

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 15, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 55

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (DONNA BULLOCK) PRESIDING

PRAYER

HON. JOSEPH C. HOHENSTEIN, member of the House of Representatives, offered the following prayer:

Thank you, Madam Speaker.

As before, I will be offering this prayer in the manner of the Religious Society of Friends, the Quakers, who founded Pennsylvania. So we are going to do three very basic things. First is, sit down, and we will worship in silence for a period that will be a little longer than most moments of silence that you experience. And what we Quakers do during our silence is simply listen for the voice of our creator. I often find that it is useful for me to think of the voices of the people that I am with – you, my colleagues, in this situation – because each of you has a part of our creator, our God, in you. And that truth is what I seek in my life: to find my own truth with my own God, but also to connect with the truth of God expressed in other people's lives and other people's voices. The third thing we will do is, as we close, I will shake the Speaker's hand, and I would encourage that each of you do the same as an expression of the recognition that we are in community together and sharing the peace of our creator with each other as we do so.

With that said, let us settle into silence.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, November 14, 2023, will be postponed until printed.

GUESTS INTRODUCED

The SPEAKER pro tempore. Today we have some guests with us today.

To the left of the Speaker, Representative Dan Miller welcomes Julie and Matthew Petrie and their children, who are visiting the Capitol shadowing him today. Welcome.

Also to the left of the Speaker, Representative Krupa welcomes James Means, who is celebrating his retirement as a Wharton Township Supervisor with more than 30 years of service. Welcome, and congratulations on your retirement.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair grants access to the floor and permission to video record and photograph to Dan Mitchell and Chris Jordan of "The Realest Podcast Ever" for up to 10 minutes.

GUESTS INTRODUCED

The SPEAKER pro tempore. Also to the left of the rostrum, I welcome my good friend, an attorney and advocate, Nikki Johnson-Alfano, who is here with us to advocate on behalf of children and youth experiencing homelessness. Welcome.

In the back of the House, Representative Napoleon Nelson is hosting the Pennsylvania youth group of the Jewish Healthcare Foundation, who are here for Student Mental Health Advocacy Day to advocate for school mental health and wellness legislation. Welcome.

In the gallery, Representative Darisha Parker welcomes Kimberly Mann from her district office, who is visiting the Capitol today to shadow. Welcome, Kimberly.

Representative Scheuren welcomes Gabriela Martin, who is interning in her district office and is a senior at Boyertown High School and is also here for Student Mental Health Advocacy Day. Welcome, Gabriela.

Representative Hanbidge welcomes the Ukrainian-American community of Pennsylvania's leadership group and students from the Marian Catholic High School to the Capitol today for the House resolution passage 256, which designates November 2023 as "Ukrainian Holodomor-Genocide Month." Welcome.

Representative Shusterman is hosting several students from her district who are shadowing her today. We have Ella Pietrzykowski, a junior at Phoenixville High School; Sunil Aiyar and Sumati Shrivastava, who are juniors at Conestoga High School; and Maddox Weirich, a junior at the Woodlynde School. Representative Shusterman also has Jennifer Brown from her district office here today. Welcome to all of you.

And lastly, Representative Khan is hosting the American Diabetes Association staff, including executive directors Chelsea Musial and Raymond Garrison, along with their Community Leadership Board members. Welcome to the House.

The House will be at ease.

The House will come to order.

LEAVES OF ABSENCE

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

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

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—203

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

Fiedler
Fink
Fleming

Krueger
Krupa

Rabb
Rader

McClinton,
Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 507, PN 2289**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 266 By Representatives RABB, MADSEN, N. NELSON, MADDEN, SANCHEZ, HILL-EVANS, STEELE, CIRESI, FIEDLER and OTTEN

A Resolution directing the Joint State Government Commission to conduct a study on the feasibility of constructing geothermal systems in densely populated locations of this Commonwealth and to issue a report of its findings and recommendations to the General Assembly.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, November 15, 2023.

No. 267 By Representatives PARKER, FREEMAN, HILL-EVANS, McNEILL, MADDEN, N. NELSON, SANCHEZ, KINSEY, FLICK, GIRAL, T. DAVIS, MARSHALL, O'MARA, DALEY, D. WILLIAMS, SHUSTERMAN, CURRY, ZIMMERMAN and KHAN

A Resolution recognizing the month of November 2023 as "Native American Heritage Month" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, November 15, 2023.

HOUSE BILL INTRODUCED AND REFERRED

No. 1849 By Representatives RABB, D. WILLIAMS, HILL-EVANS, MADDEN, KINSEY and KHAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentencing generally and providing for restorative justice.

Referred to Committee on JUDICIARY, November 15, 2023.

SENATE BILL FOR CONCURRENCE

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

SB 668, PN 1180

Referred to Committee on HEALTH, November 15, 2023.

BILL REREPORTED FROM COMMITTEE**SB 843, PN 1239 (Amended)** By Rep. HARRIS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Basic Education Funding Commission and for special provisions applicable to limited school years and providing for public job posting database, for instructional vacancy data and for data transparency; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in intermediate units, further providing for school safety and security enhancements; in certification of teachers, further providing for substitute teaching permit for prospective teachers, for locally issued temporary certification for substitute teachers and for permit for classroom monitors; providing for Interstate Teacher Mobility Compact and for Educator Pipeline Support Grant Program; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records, repealing provisions relating to safe schools advocate in school districts of the first class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for School Safety and Security Committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in drug and alcohol recovery high school program, further providing for scope of program and selection of students, providing for enrollment of students and further providing for academic programs; in early learning programs, providing for quarterly reporting; in high schools, further providing for attendance in other districts; in community colleges, further providing for financial program and reimbursement of payments; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in reimbursements by Commonwealth and between school districts, further providing for payments on account of pupils enrolled in career and technical curriculums, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; and making an editorial change.

APPROPRIATIONS.**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 223, PN 182** By Rep. FREEMAN

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling fee, further providing for recycling fee for municipal waste landfills and resource recovery facilities.

LOCAL GOVERNMENT.**HB 1201, PN 2315 (Amended)** By Rep. GALLOWAY

An Act providing for consumer data privacy, for duties of controllers and for duties of processors; and imposing penalties.

COMMERCE.**HB 1646, PN 2316 (Amended)** By Rep. GALLOWAY

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in sale of property, providing for incapacitated adults and older adults and delinquent real estate tax notification to designated individual; and imposing duties on the Department of Community and Economic Development.

COMMERCE.**HB 1657, PN 2317 (Amended)** By Rep. FRANKEL

An Act amending the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act, further providing for title of act, for definitions, for prohibition, for signage, for enforcement, for preemption of local ordinances and for repeal; and making editorial changes.

HEALTH.**HB 1730, PN 2066** By Rep. FREEMAN

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, in application of the act and penalties, further providing for exclusions.

LOCAL GOVERNMENT.**HB 1818, PN 2254** By Rep. GALLOWAY

An Act amending the act of December 20, 1982 (P.L.1404, No.325), known as the Self-Service Storage Facility Act, further providing for advertisement of sale.

COMMERCE.**HB 1810, PN 2242** By Rep. FREEMAN

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in open meetings, further providing for definitions and for public participation.

LOCAL GOVERNMENT.**HB 1820, PN 2256** By Rep. BURNS

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for definitions, for practice without license prohibited, for eligibility requirements for examination, for limited licenses, for requirements of a school of cosmetology, for practice in licensed salons only, for booth rental prohibited, for fees, for duration and renewal of licenses and for penalties.

PROFESSIONAL LICENSURE.**SB 414, PN 361** By Rep. FRANKEL

An Act providing for access to treatment for sexual assault survivors and for duties of the Department of Health.

HEALTH.

SB 740, PN 856

By Rep. FREEMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for auditor's compensation.

LOCAL GOVERNMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 224, PN 2061

By Rep. FREEMAN

A Resolution directing the Joint State Government Commission to conduct a study and establish an advisory committee to review and analyze the opportunities for and benefits of agrivoltaic farming systems in this Commonwealth.

LOCAL GOVERNMENT.

BILL REPORTED AND REREFERRED TO COMMITTEE ON HUMAN SERVICES

SB 941, PN 1148

By Rep. BURNS

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 Drug and Alcohol Programs, further providing for powers and duties and providing for regulatory flexibility during opioid epidemic.

Reported from Committee on PROFESSIONAL LICENSURE with request that it be rereferred to Committee on HUMAN SERVICES.

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

RULES COMMITTEE MEETING

DEMOCRATIC CAUCUS

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

There will be a Rules Committee meeting immediately upon the break in the majority caucus room.

House Democrats will caucus at 12:15. We will be prepared to return to the floor at 1:15.

The SPEAKER pro tempore. The Rules Committee will meet immediately upon the break in the majority caucus room.

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will also caucus at 12:15. Republicans will caucus at 12:15.

Thank you, Madam Speaker.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. MULLINS. Thank you, Madam Speaker.

The House Appropriations Committee will meet immediately following the Rules Committee upon the break in the majority caucus room; House Appropriations Committee meeting following the Rules Committee upon our break in the majority caucus room.

Thank you, Madam Speaker.

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

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

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

Mr. SOLOMON. Thank you, Madam Speaker.

The Veterans Affairs and Emergency Preparedness Committee will have a meeting at the break in 515 Irvis; Veterans Affairs and Emergency Preparedness Committee, 515 Irvis, at the break.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you.

The Veterans Affairs and Emergency Preparedness Committee will meet at the break in 515 Irvis.

LABOR AND INDUSTRY COMMITTEE MEETING

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

Mr. DAWKINS. Thank you, Madam Speaker.

Labor and Industry will meet upon the break in room G-50 to take up SB 429 and any other business in front of the committee.

The SPEAKER pro tempore. The Labor and Industry Committee will meet at the break in room G-50.

RECESS

The SPEAKER pro tempore. The House stands in recess until 1:15, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:30 p.m.; further extended until 2 p.m.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(ROBERT F. MATZIE) PRESIDING**

BILLS REREPORTED FROM COMMITTEE

HB 221, PN 2308 By Rep. HARRIS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Control Board, further providing for enforcement.

APPROPRIATIONS.

HB 775, PN 1357 By Rep. HARRIS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight reclamation and revitalization, further providing for definitions and providing for vacant and blighted property registration; and imposing penalties.

APPROPRIATIONS.

HB 1481, PN 2186 By Rep. HARRIS

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for ineligibility for compensation.

APPROPRIATIONS.

HB 1706, PN 2309 By Rep. HARRIS

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

APPROPRIATIONS.

HB 1752, PN 2131 By Rep. HARRIS

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

APPROPRIATIONS.

HB 1786, PN 2196 By Rep. HARRIS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bases of jurisdiction and interstate and international procedure, further providing for assistance to tribunals and litigants outside this Commonwealth with respect to service and for issuance of subpoena; in commencement of proceedings, further providing for authority of officers of another state to arrest in this Commonwealth; and, in detainers and extradition, further providing for definitions, for duty of Governor with respect to fugitives from justice and for presigned waiver of extradition.

APPROPRIATIONS.

SB 773, PN 1229 By Rep. HARRIS

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in medical marijuana organizations, further providing for application and issuance, for limitations on permits and providing for additional dispensary and grower/processor permits authorized, for application and issuance of additional permits and for

limitations on other additional permits or licenses; and, in academic clinical research centers and clinical registrants, further providing for definitions.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 507, PN 2289 By Rep. BRADFORD

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

RULES.

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

HB 1227, PN 1318 By Rep. SOLOMON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

SB 429, PN 855 By Rep. DAWKINS

An Act amending the act of June 28, 1935 (P.L.477, No.193), providing for disability benefits and for definitions.

LABOR AND INDUSTRY.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 301, PN 2311**, and **HB 1461, PN 2288**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1556, PN 1817**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 1556, PN 1817

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in State-related institutions, further providing for reporting, for contents of report and for copies and posting and providing for contracts.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. May I have the attention of the members. We have some special guests to recognize.

Left of the Speaker, Representative Hill-Evans welcomes Mr. Daniel Fink, vice president of marketing and public relations of the York County History Center. Welcome, Mr. Fink. The House is glad to have you.

In the gallery, Representative Marla Brown welcomes Jaclyn Thompson from her district office, and she is also a District 15 Young Ag Professionals State Committee member. Welcome.

Representative Tom Jones and the Lancaster County delegation welcome the Lancaster County Chamber of Commerce Young Professionals, here for advocacy education day in the Capitol. Welcome to the hall of the House.

CALENDAR

RESOLUTIONS

Mr. KINSEY called up **HR 138, PN 1424**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

* * *

Mr. KHAN called up **HR 141, PN 1432**, entitled:

A Resolution designating the month of November 2023 as "Diabetes Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS-1

Fink

NOT VOTING-0

EXCUSED-0

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

* * *

Mrs. EVANS called up **HR 161, PN 1737**, entitled:

A Resolution designating November 15, 2023, as "Articles of Confederation Day" in Pennsylvania; and recognizing the City of York, York County, for its important contribution to the forging of our nation.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Abney	Flick	Kulik	Rapp
Adams	Flood	Kutz	Rigby
Armanini	Frankel	Kuzma	Roae
Banta	Freeman	Labs	Rossi
Barton	Friel	Lawrence	Rowe
Bellmon	Fritz	Leadbeter	Rozzi
Benham	Gallagher	Mackenzie, M.	Ryncavage
Benninghoff	Galloway	Mackenzie, R.	Salisbury
Bernstine	Gaydos	Madden	Samuelson
Bizzarro	Gergely	Madsen	Sanchez
Bonner	Gillen	Major	Sappey
Borowicz	Giral	Mako	Schemel
Borowski	Gleim	Malagari	Scheuren
Boyd	Green	Maloney	Schlossberg
Boyle	Gregory	Marcell	Schmitt

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

NAYS-2

Fink

Schlegel

NOT VOTING-0

EXCUSED-0

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

* * *

Mr. MATZIE called up **HR 227, PN 2064**, entitled:

A Resolution designating the month of November 2023 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-202

Abney	Flick	Kulik	Rapp
Adams	Flood	Kutz	Rigby
Armanini	Frankel	Kuzma	Roae
Banta	Freeman	Labs	Rossi
Barton	Friel	Lawrence	Rowe
Bellmon	Fritz	Leadbeter	Rozzi
Benham	Gallagher	Mackenzie, M.	Ryncavage
Benninghoff	Galloway	Mackenzie, R.	Salisbury
Bernstine	Gaydos	Madden	Samuelson
Bizzarro	Gergely	Madsen	Sanchez

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

NAYS—1

Fink

NOT VOTING—0

EXCUSED—0

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1795, PN 2211**, entitled:

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, further providing for definitions and for exemptions.

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

* * *

The House proceeded to second consideration of **SB 607, PN 657**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

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 908, PN 2232**, entitled:

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, providing for automated external defibrillators in State buildings.

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

Mr. **BRENNAN** offered the following amendment
No. **A02923**:

Amend Bill, page 2, line 22, by striking out "or leased"

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

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

Mr. **BRENNAN**. This is a cleanup amendment, and I would request an affirmative vote.

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

The Chair recognizes Representative Brennan for the second time, for a brief summary of the amendment.

Mr. **BRENNAN**. This amendment simply removes "leased" properties from the coverage of the act.

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

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—11

Cook	Dunbar	Mihalek	Watro
Cutler	Grove	O'Neal	White
Delozier	Heffley	Staats	

NOT VOTING—0

EXCUSED—0

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1417, PN 2275**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for reimbursement for certain medical assistance items and services; and abrogating regulations.

On the question,

Will the House agree to the bill on second consideration?

AMENDMENT RULED OUT OF ORDER

The SPEAKER pro tempore. The Chair rules the following amendment out of order for violating House rule 20: amendment A02953.

RULING OF CHAIR APPEALED

The SPEAKER pro tempore. For what purpose does the gentlelady from Allegheny, Representative Gaydos, rise?

Ms. GAYDOS. Thank you, Mr. Speaker.

I guess I have an amendment – that I was going to appeal the rule of the Chair of the amendment that I put in – ruled out of order.

The SPEAKER pro tempore. The gentlelady is in order. So to clarify, you are wishing to appeal the ruling of the Chair, correct?

Ms. GAYDOS. So I wish to appeal the ruling of the Chair.

The SPEAKER pro tempore. Representative Gaydos appeals the ruling of the Chair that amendment A02953 violates House rule 20. House rule 20 provides that no bill shall be passed containing more than one subject. The subject of HB 1417 is restoring dental coverage for medical assistance recipients. Amendment A02953 adds a second subject to the bill by providing for a tax credit for emergency physicians.

On the question,

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentlelady from Allegheny, Representative Gaydos.

Ms. GAYDOS. Thank you, Mr. Speaker.

So HB 1417, and what this amendment does is that it actually allows payment for dental coverage. So the current bill is coverage without care, and that this creates a tax credit, which means it goes to paying for the program that exists.

Right now emergency physicians and dentists are providing care to indigent patients and they cannot get that paid for. So in order to put this program forth, it is absolutely important – one of the things that the underlying bill did was that it removed the method of payment for this dental care, and this simply puts the payment back in.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Thank you, Mr. Speaker.

As I am an emergency physician, I would request a ruling from the Chair as to whether I am conflicted on voting on this amendment.

The SPEAKER pro tempore. It is the Chair's opinion you are a member of a class and you are entitled to vote. The Chair thanks the gentleman.

The Chair recognizes the Republican leader from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the good lady's motion. Just Monday of this week we considered an amendment to a bill that streamlined the reporting process for the Liquor Control Board by combining two reports. An amendment to that bill was ruled in order, establishing a program to provide grants.

What we have here for us today is a bill to restore dental benefits for medical assistance recipients, and the amendment creates a tax credit program for emergency physicians and dentists who provide those dental services to the indigent patients, and yet this amendment was ruled out of order for violating the single-subject requirement of the Pennsylvania Constitution.

I believe that the inconsistency of these two rulings is obvious, and that this amendment is squarely on point with the underlying issue of the bill: the delivery of dental services to individuals who require them and that are part of a program to deliver dental care to Medicaid patients. Therefore, the amendment should be in order and I would urge that it be considered. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

The following roll call was recorded:

YEAS—102

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

NAYS—101

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

Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'Orsie	Kail	Miller, B.	Stender
Davanzo	Kaufar	Moul	Struzzi
Delozier	Kauffman	Mustello	Tomlinson
Diamond	Keefer	Nelson, E.	Topper
Dunbar	Kephart	O'Neal	Twardzik
Ecker	Kerwin	Oberlander	Warner
Emrick	Klunk	Ortitay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

NOT VOTING—0

EXCUSED—0

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

On the question,

Will the House agree to the bill on second consideration?

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The bill will temporarily be over.

* * *

The House proceeded to second consideration of **HB 1585, PN 2166**, entitled:

An Act providing for teledentistry; authorizing the regulation of teledentistry by the board; and providing for insurance coverage of teledentistry.

On the question,

Will the House agree to the bill on second consideration?

Mr. **LAWRENCE** offered the following amendment No. **A02899**:

Amend Bill, page 10, line 16, by inserting after "vendor."

A participating network provider that receives payment directly from a health insurer for covered dental services delivered through teledentistry may not require an insured to pay an amount greater than the cost-sharing under a dental insurance policy.

Amend Bill, page 10, by inserting between lines 19 and 20

(3) A health insurer shall reimburse a nonparticipating network provider that opts to receive direct payment of benefits under a dental claim form executed by an insured that specifically authorizes payment for benefits in the same amount that the health insurer would otherwise have paid without the assignment of payment directly to a participating network provider that delivered covered dental services through teledentistry in accordance with a dental insurance policy. A nonparticipating network provider that receives payment directly from a health insurer for covered dental services delivered through teledentistry may not require an insured to pay an amount greater than the cost-sharing under a dental insurance policy.

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

AMENDMENTS WITHDRAWN

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

I am going to pull my amendments. Thank you.

The SPEAKER pro tempore. For clarification, gentleman, the amendment, just A02899, or all amendments? All amendments. The Chair thanks the gentleman.

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

Mr. FRANKEL offered the following amendment
No. **A02996**:

Amend Bill, page 3, lines 17 through 25, by striking out all of said lines

- Amend Bill, page 8, line 18, by striking out "LEGAL"
- Amend Bill, page 8, line 25, by striking out "LEGAL"
- Amend Bill, page 9, line 13, by striking out "LEGAL"
- Amend Bill, page 11, line 20, by striking out "LEGAL"
- Amend Bill, page 12, line 4, by striking out "LEGAL"
- Amend Bill, page 12, line 17, by striking out "LEGAL"

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

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

Mr. FRANKEL. Thank you, Mr. Speaker.

This amendment simply provides technical changes to the bill and includes language to protect the Department of Human Services from violating Federal law. Federal guidance for telehealth services is ever-changing, and providing the department more discretion over teledentistry services allows them to stay compliant while ensuring appropriate services are being rendered to vulnerable populations.

I ask for your affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—5

Fink	Heffley	Metzgar	Stambaugh
Ham			

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER pro tempore. It is the understanding of the Chair Representative Frankel withdraws amendment A03000. The Chair thanks the gentleman.

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

Mr. FRANKEL offered the following amendment
No. **A02999**:

Amend Bill, page 1, line 16, by striking out "Program." and inserting
"Program" or "CHIP."

Amend Bill, page 3, lines 14 and 15, by striking out "Medical assistance as provided in subarticle (f) of" and inserting

The medical assistance program established under
Amend Bill, page 3, lines 17 through 25, by striking out all of

said lines and inserting

"Medical assistance or Children's Health Insurance Program managed care plan" or "MA or CHIP managed care plan." A health care plan that uses a gatekeeper to manage the utilization of health care services by medical assistance or children's health insurance program enrollees and integrates the financing and delivery of health care services.

Amend Bill, page 3, lines 28 through 30; page 4, line 1; by striking out "OR MEDICAL ASSISTANCE OR CHILDREN'S HEALTH INSURANCE" in line 28, all of lines 29 and 30 on page 3 and "OR CHILDREN'S HEALTH INSURANCE PROGRAM MANAGED CARE PLAN" in line 1 on page 4 and inserting to participate in one or more designated networks of the health insurer

Amend Bill, page 4, line 3, by striking out "OR AN AGREEMENT WITH THE DEPARTMENT OF HUMAN SERVICES"

Amend Bill, page 8, line 18, by striking out "LEGAL"

Amend Bill, page 8, line 25, by striking out "LEGAL"

Amend Bill, page 9, line 13, by striking out "LEGAL"

Amend Bill, page 11, line 20, by striking out "LEGAL"

Amend Bill, page 11, lines 22 through 30; page 12, lines 1 through 17; by striking out all of said lines on said pages and inserting Section 7. Medical assistance and Children's Health Insurance

Program coverage.

(a) General rule.—Medical assistance and CHIP payments shall be made for medically necessary services if all of the following apply:

(1) If the services through teledentistry would be covered through an in-person encounter.

(2) A service through teledentistry is consistent with Federal law, the laws of this Commonwealth and applicable regulations and guidance.

(3) Federal approval, if necessary, has been received by the Department of Human Services.

(b) Applicability.—

(1) Subsection (a) shall not apply if the teledentistry technology fails to comply with applicable statute, regulations and departmental guidance.

(2) Nothing in this bill shall require medical assistance or CHIP to pay for a service utilizing store-and-forward technology or remote patient monitoring.

(c) Construction.—This section may not be construed to:

(1) Prohibit a MA or CHIP managed care plan from making payments on behalf of enrollees to other dental care providers for a covered service provided.

(2) Require medical assistance or CHIP to pay for a service under this act if the delivery of the service through teledentistry would be inconsistent with the necessary standard of care.

Amend Bill, page 12, line 18, by striking out "9" and inserting

8

Amend Bill, page 12, line 23, by striking out "(2) Section 7 shall take effect in 90 days"

Amend Bill, page 12, line 24, by striking out "(3)" and inserting (2)

On the question,

Will the House agree to the amendment?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

This again is another amendment that provides technical changes to the bill that includes language to protect DHS from violating Federal law. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—203

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1751, PN 2120**, entitled:

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

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

Mr. **MACKENZIE** offered the following amendment No. **A02655**:

Amend Bill, page 1, lines 6 through 11, by striking out all of said lines and inserting

further providing for definitions, for improper classification of employees and for criminal penalties; providing for private right of action; and further providing for administrative penalties, for retaliation for action prohibited, for availability of information and for funding.

Amend Bill, page 1, line 22; page 2, lines 1 through 30; page 3, line 1; by striking out all of said lines on said pages and inserting "Debar." Action taken by the secretary to prohibit a contractor, subcontractor or individual from contracting with or participating in contracts for public work projects and other State procurement contracts for a specified period not to exceed three years for the first offense and five years for a second or subsequent offense. The debarment will include all divisions or other organizational elements of a contractor or subcontractor unless limited by its terms to specific divisions or organizational elements. The debarment may apply to affiliates or other individuals or entities associated with the contractor, subcontractor or individual if they are specifically named and given written notice of the debarment and an opportunity to appeal.

Amend Bill, page 3, line 3, by striking out "As defined in section 2(5)" and inserting

The term shall have the meaning given to it in section 2

Amend Bill, page 3, line 7, by striking out "4(d)" and inserting 4(c)(2), (d)

Amend Bill, page 3, by inserting between lines 10 and 11

(c) Order to show cause.—

* * *

(2) A person served with an order to show cause shall have a period of [20] 10 days from the date the order is served to file an answer in writing.

* * *

Amend Bill, page 3, line 13, by striking out the bracket before "probable"

Amend Bill, page 3, line 14, by inserting a bracket before "committed"

Amend Bill, page 3, lines 16 through 18, by striking out "that an employer has" in line 16, all of line 17 and "the purposes of this act" in line 18 and inserting

violated this act

Amend Bill, page 3, line 30, by striking out "or renews a contract"

Amend Bill, page 4, line 17, by striking out "first" and inserting second

Amend Bill, page 4, lines 19 and 20, by striking out all of said lines and inserting

(2) A misdemeanor of the first degree if the employer has one prior offense under section 4(a).

(3) A felony of the third degree if the employer has two or more prior offenses under section 4(a).

Amend Bill, page 4, line 28, by striking out "sections" and inserting

a section

Amend Bill, page 5, line 4, by striking out the comma after "act"

Amend Bill, page 5, line 7, by striking out "An action under this section" and inserting

The action

Amend Bill, page 5, lines 21 through 24, by striking out all of said lines

Amend Bill, page 6, lines 3 and 4, by striking out "any relevant prospective records of"

Amend Bill, page 6, lines 8 through 12, by striking out ".for a period of at least three years, a contractor." in line 8 and all of lines 9 through 12 and inserting

the employer.

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

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

Mr. MACKENZIE. Thank you, Mr. Speaker.

The amendment that I am proposing here is a compromise path forward on this legislation. The misclassification of workers is a serious issue; we want to address that issue. I was a big proponent of the misclassification task force which was done in a previous session and brought this issue to light in a real, meaningful manner. Now we need to take action on that, and so the proposed amendment that I have here is one that mirrors what is going on over in the Senate and their discussion right now. This amendment came out of the Senate Labor and Industry Committee on a 10-to-1 vote.

So again, if we want to find a path forward, we want to find a compromise, we actually want to help workers, we want to crack down on misclassification, this is an amendment that does that, and we can move forward together. So I would encourage a "yes" vote and look forward to the discussion and debate on this and the rest of the bill about a serious issue of misclassification of workers. Thank you.

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

Mr. DAWKINS. Thank you, Mr. Speaker.

So I rise today for amendment A02655 and oppose this amendment because it weakens the penalties for employers who misclassify their employees as "independent contractors." So I ask all members to oppose this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—92

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

NAYS—111

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

NOT VOTING—0

EXCUSED—0

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

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

Mrs. GLEIM offered the following amendment No. A02656:

Amend Bill, page 1, line 8, by striking out "for private right of action and"
Amend Bill, page 4, line 28, by striking out "sections" and inserting
a section
Amend Bill, page 4, lines 29 and 30; page 5, lines 1 through 20; by striking out all of said lines on said pages
Amend Bill, page 5, line 21, by striking out "5.2" and inserting
5.1
Amend Bill, page 5, lines 25 and 26, by striking out all of said lines and inserting
Section 5. Section 6(a) of the act is amended and the section is amended by adding a subsection to read:
Amend Bill, page 6, by inserting between lines 12 and 13
Section 6. Section 10(a) of the act is amended to read:
Amend Bill, page 6, lines 29 and 30; page 7, line 1; by striking out all of said lines on said pages
Amend Bill, page 7, line 3, by striking out "6" and inserting
7
Amend Bill, page 7, line 24, by striking out "7" and inserting
8

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

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

Mrs. GLEIM. Thank you, Mr. Speaker.

This is just a very simple amendment to make the bill better so we are not having all of the employers out there getting sued beyond what is necessary. I would just ask my colleagues for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentelady and recognizes the gentleman from Philadelphia, Representative Dawkins.

Mr. DAWKINS. Thank you, Mr. Speaker.

I want to thank the gentelady for bringing up this amendment, A02656. But this amendment absolutely does not make the bill any better. This amendment would essentially prevent misclassified employees from seeking justice through our court system. So I want to ask all our members to oppose this amendment.

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

The following roll call was recorded:

YEAS—92

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

Cutler	Jones, T.	Moul	Stehr
D'Orsie	Jozwiak	Mustello	Stender
Davanzo	Kail	Nelson, E.	Struzzi
Delozier	Kauffman	O'Neal	Topper
Diamond	Keefer	Oberlander	Twardzik
Dunbar	Kephart	Ortitay	Warner
Ecker	Kerwin	Owlett	Watro
Fee	Klunk	Pickett	Wentling
Fink	Krupa	Rader	White
Flick	Kutz	Rapp	Zimmerman

NAYS—111

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

NOT VOTING—0

EXCUSED—0

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

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

Mrs. **GLEIM** offered the following amendment No. **A02658**:

Amend Bill, page 1, lines 6 and 7, by striking out ", for improper classification of employees and for criminal penalties"

Amend Bill, page 3, lines 7 through 30; page 4, lines 1 through 27; by striking out all of said lines on said pages

Amend Bill, page 4, line 28, by striking out "4" and inserting 2

Amend Bill, page 5, line 25, by striking out "5" and inserting 3

Amend Bill, page 5, line 29, by striking out the bracket before "may"

Amend Bill, page 5, lines 29 and 30, by striking out "];
(1) Shall assess"

Amend Bill, page 6, lines 3 and 4, by striking out all of said lines

Amend Bill, page 7, line 3, by striking out "6" and inserting 4

Amend Bill, page 7, line 24, by striking out "7" and inserting 5

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

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

Mrs. **GLEIM**. Thank you, Mr. Speaker.

This amendment removes the increased penalties and returns discretionary authority for administrative fines back to Labor and Industry. Again, this is pretty much a technical change to this bill.

The bill increases the grading of a first offense for a criminal violation by two grades, so a first-degree misdemeanor. That means that the misclassification of an adult worker will be classified as an offense equivalent to the following under our Crimes Code: section 2504, Involuntary manslaughter; section 2701, Simple assault...of a child under 12 years of age; section 2706, Terroristic threats; section 2707, Propulsion of missiles...rocks, stones, metal objects, fire bombs into occupied vehicles. So you all get what I am actually saying here. This particular amendment would actually put us back into some commonsense penalties that are not in line with some that are much more worse.

So I would ask my colleagues for an affirmative vote on this amendment.

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

Mr. **DAWKINS**. Thank you, Mr. Speaker.

And again, I would like to thank the gentlelady for bringing up this amendment, A02658, but I believe the gentlelady remembers in the committee hearing when this particular amendment was offered, and I had to remind some of our members, some of our newer members, for those who have been around for a few years, when we had similar legislation that required enforcement, and I do not remember this leniency as it applied to SNAP (Supplemental Nutrition Assistance Program) benefits when poor people were trying to buy crab legs and lobster tails or ice cream, but somehow this is going a step too far.

This amendment, again, weakens the enforcement provisions and penalties for our employers who misclassify employees. So for those reasons I ask and urge the members to oppose.

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

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

The following roll call was recorded:

YEAS—94

Adams	Flood	Lawrence	Roae
Armanini	Fritz	Leadbeter	Rossi
Banta	Gaydos	Mackenzie, M.	Rowe
Barton	Gillen	Mackenzie, R.	Ryncavage
Benninghoff	Gleim	Major	Schemel
Bernstine	Gregory	Mako	Scheuren
Bonner	Greiner	Maloney	Schlegel
Borowicz	Grove	Mentzer	Schmitt
Brown, M.	Hamm	Mercuri	Scialabba
Cabell	Heffley	Metzgar	Smith
Causer	Irvin	Mihalek	Staats

Cook	James	Miller, B.	Stambaugh
Cooper	Jones, M.	Moul	Stehr
Cutler	Jones, T.	Mustello	Stender
D'Orsie	Jozwiak	Nelson, E.	Struzzi
Davanzo	Kail	O'Neal	Topper
Delozier	Kauffman	Oberlander	Twardzik
Diamond	Keefer	Ortitay	Warner
Dunbar	Kephart	Owlett	Watro
Ecker	Kerwin	Pickett	Wentling
Emrick	Klunk	Rader	White
Fee	Krupa	Rapp	Williams, C.
Fink	Kutz	Rigby	Zimmerman
Flick	Kuzma		

NAYS—109

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

NOT VOTING—0

EXCUSED—0

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

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

Mrs. **KEEFER** offered the following amendment
No. **A02668**:

Amend Bill, page 1, line 6, by inserting after "definitions,"
for independent contractors,

Amend Bill, page 3, by inserting between lines 6 and 7

Section 2. Section 3 of the act is amended by adding a
subsection to read:

Section 3. Independent contractors.

* * *

(a.1) Contractor registration.—Evidence that an individual is registered as a contractor under the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, at the time the individual performs services in the construction industry shall constitute prima facie evidence that the individual is an independent contractor under subsection (a).

* * *

Amend Bill, page 3, line 7, by striking out "2" and inserting
3

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

Amend Bill, page 4, line 28, by striking out "4" and inserting
5

Amend Bill, page 5, line 25, by striking out "5" and inserting
6

Amend Bill, page 7, line 3, by striking out "6" and inserting
7

Amend Bill, page 7, line 24, by striking out "7" and inserting
8

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

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

Mrs. **KEEFER**. Thank you, Mr. Speaker.

A02668 provides registration through HICPA (Home Improvement Consumer Protection Act) as prima facie evidence of being an independent contractor. The language of my amendment is taken from HB 757, which I introduced after a constituent of mine had to deal with miles of red tape just to prove that registered contractors were not his employees. One of my constituents is actually up to \$50,000 in legal fees and fines from Labor and Industry. This is a huge burden for our small independent contractors.

When an individual decides to become a contractor, before they begin doing work, they are already required to register with the Attorney General's Office under the Home Improvement Consumer Protection Act; that is HICPA. Currently the department uses a three-point test to determine if someone is a contractor, an employee, and does not use HICPA registration in their decisionmaking process. Using HICPA registration will simplify this process for the department and be a straightforward solution for contractors to prove their status as an employer and employee. If this situation and this process— If it is a valid indicator, then why do we have the process in the first place?

So I would encourage a "yes" vote on this to help our small businesses and to help our workforce.

Thank you, Mr. Speaker.

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

Mr. **DAWKINS**. Thank you, Mr. Speaker.

And again, I would like to thank the gentlelady for introducing or bringing forth this amendment, A02668. While the intention is good, there is an unintended consequence to this move. This amendment will make it easier for employers to misclassify their employees. An individual will be able to register as a contractor with the State, but also work as an employee for the employer.

So for those reasons I would ask to oppose this amendment.

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

The following roll call was recorded:

YEAS—92

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

NAYS—111

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

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mrs. **KEEFER** offered the following amendment No. **A02670**:

Amend Bill, page 1, line 6, by inserting after "definitions," for independent contractors,

Amend Bill, page 3, by inserting between lines 6 and 7

Section 1.1. Section 3(a) of the act is amended and the section is amended by adding a subsection to read:

Section 3. Independent contractors.

(a) General rule.—For purposes of workers' compensation, unemployment compensation and improper classification of employees provided herein, an individual who performs services in the construction industry for remuneration is an independent contractor only if:

[(1) The individual has a written contract to perform such services.]

(2) The individual is free from control or direction over performance of such services both under the contract of service and in fact.

(3) As to such services, the individual is customarily engaged in an independently established trade, occupation, profession or business.

(a.1) Safe harbor.—Any of the following shall constitute prima facie evidence that an individual is an independent contractor under subsection (a):

(1) The individual has a written contract to perform services in the construction industry and the contract is project-specific and contains a particular scope of work.

(2) Evidence that an individual is registered as a contractor under the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, at the time the individual performs services in the construction industry.

(3) An affidavit by the individual, signed prior to the time the individual performs services in the construction industry, specifying that the individual understands and agrees that the individual:

(i) is not an employee with regard to the services in the construction industry;

(ii) is not entitled to benefits under the Workers' Compensation Act if injured while performing services in the construction industry;

(iii) may purchase workers' compensation insurance under the Workers' Compensation Act or other disability insurance at the individual's own expense;

(iv) is not entitled to benefits from the Uninsured Employers Guaranty Fund if the individual is injured while performing services in the construction industry; and

(v) is considered to be self-employed for the purposes of the Unemployment Compensation Law.

On the question,

Will the House agree to the amendment?

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

Mrs. KEEFER. Thank you, Mr. Speaker.

Again, similar situation. This amendment would remove the written contract requirement in determining independent contractor status and providing that a written contract, HICPA registration, or a signed affidavit from the individual constitutes prima facie evidence of the independent contractor status. So the self-employed test to determine unemployment compensation

benefits is a two-point test rather than a three-point test used by this act.

My amendment would bring this act into alignment with the test used to determine unemployment compensation eligibility by removing the written contract requirement. Because of the nature of the construction and contracting, it is not always practical to sign a contract. But under the current guidelines, removing this creates opportunities and removes the possibility for gotcha moments that punish well-meaning, hardworking employers and contractors. Employers and contractors already deal with a wealth of red tape just to do business in this Commonwealth, something I have spoken on often. We have over 160,000 regulations on our books, and one misstep could cost a contractor thousands of dollars.

This amendment will provide three avenues for contractors and employers to use to provide independent contractor status. They could register through the HICPA – contractor would have to register to do business; a written contract to perform services and includes the scope of work; a signed affidavit that an individual is operating as a contractor. These provisions will help employers and employees and the department clearly determine if someone is an employee or a contractor by removing some of the uncertainty and creating clear parameters by determining employment status.

I would implore any of you to go back and listen to some of our Labor and Industry hearings on this issue, where I brought in constituents to talk about their challenges just to establish this process. It is very ambiguous. It is all based upon one auditor's or one individual's perception in the agency, regardless of evidence produced by that individual business.

We are killing these small businesses, tying them up for – this one over a year, a year, going back 7 years to produce paperwork. I implore you to consider just this one exception to help streamline this process, to help our small contractors continue to do business in this Commonwealth, and that we can actually be a destination for businesses instead of this mass out-migration that we currently have with our businesses.

So for those reasons, Mr. Speaker, I would implore my colleagues to support this amendment. Thank you.

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

Mr. DAWKINS. Thank you, Mr. Speaker.

And again, I would like to thank the gentlelady for bringing up this amendment, A02670. But for the same reason we have laid out on the previous amendment is that this would essentially create an easier pathway for employers to misclassify their employees, and it may be unintended, which is why we do not want to support an amendment that would create a pathway to misclassify their employers as an easier method.

So I would oppose this amendment and I ask the members to do the same.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—92

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

NAYS—111

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

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mrs. GLEIM offered the following amendment No. **A02672**:

Amend Bill, page 1, line 22; page 2, lines 1 through 30; page 3, line 1; by striking out "As follows:" in line 22 on page 1, all of lines 1 through 30 on page 2 and all of line 1 on page 3 and inserting

Action taken by the secretary to prohibit a contractor, subcontractor or individual from contracting with or participating in contracts for public work projects and other State procurement contracts for a specified period.

Amend Bill, page 3, by inserting between lines 6 and 7 "Successor entity." Any of the following as defined in 15

Pa.C.S. § 312 (relating to definitions):

- (1) Acquiring association.
- (2) Converted association.
- (3) Domesticated entity.
- (4) New association.
- (5) Resulting association.
- (6) Surviving association.

* * *

Amend Bill, page 6, line 8, by striking out "at least" and inserting up to

Amend Bill, page 6, line 12, by inserting after "contract."

The following shall apply:

(1) The debarment shall include all divisions or other organizational elements of a contractor or subcontractor unless limited by its terms to specific divisions or organizational elements.

(2) The debarment may apply to affiliates or other persons associated with the contractor, subcontractor or individual if they were party to the violation and are specifically named and given written notice of the debarment and an opportunity to appeal.

(3) The debarment shall apply to a successor entity.

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

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

Mrs. GLEIM. Thank you, Mr. Speaker.

This amendment, A02672, limits the definition of "debar" and clarifies the definition of "successor entity" to be in line with current law. The definition of "debar" includes four paragraphs. The first paragraph includes a definition. Paragraphs two through four include substantive provisions. This amendment creates a clear definition of "debar" and removes "successor entity" as part of the definition.

The definition of "successor entity" is extremely broad, Mr. Speaker, and drafted poorly, and would consider a new contractor a successor entity if any of the following apply: the entity performs similar work within the geographic area; the entity employs substantively the same workforce; the entity uses the same tools, equipment, facilities; or the entity occupies the same premises.

"Successor entity" is defined in law, and my amendment changes the definition to reflect what is already in our corporation laws. Under the current bill, the minimum period for debarment is 3 years. My amendment would provide discretion to the Secretary to set the debarment period.

Thank you. Please vote "yes" to my amendment.

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

Mr. DAWKINS. Thank you, Mr. Speaker.

And again, I want to thank the gentlelady for bringing up this amendment, A02672. But like I stated before, the objective of misclassification, from what I have heard over the years, is for us to strengthen these provisions, not to weaken them. This amendment would weaken the bill's penalties and enforcement by reducing the length of debarment for "at least" 3 years to "up to" 3 years.

So I would ask all our members to oppose this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—92

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

NAYS—111

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. **DAWKINS** offered the following amendment No. **A02864**:

Amend Bill, page 1, lines 8 and 9, by striking out "and for fines and penalties"

Amend Bill, page 1, line 11, by inserting after "information", for use of penalty funds

Amend Bill, page 2, line 11, by striking out "individual" and inserting

person

Amend Bill, page 4, line 28, by striking out "sections" and inserting

a section

Amend Bill, page 5, lines 21 through 24, by striking out all of said lines

Amend Bill, page 6, line 6, by striking out all of said line and inserting

(c) Intentional violation.—

(1) If the secretary determines that

Amend Bill, page 6, by inserting between lines 12 and 13

(2) A debarment under paragraph (1) shall apply to the following:

(i) Future projects and contracts not begun or entered into on or before the date of the debarment.

(ii) Current projects and contracts already entered into but on which the debarred contractor, subcontractor or person has not begun work as of the date of the debarment.

Amend Bill, page 7, line 3, by inserting after "11", 12

Amend Bill, page 7, by inserting between lines 15 and 16 Section 12. Use of penalty funds and recovered fees and costs.

[Any sum collected as a penalty under:

(1) Sections 6, 7 and 9 for a violation of section 4(a)(1) shall be paid into the Workers' Compensation Administration Fund.

(2) Sections 6, 7 and 9 for a violation of section 4(a)(2) shall be paid into the Special Administration Fund created under section 601.1 of the Unemployment Compensation Law.

(3) Section 9 for a violation of any other provision of this act shall be divided equally between the Workers' Compensation Administration Fund and the Special Administration Fund.] Notwithstanding any other provision of law to the contrary, any sum collected as a penalty, recovered attorney fee or cost associated with any investigation or enforcement action under this act shall be deposited into a restricted revenue account created in the General Fund. Money deposited into the restricted revenue account is appropriated to the department and shall be used for future enforcement of this act.

Amend Bill, page 7, line 22, by inserting after "misclassification", along with any resulting enforcement action.

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

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

Mr. **DAWKINS**. Thank you, Mr. Speaker.

And at the direction of our previous speaker who stated that the debarment information was poorly drafted and maybe needed to be clarified, I would hope I can win over the support on this amendment, A02864, because this amendment would clarify, debarment applies to current and future projects that have not yet begun, allows for the recovery of enforcement costs, and requires monetary penalties to be used for future enforcement of this act.

So I would ask the members to support this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—113

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

NAYS—90

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

D'Orsie	Jozwiak	Mustello	Stender
Davanzo	Kail	Nelson, E.	Struzzi
Delozier	Kauffman	O'Neal	Topper
Diamond	Keefer	Oberlander	Twardzik
Dunbar	Kephart	Ortitay	Warner
Ecker	Kerwin	Owlett	Watro
Fee	Klunk	Pickett	Wentling
Fink	Krupa	Rader	Zimmerman
Flick	Kutz		

NOT VOTING—0

EXCUSED—0

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 221, PN 2308**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Control Board, further providing for enforcement.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Jefferson, Representative Smith.

Mr. SMITH. Thank you, Mr. Speaker.

I rise today and ask for support of HB 221. It will put back in effect a law that was sunsetted in December of 2022 to allow the State of Pennsylvania to do compliance checks of places that sell alcohol.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—173

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

NAYS—30

Banta	Ecker	Jones, M.	Rapp
Bernstine	Fink	Jones, T.	Rossi
Borowicz	Gillen	Kauffman	Scialabba
Brown, M.	Gleim	Keefer	Stambaugh
Burns	Gregory	Maloney	Warner
Cooper	Greiner	Metzgar	Watro
D'Orsie	Hamm	Nelson, E.	Zimmerman
Davanzo	Heffley		

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **HB 775, PN 1357**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight reclamation and revitalization, further providing for definitions and providing for vacant and blighted property registration; and imposing penalties.

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

(Bill analysis was read.)

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Schuylkill, Representative Twardzik.

Mr. TWARDZIK. Thank you, Mr. Speaker.

I would like to submit my comments on the bill, and I would appreciate an affirmative vote on 775. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. TWARDZIK submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Blight is a problem that affects every community across this Commonwealth, both rural and urban. It is not a Republican issue or a Democratic issue. It devalues neighbors' properties, increases neighborhood crime, and poses health and safety risks. In my area, this is a fight we know well.

The bill concept comes from the statewide blight tour that this committee took last session – which included a stop in my district – and the feedback we received from those at the forefront of the fight.

By permitting municipalities to enact vacant blighted registries, we are giving our communities another tool that will continue to help make a difference on this issue.

I would ask for an affirmative vote on HB 775. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—177

Abney	Fleming	Kutz	Rigby
Adams	Flick	Kuzma	Roae
Armanini	Flood	Labs	Rozzi
Barton	Frankel	Mackenzie, M.	Ryncavage
Bellmon	Freeman	Madden	Salisbury
Benham	Friel	Madsen	Samuelson
Benninghoff	Fritz	Major	Sanchez
Bizzarro	Gallagher	Mako	Sappery
Bonner	Galloway	Malagari	Schemel
Borowski	Gaydos	Marcell	Scheuren

Boyd	Gergely	Markosek	Schlegel
Boyle	Gillen	Marshall	Schlossberg
Bradford	Giral	Matzie	Schmitt
Brennan	Green	Mayes	Schweyer
Briggs	Gregory	McAndrew	Scott
Brown, A.	Grove	McNeill	Shusterman
Brown, M.	Guenst	Mehaffie	Siegel
Bullock	Guzman	Mentzer	Smith
Burgos	Haddock	Mercuri	Smith-Wade-El
Burns	Hanbidge	Merski	Solomon
C Freytiz	Harkins	Mihalek	Staats
Cabell	Harris	Miller, B.	Steele
Causer	Heffley	Miller, D.	Stehr
Cephas	Hogan	Moul	Stender
Cerrato	Hohenstein	Mullins	Struzzi
Ciresi	Howard	Munroe	Sturla
Conklin	Irvin	Mustello	Takac
Cook	Isaacson	Neilson	Tomlinson
Cooper	James	Nelson, E.	Topper
Curry	Jozwiak	Nelson, N.	Twardzik
Cutler	Kail	O'Mara	Venkat
Daley	Kaufer	O'Neal	Vitali
Davis	Kauffman	Oberlander	Warren
Dawkins	Kazeem	Ortity	Watro
Deasy	Kenyatta	Otten	Waxman
Delloso	Kerwin	Owlett	Webster
Delozier	Khan	Parker	Wentling
Diamond	Kim	Pashinski	White
Donahue	Kinhead	Pickett	Williams, C.
Dunbar	Kinsey	Pielli	Williams, D.
Ecker	Klunk	Pisciottano	Young
Emrick	Kosierowski	Powell	
Evans	Krajewski	Probst	McClinton,
Fee	Krueger	Rabb	Speaker
Fiedler	Kulik	Rader	

NAYS—26

Banta	Greiner	Lawrence	Rossi
Bernstine	Hamm	Leadbeter	Rowe
Borowicz	Jones, M.	Mackenzie, R.	Scialabba
D'Orsie	Jones, T.	Maloney	Stambaugh
Davanzo	Keefer	Metzgar	Warner
Fink	Kephart	Rapp	Zimmerman
Gleim	Krupa		

NOT VOTING—0

EXCUSED—0

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

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

CALENDAR CONTINUED

CONSIDERATION OF HB 1417 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls up HB 1417, PN 2275, on page 1 of today's House calendar.

The clerk will read a summary of the bill.

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

Mr. **LAWRENCE** offered the following amendment No. **A02954**:

Amend Bill, page 2, line 23, by striking out "PUBLICATION OF A NOTICE IN" and inserting

_transmitting a notice to the Legislative Reference Bureau for publication in the next available issue of

Amend Bill, page 2, line 24, by inserting after "NOTICE."

The department shall include a description of the fee schedule for participating dental providers in the notice. The department shall develop the fee schedule based on the National Dental Advisory Service Annual Comprehensive Fee Report and determine a maximum allowable amount to be computed for each covered dental procedure code that is, at a minimum, fifty percent of the National Dental Advisory Service seventieth percentile amounts for preventative general dental services, ninety-five percent of the National Dental Advisory Service seventieth percentile amounts for restorative general dental services, seventy percent of the National Dental Advisory Service seventieth percentile amounts for adjunctive general dental services and sixty-five percent of the National Dental Advisory Service eightieth percentile amounts for specialty dental services. The department shall update the fee schedule on an annual basis, which shall take effect upon publication in the next available issue of the Pennsylvania Bulletin. Before transmitting a notice of a final fee schedule each year to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin, the department shall transmit a notice of the proposed final fee schedule to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin and allow for no less than a thirty-day comment period. Upon publication of the final fee schedule each year, the department shall respond to each comment received by the department.

On the question,

Will the House agree to the amendment?

AMENDMENTS WITHDRAWN

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

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

I will be pulling this amendment and also 2955.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **GROVE** offered the following amendment No. **A02982**:

Amend Bill, page 2, line 13, by striking out all of said line and inserting

(h) The following shall apply:

(1) The department shall establish a benefit package for Amend Bill, page 3, line 1, by striking out "(1)" and inserting

(i)

Amend Bill, page 3, line 6, by striking out "(2)" and inserting

(ii)

Amend Bill, page 3, by inserting between lines 9 and 10

(2) The coverage of dental services not included in the dental package changes announced under 41 Pa.B. 5133 (September 24, 2011) and authorized under this section shall be subject to the requirements of section 2155 of the act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921."

On the question,

Will the House agree to the amendment?

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

Mr. **GROVE**. Thank you, Mr. Speaker.

HB 1417 amends the Human Services Code to restore medical assistance dental services to those services provided prior to 2011. The amendment amends the bill to require that any new dental services or any dental services not included in the benefit changes made in 2011 be subject to prior authorization.

This is a misconception that certain dental services were eliminated for medical assistance recipients after the benefit changes in 2011. These benefits were still available but were subject to the benefit limit exception process to prove medical necessity. Proponents of this legislation have stated that the current BLE process is too cumbersome, and my amendment will simplify the process to a prior authorization request. Prior authorization is a common cost-control practice in health care and utilized in the Medical Assistance Program to ensure services provided are deemed medically necessary.

Last session, through unanimous bipartisan and bicameral support, the legislature enacted Act 146 of 2022, which provided much-needed prior authorization reforms. My amendment will implement a responsible measure to ensure we are containing costs while providing medically necessary services to MA recipients.

I would appreciate the members' affirmative support. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Allegheny, Representative Kinkead.

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

I rise in opposition to this amendment. Effectively, when we stripped Medicaid recipients of their dental coverage in 2011, we made teeth in Pennsylvania luxury bones, and this bill seeks to address that problem, because dental coverage is essential medical care. And I would ask anybody who is concerned about whether or not a root canal is necessary and should require prior authorization to listen to any of the anguished phone calls that dentists in my district have received from people on Medicaid trying to get dental services, who have to wait months and cannot receive a root canal because it is not currently covered under our system.

This is essential medical care. HB 1417 merely restores what should be already covered, what our dentists would like to provide, and prior authorization is just one more roadblock for people to receive this essential care. So please, vote "no" on this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the Representative.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—101

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

NAYS—102

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. GROVE offered the following amendment No. A02984:

Amend Bill, page 1, line 10, by striking out "a subsection" and inserting subsections

Amend Bill, page 2, line 21, by striking out "THE" and inserting and subject to subsection (i), the

Amend Bill, page 2, line 23, by striking out "BY PUBLICATION OF A NOTICE IN" and inserting and transmit a notice of the revision to the Legislative Reference Bureau for publication in the next available issue of

Amend Bill, page 2, line 29, by striking out "SUBJECT TO AVAILABLE FUNDING, THE" and inserting

The

Amend Bill, page 3, by inserting between lines 9 and 10

(i) The department may not transmit the notice to the Legislative Reference Bureau under subsection (h) until the earlier of the following:

(1) funding is appropriated for the revision to the benefit package for dental services; or

(2) the secretary certifies to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives that revising the benefit package for dental services consistent with subsection (h)(1) will not result in a net increase in capitation payments to medical assistance managed care organizations.

On the question,

Will the House agree to the amendment?

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

Mr. GROVE. Thank you, Mr. Speaker.

I rise today to ask for support on amendment A02984. This will ensure there is funding appropriated or there are no adverse costs to the Commonwealth before publication of benefit changes. We are on day 138 of a budget impasse, and adopting proposals that could have up to a \$155 million price tag is fiscally irresponsible. The House majority caucus has repeatedly run bills with significant fiscal impacts to the Medical Assistance Program outside of the budget process with no regard for the need to control costs of this ever-growing program.

This amendment would ensure that the changes to the dental benefit package cannot occur until sufficient funding is appropriated, where the Secretary can certify that restoring the full dental benefit package can realize more cost savings than — from the prevention of costs from other health-care conditions related to oral health than the cost of fully restoring the dental benefits from 2011.

I appreciate the members' support of this fiscally responsible amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Representative Curry.

Mrs. CURRY. Thank you, Mr. Speaker.

I appreciate the amendment, but we rise up to say no to it because the department updates the benefit package often and it would not make sense to require a specific appropriation or statement from the Secretary to the General Assembly for every single change of the dental benefit. I am asking for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentlelady from Allegheny, Representative Kinkead.

Ms. KINKEAD. Thank you, Mr. Speaker.

I also rise in opposition to this amendment, and to add on to the gentlelady's comments, there was already an amendment in committee that addresses the fiscal concerns and requires that there be funding available in order to restore these benefits. So this is a redundant and unnecessary amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—101

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

NAYS—102

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

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1481, PN 2186**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in compensation, further providing for ineligibility for compensation.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentlelady from Allegheny, Representative Steele.

Mrs. STEELE. Thank you, Mr. Speaker.

And thank you to my friend, Whip Miller, for his collaboration on this bill.

HB 1481 is a critical piece of legislation that creates a level playing field for workers during a strike, giving them the ability to qualify for unemployment compensation when striking. Currently our workers are not afforded this opportunity, which gives employers an unfair advantage during labor disputes. With four young children, my family once went for 9 months without income. Trust me when I say, I know the pain and strain and heartbreak that this causes a family. Employers can hire replacement workers, but striking workers must endure the crushing financial burdens that come with a strike that can last for many months or even longer, as is the struggle of some of the people in my own district on strike from the Pittsburgh Post-Gazette for more than an entire year.

Make no mistake, the decision to strike is never taken lightly and is always seen as the last resort after all other negotiations have broken down. If the right to strike is a legal guarantee by the Federal government, then there should be economic systems of support in place, especially when these workers are paying into our UC system. These are public benefits that should be there for workers when they take the extraordinary step to go on strike. They need support just like any other worker. This is not putting a thumb on the scale in negotiations, but rather, this is to balance

the scale and to keep people who are out of work from desperation.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman from Lehigh, Representative Ryan Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

Workers across our Commonwealth are in precarious situations sometimes, and they get into collective-bargaining situations where they have the right to advocate for themselves, their families, their fellow workers, to make sure that they get the best benefits, best pay, best working conditions – all the things that they can possibly ask for. That is their right. What is not their right is to ask other hardworking Pennsylvanians to pay for them to be out of work when they choose to go on strike, and that is what this bill does.

In Pennsylvania, we have an unemployment compensation system which is paid for with benefits – or with contributions from both employers and employees. So all workers end up paying into this fund when the fund is not at full solvency. That is what is going on right now in Pennsylvania. Workers, all workers are paying increased taxes and they are seeing a reduction in their benefits. So that is what is going on right now in this Commonwealth. This will continue the insolvency run in our UC Trust Fund for a greater period of time, leaving in place those taxes and reduced benefits for all workers.

This is something that really has a moral hazard element to it as well, because it reduces the pressure – and pressure is a good thing in this situation – for both sides to come to the table and actually come to a resolution so that people can get back to work. We know that those workers want to get back to work, just like the companies want to be producing and have production going out of their facilities.

So this is a problematic piece of legislation. It is so problematic that only two States in the country have a system like this, New York and New Jersey. California had legislation on this very topic just a few weeks ago and Governor Gavin Newsom, the Governor of California, vetoed that legislation. So unless you come up with a way to actually pay for this, it is just a benefit drawdown for some workers that all workers end up paying for, and that is a problem.

I would also add two additional elements that came up in committee. One is that there is a work search requirement in Pennsylvania – and nationally – but here in Pennsylvania, we have a work search requirement that says you have to look for a job. What will happen with this legislation is, you go on strike, you are entitled to your benefits, but then you would be required to go looking for a job. Even though you have a job that you are hoping to go back to once you get to a contract resolution, you are going to have to go out and do work search, go on interviews and all those things, and if you deny or reject any of those offers, you would then lose these benefits. So what is going to happen is, the company is immediately going to say, you can all come back to work. We are going to offer you your jobs at the current wages, the current benefits that you do not like, your union does not like. You can come back today. And what is going to happen is that employees right away will have to either reject the UC benefits or they will have to break the strike and break the picket line and go against their fellow union members. Not a good situation.

The final thing I would say is that we have heard – and I just read yesterday in Axios, a national publication – that the AFL-CIO, their workers are not happy with their work situation. They have not received raises in 9 years. The benefits, or the increase that was proposed does not even keep pace with the cost of inflation. And so if you have something like this go into effect, workers at unions, the workers who work for the unions could ultimately go on strike, receive pay from all of us, every other worker in this Commonwealth, because their union did not do the right thing and offer them an increase in salary, benefits, health care, working conditions to keep pace with the rest of the economy.

Very bad situation. Very bad piece of legislation. There is a reason the Governor of California vetoed this exact same legislation. Obviously, for those reasons I would oppose this legislation and ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Allegheny, Representative Kinkead.

Ms. KINKEAD. Thank you, Mr. Speaker.

I rise in support of this bill. Fundamentally, we have seen over and over again in recent strikes employers out loud admitting that their goal is to wait until their employees who are on strike lose their homes in order to force them back to the table. What this bill does is protect Pennsylvania workers who take the extraordinary step of going on strike to say that their employer – like the Pittsburgh Post-Gazette, which has not met with their striking workers in over a year – that those workers deserve to be able to pay their bills from a system that they paid into. This is not taking from other workers; this is receiving a benefit that workers who are out of work are entitled to, and when an employer does not negotiate in good faith and workers are pushed to a strike, then we should ensure that the playing field is level. That is what this bill does. It takes the advantage away from employers to force their employees into bankruptcy or into a bad contract.

Please vote "yes." Thank you.

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

Mr. DAWKINS. Thank you, Mr. Speaker.

So I stand today in support of HB 1481. Earlier this year when I got the pleasure to serve as the majority chair of the Labor and Industry Committee, I was under the impression that we were sent here to support workers. I have heard for the last 10 years that I have served in this body, on both sides of the aisle, that it was about workers: about the safety of workers, about fair wages of workers, and to make sure our workers are not being mistreated. But what I have learned, Mr. Speaker, is through this time, words mean nothing without action. We have had the pleasure of serving in this capacity and putting action in front of this House. We now have the opportunity to show our brothers and sisters in the labor movement that we stand with them. It makes zero sense for us to have a strong labor movement or strong workers if we are not going to be there at their low times.

We realize that there are some employers in this Commonwealth that operate unjustly to workers. Why should a worker have to endure poor conditions and not have the ability to strike without fear of putting food on the table and keeping a roof over their head?

It is high time for us to start standing with our workers. Here is a perfect opportunity to support HB 1481. Show your constituents in the labor movement that you stand with them. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, for the second time, the gentleman from Lehigh, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

Mr. Speaker, the legislation that is before us offers unemployment compensation to individuals that are choosing to go on strike. Again, we have addressed, that is their right. We appreciate their right. We respect that. That is something that in certain instances, I would encourage that those individuals do that. But when they do that, they are making a decision on their own. The very premise of our unemployment compensation system is that they are unemployed through no fault of their own. That is the compromise; that is what is agreed to; that is what employers and employees, both union and nonunion, everybody is paying into, is a system with the understanding that you are unemployed through no fault of your own, then you are eligible to receive those benefits. When you choose to go on strike, you are violating that very premise. You are making a conscious decision. That same benefit is not being offered to individuals in nonunion situations or even union members who just choose to quit a job. If they voluntarily choose to quit, they would not get this benefit. So that is a distinction that needs to be made clear.

Second, if we are concerned about workers and the pay that they receive when they go on strike, we all know that unions provide strike benefits and wages when those individuals are out of work. They sometimes go and work part-time jobs when they are out of work. If you stack those things up with unemployment compensation benefits on top of that, we will end up in a very good situation, a very good chance of a situation like COVID, where workers with all of the benefits stacked on top were making actually more than they were making when they were actually going to work. Again, not a good situation, a situation of moral hazard that we need to be very careful of. We want to help our workers. We want to protect them, but ultimately, I have been out on picket line with our striking union workers, and what they want more than anything is to get back to work.

So we need to support them. We need to grow our economy, grow jobs, help support our workers, and make sure that they can go to work here in Pennsylvania just like I want and just like they want every single day. This legislation does not do that, no matter what anybody says. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Before recognizing the leaders, any other members wishing to be recognized, you should please do so at this time.

The Chair recognizes the gentleman from Delaware, Representative Dellosso.

Mr. DELLOSO. Good afternoon, Mr. Speaker.

You know, the premise that you go on unemployment – it is interesting, because you normally are granted unemployment if you are unemployed through no fault of your own, and I think we got to the very bottom today of what could be wrong in the Commonwealth. My dear colleague supposes that it is your fault that you are on strike, not your employer's fault, not the fact that you cannot bargain a fair agreement. The fact that workers unified cannot employ a fair agreement is their fault is repugnant.

Now, we pay into the unemployment compensation system all our working life, and the great majority of Pennsylvanians will never collect a penny in unemployment compensation. So when

you are unemployed because you cannot reach an agreement with your employer, you are most certainly entitled to unemployment benefits. You are not on unemployment through a fault of your own. You are essentially in the same position as a person who voluntarily resigns a job because they are chronically underemployed, treated poorly, whatever the case may be. You are going to qualify for unemployment benefits. The disqualifier for unemployment benefits is when you have made an egregious act at work, and therefore, you have been discharged. A strike is not an egregious act at work. It is simply a work stoppage in order to gain better health care, wages, and benefits.

As far as strike benefits go, your union does not give you strike benefits. Your dues are paid into the union, and a very, very small portion of your dues, in some cases, are stored up by your union in case you are involved in a labor stoppage, that you will get a minimal benefit, a minimal benefit to somewhat try to sustain you while you are on strike. It is by no means a panacea to be on strike. Speaking to you as a union leader who has led members on strike, it is certainly no panacea. All the fun stops when the paychecks stop coming, and then it gets worse when the benefits stop coming.

Pennsylvania has a long history of treating striking workers bad starting with the Pinkertons and the Pennsylvania Coal and Iron Police and the Homestead massacre and massacres that have been handed down to workers at the hands of the State. Today it stops. Today the State says, striking workers demand rights. We are going to give you your rights. We are going to supplement you with your own money while you bargain in good faith with a sometimes not-in-good-faith employer.

I urge the support for this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. CUTLER. Thank you, Mr. Speaker.

I respectfully disagree with the last speaker. I actually think this bill is another example of misplaced priorities coming from our friends here. While I certainly respect the ability of workers to organize – and they are free to do so – and if necessary, as he outlined, strike, this legislation continues a pattern of legislation that wants to pay people more to work less.

Mr. Speaker, when we look at some of the other proposals regarding the workweek, whether it is a 4-day workweek or making other changes, this legislation would go even further by putting Pennsylvania businesses and taxpayers on the hook for when workers want to cause an economic disruption in order to bargain. This legislation does not differentiate between private- and public-sector employees, so I think the people of Pennsylvania should know that when teachers strike and lives are significantly disrupted, they will still be getting paid at the taxpayers' expense. Frankly, I would like to know what will happen and who will pay the UC benefits if the union representing State employees strikes and they leave the office. Who then will pay those benefits? Let that sink in for a minute. They themselves are on strike and there is no one to staff the office.

Months ago the House Republican Caucus unveiled what we called the Keystone Commitment, a people-driven and future-focused approach to policymaking here in Pennsylvania. One of the cornerstones of that commitment is creating a thriving economy by, and in part, making it easier to do business in Pennsylvania and easier to get a job here. This bill does none of those things; in fact, this bill would create increased

unpredictability in our labor markets; incentivizes striking over working towards a compromise. And as the gentleman outlined, there is a strike fund available at times, and I would offer that those unemployment benefits would in fact be paid if you were laid off for another reason that was not the call to strike. So those benefits are exactly what other workers already have. When your business is shut down, for example, through an emergency order to COVID, you would in fact get those benefits. That is the same right that every other person has. What we are asking here on this proposal is double-dipping: allowing the strike fund and unemployment. That makes it harder to do business here in the Commonwealth, and frankly, when businesses do not succeed in Pennsylvania, it makes it more difficult for us to do our job.

So I think that it would pay for us to refocus and work towards a strong bipartisan resolution to this. If there are concerns about what is paid into the UC Fund, discuss refunds, discuss other options rather than simply collecting benefits. We need to make it easier to find and get a job here in the Commonwealth. We need to lower taxes and make it more affordable to live here. This bill, Mr. Speaker, does not do that.

The message in this bill might be good for headlines, but I think it is a bad one for Pennsylvania when they actually dig into the details. I encourage a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority whip, the gentleman from Allegheny County, Representative Dan Miller.

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

Mr. Speaker, sometimes when someone is recognizing that they are in a bit of a problem, the challenge for them is to stop digging themselves into a deeper hole, and in this regard, I think, with all the respect that we can give, what we continue to hear from the other side is, at best, perhaps confusion as to what it means to be a union member, confusion as to what it means to have a strike fund, confusion as to what it means to be able to go on strike or not, confusion as to what it means to even make that decision, and at worst, we have insults as to what it means to be a union member in the State of Pennsylvania when it comes to actual name-calling, in relation to calling people communists because they have the audacity to pull together to try to get a little bit better of the American dream.

The reality of it is, this is a bill here that is designed entirely to level the playing field when it comes to Pennsylvania workers, and that is all it does. It does not— What has been characterized as a raid into public dollars, it is instead opening the door to private dollars, opening the door to the union dollars that have already been paid, that are already there in the UC system and ready to be used. The reality for it is that so many people struggle when it comes to reaching agreement, getting first contracts, getting another contract in place. No one wants to go on strike. You would know it, perhaps those members would know it if they have been on the strike line or been in the room with negotiations or been in there with families who have had to make tough decisions as to what it means when they have to make that decision to go on strike. They do that, so many of them do that as a final chance of being able to stand up for their own well-being, and they do it in relation to knowing that at some point, they are going to struggle to pay the bills, and this is where it comes down to the reality for it. If you have a right that you cannot afford to take, then you do not have a right.

This bill is going to change that. I ask for an affirmative across the board, not just from the Democratic Caucus that will once again stand with workers across Pennsylvania, but from those on the other side who know what it is like, I am sure, to support a family and build into the middle class. This is a bill that should be uniting both parties across that border now. So I ask for a "yes" from both sides of the aisle.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—106

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

NAYS—97

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

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **SB 843, PN 1239**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Basic Education Funding Commission and for special provisions applicable to limited school years and providing for public job posting database, for instructional vacancy data and for data transparency; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in intermediate units, further providing for school safety and security enhancements; in certification of teachers, further providing for substitute teaching permit for prospective teachers, for locally issued temporary certification for substitute teachers and for permit for classroom monitors; providing for Interstate Teacher Mobility Compact and for Educator Pipeline Support Grant Program; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records, repealing provisions relating to safe schools advocate in school districts of the first class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for School Safety and Security Committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in drug and alcohol recovery high school program, further providing for scope of program and selection of students, providing for enrollment of students and further providing for academic programs; in early learning programs, providing for quarterly reporting; in high schools, further providing for attendance in other districts; in community colleges, further providing for financial program and reimbursement of payments; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in reimbursements by Commonwealth and between school districts, further providing for payments on account of pupils enrolled in career and technical curriculums, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; and making an editorial change.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—114

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

NAYS—89

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

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

RULES COMMITTEE MEETING

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the majority leader for a committee announcement.
Rescind.

The Chair recognizes the gentleman, the majority caucus chairman, Representative Schlossberg.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

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

Immediately upon the break, there will be a House Democratic caucus. We will be prepared to return to the floor at 4 o'clock. So again, Rules Committee meeting immediately. Democratic caucus immediately after that. Back to the floor at 4 o'clock.

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the Republican Caucus chairman, the gentleman from Westmoreland.

Mr. DUNBAR. Thank you, Mr. Speaker.

Republicans will also caucus immediately. Republicans will caucus immediately.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. The House will be in recess until 4 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 4:20 p.m.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1706, PN 2309**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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

NAYS—2

Borowicz Hamm

NOT VOTING—0

EXCUSED—0

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

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 301, PN 2326

By Rep. BRADFORD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for special provisions applicable to limited school years; in duties and powers of board of school directors, further providing for additional schools and departments; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in school directors' associations and county boards of school directors, further providing for powers and duties; in intermediate units, further providing for visual services and for school safety and security enhancements; in certification of teachers, further providing for substitute teaching permit for prospective teachers and for locally issued temporary certification for substitute teachers, repealing provisions relating to permit for classroom monitors and providing for permit for classroom monitors; providing for the Educator Pipeline Support Grant Program; in pupils and attendance, further providing for compulsory education of physical defectives, for school lunch and breakfast reimbursement, for dependent children, for actual cost of tuition and maintenance of certain exceptional children in the four chartered schools for education of the deaf and the blind, for payment of cost of tuition and maintenance of certain exceptional children, for transfer of funds for transferal programs and for children under six with defective hearing and parent or guardian advised of schools, etc.; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records and repealing provisions relating to Safe Schools Advocate in School Districts of the First Class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for school safety and security committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in character education program, further providing for character education program; in community colleges, further providing for financial program and reimbursement of payments; in school districts of the first class, further providing for qualifications of principals and teachers; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in reimbursements by Commonwealth and between school districts, further providing for definitions and for payments on account of pupils enrolled in career and technical curriculums, for payments on account of courses for exceptional children, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for payments, for payments on account of pupil transportation, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; providing for School Environmental Repairs Program; and making an editorial change.

RULES.

HB 1461, PN 2288

By Rep. BRADFORD

An Act providing for funding for State-related universities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

RULES.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1850 By Representatives SMITH-WADE-EL, FREEMAN, SAPPEY, JAMES and MOUL

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for appointment of accountant.

Referred to Committee on LOCAL GOVERNMENT, November 15, 2023.

No. 1851 By Representatives JAMES, FREEMAN, SAPPEY, SMITH-WADE-EL and MOUL

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in contracts, further providing for letting contracts.

Referred to Committee on LOCAL GOVERNMENT, November 15, 2023.

No. 1852 By Representatives RABB and HOHENSTEIN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms, for Pennsylvania State Police and for licensing of dealers and providing for security cameras, for lost and stolen firearm reporting requirements and for inspection of retail firearm dealer licensees and grant program; establishing the Retail Licensee Inspection Fund and the Firearm Dealer Safety Grant Program; imposing penalties; and making an appropriation.

Referred to Committee on JUDICIARY, November 15, 2023.

No. 1853 By Representatives SHUSTERMAN, MARCELL, BOROWSKI, CEPEDA-FREYITZ, ECKER, EMRICK, HILL-EVANS, KUTZ, MADDEN, MULLINS, PROBST, SANCHEZ and GREEN

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 administration.

Referred to Committee on HEALTH, November 15, 2023.

No. 1854 By Representatives SOLOMON, GUENST, HILL-EVANS, T. DAVIS, MUNROE, BOROWSKI, MADDEN, McNEILL, GALLAGHER, SCHLOSSBERG, ZIMMERMAN, VENKAT, WEBSTER and KHAN

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in 911 emergency communication services, further providing for definitions, for telecommunications management and for counties, providing for addressing authorities and for next generation 911 call delivery, further providing for 911 system plan, for fund, for uniform 911 surcharge, for payment, collection and remittance of surcharge by providers of 911 communications services, for payment, collection and remittance of surcharge by sellers of prepaid wireless telecommunications service, for telephone records, for penalty, for immunity and for shared residential MLTS service, repealing provisions relating to business MLTS, to shared communications services, to temporary residence and to local notification, further providing for ALI database maintenance, repealing provisions relating to dialing instructions and further providing for MLTS signaling, for termination and for prohibited release of information.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 15, 2023.

SENATE BILLS FOR CONCURRENCE

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

SB 700, PN 1183

Referred to Committee on EDUCATION, November 15, 2023.

SB 910, PN 1080

Referred to Committee on PROFESSIONAL LICENSURE, November 15, 2023.

SB 958, PN 1178

Referred to Committee on TRANSPORTATION, November 15, 2023.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1752, PN 2131**, entitled:

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

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

(Bill analysis was read.)

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

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

Mr. KHAN. Thank you, Mr. Speaker.

Eid al-Fitr is the festival of the breaking of the fast, and it is a major religious holiday marking the end of Ramadan in the Islamic faith. Growing up as a kid in a multifaith household – Catholic mom, Muslim dad – I knew Eid as a holiday with

presents and good food and family. I learned later that Eid al-Fitr is also a holiday celebrating community, charity, and the power of forgiveness.

As a proud Muslim-American, one of over 170,000 who are registered to vote in the Commonwealth, it is a great privilege to co-prime this bill with Representative Kazeem and chair Jason Dawkins to recognize Eid al-Fitr as a holiday in the Commonwealth.

Eid al-Fitr concludes a month of fasting from sunup to sundown. And to be clear, fasting is not easy. Some days it feels like the sun will never go down. Fasting during completion as an all-public swimmer at Central High School, I can tell you that was difficult, fasting during competition; fasting during a 12-hour shift working as a nurse at Lankenau; and fasting while knocking the 15,000 doors during my winning campaign for State Representative.

As in the other Abrahamic faiths, like fasting for Lent ahead of Easter in Christianity or observing the fast days in Judaism like Yom Kippur, fasting for Ramadan ahead of Eid al-Fitr has made me more determined to finish things, has made me more disciplined, and helped bring me closer to my faith and closer to God.

William Penn, our Commonwealth's Founder, was an advocate for democracy and religious freedom known for his ability to build community with people that were different faiths. The recognition of Eid al-Fitr as an official holiday in Pennsylvania and States across the nation is a testament to the growth of the U.S. as a multifaith and multicultural country. This legislation also helps Muslim-Americans and Muslim Pennsylvanians feel like they are recognized and heard within the community, and it will go a long way to improve some of the lack of understanding and intolerance faced by the Pennsylvania Muslim-American community.

From the Lehigh Valley to Lancaster, from Allegheny to Philadelphia, and everywhere in between, Muslim-Americans contribute to the cultural and civic pulse of our Commonwealth and are deserving of this recognition. Please join us in voting "yea" on HB 1752.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Reminder to members, if you wish to speak, please use the speak button. If you happen to be in the well of the House and wish to be acknowledged, be sure that the rostrum acknowledges that you wish to be acknowledged.

The Chair recognizes the gentledady from Clinton, Representative Borowicz.

Mrs. BOROWICZ. Thank you, Mr. Speaker.

I rise in opposition to HB 1752. This nation and Pennsylvania were founded upon Judeo-Christian values and principles, hence Christmas, Good Friday – State holidays in this Commonwealth. Everyone has religious liberty here in America and Pennsylvania, but our State and Federal holidays reflect the Biblical foundation of this nation and Commonwealth, and that is how it should be kept. It is the rock upon which our Republic rests.

Look around us and throughout this Capitol, the Bible verses that reflect that foundation. It is the only way back. I ask my colleagues to vote "no."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentledady and recognizes the gentleman from Philadelphia, Representative Hohenstein.

Mr. HOHENSTEIN. Thank you, Mr. Speaker.

I simply want to make sure that we are clear on the record. The Founder of this Commonwealth, William Penn, a Quaker – while the Quaker religion does have roots within a Judeo-Christian framework, it is explicitly not a specific Christian religion.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Berks, Representative Gillen.

Mr. GILLEN. I am very pleased that this discussion has been polite and respectful, and certainly the Commonwealth is anchored historically in freedom of religion. This bill, however, provides a formal State-sanctioned observance; on page 2, I quote, "...official recognition." And though we have had recent precedent regarding recognition of a religion and ceremonies, there are 4,000 religions, denominations, and faith groups.

And so I would suggest, perhaps, moving forward, we should be cautious about bestowing a unique, and I quote from page 1 of the bill, "...holiday observance...." And I think we should be cautious about avoiding a path toward anything that is State-approved when it comes to religious orthodoxy – whatever it happens to be.

Do more religions moving forward – and there are thousands of them – receive a prioritized holiday observance? I think the State should be reticent to bestow approval – or disapproval, for that matter – when it comes to religion, traditions, or manner of worship.

I spent a few minutes with the maker of the bill earlier to offer her the courtesy, and I think we had a great discussion, that this was no attempt at an assault on anyone's particular religious tradition. However, I would offer, as legislators, I think we need to be careful to stay in our lane, be cautious about offering House bills that provide recognition to any religious group, and my vote will reflect those concerns as to our appropriate role.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Chester, Representative Dan Williams.

Mr. D. WILLIAMS. Mr. Speaker, with all due respect, I think we need to be very careful when we articulate what is clearly bad policy and bad theology. Quite frankly, there are a number of people not only in this Commonwealth, but in this country, who would argue whether or not we are founded as a Christian nation. When was that, when we were enslaving African-Americans or Africans? When was that, when we were negating and moving toward the genocide of Native Americans?

In fact, quite frankly, historically, let us be clear, that even the Founding Fathers were not Christians in the bibliocentric term; they were deists. So anyone claiming that this is a Christian nation needs to be reminded that it is not, it has never been, and quite frankly, we have not come to become a Sunday school. This is a legislature where we legislate laws on behalf of every single individual in this Commonwealth.

Thank you so much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

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

I am proud to be a Christian. Of course, not all Christians are perfect; I certainly am not. Likewise, I am proud to live in a Christian nation. Yes, Christianity, like all religions, has at times been distorted and exploited to justify evil. But it is a religion of unparalleled unconditional love, forgiveness, and grace.

It was predominately Christians who founded our nation, who welcomed those seeking religious asylum, who fought to end slavery, who marched for civil rights, who built hospitals, founded universities, and created charities to care for the sick, the hungry, and the poor, not only in America, but internationally – all despite being the single most persecuted religious group around the world.

Last year alone more than 5600 Christians were killed for their faith, more than 2100 churches were attacked or closed, and more than 124,000 Christians were forcibly displaced from their home because of their faith, yet despite these hostilities—

The SPEAKER pro tempore. The gentleman will suspend.

The underlying bill does not deal with Christianity. The gentleman will stay on the topic of the bill.

May proceed.

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

Yet despite those hostilities, the love, forgiveness, and grace endure.

With that said, let me tell you about my friend, Movita Johnson-Harrell. Many of you know Movita; many of you may not. Movita and I served together here as freshmen in 2019. She is the first-ever Muslim member of the House. She also is a woman who has endured incredible personal tragedy, yet she continues to advocate for peace, forgiveness, and love.

On the surface, Movita and I are polar opposites. She is a Black, female, Democrat, Muslim woman from Philadelphia. I am a White, male, Republican, Christian – and a fairly old and overweight one at that. I certainly can respect the difficulty in fasting. But we are friends – friends who often disagreed and friends who also worked together on a number of issues, particularly criminal justice reform. When Movita was here, she introduced a bill in a similar vein, except her bill added six holidays and recognized all major religions. It did not single out one religion. It did not attempt to divide; it attempted to unite.

With that said, we already have 14 State holidays which translate into 14 paid days off. That is a lot. And it comes at the expense of taxpayers. It is irresponsible to add 1 more, that can quickly lead to 6 more, that could eventually lead to 15, 16, 20 or more paid holidays, all at taxpayer expense.

So I will be a "no" on what is obviously a slippery-slope bill. However, here is what we can do. In 2019 I remember Movita generating a better idea. So I called her this morning, and with her permission, I share that she agrees with me – that is, not to represent her position on the underlying bill, but on an alternative. First, note that the only State holiday that does not generate a paid day off is Good Friday. We instead give State employees an extra day at Thanksgiving. That leaves only Christmas as a paid religious holiday. While Christmas is a sacred holiday for most of us, the reality is, it has gradually become more secular to the point that it is celebrated by many non-Christians. I have never met anyone of a different faith who resents our collective celebration of Christmas. So the notion that the State is biased toward Christian holidays and somehow needs to balance those scales is simply false.

We can honor our Christian heritage while simultaneously celebrating the diversity of faith and belief that it has fostered, and here is how. Where feasible, we allow anyone who does not celebrate Christmas to instead work Christmas Day and pick a holiday of their choosing to stay home and celebrate their faith. This keeps government out of deciding which religions are and are not worthy of State recognition, a business we should never be in. More importantly, it celebrates people of all faiths and

brings us together in a time when we very much need to unite rather than to divide.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Thank you, Mr. Speaker.

I am proudly voting for this legislation, and I would point out that in the spring, we voted nearly unanimously in both the House and the Senate for recognition of the Festival of Lights, of Diwali, which is a Hindu, Buddhist, Jain, and Sikh holiday.

So I would simply ask my colleagues across the aisle who voted for that legislation, what is the difference here? Is it the fact that it is a different religion? The legislative language is exactly the same and does not require a paid holiday, so what is it about the recognition of Eid al-Fitr that bothers you so that we should not vote for it? I will simply leave the question at that.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, this is absurd. I was trying to find another word to describe it. This is – well, the word I want to use I cannot use in this chamber, so I will stick with absurd.

Mr. Speaker, I am a Christian. I go to church on Sunday. I pay my tithes to my church. I believe in my faith. But what I also believe is that this country believes in religious freedom. This country believes in giving everyone the opportunity to serve God or not serve God, to have a religion or to not have a religion. What I also know, Mr. Speaker, is that in this body, we have passed bills recognizing milk, animals, all types of things. This is ridiculous. We are actually spending time debating whether or not we should honor a holiday for a large group of Pennsylvanians who worship and honor their God. And for my Christian brothers and sisters – now, I am not the reverend from Coatesville, but I did pay attention – and the last time I checked, Ishmael was related to Abraham, and therefore, the same God that my brothers and sisters who celebrate this holiday is the same God of Abraham, Isaac, and Jacob. You can roll your head and roll your eyes all you want, but my Bible tells me, as a Christian, it is the same God. You call him Allah in Arabic. I call him God in English. It is the same one.

So it is absurd that we are even having this debate. We should be ashamed of ourselves for doing it. And to say that honoring somebody else is divisive? You know what, Mr. Speaker? There was a time where African-Americans were not allowed to use public pools, and instead of allowing African-Americans to use public pools, people filled in those pools with cement so that no one could use them. So the argument that instead of celebrating—

The SPEAKER pro tempore. The gentleman will suspend.

The underlying bill, please stay on point.

Mr. HARRIS. I will.

The argument that we should not celebrate anybody because we do not want to celebrate this holiday is seriously absurd.

Mr. Speaker, I am going to vote "yes" because I believe that whatever your religious belief is, we should honor your right to celebrate that. We should honor your freedom to celebrate that. So you can split it up anyway you want – this is not about paid holidays, Mr. Speaker; this is about respect. It is about me, you, and all of us respecting our brothers and sisters of the Muslim faith and saying that they have a right to be recognized and

honored in this chamber. If we can recognize milk, we can recognize my Muslim brothers and sisters.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Before going to the prime sponsor of the bill, are there any other members wishing to be recognized?

Seeing none, the Chair recognizes the gentlelady from Delaware, Representative Kazeem.

Ms. KAZEEM. Thank you, Mr. Speaker. Good evening.

I rise today to speak on HB 1752 for a momentous occasion of cultural recognition and inclusivity in our great Commonwealth of Pennsylvania. It is with great pleasure that I propose this annual designation and holiday observance of Eid al-Fitr. Eid is practiced worldwide amongst the Islamic community. It marks the end of Ramadan, a month of fasting, prayer, and reflection for our Muslim friends, families, and neighbors. It is a joyous time of celebration, gratitude, and communal spirit that holds immense cultural and religious significance for millions around our world.

One of the unique things in the traditions of Eid that I have witnessed and I love that many Pennsylvanians that celebrate is how they actually utilize this day to give back to many people across many communities by promoting unity, understanding, and demonstrating Pennsylvania's commitment to acknowledging and respecting everyone's beliefs and customs.

Now, before I even end off, I want to say that I introduced this as a proud, God-fearing Christian woman. And I knew what I was doing, because before I was even a legislator, a lot of people around the world know me as a humanitarian. One of things that I do is I combat global poverty through education, where I service many children and families that come from the faith of Catholic, whether they are Islamic, whether they are Christian, whether they are Jewish, and whether they are Hindus. And I have lived with, pretty much, families of every one of those faiths. And I have taken the time to learn them, to learn their culture and what is important and mattered to them.

I think my colleague already said, it was about respect. This has been long overdue. This is not saying that we are going to make them take time off. But I do want to recognize the fact that a religion that I believe in is practiced as well worldwide, and it is recognized, and I believe it is recognized because the majority of individuals that celebrate the same religion as me do not look like me, and the people that are from the Islamic community do not look like many that may celebrate or believe in Christianity.

But I want us to remember our constituents back home that we support, our constituents that we have pledged an oath to to make sure that we are here to be there for them. And even if we have our own local districts, remember that as legislators, we are fighting for all people in Pennsylvania. So I am asking all of my colleagues to support me, support the people, and recognize HB 1752 in honor of unity and respect in our great Commonwealth, where we just passed a resolution of William Penn's landing in my great city of Chester, who actually recognized religious freedom.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—134

Abney	Flood	Kuzma	Rigby
Bellmon	Frankel	Labs	Roae
Benham	Freeman	Mackenzie, M.	Rozzi
Bizzarro	Friel	Mackenzie, R.	Ryncavage
Bonner	Fritz	Madden	Salisbury
Borowski	Gallagher	Madsen	Samuelson
Boyd	Galloway	Major	Sanchez
Boyle	Gaydos	Mako	Sappey
Bradford	Gergely	Malagari	Scheuren
Brennan	Giral	Marcell	Schlossberg
Briggs	Green	Markosek	Schweyer
Brown, A.	Guenst	Matzie	Scott
Bullock	Guzman	Mayes	Shusterman
Burgos	Haddock	McAndrew	Siegel
Burns	Hanbidge	McNeill	Smith-Wade-El
C Freytiz	Harkins	Mehaffie	Solomon
Cephas	Harris	Mercuri	Staats
Cerrato	Hogan	Merski	Steele
Ciresi	Hohenstein	Mihalek	Struzzi
Conklin	Howard	Miller, B.	Sturla
Cooper	Isaacson	Miller, D.	Takac
Curry	Jones, T.	Mullins	Tomlinson
Daley	Kail	Munroe	Venkat
Davis	Kaufner	Neilson	Vitali
Dawkins	Kazeem	Nelson, N.	Warren
Deasy	Kenyatta	O'Mara	Waxman
Delloso	Khan	Otten	Webster
Delozier	Kim	Parker	Wentling
Donahue	Kinthead	Pashinski	Williams, C.
Emrick	Kinsey	Pielli	Williams, D.
Evans	Kosierowski	Pisciottano	Young
Fiedler	Krajewski	Powell	
Fleming	Krueger	Probst	McClinton,
Flick	Kulik	Rabb	Speaker

NAYS—69

Adams	Fink	Krupa	Rapp
Armanini	Gillen	Kutz	Rossi
Banta	Gleim	Lawrence	Rowe
Barton	Gregory	Leadbeter	Schemel
Benninghoff	Greiner	Maloney	Schlegel
Bernstine	Grove	Marshall	Schmitt
Borowicz	Hamm	Mentzer	Scialabba
Brown, M.	Heffley	Metzgar	Smith
Cabell	Irvin	Moul	Stambaugh
Causar	James	Mustello	Stehr
Cook	Jones, M.	Nelson, E.	Stender
Cutler	Jozwiak	O'Neal	Topper
D'Orsie	Kauffman	Oberlander	Twardzik
Davanzo	Keefer	Ortitay	Warner
Diamond	Kephart	Owlett	Watro
Dunbar	Kerwin	Pickett	White
Ecker	Klunk	Rader	Zimmerman
Fee			

NOT VOTING—0

EXCUSED—0

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

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

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1461, PN 2288**, entitled:

An Act providing for funding for State-related universities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. The Chair recognizes Representative Harris for a brief description of the Senate amendments.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the Senate took and flat-funded three of our State-related universities, while also removing the tuition freeze from this legislation and reduced the cost of – reduce of funding for one of the institutions.

With that, I will be voting in favor of HB 1461 on concurrence and ask my colleagues to do the same.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—149

Abney	Fleming	Krajewski	Rabb
Adams	Flick	Krueger	Rader
Armanini	Flood	Kulik	Rigby
Bellmon	Frankel	Kuzma	Rozzi
Benham	Freeman	Labs	Ryncavage
Benninghoff	Friel	Madden	Salisbury
Bizzarro	Fritz	Madsen	Samuelson
Borowski	Gallagher	Mako	Sanchez
Boyd	Galloway	Malagari	Sappey
Boyle	Gaydos	Marcell	Scheuren
Bradford	Gergely	Markosek	Schlossberg
Brennan	Giral	Marshall	Schweyer
Briggs	Green	Matzie	Scott
Brown, A.	Gregory	Mayes	Shusterman
Bullock	Grove	McAndrew	Siegel
Burgos	Guenst	McNeill	Smith-Wade-El
Burns	Guzman	Mehaffie	Solomon
C Freytiz	Haddock	Mentzer	Staats
Cabell	Hanbidge	Mercuri	Steele
Causar	Harkins	Merski	Struzzi
Cephas	Harris	Mihalek	Sturla
Cerrato	Heffley	Miller, D.	Takac
Ciresi	Hogan	Moul	Tomlinson
Conklin	Hohenstein	Mullins	Topper
Curry	Howard	Munroe	Venkat

Cutler	Isaacson	Mustello	Vitali
Daley	James	Neilson	Warren
Davis	Jones, M.	Nelson, N.	Watro
Dawkins	Jozwiak	O'Mara	Waxman
Deasy	Kaufer	Oberlander	Webster
Delloso	Kazeem	Ortitay	White
Delozier	Kenyatta	Otten	Williams, C.
Donahue	Khan	Parker	Williams, D.
Dunbar	Kim	Pashinski	Young
Ecker	Kinthead	Pielli	
Emrick	Kinsey	Pisciottano	McClinton,
Evans	Klunk	Powell	Speaker
Fiedler	Kosierowski	Probst	

NAYS—54

Banta	Gleim	Mackenzie, M.	Rowe
Barton	Greiner	Mackenzie, R.	Schemel
Bernstine	Hamm	Major	Schlegel
Bonner	Irvin	Maloney	Schmitt
Borowicz	Jones, T.	Metzgar	Scialabba
Brown, M.	Kail	Miller, B.	Smith
Cook	Kauffman	Nelson, E.	Stambaugh
Cooper	Keefer	O'Neal	Stehr
D'Orsie	Kephart	Owlett	Stender
Davanzo	Kerwin	Pickett	Twardzik
Diamond	Krupa	Rapp	Warner
Fee	Kutz	Roae	Wentling
Fink	Lawrence	Rossi	Zimmerman
Gillen	Leadbeter		

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 1461, PN 2288

An Act providing for funding for State-related universities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

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

SUPPLEMENTAL CALENDAR A CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1786, PN 2196**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bases of jurisdiction and interstate and international procedure, further providing for assistance to

tribunals and litigants outside this Commonwealth with respect to service and for issuance of subpoena; in commencement of proceedings, further providing for authority of officers of another state to arrest in this Commonwealth; and, in detainers and extradition, further providing for definitions, for duty of Governor with respect to fugitives from justice and for presigned waiver of extradition.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentlelady from Delaware, Representative Krueger.

Ms. KRUEGER. Mr. Speaker, I rise in support of HB 1786. Reproductive health care is under attack in our country, and after the *Dobbs* decision by the U.S. Supreme Court last year, many States have banned abortion. Thankfully, Pennsylvania is not one of them, and today abortion is safe and legal in Pennsylvania, and we will always fight to protect that right. Under our watch, Pennsylvania will do everything to protect patients, protect providers, and protect the organizations that support people who are seeking reproductive health care, whether they live in our State or another State.

I support HB 1786 because this bill makes it clear that providers and patients will always be safe here in Pennsylvania. Whether they travel to Pennsylvania from another State for an abortion procedure or for miscarriage care or for birth control or any other reproductive health-care service, these patients will always be safe in Pennsylvania.

Vote "yes" today. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentlelady from Allegheny County, Representative Gaydos.

Ms. GAYDOS. Thank you, Mr. Speaker.

While I believe that abortion up until the time of birth is a bridge too far, and there are parts of this bill and the language, the specific language in it which could be written to improve its constitutionality, I cannot and will not agree to vote to put women in jail for acts that are completely lawful under the laws of this Commonwealth.

Regardless of anyone's feelings on abortions, our resources are better spent supporting women and families and prenatal health, child care, foster care, adoption services, and other pro-family care in Pennsylvania rather than jailing women in desperate situations. Therefore, I will be a "yes" and I encourage my colleagues to be a "yes."

The SPEAKER pro tempore. The Chair thanks the gentlelady.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Mr. Speaker, as a practicing emergency physician who may be held liable under draconian, unscientific, and dangerous out-of-State laws banning abortion rights, I would

ask for a ruling from the Chair whether I am in conflict on this legislation.

The SPEAKER pro tempore. The Chair's ruling is, you are a member of a class and you are entitled to vote.

The Chair thanks the gentleman.

The Chair recognizes the gentledady from Chester, Representative Shusterman.

Ms. SHUSTERMAN. Thank you, Mr. Speaker.

It is a landmark day. It has been quite a few years since an abortion protection bill has reached this House floor. All people have the right to make decisions about their own bodies, families, and reproductive futures – period. There should not be a debate on this basic principle. The Supreme Court's *Dobbs* decision, which overturned *Roe v. Wade*, erased 50 years of precedent and the national right to reproductive choice, and now women feel like they are being treated as second-class citizens.

For 50 years women were able to control their own bodies. For 50 years women were trusted to make their own reproductive health-care decisions. For 50 years doctors, nurses, and health-care staff were trusted. And for 50 years women's human rights were protected. Since *Dobbs*, an alarming number of States have enacted total or near-total bans on abortion, and this is unacceptable. Women are being forced to cross State lines to access essential reproductive health care, and we need to guarantee that they will be safe in our Commonwealth. Law enforcement from other States have no business regulating our health-care system.

HB 1786 is what is called a shield bill, aimed at mitigating the risk of out-of-State enforcement against reproductive health-care providers in PA. These health-care providers provide care, including abortion, to patients from our State and from elsewhere. While we cannot prevent other States from criminalizing abortion, what we can do here in the Commonwealth is protect individuals who are seeking health care, as well as those who are providing that care. Pennsylvania should not be participating and enforcing policies that are abhorrent to our own.

So I ask my colleagues for a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentledady and recognizes the gentleman from Mercer, Representative Bonner.

Mr. BONNER Thank you, Mr. Speaker.

I truly understand the goals of HB 1786, but if you read it closely, it has a very broad and sweeping effect that will actually limit legal protection for women who have had a lawful abortion in another State. Now, I emphasize a lawful abortion in another State. So for example, if a woman had an abortion in New York, New Jersey, in Maryland, West Virginia, or Ohio, and the physician was from Pennsylvania, this bill will restrict the rights of that woman to file a lawsuit against the Pennsylvania physician who committed the malpractice.

So I ask that you read this bill carefully, because there are some intended, but there are also some unintended consequences to this bill. This will actually restrict the right of a woman who has had a lawful abortion in a State to bring an action against a Pennsylvania physician who has committed malpractice. And we do not want to see women who have had a lawful abortion done incorrectly, negligently, limited in their right to recover for their damages.

Additionally, the language in this bill has not been put together very well. I have been reading statutes for over 50 years, and frankly, I have not seen a statute that has such sloppy language as this particular bill. It says on page 5, "The Governor shall have no authority to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that state with treason, felony or other crime...." I have no idea why this legislation has moved itself into other criminal activity. So this bill says to the Governor, you cannot extradite someone charged in another State with treason, with a felony, or some other crime. It is not limiting it to an abortion which has been performed where it is not lawful. It goes far beyond what is necessary to accomplish its true goal.

I would also suggest to you that this bill has serious constitutional deficiencies. Article IV, section 2 of the United States Constitution says that a Governor shall – not may – shall extradite to another State any individual who has committed a crime in that particular State. The United States Constitution is the supreme law of the land. We have all taken an oath to uphold, defend, and enforce it. We do not have the authority to say to the Governor, you will not extradite someone for criminal activity in another State, and yet we are saying it as to treason, felony, or other crimes.

This legislation is poorly written, goes too far, and does not meet the constitutional standard that each and every one of us has taken an oath to enforce. I would suggest to you that this legislation actually does not provide the protection that you think it may be providing to women; in fact, it is limiting it and protecting the negligent doctor who lives in Pennsylvania near the borders of these other States that permit lawful abortion.

I would suggest to you that we defeat this bill and that we have a bill that is at least constitutional and meets the standards of law and the oath that we have all taken to enforce. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentledady from Delaware, Representative Borowski. The gentledady waives off.

The Chair recognizes the gentleman from Centre County, Representative Takac.

Mr. TAKAC. Thank you, Mr. Speaker.

This past weekend my wife and I traveled to Texas for a family wedding. Now, weddings by their very nature are very joyful occasions, but while there we learned some particularly heartbreaking news regarding a young couple that are friends of several members of our family. They are trying to start their family and they are expecting their first child. Unfortunately, however, there have been some pretty serious medical complications, and there is a very real risk that the baby may not make it.

Now, because of where they live, they are also being forced to deal with the very difficult decision of perhaps uprooting and traveling to a nearby State where they do not face the risk of perhaps having to carry the stillborn baby to full term. We often talk about legislation and do not necessarily put a human face on what we are talking about here. This is an awful decision and an awful situation that this wonderful young family has been put in. I think it would be cruel to potentially criminalize this young couple for deciding to make the best decision for themselves and for their family.

Please join me in voting "yes" on HB 1786.

The SPEAKER pro tempore. The Chair thanks the gentleman, Representative Takac.

The Chair recognizes the gentelady from Fayette, Representative Krupa.

Mrs. KRUPA. Thank you, Mr. Speaker.

I was not planning on speaking on this particular bill this evening, but I will not sit silent as my colleagues in this chamber ignore the Constitution. As much as the political climate right now wants to make this an issue about abortion, it is an issue about the Constitution. The full faith and credit clause requires that "Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other State...." That is Article IV, section 1, of the United States Constitution.

Everybody in this room swore an oath to uphold the Constitution. If you vote in the affirmative on this bill, regardless of your position on abortion, you are ignoring your oath. You are throwing that oath in the trash can. I refuse to do that. I urge a "no" vote on this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentelady and recognizes the gentelady from Delaware, Representative O'Mara.

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

I rise today in support of HB 1786. And I really want to thank my colleagues who have worked on this legislation for finally giving us some good news to go home and report to everyone who is waiting for us to take action to protect women in our Commonwealth.

Those of you who know me know I had a baby not that long ago. Her name is Katherine. She is a true gift to me. I went through IVF (in vitro fertilization) for 3 years before I conceived her. And during childbirth, I suffered from complications – both Katherine and I suffered from complications – and I had a hemorrhage that was really dangerous. And there was a moment in the delivery room where my husband did not know if both of us would make it. Luckily, because we have fantastic health-care providers, we are here; both of us here today, healthy and doing well. And I am actually in the process of continuing my family planning.

My doctor, though, has become a friend to me. And we text now. It is a great relationship, but when someone brings you back from the brink of death I think, you know, that kind of happens. And the last time I saw her, she talked to me confidentially about her fear acting as a physician in our State, because if she has an out-of-State patient, she was not sure what consequences she could face eventually, and she tells me about a network of providers across the country who are in fear of doing their job because they do not know the punishment they are going to face, and all they are trying to do is save women's lives and bring babies into the world.

And so I really hope that we can support this bill and send a very clear message that Pennsylvania is a safe haven and that doctors can continue to save the lives of all of their patients, no matter what their home State may be.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady.

Before recognizing the prime sponsor of the bill, are there any other members wishing to be recognized?

Seeing none, the Chair recognizes the gentelady from Montgomery, Representative Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I rise today to speak on HB 1786. Since June 24, 2022, the day that the U.S. Supreme Court rendered the *Dobbs v. Jackson*

Women's Health Organization decision, overturning 50 years of reproductive freedom, access to safe and legal abortion has become a serious issue for millions of Americans.

In Pennsylvania, we know that the Center for Reproductive Rights has identified Pennsylvania as a "hostile" State for people seeking abortion access, but we also know that in Pennsylvania, abortion remains safe and legal for the people who seek abortion and for the health-care providers who provide abortion care.

With this legislation, we are sending a clear message that Pennsylvania will not be bullied by these States and their attempts to control other people's bodies. I strongly believe that Pennsylvania must continue to pass policies that protect access to abortion and other critical reproductive health-care services that people across our nation need and deserve.

Along with Representative Shusterman, I introduced – and I am probably not supposed to say that – along with the Representative from Chester County, I introduced HB 1786 to provide assurance to our physicians and other health-care providers that they can continue to provide important, legal reproductive health-care services without fear of retaliation from other States.

We have heard from Pennsylvania members of the American College of Obstetricians and Gynecologists of their concerns about reproductive health legislation. They are deeply concerned at recent changes in these laws following the *Dobbs* decision. Their concern is that this decision has created an environment that penalizes physicians, and potentially influences their decision to relocate.

This is a crucially important issue in Pennsylvania as we learn about the maternal care deserts and hospital closures in many of our rural and urban districts. They report an ongoing struggle to recruit and retain obstetricians and gynecologists in rural areas, leaving these areas underserved. The impact on maternal health is a factor when there is reduced access to rural obstetric care; contributes to higher rates of maternal mortality, infant mortality, and pregnancy-related complications, particularly affecting low-income women.

Just in case you are not aware of the scope of practice for obstetricians and gynecologists, let me share this with you. Obstetrics and gynecology is a discipline dedicated to the broad, integrated medical and surgical care of women throughout their lifetime. The combined discipline of obstetrics and gynecology requires extensive study and understanding of reproductive physiology, including the physiologic, social, cultural, environmental, and genetic factors that influence disease. This study and understanding of reproductive physiology gives obstetrician-gynecologists a unique perspective in addressing a wide variety of health-care issues. Considering that Pennsylvania is considered a hostile State for reproductive rights – must change if we are to be able to attract obstetricians and gynecologists to practice in Pennsylvania.

We need physicians who are trained in providing the full scope of health-care services, including full gynecological medical exams; obstetrical care; family planning, including contraceptive information, education and supplies; breast and cervical cancer screening; surgery for a variety of gynecologic conditions; screening for diabetes, anemia, and high blood pressure; STI (sexually transmitted infection) testing and treatment; HIV (human immunodeficiency virus) and AIDS (acquired immunodeficiency syndrome) education and prevention; genetic screening; and fertility screening and education.

Women make up 51 percent of the population in Pennsylvania. I think we owe it to them to ensure that they have access to the health-care services they need throughout their entire lives. I am asking for a "yes" vote on HB 1786 on behalf of the pregnant people of Pennsylvania, the health-care providers of Pennsylvania, and any other person who comes to Pennsylvania to have an abortion because they cannot have one in their own State. Thank you.

The SPEAKER pro tempore. The Chair recognizes the Republican leader, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think sometimes here on the floor, oftentimes what happens is we focus on what divides us. Many times bills and the amendments, the way they are drafted, simply seek to do that. I think we have heard from individuals here today, on both sides of the issue, who feel very passionately about it.

The reality is, the gentleman from Mercer highlighted some very real concerns with the drafting of this bill, and I think that we should actually focus on those. It would prevent a medical malpractice claim for negligence even in lawfully provided care. That should be a big concern for every member here on this floor. The protection of patients is paramount, so much so that it is in the oath that the doctors take.

I agree with the gentelady from the western half of the State who argued that it is both unconstitutional and poorly drafted. I think that it is in direct conflict with the United States Constitution, as was outlined, with the full faith and credit clause and the supremacy clause of the U.S. Constitution.

For those reasons, Mr. Speaker, I will be a "no" and urge other members to be so as well.

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

Mr. BRADFORD. Thank you, Mr. Speaker.

I have served in the legislature for over a dozen years. In that time, like today, politician after politician came forward and slowly undermined and eroded a woman's right to choose. The *Dobbs* decision woke many people up in this Commonwealth and in this country that there are politicians, and unfortunately, those who would seek higher office, who will say one thing and vote another. The right to safe, legal abortion will be protected, and beginning today, this chamber is making very clear that there are those of us who will protect women and their right to choose.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—117

Abney	Frankel	Mackenzie, R.	Rabb
Bellmon	Freeman	Madden	Rozzi
Benham	Friel	Madsen	Salisbury
Bizzarro	Gallagher	Major	Samuelson
Borowski	Galloway	Mako	Sanchez
Boyd	Gaydos	Malagari	Sappey
Boyle	Gergely	Marcell	Schlossberg
Bradford	Giral	Markosek	Schweyer
Brennan	Green	Matzie	Scott

Briggs	Guenst	Mayes	Shusterman
Brown, A.	Guzman	McAndrew	Siegel
Bullock	Haddock	McNeill	Smith-Wade-El
Burgos	Hanbidge	Mehaffie	Solomon
C Freytiz	Harkins	Mercuri	Steele
Cephas	Harris	Merski	Sturla
Cerrato	Hogan	Mihalek	Takac
Ciresi	Hohenstein	Miller, D.	Tomlinson
Conklin	Howard	Mullins	Venkat
Curry	Isaacson	Munroe	Vitali
Daley	Kazeem	Neilson	Warren
Davis	Kenyatta	Nelson, N.	Waxman
Dawkins	Khan	O'Mara	Webster
Deasy	Kim	Ortitay	White
Delloso	Kinhead	Otten	Williams, C.
Donahue	Kinsey	Parker	Williams, D.
Emrick	Kosierowski	Pashinski	Young
Evans	Krajewski	Pielli	
Fiedler	Krueger	Pisciottano	McClinton,
Fleming	Kulik	Powell	Speaker
Flood	Labs	Probst	

NAYS—86

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

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third consideration of **SB 773, PN 1229**, entitled:

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; in medical marijuana organizations, further providing for application and issuance, for limitations on permits and providing for additional dispensary and grower/processor permits authorized, for application and issuance of additional permits and for limitations on other additional permits or licenses; and, in academic clinical research centers and clinical registrants, further providing for definitions.

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

(Bill analysis was read.)

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

On that question, the Chair recognizes the gentlelady from Allegheny, Representative Gaydos.

Ms. GAYDOS. Thank you, Mr. Speaker.

This is yet another bill that undermines, not enhances, existing good-government policies and accountability. All of the companies that are currently holding these licenses had to go through a rigorous and competitive process to get their license, but now this Governor, this bill wants to hand these licenses out like candy. And that is not fair, it is not equitable, and now these companies who are eligible to purchase a license that allows them up to three dispensaries at below-market value – how is that fair to the people who have gone through the process in the first place and got their licenses?

This undermines the system that was put in place. This undermines the legislation that had a process in our State. So I will be a "no," and I urge everybody to vote "no" on this. It is not fair.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—114

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

NAYS—89

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

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

**ANNOUNCEMENT BY
SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Before continuing with the calendar, the Chair would like to recognize birthdays of Representatives Siegel and Isaacson today. Happy birthday.

The House will come to order.

SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 507, PN 2289**, entitled:

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

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

The SPEAKER pro tempore. The Chair recognizes Representative Fiedler for a brief description of the Senate amendments.

The Chair instead recognizes the majority Health chairman, the gentleman from Allegheny, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

The amendment simply is a technical change that says it is a penalty instead of— The fine to these facilities is a penalty. That is the simple technical change. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—203

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

NAYS—0

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 507, PN 2289

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

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

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 301, PN 2326**, as further amended by the House Rules Committee:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for special provisions applicable to limited school years; in duties and powers of board of school directors, further providing for additional schools and departments; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in school directors' associations and county boards of school directors, further providing for powers and duties; in intermediate units, further providing for visual services and for school safety and security enhancements; in certification of teachers, further providing for substitute teaching permit for prospective teachers and for locally issued temporary certification for substitute teachers, repealing provisions relating to permit for classroom monitors and providing for permit for classroom monitors; providing for the Educator Pipeline Support Grant Program; in pupils and attendance, further providing for compulsory education of physical defectives, for school lunch and breakfast reimbursement, for dependent children, for actual cost of tuition and maintenance of certain exceptional children in the four chartered schools for education of the deaf and the blind, for payment of cost of tuition and maintenance of certain exceptional children, for transfer of funds for transferal programs and for children under six with defective hearing and parent or guardian advised of schools, etc.; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records and repealing provisions

relating to Safe Schools Advocate in School Districts of the First Class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for school safety and security committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in character education program, further providing for character education program; in community colleges, further providing for financial program and reimbursement of payments; in school districts of the first class, further providing for qualifications of principals and teachers; in funding for public libraries, providing for State aid for fiscal year 2023-2024; in reimbursements by Commonwealth and between school districts, further providing for definitions and for payments on account of pupils enrolled in career and technical curriculums, for payments on account of courses for exceptional children, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for payments, for payments on account of pupil transportation, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; providing for School Environmental Repairs Program; and making an editorial change.

On the question,

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

The SPEAKER pro tempore. The Chair recognizes Representative Harkins for a brief description of the Senate amendments as amended by the House. That is rescinded. Instead, the Chair recognizes the majority Education chairman, Representative Schweyer, for a brief description.

Mr. SCHWEYER. Thank you, Mr. Speaker.

HB 301 as amended would do many of the things that we actually passed earlier today on final, and something similar, very similar to legislation that we passed yesterday in amendment form. This would once again, if concurred to by the Senate, Mr. Speaker, would start allowing funding to flow to our career and technical centers, to our community colleges, to a number of our other important education systems – libraries, for example.

In addition to that, Mr. Speaker, HB 301 as amended would fund \$75 million of new school emergency and environmental repairs. It would also include in it the legislation that would allow us to continue to fund our student teachers. It would also include language that would move our student teacher stipend program forward.

I encourage a "yes" vote on concurrence on HB 301.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

I rise for the purpose of making a motion to suspend the rules so that we may revert to the prior printer's number of HB 301, PN 2311.

The SPEAKER pro tempore. The Chair thanks the gentleman and the members for their indulgence. Representative Topper moves to suspend the rules for the purpose of making a motion to revert to a prior printer's number.

On the question,

Will the House agree to the motion?

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

The Chair recognizes Representative Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

Mr. Speaker, I believe we need to suspend the rules to revert to the prior printer's number in large part because of everything that was said by the previous speaker, the chairman of the Education Committee, Representative Schweyer.

If we want all of those things to go to the Governor's desk, all of those good policies to go to the Governor's desk, then we need to revert to the prior printer's number that was sent over by the Senate, with the vote of 45 to 5, that also included the language regarding the educational tax credits, the EITC (educational improvement tax credit) and the OSTC (opportunity scholarship tax credit).

Mr. Speaker, we need to revert to the prior printer's number. We need to suspend the rules to do so because that is the printer's number that has a chance to be signed into law, to now move the School Code forward so that we can get it done and move on to finishing the rest of the budget.

Mr. Speaker, I believe that we need to suspend the rules because when we talk about those dollars, the educational improvement tax credit and OSTC, we are not just talking about dollars that follow students to private institutions, which is true. We are also talking about dollars that help many of our public education institutions and foundations.

The SPEAKER pro tempore. The gentleman will suspend.

Please limit your remarks to the motion and the reason for suspension.

The gentleman may proceed.

Mr. TOPPER. Thank you, Mr. Speaker.

And so let me be clear. If we continue down the path of running HB 301 without suspending the rules and reverting to the prior printer's number, those dollars will not be made available. They were stripped out in the House Rules Committee, and that is why we need to revert to the prior printer's number: to send a bill that is supported with bipartisan support from the other chamber to the Governor's desk and complete this process.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the Republican leader, the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, it is November 15. For those who are keeping score and following along, this bill is the second Education Code bill that we would be considering today, and in fact is very similar to the other school code bill that we did in fact pass and send from this chamber earlier. That bill was specifically referenced during the debate in the Rules Committee on the discussion on the amendment to strip out \$150 million of scholarships and

opportunity. It was mentioned that that is governing; sending the bill over to the Senate, sending the Education Code.

Well, let us run through procedurally what will happen if this bill in its current form – without the reversion of the prior printer's number, which requires the rules suspension – what happens. As amended, it will go back to the Senate. That turns this bill into a ping-pong ball, Mr. Speaker. That will be the second ping-pong ball that we have sent them in the last couple hours.

However, reverting to the prior printer's number, that would mean this bill could go directly to the Governor. That means the bill that had the strong bipartisan support in the Senate would go directly to the Governor, and we would be one step closer to concluding the budget process that should have been done in June.

I will simply remind the members that the Governor will be back in 3 short months to start this process all over again. We have an opportunity to bring closure to this issue by supporting the motion to suspend and reverting to the prior printer's number. But if we like passing bills back and forth from here to the Senate and guessing what might happen, well, then I suppose you might oppose this motion. But the truth is, Mr. Speaker, we do not have to guess; we already know what the Senate would support. They supported this prior printer's number, and I think our members should too. I urge support of the motion.

Thank you, Mr. Speaker.

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

Mr. BRADFORD. Thank you, Mr. Speaker, and I will be brief.

I want to reassure the good gentlemen, both the leader as well as the good gentleman from Bedford, that the House did pass, on a bipartisan basis, a School Code earlier today that has all the agreed-upon elements of both in this code and what was passed earlier today are nearly identical.

The simple reality is, the Senate has a choice. We can agree on what we agree on, or we continue to fight on what we disagree on. I would suggest, in light of the admonition from the good minority leader, that it is time to get about agreeing on what we agree on. There is a core set of provisions in this bill that we can all agree on; we agreed on earlier today, and in a bipartisan way, we sent it to the Senate. My idea, at this point, is we should pass what we agree on and stop fighting over what we disagree on. Let us get back to governing, and let us put this to bed.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—101

Adams	Gaydos	Lawrence	Rigby
Armanini	Gillen	Leadbeter	Roae
Banta	Gleim	Mackenzie, M.	Rossi
Barton	Gregory	Mackenzie, R.	Rowe
Benninghoff	Greiner	Major	Ryncavage
Bernstine	Grove	Mako	Schemel
Bonner	Hamm	Maloney	Scheuren
Borowicz	Heffley	Marcell	Schlegel
Brown, M.	Hogan	Marshall	Schmitt
Cabell	Irvin	Mehaffie	Scialabba

Causer	James	Mentzer	Smith
Cook	Jones, M.	Mercuri	Staats
Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'Orsie	Kail	Miller, B.	Stender
Davanzo	Kaufner	Moul	Struzzi
Delozier	Kauffman	Mustello	Tomlinson
Diamond	Keefer	Nelson, E.	Topper
Dunbar	Kephart	O'Neal	Twardzik
Ecker	Kerwin	Oberlander	Warner
Emrick	Klunk	Ortitay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

NAYS—102

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

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

The SPEAKER pro tempore. The House will come to order.

Any members wishing to debate HB 301? If not, this House will recess until 10 p.m., at which time this House will move directly to a vote. Again, does any member wish to speak?

The Chair recognizes the gentleman from Bedford, Representative Topper.

Mr. TOPPER. I will not speak for 4 hours, Mr. Speaker.

I could have supported this bill. I wanted to support this bill, as 45 Senators were able to do so, if we would have reverted to the prior printer's number and included the language surrounding the educational improvement tax credits that has been supported in a bipartisan, bicameral way, has been supported by both

Democrat and Republican administrations. We had that opportunity, Mr. Speaker.

Removing those opportunities – particularly for students who reside in schools and communities who are in crisis all over the Commonwealth – I simply cannot support that. And I will reiterate that these dollars are used not just to support students who attend private institutions, but also to support students who attend public institutions, institutions of higher education. These are vital public education dollars at a time when we are debating how much money to put into public education. It does not make sense and it is not necessary. We have the ability to release all of this money with one vote, and we were not able to do it.

And so while there are other provisions of this bill that I support and that I would have voted for, I believe that the removal of that language, which ensures that the Senate will not take up this bill, is the ultimate fatal flaw. And so I will be urging a "no" vote on HB 301.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Reminder to the members, when debating, the subject is the current bill in the current prior printer's number, not the printer's number that failed with the motion to move back to.

Before going to the leader, are there any other members wishing to speak? Please hit the speak button at your seat or get the attention of us here on the rostrum.

The Chair recognizes the Republican leader, the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Like the prior speaker, there are different versions of this bill that I could have supported. Unfortunately, because of the actions that were undertaken in the Rules Committee – I was a "no" in that committee. I was a "no" on the removal of the language that the Senate included that passed 45 to 5, I believe. That language was the EITC, which was removed; \$150 million worth of opportunity for our students.

And I know that a lot of folks tend to focus on some of the inner chamber discussions. What is the House doing? What is the Senate doing? What does that look like? Well, Mr. Speaker, I would argue, on November 15, there are no winners in this budget discussion, there are only losers. And the biggest losers are the students that are left out in the cold from the amendment, because while I do not know how many more times that we will vote some version of an Education Code, I think it is fairly safe to say that it will be at least one more. It will be at least one more time that the Senate makes a change and sends it back. And now we have given them two vehicles to do that: the one we sent earlier today and the one now. And, Mr. Speaker, if you look at the two Education Code bills that were passed, they are mostly similar. The major difference is the first one included the IU (intermediate unit) changes with the administrative fees, and this one removed the EITC. That is really the two differences.

So I understand the desire to get the budget concluded. That is a noble goal. What I am saying is that tonight's actions, tonight's vote will not do that. We had that opportunity with the motion to revert, but it failed. I respect the will of the body. But the one thing that I cannot do, and the one thing that I will not do, is advance a bill on the backs of the most vulnerable individuals who have lost their chance to be successful and have an opportunity. Had they been included, I could have supported this bill, but they are not. The EITC Program has been gutted from this bill, the bill that passed the Senate, the bill that could end the current budget discussions on education funding. So this in its

current form is simply a vote to delay, to push off and have that education vote yet again at some point in the future.

So on this current version, I am a "no," and I look forward to when we can finally conclude this budget discussion – not in a timely manner, because this chamber has ensured that it is already late. It is November. The Governor will be coming back very soon to give his next budget address. For goodness' sake, we could have ended this tonight. The majority chose not to. I urge a "no" vote on the underlying bill.

Thank you, Mr. Speaker.

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

Mr. BRADFORD. And I thank the good gentleman, the Speaker, and I want to again reassure the good minority leader, I have good news for him. There is an option with EITC funding for our most vulnerable students. It is in the Senate. It has been in the Senate for months – \$150 million of EITC funding, just like what the good gentleman now cries crocodile tears about losing. But let me tell you about that \$150 million. It is not just targeted to the wealthiest and the wealthiest schools; it is targeted to OSTC, because I have heard so much recently about how we need to do more for the poorest kids in the toughest schools. That proposal has been over in the Senate for months. And let me tell you something, I am not a big fan of funding private schools when we owe billions of dollars to our public schools.

And let me tell you something else, to the good minority leader – because you are worried about poor kids in poor schools – there is also \$100 million in Level Up funding in that School Code. No, I do not want to keep ping-ponging bills back and forth, but I do not also want to let anyone have any false ideas about what is going on here. There are those who want to renegotiate a budget that was passed months ago. There are those who cannot bring themselves to realize that we need to agree on what we agree on. That is what is in this bill now; that is what was in the School Code passed earlier today.

We have shown that we can pass a School Code in a bipartisan way in this House over and over – to the chagrin of those who believe that this majority cannot stand up for public schools – at the same time recognizing that there are poor kids in poor schools whose public schools need more funding and parents need choices. We can do both, but we have an obligation, a constitutional obligation to make sure that we fund public schools first. And we have a constitutional case in front of us. So let me tell you, we can do both and we can do them now. In fact, we could have done it months ago, because that bill is over in the Senate. But tonight what we need to do, as the gentleman says, is agree on what we can agree to.

This is a pared-down bill, and it recognizes the reality of the dysfunction that has overtaken the minority party, because while they have literally cut funding to our public higher ed schools this evening because they could not get their act together, what they have to do now is fund our public schools. They need to pass a School Code. They need to get their act together once and for all and move on from the bickering and the politics and help our kids.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. Reminder to the members, all members deserve to be heard. Please keep your outbursts at a minimum.

The Chair recognizes the Republican leader, the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, since we have got the time, and the gentleman raised some issues that I think are worth addressing, I will start with this. We do have 4 hours and I believe that my caucus is willing to stand here and talk about the investments in public education. They are willing to talk about the cuts that occurred in the Rules Committee.

Mr. Speaker, I know it was a while ago, because this budget has dragged on for so long and there is no resolution in sight. And I, with all due respect to the good gentleman, the majority leader – because I have done that job, I know that it is not easy. It is difficult to balance the demands in the caucus with the demands in the Commonwealth, the demands across in the other chamber and with the Executive, but it is entirely possible. We had divided government just like we have today, with the exception of the majority and minority here. We had a Democrat Governor, the other party from the legislature. And you know what? We were able to get things done. That is not what we are doing here tonight, and that, Mr. Speaker, is my frustration.

So let us talk and highlight some of what was in the budget, which, quite frankly, we are going to have difficulty driving out, because the good gentleman references speaking about education funding. Our budget included a lot of education funding. This budget that passed built upon the decade of investment that we had made previously, mostly in a bipartisan manner. Eight hundred million dollars I believe was the number this year.

But let us focus on what actually occurred in the Rules Committee: \$150 million was cut from low-income and middle-class families; \$150 million in lost opportunities; \$150 million, Mr. Speaker, that could have helped individuals. And as the good gentleman, the Education chair, pointed out, that is money that goes both to public and private schools. My own public school uses EITC money to buy school supplies. I know of other public schools that pay for college courses and trade opportunities because it is a good program. And I would simply remind everybody to look at your votes from before. We, collectively in the House and with the Senate, have supported it time and time again.

So I agree with the idea that we should get down to what we agree on. The good news is, we actually agreed on that. But now that has been spitefully removed from the budget, from the opportunity, knowing full well that it already had strong bipartisan support in the Senate and would now likely not progress any further. So if we are into checking boxes and saying the bill is no longer here, I suppose this gets that job done. But, Mr. Speaker, I want to find solutions, real solutions that help students, real solutions that help schools.

And before the good gentleman comes back about how this helps only private schools, I will remind the members of my own story. I went to a public school. My kids all went to the same public school, and oddly enough, had some of the same teachers, which, I will share with you here tonight, made for some awkward parent-teacher conferences. That is the truth. And it is my home school who has the EITC Program that actually utilizes this money to help public school students. That is what was cut from this proposal.

So I will simply say this: You can do both. You can support public school EITC, as the good gentleman indicated, but we cannot just do it with words; we have to do it with actions. That is what people will evaluate. So let us review the actions that occurred earlier tonight. The EITC Program was cut. That is a hard fact. I opposed it; my good friend from Montgomery County

supported it. It passed. So we lost the money. We lost the opportunity. Not us, the students lost the opportunity. So we do not do it with just words alone. We cannot say we want to get the budget done and then send another guess over to the Senate. We communicate with our votes, and that vote said that program was not important. That vote cut that program out, and this vote only serves to extend the budget impasse.

It is time to get serious. It is time to be done. I urge a "no" vote on this bill and I urge a real conversation on how to complete the process. We have stood, as a Republican Caucus, time and time again discussing what we believe in – the opportunities, the quality education, and developing the generations and workforce for tomorrow. That is what we can do here tonight. This bill does none of that. This bill simply drags out the budget impasse and ensures that we will have one more vote to have this discussion yet again. It is time that leadership be demonstrated and this finally resolved. I am not interested in if it is the House's fault or the Senate's fault. What I am most interested in is all of the losers who have been impacted by this by not getting their funding. They are the real harmed individuals here.

Mr. Speaker, this is not the proper way to approach it. I urge a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

It is the custom of this House to allow the leaders to end debate. Out of deference to the leaders, does the gentleman from York still wish to be recognized? He does.

The gentleman from York, Representative Grove.

Mr. GROVE. Not normal, but we do have the time.

Thank you, Mr. Speaker.

One hundred and thirty-eight days nineteen hours and sixteen minutes into the fiscal year. There are numerous education line items that were approved in this budget as part of a global deal that are not funded: Level Up supplement, teacher stipend, safe driving schools, Parent Pathways, numerous other stuff – community colleges waiting for their increase. Has detrimental impacts to students across the State.

We had the option of walking and chewing gum: supporting public schools through the historic education increase – as every budget is, because you put a penny more, it is now historic – to approving school choice and giving options to parents and students. And basically, that is what this bill is about. It is that simple. You vote "no," you vote to support students and school choice and an increase in EITC.

Now, I have been here a couple years, a couple terms. EITC has never been a controversial issue. It has passed with broad bipartisan support. This bill, as the prior printer's number, passed 45 to 5 in the Senate. Here, it is met with opposition. Why? The underlying bill, before it was amended in the House, was supported by the teachers unions. Why, all of a sudden, are we backtracking on a school choice program that helps kids all across this Commonwealth and provides them the opportunity, the education their parents and themselves desire? It makes no sense. We can walk and chew gum. It is possible. It is done every single day. It is done every single budget. Passing a similar bill twice makes no sense. We are here to vote on a bill that we already passed because we need to pass it twice, I guess.

And the minority leader is correct: This legislation will be back. Hopefully, with a compromise which will include school choice, EITC, OSTC. At the end of the day, that is the final deal. The faster we get to it, the better off we all are. But here we are, not going to vote this for a couple more hours when we could finalize a budget in record time.

I do want to bring up the cuts to, quote, "higher education" from previously. Only in government can we ever call level funding a cut. Even in government, on this floor, we have actually called increased funding a cut. Only in government, only in government do you get that. Might I say that that, quote, "cut" was adopted by all the members of the majority party, so kind of interesting.

But let us not let the facts get in the way of the reality. We are here at 6 o'clock, passing a bill that we already passed, that is going to go nowhere in the Senate, and we will drag on this impasse, impacting our Pennsylvania residents. This caucus has shown, the minority caucus, the minority party has shown we can lead, we can govern, we can close out budgets in a bipartisan fashion because we have done it year after year after year. And here we are in stagnation with an unknown future. We have made headway and we have made it together. Every bill that has agreement has passed and has carried with bipartisan votes because we are here to govern. That is what the people want and that is what they expect. I have no doubt we can continue that, but this constant charade of partisanship and taking programs that have broad bipartisan support over the years to help kids, removing it – it is not the way and the path forward.

So I will leave you with this. This bill is simple. If you support kids and school choice and the EITC Program, you vote "no"; if you do not, vote "yes." I am anxious to see where the votes lie.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the Appropriations chair, the majority Appropriations chair, the gentleman from Philadelphia, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I just felt it important to clarify some things that were said. I am not a mathematician by any stretch of the imagination, but if something cost \$10 2 years ago and now that same thing costs \$13 today, but instead of giving \$13 you give the same \$10 from 2 years ago, that actually is a cut. So when you flat-fund institutions while the operating costs increases, it is a cut. So when we talk about what happened, yes, it was a cut.

Additionally, Mr. Speaker, the gentleman that I serve with on the Appropriations Committee talked about if you vote "no," you do not support options; if you vote "yes," you do. Well, that is not true, Mr. Speaker. This majority party actually sent a School Code to the Senate that did support school choice. It had EITC in it. It just sent the majority of the money to the students that needed it the most. I have heard time and time again how we care about these poor, disadvantaged students in all of these schools, but when you look at the numbers and where we are sending the money to, it is not to those poor and disadvantaged students.

We have shown our flexibility in this new majority. We have sent money that is included in our School Code that we sent over to the Senate, not just in Level Up, but also in options. So let the record be clear, Mr. Speaker, because some would want to distort the record of this caucus. We actually tried to do both: address the Commonwealth Court ruling and also provide options for our children. That did not happen. What we are not going to do, what we are not going to do is continue the same old trend of sending money that we say is for students who are disadvantaged and it actually not get to the students who are disadvantaged.

So if we want to do it, we have an opportunity. Sadly, Mr. Speaker, this bill falls short of actually supporting those students. You do not believe me, look at the spreadsheet. Men lie, women lie; numbers do not lie.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 301 will temporarily be over.

BILLS REMOVED FROM TABLE

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

HB 931;
 HB 1410;
 HB 1518;
 HB 1777;
 HB 1833;
 SB 209;
 SB 429;
 SB 497; and
 SB 815.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS RECOMMITTED

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

HB 908;
 HB 1417;
 HB 1585;
 HB 1751;
 HB 1795; and
 SB 607.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER pro tempore. As a reminder to the members, we will be recessing until 10 p.m., and at that time we will directly go to a vote.

RECESS

The SPEAKER pro tempore. This House will stand in recess until 10 o'clock, unless sooner recalled by the Speaker.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR D CONTINUED

CONSIDERATION OF HB 301 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls up HB 301, PN 2326, on page 1 of supplemental calendar D for concurrence in Senate amendments as amended by the House.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—102

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

NAYS—101

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

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

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee were concurred in.

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

HOUSE BILL

INTRODUCED AND REFERRED

No. 1855 By Representatives BARTON, GREINER, KEPHART, STEHR, JAMES, GUENST, STRUZZI, MOUL, STAATS, KAUFFMAN, CAUSER, SCOTT and KHAN

An Act designating a bridge, identified as Bridge Key 68136, carrying State Route 4028 over Mill Creek in Hamburg Borough, Berks County, as the Sergeant Jackie Seltzer Memorial Bridge.

Referred to Committee on TRANSPORTATION, November 15, 2023.

SENATE BILLS FOR CONCURRENCE

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

SB 596, PN 1232

Referred to Committee on JUDICIARY, November 15, 2023.

SB 945, PN 1111

Referred to Committee on LOCAL GOVERNMENT, November 15, 2023.

The SPEAKER pro tempore. For the information of the members, there will be no further votes.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair is in receipt of a motion by the gentleman from Erie County, Representative Bizzarro, that the House will adjourn until Monday, December 11, 2023, at 12 m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:02 p.m., e.s.t., the House adjourned.