the following duties:

(1) To examine and analyze the statutory and regulatory law relating to medical marijuana within this Commonwealth.

(2) To examine and analyze the law and events in other states and the nation with respect to medical marijuana.

(3) To accept and review written comments from individuals and organizations about medical marijuana.

(4) To issue [two years after the effective date of this section a written report] written reports to the Governor, the Senate and the House of Representatives no more frequently than annually.

(5) The written [report] reports under paragraph (4) shall include recommendations and findings as to the following:

(i) Whether to change the types of medical professionals who can issue certifications to patients.

(ii) Whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions under this act.

(iii) Whether to change the form of medical marijuana permitted under this act.

(iv) Whether to change, add or reduce the number of growers/processors or dispensaries.

(v) How to ensure affordable patient access to medical marijuana.

[(vi) Whether to permit medical marijuana to be dispensed in dry leaf or plant form, for administration by vaporization.]

(6) The [final written report] written reports issued under this section shall be adopted at a public meeting. The [report] reports shall be a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Section 1202. Regulations based on recommendations of advisory board.

After receiving [the] a report of the advisory board under section 1201(j)(4), at the discretion of the secretary, the department may promulgate regulations to effectuate recommendations made by the advisory board. The secretary shall issue notice in the Pennsylvania Bulletin within 12 months of the receipt of [the] a report of the advisory board. The notice shall include the recommendations of the advisory board and shall state the specific reasons for the decision of the secretary on whether or not to effectuate each recommendation.  
Section 2002. Clinical registrants.

(a) Approval.—The department may approve up to [eight] nine clinical registrants. Each clinical registrant may provide medical marijuana at not more than six separate locations. The total number of locations authorized to dispense medical marijuana under this section shall not exceed [48] 54. The grower/processor and dispensary permits issued to clinical registrants approved under this section shall be in addition to the [25] 50 grower/processor and [50] 100 dispensary

permits issued by the department in accordance with section 616(1) and (2). The limitations relating to number and location in sections 616(1) and (2) and 603(d) do not apply. A clinical registrant may not hold more than one grower/processor and one dispensary permit. Once the department approves the entity as a clinical registrant, the entity shall comply with this chapter.

\* \* \*

On the question,

Will the House agree to the amendment?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

This amendment does a number of things to increase supply and improve access for medical marijuana patients, two issues that we know Pennsylvania consumers and medical marijuana patients are having difficulty with. It ensures that patients with remission therapy for cancer, central nervous system damage, terminal illness, dyskinetic and spastic movement disorders, opioid use disorder, anxiety disorder, and Tourette Syndrome continue to have access to medical marijuana long-term by codifying what has already been put in place by the Department of Health. It also expands the supply by doubling the number of grower/processor permits to 50 and dispensaries to 100. It facilitates research into medical marijuana by increasing the number of clinical registrants by one. And it expands patient access by allowing dispensaries the option of having a physician or pharmacist available for remote consult with patients and caregivers, rather than solely requiring them to do so in person. And finally, it continues the good work of the Medical Marijuana Advisory Board by sustaining its reporting on the program to the Governor, the Senate, and the House of Representatives.

So I ask for an affirmative vote for amendment 01130. Thank you, Mr. Speaker.

### THE SPEAKER PRO TEMPORE (JOHN A. LAWRENCE) PRESIDING

The SPEAKER pro tempore. The Speaker thanks the gentleman.

Will the House agree to the amendment? On that question, the gentleman, Representative Schemel, is recognized.

Mr. SCHEMEL. Thank you, Mr. Speaker.

The prime sponsor gives his thanks to the good chairman from Allegheny County; however, this is not an agreed-to amendment. The purpose of the underlying legislation was to make changes to the Medical Marijuana Act which relate to more efficient flow. It was not to expand the number of dispensaries. And there may be a time in the future to do that; however, that time is not now, which is why this is not an agreed-to amendment. Thank you.

The SPEAKER pro tempore. The Speaker thanks the gentleman.

Will the House agree to the amendment? On that question, the gentleman from Philadelphia, Representative Kenyatta, is recognized.

Mr. KENYATTA. Thank you, Mr. Speaker.

And I want to thank the maker of the amendment for this, but I also want to bring up a larger point about the real failures of the medical marijuana permit process, as it currently stands, in terms of ensuring that there is equity. There are currently right now zero, Mr. Speaker, zero permit holders that are African-American

in the Commonwealth. This has been a real failure, and as this body I hope continues to have a conversation about legal adult use in Pennsylvania, we need to also deal with the real equity issues that have existed and the real barriers, not just for African-American business owners, but also for small business owners, and as some of the previous amendments touched on, for small farmers.

So I will certainly be supporting this amendment and think that we need to have a broader conversation, Mr. Speaker, about how this program is implemented and the permitting process more broadly.

The SPEAKER pro tempore. The Speaker thanks the gentleman. Is there anyone else seeking recognition on the amendment?

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

(Members proceeded to vote.)

The SPEAKER pro tempore. On that question, the gentleman from Philadelphia, Representative Harris, is recognized.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate

The SPEAKER pro tempore. The Speaker thanks the gentleman, and the gentlelady, Representative Oberlander, is recognized for verification of the electronic board.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER pro tempore. The Speaker thanks the lady.

The following roll call was recorded:

#### YEAS—86

Benham	Fiedler	Kirkland	Pashinski
Boyle	Fitzgerald	Kosierowski	Pisciottano
Bradford	Flynn	Krajewski	Rabb
Briggs	Frankel	Krueger	Rozzi
Brown, A.	Freeman	Lee	Sainato
Bullock	Gainey	Longiotti	Samuelson
Burgos	Galloway	Madden	Sanchez
Carroll	Guenst	Malagari	Sappey
Cephas	Guzman	Markosek	Schlossberg
Cresi	Hanbidge	Matzie	Schweyer
Conklin	Harkins	McClinton	Shusterman
Cruz	Harris	McNeill	Sims
Daley	Herrin	Merski	Solomon
Davidson	Hohenstein	Miller, D.	Sturla
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kaufner	Nelson, N.	Wheatley
DeLissio	Kenyatta	O'Mara	Williams, D.
Delloso	Kim	Otten	Young
Driscoll	Kinthead	Parker	Zabel
Evans	Kinsey		

#### NAYS—115

Armanini	Gillespie	Marshall	Rowe
Benninghoff	Gleim	Masser	Ryan
Bernstine	Gregory	Mehaffie	Sankey
Bizzarro	Greiner	Mentzer	Saylor
Boback	Grove	Mercuri	Schemel
Bonner	Hamm	Metcalfe	Schmitt
Borowicz	Heffley	Metzgar	Schroeder
Brooks	Helm	Mihalek	Silvis

Brown, R.	Hennessey	Millard	Smith
Burns	Hershey	Miller, B.	Snyder
Causser	Hickernell	Mizgorski	Sonney
Cook	Irvin	Moul	Staats
Cox	James	Mustello	Stambaugh
Culver	Jones	Nelson, E.	Stephens
Davanzo	Jozwiak	O'Neal	Struzzi
Day	Kail	Oberlander	Thomas
Delozier	Kauffman	Ortitay	Tomlinson
DelRosso	Keefer	Owlett	Toohil
DeLuca	Kerwin	Peifer	Topper
Diamond	Klunk	Pennycuick	Twardzik
Dowling	Knowles	Pickett	Warner
Dunbar	Kulik	Polinchock	Wentling
Ecker	Labs	Puskaric	Whealand
Emrick	Lawrence	Quinn	White
Farry	Lewis	Rader	Williams, C.
Fee	Mackenzie, M.	Rapp	Zimmerman
Flood	Mackenzie, R.	Rigby	
Fritz	Mako	Roae	Cutler,
Gaydos	Maloney	Rothman	Speaker
Gillen			

NOT VOTING—0

EXCUSED—0

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

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

Ms. **DeLISSIO** offered the following amendment  
No. **A01193**:

Amend Bill, page 1, line 17, by striking out "AND" and inserting a comma

Amend Bill, page 1, line 18, by inserting after "RELOCATION" and for limitation permits

Amend Bill, page 1, line 21, by inserting after "requirements;" in academic clinical research centers and clinical registrants, further providing for clinical registrants;

Amend Bill, page 2, line 21, by inserting after "609," 616(1) and (2),

Amend Bill, page 2, line 22, by striking out "and" and inserting , 2002(a) and

Amend Bill, page 5, by inserting between lines 19 and 20 Section 616. Limitations on permits.

The following limitations apply to approval of permits for grower/processors and dispensaries:

(1) The department may not [initially] issue permits to more than [25] 50 growers/processors.

(2) The department may not [initially] issue permits to more than [50] 100 dispensaries. Each dispensary may provide medical marijuana at no more than three separate locations.

\* \* \*

Amend Bill, page 8, by inserting between lines 28 and 29 Section 2002. Clinical registrants.

(a) Approval.—The department may approve up to [eight] nine clinical registrants. Each clinical registrant may provide medical marijuana at not more than six separate locations. The total number of locations authorized to dispense medical marijuana under this section shall not exceed [48] 54. The grower/processor and dispensary permits issued to clinical registrants approved under this section shall be in addition to the [25] 50 grower/processor and [50] 100 dispensary



permits issued by the department in accordance with section 616(1) and (2). The limitations relating to number and location in sections 616(1) and (2) and 603(d) do not apply. A clinical registrant may not hold more than one grower/processor and one dispensary permit. Once the department approves the entity as a clinical registrant, the entity shall comply with this chapter.

\* \* \*

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

The SPEAKER pro tempore. On that question, the lady from Philadelphia, Representative DeLissio, is recognized.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that even though this is a very new industry – under just about 3 years – we are already seeing some serious consolidation. I believe the numbers may be from 59 folks to down to 35. With that comes consumer access, and most importantly, pricing. I think if there is one thing I hear from my constituents on a regular basis is the cost, that this needs to be more affordable; accessibility is important as well. So we are seeing consolidation and we are seeing the industry, I think, maybe drive this, and a little too much at this point, where we want the industry to be strong, we want it to be profitable, but we also need it to absolutely be affordable, and we need access to care for our constituents, the citizens of PA.

So this amendment doubles the number of permits for grower/processors and dispensaries and increases the clinical registrants by one. Please know that as it gets through this process, this does not happen overnight, this issuing of these permits. It takes time for applicants to apply, to be cleared, for all of that process to happen. So as the prime sponsor was suggesting, perhaps this is something in the future, we are just further down the road from making this, hopefully, a more affordable product with much more accessibility throughout the Commonwealth.

So I urge my colleagues to reconsider the previous vote and in fact vote to expand these permits. It is not like these permits are going to be issued overnight.

The SPEAKER pro tempore. The question is, will the House agree to the amendment? On that question, the gentleman, Representative Schemel, is recognized.

Mr. SCHEMEL. Thank you, Mr. Speaker.

And the prime sponsor thanks the good lady from Philadelphia; however, for reasons already articulated under the previous consideration, this is not an agreed-to amendment.

The SPEAKER pro tempore. Is there anyone else seeking recognition on the amendment?

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

(Members proceeded to vote.)

**THE SPEAKER (BRYAN CUTLER)  
PRESIDING**

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

**YEAS—86**

Benham	Fiedler	Kirkland	Pashinski
Boyle	Fitzgerald	Kosierowski	Pisciottano
Bradford	Flynn	Krajewski	Rabb
Briggs	Frankel	Krueger	Rozzi
Brown, A.	Freeman	Lee	Sainato
Bullock	Gainey	Longietti	Samuelson
Burgos	Galloway	Madden	Sanchez
Carroll	Guent	Malagari	Sappery
Cephas	Guzman	Markosek	Schlossberg
Ciresi	Hanbidge	Matzie	Schweyer
Conklin	Harkins	McClinton	Shusterman
Cruz	Harris	McNeill	Sims
Daley	Herrin	Merski	Solomon
Davidson	Hohenstein	Miller, D.	Sturla
Davis, A.	Howard	Mullery	Vitali
Davis, T.	Innamorato	Mullins	Warren
Dawkins	Isaacson	Neilson	Webster
Deasy	Kaufner	Nelson, N.	Wheatley
DeLissio	Kenyatta	O'Mara	Williams, D.
Delloso	Kim	Otten	Young
Driscoll	Kinhead	Parker	Zabel
Evans	Kinsey		

**NAYS—115**

Armanini	Gillespie	Marshall	Rowe
Benninghoff	Gleim	Masser	Ryan
Bernstine	Gregory	Mehaffie	Sankey
Bizzarro	Greiner	Mentzer	Saylor
Boback	Grove	Mercuri	Schemel
Bonner	Hamm	Metcalfe	Schmitt
Borowicz	Heffley	Metzgar	Schroeder
Brooks	Helm	Mihalek	Silvis
Brown, R.	Hennessey	Millard	Smith
Burns	Hershey	Miller, B.	Snyder
Causer	Hickernell	Mizgorski	Sonney
Cook	Irvin	Moul	Staats
Cox	James	Mustello	Stambaugh
Culver	Jones	Nelson, E.	Stephens
Davanzo	Jozwiak	O'Neal	Struzzi
Day	Kail	Oberlander	Thomas
Delozier	Kauffman	Ortitay	Tomlinson
DeRosso	Keefer	Owlett	Toohil
DeLuca	Kerwin	Peifer	Topper
Diamond	Klunk	Pennycuick	Twardzik
Dowling	Knowles	Pickett	Warner
Dunbar	Kulik	Polinchock	Wentling
Ecker	Labs	Puskaric	Wheeland
Emrick	Lawrence	Quinn	White
Farry	Lewis	Rader	Williams, C.
Fee	Mackenzie, M.	Rapp	Zimmerman
Flood	Mackenzie, R.	Rigby	
Fritz	Mako	Roae	Cutler, Speaker
Gaydos	Maloney	Rothman	
Gillen			

**NOT VOTING—0**

**EXCUSED—0**

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

On the question recurring,

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

Mr. **KENYATTA** offered the following amendment No. **A01180**:

Amend Bill, page 5, lines 29 and 30; page 6, lines 1 through 7; by striking out all of lines 29 and 30 on page 5, all of lines 1 through 6 and "(5)" in line 7 on page 6 and inserting

(3)

Amend Bill, page 6, line 7, by striking out "**OR FOOD-GRADE**"

Amend Bill, page 6, lines 27 through 30; page 7, lines 1 through 20; by striking out all of said lines on said pages

On the question,

Will the House agree to the amendment?

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

Mr. **KENYATTA**. Thank you, Mr. Speaker.

The gentlewoman from Philadelphia had a similar amendment and brought up the real concern about how broad the current language, as it relates to remediation, is in this bill. This is medicine. This is medicine, and we need to ensure that cannabis patients have the highest level of quality in the products that they are using for pain management and any number of other things. I am not sure there is language this broad anywhere else in the country. This language needs to be severely tightened and clarified to make sure that we are not giving folks a product that is moldy, that is unsafe, and so I think that this is necessary, and I hope that as this process moves on – particularly in the Senate – that folks in the industry are open to ensuring that there is tougher language to make sure we are keeping this product safe for all Pennsylvanians.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel, on the amendment.

The Chair would actually like to clarify with the gentleman from Philadelphia. Are you still offering the amendment or hoping that they fix it in the Senate?

Mr. **KENYATTA**. Oh, no; I am offering it because we can fix it now. We can do it now.

The **SPEAKER**. I just wanted to confirm with the gentleman.

The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. **SCHEMEL**. Thank you, Mr. Speaker, and the prime sponsor thanks the good gentleman from Philadelphia; however, this is not an agreed-to amendment for reasons already articulated under the previous amendment. Thank you.

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

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

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

Ms. **OBERLANDER**. Thank you, Mr. Speaker.

The electronic board is accurate.

The **SPEAKER**. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. **HARRIS**. Thank you, Mr. Speaker.

The electronic board is accurate.

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

The following roll call was recorded:

#### YEAS—65

Boyle	Evans	Kim	Rabb
Bradford	Fiedler	Kinsey	Rozzi
Briggs	Fitzgerald	Kirkland	Samuelson
Brown, A.	Freeman	Krajewski	Sanchez
Bullock	Gainey	Krueger	Schlossberg
Burgos	Galloway	Lee	Schweyer
Cephas	Guenst	Madden	Shusterman
Ciresi	Guzman	Malagari	Sims
Conklin	Hanbidge	McClinton	Solomon
Cruz	Harris	McNeill	Sturla
Daley	Herrin	Miller, D.	Vitali
Davidson	Hohenstein	Neilson	Warren
Davis, T.	Howard	Nelson, N.	Webster
Dawkins	Innamorato	O'Mara	Williams, D.
DeLissio	Isaacson	Otten	Young
Delloso	Kenyatta	Parker	Zabel
Driscoll			

#### NAYS—136

Armanini	Gillen	Markosek	Roae
Benham	Gillespie	Marshall	Rothman
Benninghoff	Gleim	Masser	Rowe
Bernstine	Gregory	Matzie	Ryan
Bizzarro	Greiner	Mehaffie	Sainato
Boback	Grove	Mentzer	Sankey
Bonner	Hamm	Mercuri	Sappay
Borowicz	Harkins	Merski	Saylor
Brooks	Heffley	Metcalfe	Schemel
Brown, R.	Helm	Metzgar	Schmitt
Burns	Hennessey	Mihalek	Schroeder
Carroll	Hershey	Millard	Silvis
Causer	Hickernell	Miller, B.	Smith
Cook	Irvin	Mizgorski	Snyder
Cox	James	Moul	Sonney
Culver	Jones	Mullery	Staats
Davanzo	Jozwiak	Mullins	Stambaugh
Davis, A.	Kail	Mustello	Stephens
Day	Kaufer	Nelson, E.	Struzzi
Deasy	Kauffman	O'Neal	Thomas
Delozier	Keefer	Oberlander	Tomlinson
DelRosso	Kerwin	Ortitay	Toohil
DeLuca	Kinhead	Owlett	Topper
Diamond	Klunk	Pashinski	Twardzik
Dowling	Knowles	Peifer	Warner
Dunbar	Kosierowski	Pennycuik	Wentling
Ecker	Kulik	Pickett	Wheatley
Emrick	Labs	Pisciotano	Whealand
Farry	Lawrence	Polinchock	White
Fee	Lewis	Puskaric	Williams, C.
Flood	Longietti	Quinn	Zimmerman
Flynn	Mackenzie, M.	Rader	
Frankel	Mackenzie, R.	Rapp	Cutler,
Fritz	Mako	Rigby	Speaker
Gaydos	Maloney		

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. **WHEATLEY** offered the following amendment No. **A01168**:

Amend Bill, page 1, line 17, by striking out "AND" and inserting a comma

Amend Bill, page 1, line 18, by inserting after "RELOCATION" and for convictions prohibited

Amend Bill, page 2, line 21, by inserting after "609," 614,

Amend Bill, page 5, by inserting between lines 19 and 20 Section 614. Convictions prohibited.

The following individuals may not hold volunteer positions or positions with remuneration in or be affiliated with a medical marijuana organization, including a clinical registrant under Chapter 20, in any way if the individual has been convicted of any felony criminal offense related to the sale or possession of illegal drugs, narcotics or controlled substances:

- (1) Financial backers.
- (2) Principals.
- (3) Employees.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Wheatley, on the amendment.

Mr. **WHEATLEY**. Thank you, Mr. Speaker.

Mr. Speaker, I was always taught that sometimes a half loaf is better than no loaf at all. And you know, it is with a heavy sense of obligation I am conflicted today, because this particular amendment is something that is very necessary. When we did the Act 16, we did not provide an opportunity for people who have had mistakes in their lives to now be able to turn around and have the second chance to work in an industry that once was not legal but now is legal. Where people are making money and profits, other people are serving time and careers are being impacted. This particular amendment would allow those who have misdemeanors to participate.

It is my hope and true belief that in this chamber we will also give those who might have stiffer sentences and stiffer obligations that are impacting them the same opportunity to work in this industry. So I offer this and I definitely appreciate the Representative, the prime sponsor, and the fine gentlemen who have been working with us on this issue, and I would encourage all of my colleagues to support this amendment to give some of our citizens some relief and some effort to find a space in this new industry.

So again, I appreciate the prime sponsor of this bill, I appreciate all of the work and effort and energy of those who have worked on this amendment and this bill, and I look forward to hopefully coming back here and celebrating many more citizens who are being given the opportunity to work in this new industry.

So thank you, Mr. Speaker. I ask for a "yes" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Representative Schemel, on the amendment.

Mr. **SCHEMEL**. Thank you, Mr. Speaker.

The prime sponsor thanks the good gentleman from Allegheny County. This is an agreed-to amendment. Mr. Speaker, this is an agreed-to amendment because I have always been in support of criminal justice reforms which give people a second chance. This is an amendment which, however, is different than many of the other amendments we have considered on this bill, and I certainly understand and recognize that there are members that have different perspectives on criminal justice reform. And when someone who has been through the legal system is ready to go back and be reintegrated into society, I believe that this is a good opportunity for people to have meaningful employment after they have made a mistake and reformed their lives. That is why this is an agreed-to amendment, and I thank the good gentleman from Allegheny County.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Harris.

Mr. **HARRIS**. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlewoman, Representative Oberlander.

Ms. **OBERLANDER**. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. The Chair thanks the lady.

The following roll call was recorded:

#### YEAS—136

Benham	Fiedler	Krajewski	Rapp
Benninghoff	Fitzgerald	Krueger	Rigby
Bernstine	Flynn	Kulik	Roae
Bizzarro	Frankel	Lee	Rowe
Boback	Freeman	Lewis	Rozzi
Boyle	Gainey	Longietti	Sainato
Bradford	Galloway	Madden	Samuelson
Briggs	Gillen	Malagari	Sanchez
Brooks	Gregory	Markosek	Sappey
Brown, A.	Guenst	Marshall	Schemel
Bullock	Guzman	Masser	Schlossberg
Burgos	Hanbidge	Matzie	Schmitt
Burns	Harkins	McClinton	Schweyer
Carroll	Harris	McNeill	Shusterman
Cephas	Helm	Mehaffie	Sims
Ciresi	Hennessey	Merski	Snyder
Conklin	Herrin	Metcalfe	Solomon
Cox	Hershey	Miller, D.	Struzzi
Cruz	Hohenstein	Mullery	Sturla
Culver	Howard	Mullins	Thomas
Daley	Innamorato	Mustello	Toohil
Davidson	Irvin	Neilson	Twardzik
Davis, A.	Isaacson	Nelson, N.	Vitali
Davis, T.	James	O'Mara	Warren
Dawkins	Jones	Oberlander	Webster
Day	Kaufner	Ortitay	Wheatley
Deasy	Kauffman	Otten	White
DeLissio	Kenyatta	Parker	Williams, C.
Delloso	Kerwin	Pashinski	Williams, D.

DelRosso	Kim	Pennycuik	Young
DeLuca	Kinhead	Pisciottano	Zabel
Diamond	Kinsey	Puskaric	
Driscoll	Kirkland	Quinn	Cutler,
Ecker	Klunk	Rabb	Speaker
Evans	Kosierowski		

## NAYS—65

Armanini	Gleim	Mentzer	Ryan
Bonner	Greiner	Mercuri	Sankey
Borowicz	Grove	Metzgar	Saylor
Brown, R.	Hamm	Mihalek	Schroeder
Causar	Heffley	Millard	Silvis
Cook	Hickernell	Miller, B.	Smith
Davanzo	Jozwiak	Mizgorski	Sonney
Delozier	Kail	Moul	Staats
Dowling	Keefer	Nelson, E.	Stambaugh
Dunbar	Knowles	O'Neal	Stephens
Emrick	Labs	Owlett	Tomlinson
Farry	Lawrence	Peifer	Topper
Fee	Mackenzie, M.	Pickett	Warner
Flood	Mackenzie, R.	Polinchock	Wentling
Fritz	Mako	Rader	Wheeland
Gaydos	Maloney	Rothman	Zimmerman
Gillespie			

## 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 amendment on second consideration as amended?

The SPEAKER. It is the Chair's understanding that the gentleman, Representative Wheatley, wishes to withdraw amendment 1169. Is that correct? The Chair thanks the gentleman.

It is also the Chair's understanding that Representative Cox, sir, you wish to withdraw amendment 1189? The Chair thanks the gentleman.

We will now go to, there are three late-filed amendments. Just as a reminder to the members, because it has been some time since we have debated late-filed amendments, when debating a suspension of the rules for consideration of an untimely filed amendment, you should contain your debate to the reasons as to why the suspension should be granted and not actually get into the substance of the underlying amendment until the rules are in fact suspended.

With that, the Chair now recognizes the gentleman, Representative Cox, on amendment 1194. The gentleman indicates he withdraws. The Chair thanks the gentleman.

### MOTION TO SUSPEND RULES

The SPEAKER. Moving next, the gentleman, Representative Wheatley offers amendment 1215, which was late-filed. Does the gentleman seek a suspension of the rules for immediate consideration?

Mr. WHEATLEY. Yes, Mr. Speaker, I do.

The SPEAKER. Very good. The clerk will please read amendment 1215.

The clerk read the following amendment No. **A01215**:

Amend Bill, page 8, line 27, by inserting after "protocol"  
or a home delivery protocol

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of the rules suspension, the Speaker recognizes the gentleman, Representative Wheatley.

Mr. WHEATLEY. Mr. Speaker, we have talked earlier about the ability to make sure some of the things that we have instituted during the COVID pandemic and make it more convenient for our citizens to access their medicine. We talked earlier about the opportunity to make sure our medical cannabis program fits in line with all other types of pharmaceutical access. It is our hope and understanding with this late-filed amendment, if given the chance, we could discuss and hopefully help provide a better, more secure process for what is already technically being done in many ways but is not formalized or standardized. And our hope with this amendment is to engage in a process to formalize this process and standardize it.

So again, I will be asking you all for a "yes" vote on allowing us to discuss and vote on and consider this amendment dealing with home delivery for our medical product.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, only the maker of the motion, the prime sponsor of the bill, and the leaders may debate the motion to suspend.

The gentleman, Representative Schemel, is in order and may proceed on the motion.

Mr. SCHEMEL. Thank you, Mr. Speaker.

And the prime sponsor thanks the good gentleman from Allegheny County. The underlying notion of this legislation was to conform our Medical Marijuana Act to some of the provisions that we have which apply to pharmacies. We are treating medicines like medicines. Pharmacies do allow and have provisions under the Department of Health – they are regulations – that regulate home delivery of pharmaceutical products. In theory, I absolutely support the good gentleman's amendment; however, the technical drafting of the amendment does not require that the Department of Health make consistent the regulations which would apply to home delivery of medical marijuana and home delivery of pharmaceuticals in a drugstore. Therefore, I oppose the amendment.

I understand that the good gentleman may be discussing this with Senators about potentially remedying this problem in the Senate. But this is not an agreed-to amendment, and therefore, I oppose the motion. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Speaker recognizes Leader McClinton on the motion to suspend.

Ms. McCLINTON. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Wheatley, for the second time on the motion to suspend.

Mr. WHEATLEY. Thank you, Mr. Speaker.

And again, I appreciate the prime sponsor of this bill. I would ask for us to consider the fact that what we are doing is lining up our medical cannabis program to be treated like all other medicines that we have access to in our Commonwealth. Citizens

are used to being able to go online and get access to their pharmaceutical medicine, delivered to their home if they want it. There are ways for us to protect the safety and security of our medical cannabis process. This is just another way to make it convenient for our citizens, many of whom do not want to go and travel to a location that is an all-cash business. Again, many of whom that they feel a little more safe not having to travel with their cash to a facility. This is the opportunity for us to give them that opportunity.

I would definitely ask you for your support in this. And although there may be an opportunity to get it over to the Senate, why should we when we have it right here to be able to put it in a bill that we are sending to the Senate. So I would ask for your consideration on this motion, a positive consideration on this motion. Thank you.

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

(Members proceeded to vote.)

The SPEAKER. On that question, the Chair recognizes the gentlewoman, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.  
The electronic board is accurate.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.  
The electronic board is accurate.

The SPEAKER. The Chair thanks the gentleman.

The following roll call was recorded:

YEAS—91

Benham	DeLuca	Kinhead	Pashinski
Bizzarro	Driscoll	Kinsey	Pisciottano
Boyle	Evans	Kirkland	Rabb
Bradford	Fiedler	Kosierowski	Rozzi
Briggs	Fitzgerald	Krajewski	Sainato
Brown, A.	Flynn	Krueger	Samuelson
Bullock	Frankel	Kulik	Sanchez
Burgos	Freeman	Lee	Sappey
Burns	Gainey	Longietti	Schlossberg
Carroll	Galloway	Madden	Schweyer
Cephas	Guenst	Malagari	Shusterman
Ciresi	Guzman	Markosek	Sims
Conklin	Hanbidge	Matzie	Snyder
Cox	Harkins	McClinton	Solomon
Cruz	Harris	McNeill	Sturla
Daley	Herrin	Merski	Vitali
Davidson	Hohenstein	Miller, D.	Warren
Davis, A.	Howard	Mullins	Webster
Davis, T.	Innamorato	Neilson	Wheatley
Dawkins	Isaacson	Nelson, N.	Williams, D.
Deasy	Kaufer	O'Mara	Young
DeLissio	Kenyatta	Otten	Zabel
Delloso	Kim	Parker	

NAYS—110

Armanini	Gregory	Mehaffie	Rowe
Benninghoff	Greiner	Mentzer	Ryan
Bernstine	Grove	Mercuri	Sankey
Boback	Hamm	Metcalfe	Saylor
Bonner	Heffley	Metzgar	Schemel
Borowicz	Helm	Mihalek	Schmitt
Brooks	Hennessey	Millard	Schroeder

Brown, R.	Hershey	Miller, B.	Silvis
Causser	Hickernell	Mizgorski	Smith
Cook	Irvin	Moul	Sonney
Culver	James	Mullery	Staats
Davanzo	Jones	Mustello	Stambaugh
Day	Jozwiak	Nelson, E.	Stephens
Delozier	Kail	O'Neal	Struzzi
DelRosso	Kauffman	Oberlander	Thomas
Diamond	Keefer	Ortitay	Tomlinson
Dowling	Kerwin	Owlett	Toohil
Dunbar	Klunk	Peifer	Topper
Ecker	Knowles	Pennycuick	Twardzik
Emrick	Labs	Pickett	Warner
Farry	Lawrence	Polinchock	Wentling
Fee	Lewis	Puskaric	Wheeland
Flood	Mackenzie, M.	Quinn	White
Fritz	Mackenzie, R.	Rader	Williams, C.
Gaydos	Mako	Rapp	Zimmerman
Gillen	Maloney	Rigby	
Gillespie	Marshall	Roae	Cutler,
Gleim	Masser	Rothman	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 second consideration as amended?

The SPEAKER. The gentleman, Representative Wheatley, has one additional amendment, 1363. I understand the gentleman wishes to withdraw? The Chair thanks the gentleman.

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

The SPEAKER. The bill as amended will be reprinted.

For the information of the members, there will be no further votes on the floor today. We will, however, be leaving the desk open for some housekeeping, as well as the list of rule 17 speakers. So if you are on the rule 17 list, please proceed to the front and be prepared to speak during your allotted time.

**BILLS RECOMMITTED**

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

- HB 142;
- HB 150;
- HB 176;
- HB 253;
- HB 722;
- HB 764;
- HB 987;
- HB 1024;
- HB 1033;

HB 1257;  
 HB 1348;  
 HB 1390;  
 SB 425; and  
 SB 445.

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 118;  
 HB 409;  
 HB 659;  
 HB 940;  
 HB 979;  
 HB 1091;  
 HB 1095;  
 HB 1500;  
 HB 1508;  
 HB 1509;  
 HB 1510;  
 HB 1511;  
 HB 1512;  
 HB 1513;  
 HB 1514;  
 HB 1515;  
 HB 1516; and  
 SB 108.

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 453;  
 HB 583; and  
 HB 648.

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

#### **BILLS TABLED**

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

HB 453;  
 HB 583; and  
 HB 648.

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

#### **BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 71, PN 47**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations on the Commonwealth.

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

#### **BILL TABLED**

The SPEAKER. The majority leader moves that HB 71 be removed from the active calendar and placed on the tabled calendar.

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 71 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.

#### **BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 87, PN 64**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sexual abuse of children; in child protective services, providing for task force on child pornography; and, in sentencing, further providing for sentencing for offenses involving sexual abuse of children.

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

#### **BILL TABLED**

The SPEAKER. The majority leader moves that SB 87 be removed from the active calendar and placed on the tabled calendar.

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

### **BILL REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that SB 87 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.

### **STATEMENT BY MR. C. WILLIAMS**

The SPEAKER. Turning to the list of rule 17 speakers. The Speaker recognizes the gentleman, Representative Craig Williams, who will speak on Memorial Day and the passing of a friend. The gentleman, Representative Williams, is in order, and you may proceed.

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

Given that this is my first term, and just like I spoke about my brother a few weeks ago, I want to take every opportunity to talk about Capt. Brad Kelly.

### **THE SPEAKER PRO TEMPORE (TINA PICKETT) PRESIDING**

The SPEAKER pro tempore. The gentleman may proceed.

Mr. C. WILLIAMS. Thank you. I would ask for the members' indulgence since we are talking about Memorial Day and the passing of people who have served our country. If we can pay attention.

My best friend in the world was Capt. Brad Kelly. He was a lieutenant in 1992 when he was flying an F/A-18 out of Singapore. Sitting in the back of that F/A-18, they were refueling over the Pacific Ocean and the refueling probe snapped off – I am sorry, the basket snapped off of the refueller, stayed attached to his aircraft, and the communications wires and the electrical wires came unraveled from the hose. Fearing that the wires were going to get wrapped around the control surfaces of his F/A-18, he unstrapped from his seat to turn around and look at the vertical stabilizer to guarantee his pilot that they were free to fly. And in that moment, his aircraft departed controlled flight and started to spiral down to the ground. My friend PIG, as he was known, was not strapped in; the pilot ejected him and he was not attached to his seat.

About a week later, we found him in the jungles of Malaysia and I took him home to his parents – probably one of the hardest days of my life. And that is what it means to serve in this United States military. This is 1992, and in 1991 Lieutenant Kelly was a very highly decorated combat veteran of Desert Storm. And in fact, at one point in Desert Storm, Air Force aircraft checked in – we were all four air controllers flying at 100 feet, 500 knots, finding targets in the deserts of Iraq and Kuwait – and Air Force fighters checked in and asked him to authenticate, to make sure that he was on a controlled frequency. And I will not repeat his vulgarity in this chamber, but he said, "I'm a little blank busy right now. Come into my airspace if you'd like."

And that was PIG. We loved him dearly. He was the life of the squadron. He was the life of the airwaves. And as I said, I live with him, he continues to be my best friend, and I am never going to pass up an opportunity to get in front of a microphone to talk about Lieutenant Kelly – posthumously Captain Kelly – because that is what it means to serve. Memorial Day for many of you may be a day off. For many of us, it is the pictures hanging on the outside of my office in the hallway here in the House of Representatives of "PIG" Brad Kelly and carrying his memory every single day of my life.

There was a scene in "Saving Private Ryan" at the end of the movie, the character Captain Miller, played by Tom Hanks, is laying dying on the bridge in France. Private Ryan is standing over the top of him, and Captain Miller simply says, "Earn this. Earn this." A few minutes later in the movie, Private Ryan is an older man, is there with his family in France at the grave of Captain Miller, and with tears in his eyes turns around to his wife and says, "Have I earned this?" It almost brings tears to my eyes right now thinking about that moment in the movie and that moment in my daily life where I think about Brad Kelly and whether or not I have earned his sacrifice. I tried my best with 28 years in the Marine Corps. I tried my best with years in the Department of Justice. And it is why I am here today – because of him. My son is right now in San Diego on a month of training with the United States Navy, because he is in the Navy ROTC (Reserve Officers' Training Corps) and he feels it too. He knows the story of Brad Kelly and what it means to "earn this."

I ask you, earn the sacrifice of all of our brave men and women whom we are going to celebrate on Monday – not only in the military, but amongst our first responders, the people that we have lost during this pandemic, and just hold all of them very, very close to your heart.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative Williams.

### **STATEMENT BY MR. BRADFORD**

The SPEAKER pro tempore. Representative Bradford, on the passing of Hank Cisco.

Mr. BRADFORD. Thank you, Madam Speaker.

I rise today to recognize a great American and a celebrated resident of the Borough of Norristown. On January 14, 2020, at the age of 96, we lost a unique, unique individual, Hank Cisco. Hank lived a very full life, and while I am here now, I would be remiss if I did not recognize Hank's family who joined us today – Carol Griffith; Joanne Marano; Mary Ciaccio; Richard Griffith, Carol's husband and Hank's son-in-law; as well as Hank's nieces, Joanne Olszewski, our Montgomery County Jury Commissioner; Patrice Hagert; Donna McCloskey; Marianne Schmalbach; Hank's nephew, Mark Leszczynski; and close friends of the family, Dick Mardi; Dave Sereny; Rochelle Culbreath, former Norristown Council President; Mary Ellen DiGregorio; and Deborah Cranata.

Madam Speaker, Hank was born Frank Ciaccio in Brooklyn, New York, on November 9, 1923. He was one of eight children. Later on Hank embarked on a successful career. Long before there was Dwayne Johnson or even Rocky Balboa, he got one of his nicknames and became known as Hank "the Rock" Cisco as a professional boxer.

Hank was no stranger to public service. He proudly served his country in the United States Army during World War II. In addition, Hank served as a police officer for 24 years and as an investigator for the Montgomery County District Attorney's Office for 13 years further. Not only did Hank serve his community in a professional capacity, but he was also a fixture in Norristown and one of its biggest cheerleaders. He was Mr. Norristown. In fact, he was officially recognized by borough council as the first ambassador that any community in Pennsylvania had. Hank thought this was the biggest deal in the world, and on many occasions would wear his sash at parades and events to welcome folks to the borough he loved so much.

Hank worked diligently to support the Norristown community throughout his life, though, especially its youth. Hank was a familiar face around the Norristown Area School District, where he taped his local cable access show, "The Hank Cisco Show," at the high school for three decades. I am proud to say that I appeared on several of those shows, and while I hope I did not make a fool of myself, Hank brought much joy to so many that is worth remembering.

He also served as a referee for many youth sports and was inducted into both the Montgomery County Coaches Hall of Fame and the Pennsylvania Boxing Hall of Fame for all of his work. He was also the ringleader of what he called the Mongooni Society, a collection of what I must admit were mostly Republican men from Montgomery County, but once or twice he invited a wayward Democrat to enjoy good food and good camaraderie and have a good time.

In a Philadelphia Inquirer article, Hank is once quoted saying, "My mother always told me, 'Do good, and people will move you forward.'" Hank certainly lived his life according to that advice. Throughout his life, Hank had many titles and nicknames – Wild Card, Rock, Ambassador – but the ones I am sure were the most important to him were husband, father, grandfather, and uncle.

I was honored to be joined today by Hank's family – especially his daughters, Carol, Joanne, and Mary – and so many friends as we celebrate his lasting memory.

Thank you so much, Madam Speaker, for this opportunity to recognize a true Norristown original, Hank Cisco.

The SPEAKER pro tempore. Thank you, Representative Bradford.

### STATEMENT BY MR. KERWIN

The SPEAKER pro tempore. Representative Kerwin, on HB 1096, relating to human trafficking.

Mr. KERWIN. Thank you, Madam Speaker.

All across the Commonwealth and our country every day, individuals become the victims of human trafficking. This shocking act is an affront to personal liberty and justice. In my own district, the I-81 corridor, unfortunately, is a hub of this horrific industry.

HB 1096 gives the victims of human trafficking an even wider route to pursue justice for the crimes committed against them. As a former prosecutor, I see this legislation as a win for all of those of who have suffered for far too long from the heinous act of human trafficking. It offers the victims an opportunity to more easily seek justice by reforming how lawsuits can be filed against their offenders.

For those all across Pennsylvania and across the nation who have tragically suffered from the scourge of human trafficking, I encourage a "yes" vote, and I thank the gentleman from Franklin County for his dedicated work on this difficult matter.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you.

### STATEMENT BY MS. O'MARA

The SPEAKER pro tempore. Representative O'Mara, on forgotten and abandoned cemeteries.

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

I rise today to recognize "Forgotten Cemetery Day" in Pennsylvania. In 2019 I established Forgotten Cemetery Day with the help and support of my friend, the late Richard Paul of Marple Township. Rich Paul lived in Marple for 65 years. He was a veteran who served our nation during Vietnam, and he served the township and the county for decades working on historical preservation.

When I first got elected, Rich came to my office to tell me about Hayti Cemetery. Hayti Cemetery is located near Old Marple Road in Marple Township in Delaware County. The cemetery was founded in 1838 and was located next to an African-American church known as the Hayti Church, which burned to ground in the early 1900s. But the cemetery is still there. Many of the grave markers consist of rough stones taken from a nearby quarry, because families of the deceased did not have enough money to afford masonry-carved headstones. Hayti Cemetery is also home to several Civil War soldiers who served our nation during the Civil War.

Hayti Cemetery was abandoned in the 1930s and Mr. Paul wanted to do something about that. So together we created Forgotten Cemetery Day. With the help of the House of Representatives, we passed a unanimous resolution. And Rich was so excited in 2019 when we planted flags at the site of these African-American veterans. Unfortunately, due to COVID-19, we could not celebrate in 2020. And even more unfortunately, Rich died from COVID-19 on December 29, 2020, at home after being diagnosed 4 days earlier. He was only, I believe, 77 years old.

Rich used to say there were a lot of abandoned cemeteries, and he gave me a long list of things to do. But he always said that if we could get along, with him being a Republican and me being a Democrat, then anyone could get along. And as we head into this budget season, I hope my colleagues remember the spirit of Rich Paul and that we can find a way to work together in what often seems like an impossible effort. But it is not, and Rich helped me to learn that.

We honored Rich last weekend when we celebrated Forgotten Cemetery Day at Hayti Cemetery, and we laid flags in his honor. I will always remember him. He is one of the constituents that became like a family member, and I miss him greatly. But I will keep his legacy alive by continuing to work on forgotten cemeteries in my district and across the Commonwealth.

Thank you, Madam Speaker, for recognizing "Forgotten Cemetery Day" and allowing me to remember my friend, Rich Paul. Thank you.

The SPEAKER pro tempore. Thank you, Representative O'Mara.



**STATEMENT BY MR. MERCURI**

The SPEAKER pro tempore. Representative Mercuri, on Memorial Day.

Mr. MERCURI. Thank you, Madam Speaker.

This Memorial Day, as we pause to honor the service and sacrifice of those who have paid the ultimate price for our American freedoms and way of life, let us also remember that it was their sacrifice that guaranteed our right to self-government. Our democracy was literally paid for with the blood of such patriots. Some of these patriots were my friends. My West Point class of 2004 lost 14 graduates in the line of duty – all young Americans of promise whose lives were cut short in the pursuit of serving the greater good. To these brave men and women, and those who sacrificed before them who courageously served and bled for us, and to their families, those Gold Star spouses and children who supported them as they fought to protect our country, yours is a debt we can never fully repay.

Because of the service and sacrifice of these American heroes, we can live our lives more freely today. We can raise our children in our communities and enjoy the simple pleasures of the American dream. Given their sacrifice, let us recommit today to this nation, to our Commonwealth, to each other. Let us strive to achieve what was in their hearts and minds as they lay down their lives for us – a vision of freedom, a vision of community, a vision of common destiny. We can do this together and we must, not only for each other and our children, but also to live up to the incredible commitment, the devotion to duty, and the sacrifice of the men and women we remember this Memorial Day. May God bless America and each of you. Thank you.

The SPEAKER pro tempore. Thank you, Representative Mercuri.

**STATEMENT BY MRS. BROWN**

The SPEAKER pro tempore. Representative Rosemary Brown, on May as Lyme Disease Awareness Month.

Mrs. BROWN. Thank you, Madam Speaker.

I am standing here today once again to continue to build awareness and shed light and attention on Lyme disease and tick-borne illnesses as we recognize "Lyme Disease Awareness Month."

If you are not already familiar, Lyme disease is a bacterial infection that most people get from the bite of a tick. Early diagnosis is important in fighting Lyme disease, just as it is in tackling any other disease state. Ticks also carry other pathogens up and beyond what causes Lyme disease, which is why you also hear noted "tick-borne illness." A tick can have a multitude of pathogens in it which could be transmitted to an individual, further complicating the diagnosis, symptoms, and effective treatment.

Most cases of Lyme disease can be treated successfully with antibiotics, especially if treatment is started early enough. However, there are some cases which do not respond, or if left untreated, can spread strongly to joints, the heart, and the nervous system, resulting in increasingly serious complications and debilitation – something we do not want any Pennsylvanian to go through, especially our children.

Chances are good that you do know someone who has contracted Lyme disease and you have heard devastating stories. I know that I have, and this is why I continue to build awareness and education.

Pennsylvania reported 30 percent of all Lyme disease cases in the United States, and ranked number one in overall cases reported. We are in a high-risk location and we definitely need to be proactive. This is the primary reason I initiated and worked to establish free tick testing in Pennsylvania, and the General Assembly came together and helped support and fund this initiative through East Stroudsburg University's tick lab, which you can visit at ticklab.org. Ticks can be mailed in quickly and the information provided by this testing is extremely valuable to the patient and doctor to gauge symptoms and possible risks of exposure and treatment.

Please remember, the best way to prevent Lyme disease and tick-borne illness is to be prepared and preventative when you are outdoors, and checking when you, your family, or your pets come indoors. Remember that some ticks are the size of a poppy seed and may not be found on you and can fall off without giving you an indication of exposure. Please spray with appropriate tick repellent at least from the knees down, which can prevent a tick from latching on by up to 75 percent less chances. There are also many ways you can improve your landscaping around your home, such as keeping grass short, playsets in sunny areas away from wooded perimeters, and more.

I hope you will help me as I work to help you continue to educate and prevent Pennsylvanians from contracting Lyme disease and tick-borne illnesses.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative Brown.

**STATEMENT BY MR. HENNESSEY**

The SPEAKER pro tempore. Representative Hennessey, on May as Lyme Disease Awareness Month.

Mr. HENNESSEY. Thank you, Madam Speaker.

As you have heard, May is National Lyme Disease Awareness Month across our nation. Lyme disease is a pernicious disease which occurs in all of our States, but for some reason is more prevalent in Pennsylvania than in any other.

Lyme disease can have long-term disabling effects. It can alter daily living and drastically alter career paths for those who fall victim to it in its most serious form. I have seen personally the devastation that Lyme can wreak on a person's life. My cousin's son has suffered from Lyme for over 20 years, and it has altered his promising career by sapping his energies and making daily activities always painful and sometimes next to impossible to accomplish.

Chester County in southeastern Pennsylvania has long been considered a hot spot for Lyme in our Commonwealth, perhaps because our Chester County Health Department is a pioneer in identifying Lyme and tracking Lyme patients and their treatments. In addition, Chester County is blessed to have two people who have dedicated extraordinary time and energy to making our communities aware of the prevalence of Lyme and its sometimes devastating effects. Donald Hannum of West Caln

Township near Coatesville and Doug Fearn of Pocopson, both of whom volunteer their time with the Pennsylvania Lyme Disease Awareness Committee, deserve special mention for their hard work in fighting Lyme disease, and I am pleased to give them that recognition today.

For years Don and Doug have both also been pushing to have long-term antibiotic treatments covered by health insurance policies. In our current session, HB 1033 would require that coverage. I hope we can get that bill across the finish line this session to guarantee that such long-term antibiotic therapy is available to those who need it so badly and who choose to avail themselves of long-term therapy upon the advice of their doctors.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative Hennessey.

### **REMARKS SUBMITTED FOR THE RECORD**

Mr. FARRY submitted the following remarks for the Legislative Journal:

Madam Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Evan Nicholas Gerdy, who has been awarded Scouting's highest honor – Eagle Scout.

Madam Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Evan Nicholas Gerdy.

Whereas, Evan Nicholas Gerdy earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Evan is a member of Troop 30.

Now therefore, Madam Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Evan Nicholas Gerdy.

### **BILLS AND RESOLUTIONS PASSED OVER**

The SPEAKER pro tempore. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

### **ADJOURNMENT**

The SPEAKER pro tempore. Representative Napoleon Nelson moves that this House do now adjourn until Monday, June 7, 2021, at 12 m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:43 p.m., e.d.t., the House adjourned.