

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 29, 2022

SESSION OF 2022

206TH OF THE GENERAL ASSEMBLY

No. 12

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (BRYAN CUTLER) PRESIDING

PRAYER

HON. ANN FLOOD, member of the House of Representatives, offered the following prayer:

Lord of the universe, I stand here today grateful to deliver this prayer, grateful for the small blessings in life. In our fast-paced and ever-distracted world, may we remember to stop, look up, and appreciate what is truly important in this life: our family, the power and impact of a kind word, the warmth of human embrace, and the beauty that surrounds us in this world You created.

Lord, as we come together today to deal with important matters of our great State, be with us in our deliberations. Help us each see beyond our limited perspective. Give us the wisdom we need to tend to all issues justly and for the betterment of our people, State, and nation.

In our service to the people of this State, let us not forget the suffering of other people in our world. We think especially of those in Ukraine, whose nation has been so savagely attacked and whose lives have been so brutally uprooted and changed in such a short time. Aid them in their suffering. Bring peace to that part of the world and sustain peace and greater cooperation among all the nations of the world so that all of us can better make use of the many blessings You have bestowed upon us. 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 Monday, March 28, 2022, will be postponed until printed.

BILL REPORTED AND REREFERRED TO COMMITTEE ON STATE GOVERNMENT

HB 2373, PN 2895

By Rep. BOBACK

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for transfer authority over Lieutenant Governor's Mansion.

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

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND Tabled

HB 2139, PN 2885 (Amended)

By Rep. HENNESSEY

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in turnpike, further providing for definitions, for electronic toll collection and for annual hearing; in registration of vehicles, further providing for suspension of registration upon unpaid tolls; and, in powers of department and local authorities, further providing for provisions relating to fare evasion.

TRANSPORTATION.

HB 2401, PN 2884 (Amended)

By Rep. RAPP

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for licensure.

HEALTH.

HB 2450, PN 2871

By Rep. METCALFE

An Act amending the act of July 7, 1961 (P.L.518, No.268), known as the Delaware River Basin Compact, in organization and area, further providing for voting power.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2451, PN 2872

By Rep. METCALFE

An Act amending the act of July 7, 1961 (P.L.518, No.268), known as the Delaware River Basin Compact, in general provisions, further providing for regulations and enforcement.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2458, PN 2880

By Rep. METCALFE

An Act establishing the Philadelphia LNG Export Task Force; and providing for duties of task force.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2461, PN 2883

By Rep. METCALFE

An Act providing for the leasing of subsurface rights on State forest and park property for oil and natural gas development; and abrogating an executive order and other orders and administrative policies.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 119, PN 125

By Rep. METCALFE

An Act authorizing the Department of Environmental Protection to conduct a public comment process on and submit to the General Assembly a measure or action intended to abate, control or limit carbon dioxide emissions by imposing a revenue-generating tax or fee on carbon dioxide emissions.

ENVIRONMENTAL RESOURCES AND ENERGY.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 74, PN 868

By Rep. HENNESSEY

A Resolution directing the Legislative Budget and Finance Committee to conduct a study and issue a report on the current status, management and benefits of conservation corridors in this Commonwealth.

TRANSPORTATION.

HR 187, PN 2868

By Rep. METCALFE

A Resolution urging the Governors of New York and New Jersey to end anti-pipeline policies that block Pennsylvania natural gas from reaching markets in New England.

ENVIRONMENTAL RESOURCES AND ENERGY.

HR 188, PN 2878

By Rep. BOBACK

A Concurrent Resolution extending in whole the disaster emergency declared on January 28, 2022, and extended in whole by the General Assembly until March 31, 2022, in response to the Forbes Avenue/Fern Hollow Bridge Collapse.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 189, PN 2879

By Rep. METCALFE

A Resolution urging the President of the United States and the Congress of the United States to take measures to increase America's long-term energy affordability and security by ensuring the continued operation and expansion of our oil and gas infrastructure.

ENVIRONMENTAL RESOURCES AND ENERGY.

LEAVES OF ABSENCE

The SPEAKER. Turning to master roll call. Are there 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 the gentleman, Representative CIRESI, from Montgomery County requests leave for the day. Without objection, leave is so granted.

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—199

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

Fitzgerald
Flood
Frankel

Lee
Lewis

Rader
Rapp

Cutler,
Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Ciresi

The SPEAKER. One hundred ninety-nine members having voted on the master roll, a quorum is present.

Members, please take your seats. Members, please take your seats. The Sergeants at Arms will please clear the aisles. Members and guests, please be seated.

REMARKS BY SPEAKER

The SPEAKER. As Speaker, I would like to take an opportunity to offer some comments, and I would appreciate the members' attention.

Fellow House members, as we return to this chamber for the first time in a few weeks, I am struck at how much the world has changed since we were last together. There are millions of people under threat of attack for no fault of their own or their leaders; tens of thousands of Ukrainians are without their homes, or have left in search of safety and are now refugees; and we have already lost loved ones in this unfair, unprovoked, and inhumane war.

Sadly, it has become too easy for us to look at conflicts around the world and turn a blind eye, saying that it does not impact us or that that country is very far away. But an attack on free people anywhere is an attack on freedom everywhere. The images and the videos coming out of Ukraine are devastating, and we must stand united to do whatever we can to help those impacted, and most importantly, to defend democracy.

The Russian attacks – at least for me – are a stark reminder to never take our own freedoms for granted. Our right to assemble, our right to worship and speak suddenly seem much more tangible than they did a few short weeks ago, especially for those of us who are blessed and have the opportunity to serve here in this chamber. We are doing the very thing that Russia is trying to take away from Ukraine, and that Russia has already taken away from its own people. We are here to freely and openly debate issues facing our Commonwealth, our citizens, our friends, and our neighbors, and we as elected members are free to express our opinions without fear of retribution or retaliation.

And ultimately, we will vote – some will be successful, some may not be – to make changes, to give a voice to our constituents who have sent us here, and a vote to lift up those who cannot lift up themselves. We are here to lead and to govern exactly as we are entrusted to do. And as I look around this chamber, I know that we do not all agree on each and every issue, but I would go as far as to say that we oftentimes recognize what the problems are and our debates revolve around solutions, and for that I am grateful. But I know that each of you are here for the right reasons, and the actions that you take are because you are doing what you believe is in the best interest not just to benefit all Pennsylvanians, but specifically your constituents back home.

Closer to home, I also want to recognize the ultimate sacrifice of two men who also took an oath to this Commonwealth. Troopers Martin Mack and Branden Sisca were killed while fulfilling their duty. They made that oath to protect all of us as citizens. The two men were assisting a man on a highway when they were senselessly struck and killed. The troopers put themselves in harm's way to try to help someone else. It is a profound calling that I think many of us take for granted. They showed up for work every day to serve and protect others, and we are forever thankful for their service and their sacrifice.

Trooper Mack leaves behind a wife and two young daughters. Trooper Sisca leaves behind a wife, who is expecting their first child later this summer.

Our prayers are with their families, their fellow troopers, and everyone impacted by this tragedy.

Fellow members, we took an oath to serve our Commonwealth, and we owe it to the people who sent us here to do this work to the best of each of our abilities and with respect for what it means to bear this great responsibility – especially for those here at home and across the world who have had their freedoms taken away.

Thank you for your attention, and please pray for all the families that we have mentioned.

GUESTS INTRODUCED

The SPEAKER. Turning to guest recognition – and I know there are quite a few here today – located in the gallery, the Chair is pleased to welcome Blaine Walizer, who is shadowing Representative Borowicz for the day. Blaine is a senior at Sugar Valley Rural Charter School. Welcome.

Also located in the gallery, the Chair is pleased to welcome Children First PA, and they are the guests of Representative Isaacson. Welcome.

Also located in the gallery, the Chair is pleased to welcome a guest of Representative Curry and Representative Zabel, whom I had the privilege of meeting earlier. Barbara Benglian is being honored – and I shared with her earlier and thanked her for her service – she is being honored in January of this year for her retirement from Upper Darby High School, where she concluded a career in music education spanning 52 years. What an amazing dedication to the public and the students. Congratulations and best wishes.

I know that I, myself, was personally blessed to have several teachers that were very involved with me at a young age – and rather awkwardly, some of my children had those same teachers many years later – and I always appreciated their attention to me to make me a better person and a better student, and specifically, I want to thank you for having that impact on all of your students through the years, Barbara. Thank you.

Located in the gallery, the Chair is pleased to welcome guests of Representative Guzman, the Cumru K'Nex Innovators from Cumru Elementary School in the Governor Mifflin School District. This team took part in the Pennsylvania 2022 Elementary and Middle School STEM (Science, Technology, Engineering, and Mathematics) Design Challenge. I had the privilege of meeting them earlier and they were sharing with me their project, which is called "Guardian of the Sea Rubbish Remover." It took second place in the Berks County Intermediate Unit Elementary STEM Competition, and the boat removes plastics and trash from waterways before it ends up in the ocean.

Congratulations to Jack Belinski, Owen Eshbach, Paisley Martin, and Brenna Sea. They are all here today. And I hope they are enjoying their visit with Representative Guzman, and they are here today with their teachers and their administrators – which the superintendent was quick to point out that today, he was just the van driver. So thank you.

Located in the well of the House, the Chair is pleased to welcome guest pages Evan Scott and Katy Anne Chambers, who attend Trinity High School. They are the guests of Representatives Delozier, Keefer, and Gleim. Welcome. We will do our best to keep you busy here later in session.

Located in the gallery, the Chair is pleased to welcome guests of Representative Gillespie and Representative Fee, Dennis Neideigh and his wife, Mindy, who I think are in the front part, if I saw them earlier.

Dennis served as a State Game Warden and is retiring on April 1 of this year after 37 years of service to the Pennsylvania Game Commission. Thank you for your service, sir.

Dennis served in Westmoreland County until 1989, when he was transferred to my own Lancaster County. He was promoted to the commission's Harrisburg headquarters in 1991 and eventually to chief of the real estate Division in 2002. From 2002 through 2022, Dennis was instrumental in adding over 106,000 acres to the State game land system. Congratulations and best wishes on your retirement, Dennis.

Dennis is joined today by Bryan Burhans, the executive director of the Game Commission; David Gustafson, who is director of Wildlife Habitat Management; Jason DeCoskey, who is director of the Bureau of Wildlife Protection; Nate Havens, the right of way administrator; and Josh Zimmerman, their legislative liaison. Welcome, everybody, and thank you for your service to the Commonwealth.

Located in the gallery, the Chair is pleased to welcome Temple social work interns Judith Snyder-Rothman and Sarah Noonan-Ngwane. They are the guests of Representative Rabb. There they are. Wonderful. Thank you. Thank you for joining Representative Rabb earlier today.

Located in the gallery, the Chair is also pleased to welcome Jean Truman, director of nursing programs, and R.N. (registered nurse) nursing students enrolled in the B.S.N. (bachelor of science in nursing) program at the University of Pittsburgh at Bradford. They are the guests of Representative Causer. Welcome. You are entering a very noble profession. My wife is a nurse and I appreciate her service, and we are privileged to have some nurses serve here in this chamber as well. So thank you for caring for those around you.

Turning to committee and caucus announcements.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Representative Seth Grove, for a committee announcement.

Mr. GROVE. Thank you, Mr. Speaker.

There will be a voting meeting of the House State Government Committee today at 11:30, room 523, Irvis Office Building. We will be taking up House bills 2447, 2171, 2066, 2449, SB 1020, and under other business, HB 2373.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a voting meeting of the House State Government Committee today at 11:30, room 523, Irvis Office Building.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Representative Moul, for a committee announcement.

Mr. MOUL. Thank you, Mr. Speaker.

Just a reminder for an Agriculture and Rural Affairs voting meeting tomorrow morning at 9, 515 Irvis Office Building; House bills 223, 224, 2397, 2456, 2457, and any other business to come before the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be an Agriculture and Rural Affairs voting meeting tomorrow morning at 9, 515 Irvis Office Building.

REPUBLICAN CAUCUS

The SPEAKER. The Speaker 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; 1 o'clock in the majority caucus room. We will be prepared to be back on the floor at 2 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

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

Democrats will caucus hybrid at 1 o'clock.

The SPEAKER. The Chair thanks the gentleman.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 972, PN 2886 (Amended)

By Rep. SONNEY

An Act providing for sport activities in public institutions of higher education and public school entities to be expressly designated male, female or coed; and creating causes of action for harms suffered by designation.

EDUCATION.

HB 2169, PN 2887 (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, establishing the Lifeline Scholarship Program.

EDUCATION.

RECESS

The SPEAKER. Seeing no further announcements, this House will stand in recess until 2 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.; further extended until 2:30 p.m.

AFTER RECESS

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 2066, PN 2893 (Amended)** By Rep. GROVE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in judicial administration, providing for judicial facilities.

STATE GOVERNMENT.

HB 2171, PN 2894 (Amended) By Rep. GROVE

An Act authorizing the Department of General Services, with the approval of the Governor, to quitclaim and release to the Waymart Area Historical Society any right, title or interest it may have with respect to certain historical use restrictions and a related reversionary interest affecting certain real property situate in the Township of Canaan, Wayne County; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to The Grist at Mather Mill, Ltd., certain lands, buildings and improvements situate in Whitemarsh Township, Montgomery County; authorizing the Department of General Services, with the approval of the Governor, to issue a corrective deed to the Potter County Housing Authority, and to quitclaim and release to the Potter County Housing Authority any right, title or interest it may have with respect to a certain use restriction and a related reversionary interest in each case related to certain real property situate in the Borough of Coudersport, Potter County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain lands, buildings and improvements situate in the City of Pittsburgh, Allegheny County, through a competitive solicitation for proposals process; authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to lease to the County of Wayne a portion of the lands of the Commonwealth of Pennsylvania at the State Correctional Institution - Waymart, situate in the Township of Canaan and Borough of Waymart, Wayne County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Berks County Redevelopment Authority certain lands, buildings and improvements situate in the Borough of Hamburg and Windsor Township, Berks County, being a portion of the former Hamburg Center; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Berks County Intermediate Unit certain lands and improvements situate in Windsor Township, Berks County, being a portion of the former Hamburg Center; authorizing the Department of General Services, with the approval of the Pennsylvania State Police and the Governor, to grant and convey to Robert Swingle certain lands and improvements situate in the Township of Richmond, Tioga County; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in Coraopolis Borough, Allegheny County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Borough of Wyoming certain lands, buildings and improvements situate in the Borough of Wyoming, Luzerne County.

STATE GOVERNMENT.

HB 2373, PN 2895 (Amended) By Rep. GROVE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for transfer authority over Lieutenant Governor's Mansion.

STATE GOVERNMENT.

HB 2419, PN 2841 By Rep. PICKETT

An Act amending the act of May 31, 2018 (P.L.123, No.25), known as the Outpatient Psychiatric Oversight Act, further providing for definitions and for requirements.

INSURANCE.

HB 2447, PN 2869 By Rep. GROVE

An Act providing for divestiture by the State Treasurer, the State Employees' Retirement System and the Public School Employees' Retirement System of investments in companies doing business in Russia and Belarus.

STATE GOVERNMENT.

HB 2449, PN 2864 By Rep. GROVE

An Act amending the act of January 10, 1968 (1967 P.L.925, No.417), referred to as the Legislative Officers and Employees Law, providing for electronic posting of expenses.

STATE GOVERNMENT.

SB 1020, PN 1523 (Amended) By Rep. GROVE

An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Kyle A. and Tamara J. Boltz certain lands situate in Union Township, Lebanon County, in exchange for Kyle A. and Tamara J. Boltz's granting and conveying certain lands to the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, to be added to those existing lands at Swatara State Park; and authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Erdenheim Farm (EQ), L.P., certain lands situate in Whitemarsh and Springfield Townships, Montgomery County, in exchange for Erdenheim Farm (EQ), L.P., causing to convey to the Commonwealth of Pennsylvania a tract of land to be added to Marsh Creek State Park.

STATE GOVERNMENT.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 190 By Representatives WHEELAND, ROTHMAN, MARSHALL, COOK, GAYDOS, ROWE, BERNSTINE and HAMM

A Resolution urging the Congress of the United States and the United States Environmental Protection Agency to take action and end regulations relating to vehicle emissions testing.

Referred to Committee on TRANSPORTATION, March 29, 2022.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2425 By Representatives FLOOD, M. MACKENZIE, HENNESSEY, RYAN, DRISCOLL, McNEILL, GLEIM, MIZGORSKI, HILL-EVANS, BERNSTINE, NEILSON, PARKER, CIRESI and DAY

An Act providing for communication duties between the Department of Health and the Department of Human Services with local area agencies on aging and the Department of Aging relating to older adult abuse.

Referred to Committee on AGING AND OLDER ADULT SERVICES, March 29, 2022.

No. 2463 By Representatives OWLETT, TOPPER, HENNESSEY, NEILSON, BROOKS, M. MACKENZIE and WELBY

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in general administration, further providing for powers and duties of department.

Referred to Committee on JUDICIARY, March 29, 2022.

No. 2464 By Representatives DELOZIER, KAUFFMAN, BOBACK, GUENST, JAMES, MILLARD, PICKETT and STAATS

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, providing for legal standing.

Referred to Committee on JUDICIARY, March 29, 2022.

No. 2465 By Representatives SILVIS, ROTHMAN, SMITH, MAJOR, DELLOSO, BROOKS and COOK

An Act providing for retail restroom access for truck drivers and for port restroom access for truck drivers; imposing penalties; imposing a duty on the Department of Health; and providing for enforcement.

Referred to Committee on TRANSPORTATION, March 29, 2022.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1984**, **PN 2717**, entitled:

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

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 2212**, **PN 2577**, entitled:

An Act repealing the act of September 1, 1965 (P.L.420, No.215), entitled "An act for the protection of the public health, and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possession with intent to sell, of adulterated or deleterious frozen desserts, providing for licensing, authorizing and regulating the manufacture and sale of frozen desserts, conferring powers and imposing duties upon the Department of Agriculture, prescribing penalties, providing for the enforcement thereof, and making repeals."

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 1957**, **PN 2242**, entitled:

An Act designating a bridge on that portion of State Route 994 over the Blacklog Creek, Cromwell Township, Huntingdon County, as the Lieutenant Joseph O. Stevens 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 1330**, **PN 2643**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for supplemental online course initiative; and establishing the Online Course Clearinghouse Restricted Account.

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

Mr. **ORTITAY** offered the following amendment
No. **A03792**:

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

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for Educational and Professional Development Online Course Initiative; and establishing the Online Course Clearinghouse Restricted Account.

Amend Bill, page 1, lines 10 through 20; pages 2 through 12, lines 1 through 30; page 13, lines 1 through 24; by striking out all of said lines on said pages and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding an article to read:

ARTICLE XV-K
EDUCATIONAL AND PROFESSIONAL DEVELOPMENT
ONLINE COURSE INITIATIVE

Section 1501-K. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Account." The Online Course Clearinghouse Restricted Account established under section 1502-K(h).

"Clearinghouse." The central online clearinghouse established under section 1502-K.

"Department." The Department of Education of the Commonwealth.

"Home education program." A program conducted in compliance with section 1327.1.

"Institution of higher education." Any of the following:

(1) A community college operating under Article XIX-

A.

(2) A university within the State System of Higher Education.

(3) The Pennsylvania State University.

(4) The University of Pittsburgh.

(5) Temple University.

(6) Lincoln University.

(7) Any other institution that is designated as "State-related" by the Commonwealth.

(8) The Thaddeus Stevens College of Technology.

(9) Any accredited private or independent college or university.

(10) Any private licensed school as defined in the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act.

(11) A college established under Article XIX-G.

"Nonpublic school." A school, other than a public school, located within this Commonwealth where a Commonwealth resident may legally fulfill the compulsory school attendance requirements of this act and that meets the applicable requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

"Online course." A course of study that uses technology in order to provide a significant portion of its curriculum and to deliver a significant portion of instruction to students through the Internet or other electronic means. The term shall include all services and materials related to the course.

"Professional development course." A course that uses technology to provide a professional educator with continuing professional education credits as required to maintain active certification under section 1205.2.

"Provider." An individual or a nonprofit or for-profit organization, business or institution of higher education which has submitted one or more online courses or professional development courses to the department for inclusion in the clearinghouse established under this article.

"School entity." A school district, charter school, regional charter school, cyber charter school, intermediate unit or area career and technical school.

"Secretary." The Secretary of Education of the Commonwealth. Section 1502-K. Clearinghouse for online course offerings.

(a) Duty to establish.—The department shall establish a central online clearinghouse which shall include the following:

(1) A database of online courses for students enrolled in grades kindergarten through twelve and shall be accessible by school entities, nonpublic schools, home education supervisors and the general public.

(2) A database of online professional development courses for compliance with section 1205.2.

(b) Implementation schedule.—In establishing the clearinghouse, the department shall adhere to the following implementation schedule:

(1) From the date of establishment of the clearinghouse, which shall be no later than the commencement of the 2024-2025 school year, and in each school year thereafter, the clearinghouse shall offer online courses which provide instruction for grades nine through twelve.

(2) Beginning in the 2025-2026 school year and in each school year thereafter, the clearinghouse shall offer online courses which provide instruction for grades seven through eight,

(3) Beginning in the 2026-2027 school year and in each school year thereafter, the clearinghouse shall offer online courses which provide instruction for kindergarten through sixth grade.

(4) Beginning in the 2027-2028 school year and in each school year thereafter, the clearinghouse shall offer professional development courses.

(c) Purchase of online courses.—Online courses included in the clearinghouse from providers may be offered for purchase as provided under subsection (g).

(d) Responsibilities of department.—The department shall:

(1) Create an online database that catalogs the online courses and professional development courses for which an application was approved under subsection (e) and make the database available to school entities, nonpublic schools, home education programs and the general public.

(2) Construct the database provided for under paragraph (1) for online courses and professional development courses in such a way as to:

(i) Provide information on each course listed in the database, including a description of the content and applicable grade levels of each course.

(ii) Facilitate communication between school entities, nonpublic schools or home education programs and providers of online courses and professional development courses cataloged in the clearinghouse to expedite the purchasing of the online courses.

(3) At least annually, or at any time the status of an online course or professional development course changes, update the database under paragraph (1).

(4) Collect application fees provided for in subsection (f) and deposit the fees into the account.

(5) Utilize the money in the account, including interest on the money, to pay expenses incurred by the department in carrying out its duties under this article.

(6) Explore the possibility for Federal and private funding to support the clearinghouse.

(7) Upon request, provide assistance to school districts which have been declared to be in financial recovery status or identified for financial watch status under Article VI-A by facilitating the school districts' search for low-cost or no-cost online course or professional development course options.

(e) Applications.—The following shall apply:

(1) The department shall develop an application and an application process that specify the time, form and manner by which providers may submit their online course or professional development course offerings to the department for inclusion in the clearinghouse.

(2) A provider may submit an application to the department for approval of the online course or professional development course through a certification process. The application shall include:

(i) A notarized affidavit certifying that:

(A) the online course being submitted for inclusion in the clearinghouse is aligned to the State academic standards for education provided for in 22 Pa. Code Ch. 4 (relating to academic standards and assessment); or

(B) the professional development course being submitted for inclusion in the clearinghouse is compliant with section 1205.2.

(ii) Evidence that the online course being submitted for inclusion in the clearinghouse fulfills at least one of the following criteria:

(A) has been approved by another state for use by its public schools;

(B) has been developed by a provider that has been accredited by a national

accreditation body recognized by the United States Department of Education; or

(C) has been designed by a school entity that utilizes the online course or provides the online course to another school entity for its use.

(iii) Evidence that the online course being submitted for inclusion in the clearinghouse includes an assessment component for determining student performance.

(iv) Evidence that the professional development course being submitted for inclusion in the clearinghouse improves teaching effectiveness or aids in maintaining a teaching certificate.

(f) Fees, application review and approval.—The following shall apply to the establishment of fees and the review and approval of applications:

(1) The department may establish a reasonable nonrefundable administrative fee for the purpose of reviewing each application submitted by an online course provider or a professional development provider.

(2) If, after a review of an application, the department determines that the application meets the applicable requirements under subsection (e) and does not violate State law or department procedures, standards or policy, the department shall approve the application, notify the provider of the approval and include the online course or professional development course in the database under subsection (d)(1) until such time as the provider requests that the online course or professional development course be removed or the department removes the online course under paragraph (5).

(3) If, after a review of an application, the department determines that the application does not meet the applicable requirements under subsection (e), the department shall withhold approval of the application and notify the provider of the reason approval was withheld so that the provider may revise and resubmit the application. Any application that has been resubmitted for review shall be subject to the associated administrative fee authorized under this subsection.

(4) The department may revisit and review any approved application and associated online course or professional development course at any time and remove the online course or professional development course from the database under subsection (d)(1) if the department determines that:

(i) the information contained in the application was false or misleading or is no longer accurate;

(ii) the online course or professional development course has been materially changed or revised in such a way that the approval previously granted for the online course or professional development course should not apply and the provider of the online course or professional development course has not submitted an application to the department seeking approval of the revisions to the online course or professional development course in accordance with the application and fee requirements of this section; or

(iii) the standards applicable to the course have materially changed in such a way that the approval previously granted for the online course or professional development course should not apply and the provider of the online course or professional development course has not submitted an application to the department within 30 days seeking approval of the online course or professional development course with revisions to address the revised standards in accordance with the application and fee requirements of this section.

(g) Contracts for the provision of courses cataloged in the clearinghouse.—The following shall apply to contracts entered into by school entities, nonpublic schools or home education programs and

providers of online courses or professional development courses cataloged in the clearinghouse:

(1) The purchase price and other payment and contract terms of an online course or professional development course cataloged in the clearinghouse shall be determined by direct negotiations between a school entity, nonpublic school or home education program and a provider.

(2) Immediately upon commencing negotiations of the terms of a contract for an online course, a provider shall provide the school entity, nonpublic school or home education program with information regarding refund policies and the process for contesting payment amounts.

(h) Online Course Clearinghouse Restricted Account.—

(1) The Online Course Clearinghouse Restricted Account is established as a restricted revenue account in the General Fund.

(2) The account may consist of funding appropriated by the General Assembly, application fees collected under subsection (f), fines collected under section 1504-K and any interest generated by money in the account.

(3) The money in the account is appropriated to the department on a continuing basis for the purposes of paying expenses incurred by the department in carrying out its duties relating to the administration of the clearinghouse.

Section 1503-K. School entities.

(a) General rule.—A school entity may utilize any online course made available through a school entity, through the clearinghouse or through any other source for free.

(b) Duties.—A school entity that offers online courses to students shall do all of the following:

(1) Determine how instruction relating to an online course shall be delivered.

(2) Establish policies and procedures for student eligibility and participation, including a policy on the selection of online courses made available to students by the school entity. The policies and procedures shall be made accessible to parents and students and posted on the school entity's publicly accessible Internet website.

(3) Ensure that parents and students are made aware of the opportunity for online learning and make information about available online courses easily accessible to parents and students.

Section 1504-K. Penalties.

If the department determines that a provider intentionally submitted false or misleading information on an application, the provider shall be prohibited from participating in the clearinghouse for a period of five years.

Section 1505-K. Report.

(a) Submission.—The secretary shall submit an annual report to the Governor, the chairperson and minority chairperson of the Education Committee of the Senate and the chairperson and minority chairperson of the Education Committee of the House of Representatives and post the report on the department's publicly accessible Internet website no later than June 30, 2027, and every five years thereafter.

(b) Content.—The report shall, at a minimum, include all of the following information:

(1) The number of students participating in online courses, disaggregated by student group.

(2) The number of students participating in online courses from the clearinghouse, disaggregated by student group.

(3) The number of online courses available through the clearinghouse.

(4) A description of the types of online courses available through the clearinghouse.

(5) An assessment of the academic impact of online courses on the participating students.

(6) The number of professional employees participating in professional development courses, disaggregated by

demographics and certification type.

(7) The number of professional development courses available through the clearinghouse.

(8) A description of the types of professional development courses available through the clearinghouse.

(9) Recommendations for improving the clearinghouse.

Section 1506-K. Construction.

Nothing in this article shall be construed to:

(1) Prevent a school entity from establishing and offering its own online course or program.

(2) Prevent a school entity or school entity personnel from:

(i) supplementing an online course;
(ii) providing assistance, tutoring or enrichment to a student enrolled in an online course;

(iii) using the content of an online course in instruction delivered by school district personnel; or
(iv) monitoring a student's progress and attention to instruction in an online course.

(3) Require a student to participate in an online course offered by a school entity.

(4) Supersede or preempt the rights, remedies and procedures afforded to school employees or labor organizations under Federal or State law, including the act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, or any provision of a collective bargaining agreement negotiated between a school entity and an exclusive representative of the employees in accordance with that act.

Section 1507-K. Regulations.

The department may issue regulations under the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, necessary to establish reasonable fees for the purpose of reviewing and approving courses under section 1502-K(f).

Section 2. This act shall take effect in 60 days.

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

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

Mr. ORTITAY. Thank you, Mr. Speaker.

After extensive work, after getting this bill out of committee and knowing that we needed to do some improvements and some work, we sat down and we had a good conversation with PDE (Pennsylvania Department of Education) – several, to be exact – and we came up with this agreed-upon amendment that I think vastly improves the bill.

This amendment is a gut-and-replace amendment to expand the clearinghouse to include online courses for grades K through 12 and professional development – that is a key add-on to this – professional development for teachers. Courses will be phased, starting with high school-level courses, starting in '24-'25, and followed by middle school and then elementary following in years after that as well, ending with professional development courses after that, and it allows PDE to establish reasonable application fees via regulation.

I ask for a "yes" vote on A03792.

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 Leader 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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—1

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 1630, PN 1806**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for pharmacy benefits manager audit and obligations.

On the question,

Will the House agree to the bill on second consideration?

AMENDMENT RULED OUT OF ORDER

The SPEAKER. For the information of the members, amendment 3677 has been ruled out of order.

RULING OF CHAIR APPEALED

The SPEAKER. The Chair recognizes Leader McClinton. For what purpose do you rise?

Ms. McCLINTON. Mr. Speaker, I rise to appeal the ruling of the Chair.

The SPEAKER. Leader McClinton has appealed the ruling of the Chair.

For the benefit of the members, I will state both the decision and then place that question on the board before the members.

The gentlelady, Ms. Krueger's amendment to HB 1630 is out of order because it violates House rule 20, which provides that "No bill shall be passed containing more than one subject." That is Article III, section 3, of the State Constitution. HB 1630 adds a new section of the Human Services Code to give the Department of the Auditor General authority to conduct full-scale audits and reviews of PBMs (pharmacy benefit managers) that are subcontracted with the medical assistance managed-care organizations. Amendment 3677 provides that a medical assistance recipient can be supplied with contraceptive drugs or devices by a pharmacy benefits manager. Certainly, an audit by the Auditor General does not relate in any manner to the dispensing of drugs or devices; thus, this amendment inserts a different subject matter into the bill.

The Pennsylvania Supreme Court held, in *Commonwealth v. Neiman*, that the subject matter in proposed amendments must relate to the same subject as that contained in the underlying bill, and the mere fact that an amendment amends the same title as the bill does not mean it meets the requirements of Article III, section 3. Likewise, the Supreme Court held, in *City of Philadelphia v. Commonwealth*, that there must be a single subject to which all provisions of the act are relevant. Therefore, amendment 3677 is out of order.

We will now place the motion to appeal the ruling of the Chair on the board.

On the question,

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

The SPEAKER. On that motion, the Chair recognizes Leader McClinton.

But first, members, please take your seats. Come to order.

You are in order and may proceed, Leader McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, the subject of HB 1630, according to its title as provided by the Legislative Reference Bureau, is "in public assistance, providing for pharmacy benefits manager audit and obligations." Amendment 03677 provides that "A managed care organization or pharmacy benefit manager..." are obligated to "offer to a medical assistance recipient coverage for a single dispensing of a supply of contraceptive drugs, devices or other products for up to a twelve-month period."

Mr. Speaker, we do not have to be constitutional scholars to know that an amendment that places obligations on pharmacy benefit managers is germane to a bill that provides for obligations of pharmacy benefit managers. This in fact is plain language. This in fact is common sense.

Mr. Speaker, it is time that this chamber – which of course is made up currently predominantly of men – not try to take women's health-care decisions away from us women, and if you do not believe that women should have access to contraceptives, then let us put our votes up on the board. Let us not hide behind any procedural maneuvering.

I ask my colleagues to join me in overruling the decision of the Chair.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

I would take this opportunity, however, to remind members that you are not to question the motives of individuals as they make decisions based on the bills. That is a fundamental rule of the House and what ensures proper decorum.

The Chair recognizes Leader Benninghoff on the motion to appeal the ruling of the Chair.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I would ask the members to uphold the ruling of the Chair, please. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Krueger on the motion to appeal the ruling of the Chair.

Prior to you commencing, though, I will remind members, for anyone else who wishes to speak, members are only recognized once during this process.

You are in order and may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise in support of the leader's motion to appeal the ruling of the Chair. This amendment, the amendment that I am trying to get a vote on today, provides that "A managed care organization or pharmacy benefit manager..." is obligated to "offer to a medical assistance recipient coverage for a single dispensing of a supply of contraceptive drugs...." We know that 12 months' dispensing is more effective. Mr. Speaker, we have no opportunity to even debate whether my amendment is germane to the bill without having a chance to have a conversation about it.

Mr. Speaker, over the course of this session, we have seen three unconstitutional abortion bans run on this floor without one chance to vote for women's health—

The SPEAKER. The gentlelady will suspend.

The gentlelady has gone afield from appealing the ruling of the Chair. Any subject matters that you are referencing is not the matter that is before the House and I would urge you to please stay on the ruling dealing with the difference between the duties of the Auditor General, which is what is contained in the bill, versus benefits, which is what the good lady and I believe the leader were arguing.

You are in order and may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

Simply, the subject of the bill before us, HB 1630, is "...in public assistance, providing for pharmacy benefits manager audit and obligations." This amendment is simply about another obligation requiring managed-care organizations participating in our Medical Assistance Program to cover a year's worth of contraceptives at a time. It is an opportunity for us to vote to protect the access to contraceptive care in Pennsylvania, and I ask my colleagues to support the leader's motion.

The SPEAKER. The Chair thanks the lady and recognizes the prime sponsor of the bill, Representative Fritz, on the motion to appeal the ruling of the Chair.

Mr. FRITZ. Thank you, Mr. Speaker.

Mr. Speaker, I will be brief. I am not arguing the merits of the amendment in question and whether the subject matter should be considered by this body; rather, my issue is that the amendment violates the single-subject rule as it pertains to HB 1630.

HB 1630 addresses the ability of the Department of the Auditor General to conduct audits of subcontracts entered between a managed-care organization and a pharmacy benefit manager. As these subcontracts are not entered into directly with the Department of Human Services, there is no provision, no provision requiring that they be made available for the Department of the Auditor General to review.

The genesis of this legislation was the result of a special report issued by the Auditor General in 2018 titled "Bringing Transparency & Accountability to Drug Pricing." One of the recommendations from that special report, Mr. Speaker, is – and I will quote – "To ensure taxpayer dollars are being handled effectively and efficiently, the General Assembly should immediately pass legislation allowing the state to perform a full-scale review or audit of subcontracts with pharmacy benefit managers." Mr. Speaker, my legislation accomplishes exactly that.

Now, in contrast, amendment A03677 addresses coverage of "...contraceptive drugs, devices or other products." While this amendment may amend the Human Services Code, the single subject of my bill focuses on audits. The subject matter of amendment A03677 is simply vastly different from the subject matter contained in my bill, and it is for this reason that I believe the amendment violates the single-subject rule.

Thank you, Mr. Speaker, for this opportunity to address the matter.

The SPEAKER. The Chair thanks the gentleman.

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

On the question recurring,

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

(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—112

Armanini	Gregory	Masser	Rothman
Benninghoff	Greiner	Mehaffie	Rowe
Bernstine	Grove	Mentzer	Ryan
Boback	Hamm	Mercuri	Sankey
Bonner	Heffley	Metcalfe	Saylor
Borowicz	Helm	Metzgar	Schemel
Brooks	Hennessey	Mihalek	Schmitt
Brown, R.	Hershey	Millard	Schroeder
Causar	Hickernell	Miller, B.	Silvis
Cook	Irvin	Mizgorski	Smith
Cox	James	Moul	Sonney
Culver	Jones	Mustello	Staats
Davanzo	Jozwiak	Nelson, E.	Stambaugh
Day	Kail	O'Neal	Stephens
Delozier	Kaufner	Oberlander	Struzzi
DelRosso	Kauffman	Ortity	Thomas
Diamond	Keefer	Owlett	Tomlinson
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	Major	Rigby	
Gillen	Mako	Roae	Cutler,
Gillespie	Maloney	Rossi	Speaker
Gleim	Marshall		

NAYS—87

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

NOT VOTING—0

EXCUSED-1

Ciresi

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

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

* * *

The House proceeded to second consideration of **HB 1790, PN 2030**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for consideration of applications and inspections; and, in training and certification of inspectors, providing for corrective action.

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

Mr. **SILVIS** offered the following amendment No. **A03594**:

Amend Bill, page 3, line 7, by inserting after "701.1"
or department regulations

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

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

Mr. **SILVIS**. Thank you, Mr. Speaker.

This amendment corrects a technical issue that was requested by the Department of Labor and Industry. The Department of Labor and Industry would be neutral on this bill if this amendment is adopted.

I would appreciate a "yes" vote on this. 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-199

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Ciresi

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. **SILVIS** offered the following amendment No. **A03757**:

Amend Bill, page 2, line 22, by inserting after "action."

The written description shall be provided within one business day of the inspection, except that, if the permit holder agrees in writing to waive the inclusion of specific references to the sections of the applicable ICC codes that require remedial action, the written description shall be provided within two hours following the inspection.

Amend Bill, page 5, line 3, by striking out "Unreasonably disparate" and inserting

Disparate

Amend Bill, page 5, lines 5 and 6, by striking out "Extremely rude or unprofessional behavior, if the behavior" and inserting

Conduct unbecoming an agent of government, whether or not the code administrator is directly employed by a government entity, including behavior that

On the question,

Will the House agree to the amendment?

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

Mr. **SILVIS**. Thank you, Mr. Speaker.

This amendment "...provides that the written description of the items that failed an inspection will be provided within one business day, with the specified code citations or within two hours if the permit holder agrees to waive the specific code citations." This "...also clarifies the language on additional grounds for corrective action against a code administrator to use less subjective verbiage."

I would appreciate a "yes" vote on this as well. 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—198

Armanini	Frankel	Longiotti	Rigby
Benham	Fritz	Mackenzie, M.	Roae
Benninghoff	Galloway	Mackenzie, R.	Rossi
Bernstine	Gaydos	Madden	Rothman
Bizzarro	Gillen	Major	Rowe
Boback	Gillespie	Mako	Rozzi
Bonner	Gleim	Malagari	Ryan
Borowicz	Gregory	Maloney	Sainato
Boyle	Greiner	Markosek	Samuelson
Bradford	Grove	Marshall	Sanchez
Briggs	Guenst	Masser	Sankey

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

NAYS—1

Freeman

NOT VOTING—0

EXCUSED—1

Ciresi

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

On the question recurring,

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

Bill as amended was agreed to.

The **SPEAKER**. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 1019, PN 1321**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in temporary regulatory flexibility authority, further providing for definitions and for COVID-19 regulatory flexibility authority.

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

Mr. **ROWE** offered the following amendment No. **A03788**:

Amend Bill, page 1, line 22, by inserting after "for" definitions and for

Amend Bill, page 1, line 23, by inserting after "authority" ; and making an editorial change

Amend Bill, page 1, lines 26 through 29; pages 2 and 3, lines 1 through 30; page 4, lines 1 and 2; by striking out all of said lines on said pages and inserting

Section 1. The heading of Article XXI-F of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, added June 11, 2021 (P.L.56, No.21), is amended to read:

ARTICLE XXI-F

[TEMPORARY] COVID-19 REGULATORY FLEXIBILITY AUTHORITY

Section 2. Section 2101-F of the act is amended by adding a definition to read:

Section 2101-F. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Federal public health emergency declaration." The determination made on January 31, 2020, by the United States Secretary of Health and Human Services under section 319 of the Public Health Service Act (58 Stat. 682, 42 U.S.C. § 247d) that a public health emergency exists relating to COVID-19 and any renewal of the determination.

* * *

Section 3. Section 2102-F(c) introductory paragraph and (d) of the act, amended September 30, 2021 (P.L.404, No.73), are amended and the section is amended by adding subsections to read:

Section 2102-F. COVID-19 regulatory flexibility authority.

* * *

(a.2) Additional temporary extensions.—The following suspensions of regulatory statutes, rules and regulations extended under subsection (a.1) which are in effect on March 31, 2022, are extended until June 30, 2022, unless sooner terminated by the authority which initially authorized the suspension:

(1) (Reserved).

(2) (Reserved).

(3) The following provisions enforced by the Department of Banking and Securities:

(i) 7 Pa.C.S. § 6131(a.1) and (f)(2).

(ii) 12 Pa.C.S. § 6212(b)(2).

(iii) Section 4 of the Pawnbrokers License Act.

(iv) Section 8 of the Consumer Discount

Company Act.

(v) Section 2 of the Money Transmission

Business Licensing Law.

(vi) Section 301(b)(3) of the Check Cashier

Licensing Act.

(vii) Section 5(2) of the Debt Management

Services Act.

(viii) Section 313(a) of the Debt Settlement

Services Act.

(4) The following provisions enforced by the Department of Military and Veterans Affairs:

(i) 51 Pa.C.S. § 709.

(ii) 51 Pa.C.S. § 3105.

(iii) Section 2407 of this act.

(iv) 4 Pa. Code § 39.93.

(v) 4 Pa. Code § 39.95.

(5) The following provisions enforced by the Department of Labor and Industry:

(i) (Reserved).

(ii) Section 505.1 of the Unemployment Compensation Law.

(iii) Section 9(a)(2)(i) and (3) and (b)(2)(i) of the Child Labor Act.

(iv) 34 Pa. Code § 101.83.

(v) (Reserved).

(vi) 34 Pa. Code § 101.128.

(vii) 34 Pa. Code § 101.130.

(6) (Reserved).

(7) Regulatory statutes, rules or regulations enforced by the Department of Health other than suspensions extended under subsection (a.3).

(8) Regulatory statutes, rules or regulations enforced by the Department of Human Services other than suspensions extended under subsection (a.3).

(9) Regulatory statutes, rules or regulations enforced by the Bureau of Professional and Occupational Affairs other than suspensions extended under subsection (a.3).

(a.3) Additional extensions relating to Federal public health emergency declaration.—Suspensions of regulatory statutes, rules and regulations extended under subsection (a.1) which are in effect on March 31, 2022, and which are related to Federal exemptions granted under the Federal public health emergency declaration are extended until the later of the following, unless sooner terminated by the authority that initially authorized the suspension:

(1) The last day of the Federal public health emergency declaration; or

(2) The last day Federal exemptions granted under the Federal public health emergency declaration are authorized.

* * *

(c) Notice.—Upon the termination of an extension of a suspension under subsection (a) [or (a.1)], (a.1), (a.2) or (a.3), the authority which terminated the extension of the suspension shall notify all of the following:

* * *

(d) Reports.—

(1) No later than November 1, 2021, each authority which initially authorized a suspension which was extended under subsection (a) shall issue a report, which shall be published on the authority's publicly accessible Internet website.

(2) No later than May [1] 31, 2022, each authority which initially authorized a suspension which was extended under subsection (a.1) shall issue an updated report, which shall be published on the authority's publicly accessible Internet website and shall be provided to each member of the General Assembly.

(2.1) No later than August 31, 2022, each authority which initially authorized a suspension which was extended under subsection (a.2) shall issue an updated report, which shall be published on the authority's publicly accessible Internet website and shall be provided to each member of the General Assembly.

(2.2) No later than 60 days after the last day that the Federal public health emergency declaration is in effect, each authority which initially authorized a suspension which was extended under subsection (a.3) shall issue an updated report, which shall be published on the authority's publicly accessible Internet website and shall be provided to each member of the General Assembly.

(3) A report under this subsection shall include all of the following:

(i) A list of each suspension which was extended under subsections (a) [and] (a.1), (a.2) and (a.3). The list under this paragraph shall include a reference to the regulatory statute, order, rule or regulation which was suspended.

(ii) For each suspension under subparagraph (i) which was extended under subsection (a):

(A) Whether the extension of the suspension was terminated under subsection (a) prior to September 30, 2021, and the date of the termination.

(B) Whether the extension of the suspension expired on September 30, 2021.

(C) Whether the extension was extended under subsection (a.1).

(iii) For each suspension under subparagraph (i) which was extended under subsection (a.1):

(A) Whether the extension of the suspension was terminated under subsection (a.1) prior to March 31, 2022, and the date of the termination.

(B) Whether the extension of the suspension expired on March 31, 2022.

(C) Whether the extension was extended under subsection (a.2).

(D) Whether the extension was extended under subsection (a.3).

(E) Whether the authority recommends that the policy underlying the suspension be enacted permanently into statute or regulation. The authority may include analysis related to the recommendation.

(iv) For each suspension under subparagraph (i) which was extended under subsection (a.2):

(A) Whether the extension of the suspension was terminated under subsection (a.2) prior to June 30, 2022, and the date of the termination.

(B) Whether the extension of the suspension expired on June 30, 2022.

(v) For each suspension under subparagraph (i) which was extended under subsection (a.3):

(A) Whether the extension of the suspension was terminated under subsection (a.3) prior to the last day that the Federal public health emergency declaration is in effect and the date of the termination.

(B) If applicable, the last day that the Federal public health emergency declaration is in effect.

Section 4. This act shall take effect immediately.

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

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

Mr. ROWE. Thank you, Mr. Speaker.

I am pleased to rise to ask for an affirmative vote today for amendment 03788 to SB 1019. Mr. Speaker, this amendment extends a portion of the critical regulatory flexibility provisions that were put in place to help the Commonwealth, its regulated entities, and the general public adapt to the realities of the government's response to COVID-19. Specifically, Mr. Speaker, this amendment does three things. It maintains the health and safety regulatory suspensions that have been instituted to help health-care practitioners assist their patients in a safe way. Additionally, this amendment preserves licensing flexibility that helps keep more health-care practitioners in their fields. And finally, Mr. Speaker, this amendment acknowledges how routine business has changed significantly over the last 2 years by extending the remote operations and teleworking provisions.

Mr. Speaker, this amendment ensures that our suspensions that are also attached to the Federal exemption can continue through the end of that Federal exemption. This amendment also represents an important step to providing regulatory flexibility in the Commonwealth, and I hope that we as a body can continue to work towards cutting red tape and reducing the regulatory burden to make Pennsylvania a better place to live and work.

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 good gentleman.

The following roll call was recorded:

YEAS—199

Armanini	Freeman	Longietti	Rigby
Benham	Fritz	Mackenzie, M.	Roae
Benninghoff	Galloway	Mackenzie, R.	Rossi
Bernstine	Gaydos	Madden	Rothman
Bizzarro	Gillen	Major	Rowe
Boback	Gillespie	Mako	Rozzi
Bonner	Gleim	Malagari	Ryan
Borowicz	Gregory	Maloney	Sainato
Boyle	Greiner	Markosek	Samuelson
Bradford	Grove	Marshall	Sanchez
Briggs	Guenst	Masser	Sankey
Brooks	Guzman	Matzie	Sappery
Brown, A.	Hamm	McClinton	Saylor
Brown, R.	Hanbidge	McNeill	Schemel
Bullock	Harkins	Mehaffie	Schlossberg
Burgos	Harris	Mentzer	Schmitt
Burns	Heffley	Mercuri	Schroeder
Carroll	Helm	Merski	Schweyer
Causser	Hennessey	Metcalfe	Shusterman
Cephas	Herrin	Metzgar	Silvis
Conklin	Hershey	Mihalek	Sims
Cook	Hickernell	Millard	Smith
Cox	Hohenstein	Miller, B.	Snyder
Cruz	Howard	Miller, D.	Solomon
Culver	Innamorato	Mizgorski	Sonney
Curry	Irvin	Moul	Staats
Daley	Isaacson	Mullery	Stambaugh
Davanzo	James	Mullins	Stephens
Davis, A.	Jones	Mustello	Struzzi
Davis, T.	Jozwiak	Neilson	Sturla
Dawkins	Kail	Nelson, E.	Thomas
Day	Kaufner	Nelson, N.	Tomlinson
Deasy	Kauffman	O'Mara	Topper
DeLissio	Keefer	O'Neal	Twardzik
Delloso	Kenyatta	Oberlander	Vitali
Delozier	Kerwin	Ortity	Warner
DelRosso	Kim	Otten	Warren
DeLuca	Kinkead	Owlett	Webster
Diamond	Kinsey	Parker	Welby
Dowling	Kirkland	Pashinski	Wentling

Driscoll	Klunk	Peifer	Wheeland
Dunbar	Knowles	Pennycuik	White
Ecker	Kosierowski	Pickett	Williams, C.
Emrick	Krajewski	Pisciottano	Williams, D.
Evans	Krueger	Polinchock	Young
Farry	Kulik	Puskaric	Zabel
Fee	Labs	Quinn	Zimmerman
Fiedler	Lawrence	Rabb	
Fitzgerald	Lee	Rader	Cutler,
Flood	Lewis	Rapp	Speaker
Frankel			

NAYS—0

NOT VOTING—0

EXCUSED—1

Ciresi

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

On the question,

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

The SPEAKER. Amendment 3795 and amendment 3799 are both out of order.

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 2085, PN 2526**, entitled:

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, providing for commemorative designations; and making editorial changes.

On the question,

Will the House agree to the bill on second consideration?

Mr. **LAWRENCE** offered the following amendment No. **A03289**:

Amend Bill, page 2, lines 27 and 28, by striking out "A" in line 27 and all of line 28 and inserting

State-owned transportation infrastructure

Amend Bill, page 3, by inserting between lines 2 and 3

(6) "State-owned transportation infrastructure" shall mean any of the following:

(i) A State-owned highway, including a portion thereof.

(ii) A State-owned bridge.

(iii) A State-owned expressway or interstate interchange.

(iv) A portion of the turnpike system.

Amend Bill, page 3, lines 8 and 9, by striking out "a State-owned bridge, highway, OR interchange or roundabout" and inserting

State-owned transportation infrastructure under authority of the department

Amend Bill, page 3, lines 16 and 17, by striking out "a portion of the turnpike system or a bridge or interchange" and inserting

State-owned transportation infrastructure

Amend Bill, page 3, lines 29 and 30; page 4, line 1; by striking out "State-owned" in line 29, all of line 30 on page 3 and "the turnpike system" in line 1 on page 4 and inserting

State-owned transportation infrastructure

Amend Bill, page 4, lines 2 and 3, by striking out "State-owned bridge, State highway," in line 2 and all of line 3 and inserting

State-owned transportation infrastructure

Amend Bill, page 4, lines 11 and 12, by striking out "State-owned bridge, State highway, OR interchange, roundabout or portion of the turnpike system" and inserting

State-owned transportation infrastructure

Amend Bill, page 4, lines 15 through 17, by striking out "STATE-OWNED BRIDGE," in line 15, all of line 16 and "SYSTEM" in line 17 and inserting

State-owned transportation infrastructure

Amend Bill, page 5, lines 29 and 30; page 6, line 1; by striking out "a State-owned bridge," in line 29, all of line 30 on page 5 and "turnpike system" in line 1 on page 6 and inserting

State-owned transportation infrastructure

Amend Bill, page 6, lines 19 through 21, by striking out "a State-owned bridge, State" in line 19, all of line 20 and "system" in line 21 and inserting

State-owned transportation infrastructure

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 is a technical amendment that cleans up a few details, as requested by PennDOT, and I would encourage an affirmative vote.

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 good 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—199

Armanini	Freeman	Longiatti	Rigby
Benham	Fritz	Mackenzie, M.	Roae
Benninghoff	Galloway	Mackenzie, R.	Rossi
Bernstine	Gaydos	Madden	Rothman
Bizzarro	Gillen	Major	Rowe
Boback	Gillespie	Mako	Rozzi
Bonner	Gleim	Malagari	Ryan
Borowicz	Gregory	Maloney	Sainato
Boyle	Greiner	Markosek	Samuelson

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Ciresi

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. **LAWRENCE** offered the following amendment
No. **A03712**:

Amend Bill, page 4, by inserting between lines 17 and 18

(6) If the commemorative designation honors an individual, a signed statement from the applicant attesting that the individual has not been convicted of an offense graded as a felony in this Commonwealth or a similar or equivalent offense in another jurisdiction.

Amend Bill, page 4, line 18, by striking out "(6)" and inserting

(7)

Amend Bill, page 6, by inserting between lines 2 and 3

(6) An individual who has been convicted of an offense graded as a felony in this Commonwealth or a similar or equivalent offense in

another jurisdiction.

Amend Bill, page 6, by inserting between lines 23 and 24

(g) As used in this section, the term "conviction" shall mean a conviction, a finding of guilty or the entering of a plea of guilty or nolo contendere, whether or not judgment of sentence has been imposed, as determined by the law of the jurisdiction in which the prosecution was held. The term does not include a conviction that has been expunged or overturned or for which an individual has been pardoned.

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 would prohibit an individual convicted of a felony from having a road or bridge named after them under the process established by the underlying legislation. I think it is important to note that nothing would prevent a member of the General Assembly from introducing legislation, much like the current process, to name a road after a convicted felon; however, this amendment clarifies the process established by this legislation and cannot be utilized for someone who has been so convicted.

I would appreciate an affirmative vote.

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—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Ciresi

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

EDUCATION COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, Representative Sonney, for a committee announcement.

Mr. SONNEY. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to remind the Education Committee members that we will be holding a voting meeting tomorrow morning at 9:30 in room 140, Main Capitol, to consider a House concurrent resolution and also rerefer HB 1259 to the Children and Youth Committee. Again, that is House Education members, 9:30, 140 Main Capitol.

Thank you, Mr. Speaker.

The SPEAKER. The Education Committee will hold a voting meeting tomorrow morning at 9:30 in room 140, Main Capitol.

For the information of the members, there will be no further floor votes this afternoon. We will be doing some housekeeping, however.

BILLS RECOMMITTED

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

- HB 1330;
- HB 1630;
- HB 1790;
- HB 1957;
- HB 1984;
- HB 2085;
- HB 2212; and
- SB 1019.

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 604;
- HB 1281;
- HB 2447;
- HB 2450;
- HB 2451;
- HB 2458;
- HB 2461; and
- SB 119.

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 2057 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 TABLED

The SPEAKER. The majority leader moves that HB 2057 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.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1254, PN 1328**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for in-person instruction or tuition grant program required.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1254 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 1254 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.

* * *

The House proceeded to second consideration of **HB 1482, PN 1600**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, establishing the Bureau of Election Audits; in the Secretary of the Commonwealth, providing for reports on implementation of elections; and, in electronic voting systems, repealing provisions relating to statistical sample.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1482 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 1482 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.

* * *

The House proceeded to second consideration of **HB 2069, PN 2390**, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania, further providing for action on concurrent orders and resolutions.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2069 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 2069 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.

* * *

The House proceeded to second consideration of **HB 2070, PN 2391**, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania, providing for executive orders.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 2070 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 2070 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.

* * *

The House proceeded to second consideration of **SB 738, PN 867**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in the Secretary of the Commonwealth, further providing for explanation of ballot question.

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

BILL TABLED

The SPEAKER. The majority leader moves that SB 738 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 738 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 **HB 1800, PN 2431**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, as follows: in preliminary provisions, further providing for definitions, providing for legislative authority over elections, establishing the Bureau of Election Audits and providing for special standing in challenges to the Election Code; in the Secretary of the Commonwealth, further providing for powers and duties of the Secretary of the Commonwealth and providing for reports on implementation of elections; in county boards of elections, further providing for powers and duties of county boards and providing for county boards of elections and satellite offices; in district election officers, further providing for district election boards and election, for qualifications of election officers, for tie votes for judge and inspector, for clerks of election and machine inspectors, for vacancies in election boards, appointment, judge and majority inspector to be members of majority party and minority inspector to be member of minority party, for election officers to be sworn, for oath of judge of election, for oaths of inspectors of election, for oaths of clerks of election, for oath of machine inspectors, for power of election officers to administer oaths, for compensation of district election officers and for appointment of watchers; in election districts and polling places, further providing for polling places to be selected by county board, for public buildings to be used where possible and portable polling places and for temporary polling places; providing for registration of electors; in ballots, further providing for form of official election ballot and for number of ballots to be printed and specimen ballots; in voting machines, further providing for examination and approval of voting machines by the Secretary of the

Commonwealth, for requirements of voting machines, for preparation of voting machines by county election boards and for delivery of voting machines and supplies by county election boards to election officers; in electronic voting systems, further providing for experimental use of electronic voting systems and for statistical sample and providing for requirements of accessible voting machines and for voting system defects, disclosure, investigation and penalties; repealing provisions relating to voting apparatus bonds and providing for election equipment funding; in preparation for and conduct of primaries and elections, providing for voter's bill of rights, for senior voter's bill of rights and for disabled voter's bill of rights and further providing for delivery of ballots and supplies to judges of election, for time for opening and closing polls, for opening of polls, posting cards of instruction and notices of penalties and voters' rights and examination of voting machines, for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges, for assistance in voting and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for date of application for absentee ballot, for delivering or mailing ballots and for voting by absentee electors, providing for supervised voting by qualified absentee electors in certain facilities and further providing for canvassing of official absentee ballots and mail-in ballots; in voting by qualified mail-in electors, further providing for applications for official mail-in ballots, for date of application for mail-in ballot, for delivering or mailing ballots and for voting by mail-in electors; in Pennsylvania Election Law Advisory Board, further providing for Pennsylvania Election Law Advisory Board; providing for early voting by qualified electors; in returns of primaries and elections, further providing for returns to be open to public inspection and exceptions and for computation of returns by county board, certification and issuance of certificates of election; in recounts and contest, providing for powers and duties of the Attorney General relating to elections and for powers and duties of district attorneys relating to elections; in penalties, further providing for disobeying lawful instructions, for perjury, for false affidavits of candidates, for refusal to permit inspection of papers, destruction or removal and Secretary of the Commonwealth, for refusal to permit inspection of papers, destruction or removal and county boards of elections, for insertion and alteration of entries in documents, removal and refusal to deliver, for refusal to permit overseers, watchers, attorneys or candidates to act, for driving away watchers, attorneys, candidates or overseers, for refusal to permit election officers, clerks and machine inspectors to act and driving away said persons, for refusal to administer oath and acting without being sworn, for violation of oath of office by election officers, for peace officers, failure to render assistance and hindering or delaying county board members and others, for nomination petitions and papers and offenses by signers, for false signatures and statements in nomination petitions and papers, for nomination petitions, certificates and papers, destruction, fraudulent filing and suppression, for offenses by printers of ballots, for unlawful possession of ballots and counterfeiting ballots, for forging and destroying ballots, for tampering with voting machines, for destroying, defacing or removing notices, et cetera, for police officers at polling places, for peace officer, failure to quell disturbances at polls and hindering or delaying election officers and others, for election officers permitting unregistered electors to vote, challenges and refusing to permit qualified electors to vote, for election officers refusing to permit elector to vote in proper party at primaries, for frauds by election officers, for prying into ballots, for interference with primaries and elections, frauds and conspiracy, for persons interfering in other districts, for assault and battery at polls, for unlawful assistance in voting, for election officers permitting unlawful assistance, for failure to keep and return record of assisted voters, for unlawful voting, for elector voting ballot of wrong party at primary, for repeat voting at elections, for removing ballots, for commissioners to take soldiers' votes, for fraudulent voting by soldiers, for bribery at elections, for receipts and disbursements of primary and election expenses by persons other than candidates and treasurers, for receipts of primary and election expenses by unauthorized persons, for contributions by corporations or unincorporated associations, for failure to file expense account, for prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise, for failure to perform duty, for hindering or delaying performance of duty, for violation of any provision of act and for violations of provisions relating to absentee and mail-in ballots and providing for unlawful collection of ballots and for prohibiting duress and intimidation of elections officials; providing for reimbursements and withholding; and making an appropriation and making a related repeal.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1800 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 1800 be removed from the tabled calendar and placed on the active calendar.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, if I could have everybody's attention, the Chair has been notified that two of our members are celebrating an important birthday today. Representative Guzman and Representative Kail, we wish you the best, and congratulations.

GUEST INTRODUCED

The SPEAKER. And speaking of Representative Kail, to the left of the rostrum, the Chair is pleased to recognize Annika, who is here with her father today. Welcome.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Speaker is in receipt of a motion that this House will adjourn until Wednesday, March 30, 2022, at 11 a.m., e.d.t., unless sooner recalled by the Speaker, made by the good gentleman, Representative Struzzi.

So we will be adjourned until Wednesday, March 30, 2022, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:16 p.m., e.d.t., the House adjourned.