

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, DECEMBER 11, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 57

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

#### PRAYER

HON. ROBERT LEADBETER, member of the House of Representatives, offered the following prayer:

Colleagues, pray with me:

Heavenly Father, Lord God, thank You for all that You have blessed us with in this place, in our Commonwealth, and in our nation. Lord Jesus, thank You for giving us the mantles of authority that bring us into this chamber and for Your grace in where we may fall short.

God, I ask for a special portion of wisdom to be poured out upon all of us, and for those that may come after us. I pray that we use that wisdom in holding ourselves accountable, that we may be diligent in upholding the absolutes of Your Holy Word, and grateful for the forgiveness that You provide to Your children.

Thank You for coming to this earth and for dying and rising again to save. Let us remember that spirit of sacrifice in our own lives and act in a way to bring You glory. Search our minds and open our hearts to Your truth, O Lord.

We ask all this in the powerful name of Jesus. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Sunday, December 10, 2023, will be postponed until printed.

#### JOURNALS APPROVED

The SPEAKER. The following Journals are in print and, without objection, will be approved: Wednesday, June 14, 2023; Tuesday, June 20, 2023.

### GUESTS INTRODUCED

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

Colleagues, seated to the left of the Speaker's rostrum, we are thrilled to welcome to the Pennsylvania House of Representatives – thanks to our colleague, Representative Brian Munroe, who is also a retired member of law enforcement – Representative Munroe has brought the families and the officers. I will name them, and I ask that they stand and that we hold our applause until the end. We are thrilled to have former members of the Warrington Police Department and the Warminster Police Department. We have Daniel Sadowski, who retired after 25 years of service in the Patrol Division and became the first academically accredited police officer in Warrington Township. We have Joseph – who goes by Jay – Aita, who is retired after 22 years of service as a member of Bucks County's Major Incident Response Team and the DUI (driving under the influence) Task Force. Over the years, he also was a member of the Motor Unit, Field Training Program, and the Youth Aid Panel. We are thrilled to have David Bonacquisti, who is retired after 27 years of service as a detective. He got several merits for his investigative successes. And we have Christopher O'Neill, who retired after 26 years of service, received 17 commendations from the department for his valor, heroism, and bravery. Congratulations on your retirement, and thank all of you for your service. Colleagues, let us welcome these law enforcement members.

In the front of the House, Representative Donahue has brought to the floor Hannah-Kate McFadden, who is a sophomore at Holy Cross High School. Hannah is a guest page today. Please stand, Hannah. Welcome to the floor of the House.

In the gallery, our colleague, Representative Samuelson, brings to us Aminata Coulibaly, whom I had a moment to meet with in my district office a few weeks ago. Aminata is a junior from Lehigh University and also Zoey Bronson, a junior from Moravian University. Both of these students are interning in his district office, and they have been working on a project to build out an event with a legislative purpose for Martin Luther King, Jr., Day, incorporating information about Dr. King's ties to Pennsylvania and in cooperation with the local NAACP (National Association for the Advancement of Colored People) chapter. Aminata and Zoey, would you please stand in the gallery. Thank you for your hard work back in the district.

Representative Mercuri brings Justine Sullivan and her family to the Capitol today. They are also seated in the gallery. Justine is a senior at Hampton High School. She achieved a perfect score

on the Advanced Placement Research Exam. She is 1 of only 347 students in the world to attain every possible point on the Advanced Placement Research Exam. This exam is comprised of a four-to-five-thousand-word research paper and a 15-to-20-minute presentation with oral defense questions. Justine's research paper was entitled "Election Theory: Alternative Voting Methods in the Pennsylvania 2022 Senate Election." Justine, please rise. Congratulations on all your academic success, and thank you for your research.

Also in the gallery, our colleague, Representative Stambaugh, brings the West Perry High School Mustang Marching Band, who captured the USBands Pennsylvania State Championship and a USBands Open Class National Championship, taking first place in Group 1 Open, winning the awards for Best Overall Effect and Best Color Guard. Would the West Perry High School Mustang champs please stand. Congratulations.

Our colleague, Representative Cepeda-Freytiz, brings to us, from her district, 69 News anchor, Hernan Morissi Cordoba; Terry Coffey, who is a former nurse administrator; Irma Stivala, owner of a health and wellness company; and Talley Ruhle, from Triad Farm. Would Representative Cepeda-Freytiz's guests please stand so we can welcome you.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

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

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—203

Table with 4 columns of names: Abney, Adams, Armanini, Banta, Barton, Bellmon, Benham, Benninghoff, Bernstine, Bizzarro, Bonner, Borowicz, Borowski, Boyd, Boyle, Bradford, Brennan, Briggs, Brown, A., Brown, M., Bullock, Burgos, Burns, C Freytiz, Flick, Flood, Frankel, Freeman, Friel, Fritz, Gallagher, Galloway, Gaydos, Gergely, Gillen, Giral, Gleim, Green, Gregory, Greiner, Grove, Guent, Guzman, Haddock, Hamm, Hanbidge, Harkins, Harris, Kulik, Kutz, Kuzma, Labs, Lawrence, Leadbeter, Mackenzie, M., Mackenzie, R., Madden, Madsen, Major, Mako, Malagari, Maloney, Marcell, Markosek, Marshall, Matzie, Mayes, McAndrew, McNeill, Mehaffie, Mentzer, Mercuri, Rapp, Rigby, Roae, Rossi, Rowe, Rozzi, Ryncavage, Salisbury, Samuelson, Sanchez, Sappey, Schemel, Scheuren, Schlegel, Schlossberg, Schmitt, Schweyer, Scialabba, Scott, Shusterman, Siegel, Smith, Smith-Wade-El, Solomon

Table with 4 columns of names: Cabell, Causer, Cephas, Cerrato, Ciresi, Conklin, Cook, Cooper, Curry, Cutler, D'Orsie, Daley, Davanzo, Davis, Dawkins, Deasy, Delloso, Delozier, Diamond, Donahue, Dunbar, Ecker, Emrick, Evans, Fee, Fiedler, Fink, Fleming, Heffley, Hogan, Hohenstein, Howard, Irvin, Isaacson, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufer, Kauffman, Kazeem, Keefer, Kenyatta, Kephart, Kerwin, Khan, Kim, Kinlead, Kinsey, Klunk, Kosierowski, Krajewski, Krueger, Krupa, Merski, Metzgar, Mihalek, Miller, B., Miller, D., Moul, Mullins, Munroe, Mustello, Neilson, Nelson, E., Nelson, N., O'Mara, O'Neal, Oberlander, Orbitay, Otten, Owlett, Parker, Pashinski, Pickett, Pielli, Pisciotano, Powell, Probst, Rabb, Rader, Staats, Stambaugh, Steele, Stehr, Stender, Struzzi, Sturla, Takac, Tomlinson, Topper, Twardzik, Venkat, Vitali, Warner, Warren, Watro, Waxman, Webster, Wentling, White, Williams, C., Williams, D., Young, Zimmerman

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 281 By Representatives MALAGARI, FREEMAN, BRENNAN, SCHLOSSBERG, SANCHEZ, R. MACKENZIE, McNEILL, KAZEEM, HILL-EVANS, GUENST, SOLOMON, KHAN, BOYD, HADDOCK, D. WILLIAMS and GREEN

A Resolution designating March 25, 2024, as "Greek Independence Day" in Pennsylvania.

Referred to Committee on TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT, December 11, 2023.

No. 282 By Representatives OTTEN, O'MARA, CEPEDA-FREYITZ, FREEMAN, SANCHEZ, VENKAT, GIRAL, MADDEN, MIHALEK, HILL-EVANS, MALAGARI, PISCIOTTANO, KHAN, KAZEEM and GREEN

A Resolution recognizing the year 2023 as the "Taylor Swift Era" in Pennsylvania, in celebration of Ms. Swift's recent selection as TIME Magazine's 2023 Person of the Year and acknowledgment of her positive impact on Pennsylvania's economy, voter registration numbers, consumer protections and pro-labor practices.

Referred to Committee on STATE GOVERNMENT, December 11, 2023.

## HOUSE BILLS INTRODUCED AND REFERRED

**No. 1896** By Representatives CEPEDA-FREYITZ, SAMUELSON, MADDEN, GALLAGHER, VENKAT, SANCHEZ, MAYES, BURGOS, BOROWSKI, KAZEEM, DONAHUE, CIRESI, FIEDLER, SMITH-WADE-EL, PARKER, MAJOR, HILL-EVANS, WARREN, McNEILL and CERRATO

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for filing and payment of claim. Amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State Lottery, further providing for disposition of funds.

Referred to Committee on FINANCE, December 11, 2023.

**No. 1902** By Representatives KLUNK, MAJOR, SMITH, OWLETT, STEHR, SCHEUREN, GUENST, M. MACKENZIE, KRUPA, STENDER, R. MACKENZIE, HAMM, MARCELL, MOUL, JOZWIAK, SCHMITT, BENHAM, GAYDOS, DIAMOND, PICKETT, CIRESI, GROVE, O'MARA and GILLEN

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

Referred to Committee on STATE GOVERNMENT, December 11, 2023.

**No. 1903** By Representatives CERRATO, WEBSTER, MADDEN, HILL-EVANS, GIRAL, HOHENSTEIN, BOYD, KHAN, DONAHUE, SANCHEZ, DALEY, GREEN and CEPEDA-FREYITZ

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for water and sewer projects.

Referred to Committee on LOCAL GOVERNMENT, December 11, 2023.

**No. 1904** By Representatives D'ORSIE, KAIL and STAATS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for personalized education program; providing for student freedom accounts; and establishing the Student Freedom Account Program.

Referred to Committee on EDUCATION, December 11, 2023.

**No. 1905** By Representatives M. BROWN, VENKAT, KAZEEM, MADDEN, HAMM, POWELL, SANCHEZ, GAYDOS, SHUSTERMAN, FREEMAN, STEELE, KENYATTA, MALAGARI, BOROWSKI, KINSEY, SAPPEY, PARKER, GERGELY and CEPEDA-FREYITZ

An Act providing for small business fee exemption.

Referred to Committee on STATE GOVERNMENT, December 11, 2023.

**No. 1906** By Representatives FLOOD, MAJOR, KLUNK, SCHEUREN, M. MACKENZIE, KRUPA, OWLETT, STENDER, R. MACKENZIE, HAMM, STEHR, SMITH, SCHMITT, BENHAM, GAYDOS, GILLEN, DIAMOND, KAZEEM and GROVE

An Act providing for limitation on judicial enforceability of nondisclosure and nondisparagement contract clauses regarding sexual assault or sexual harassment.

Referred to Committee on JUDICIARY, December 11, 2023.

## ACTUARIAL NOTES

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

The following actuarial notes were read:

HB 1415, PN 1583, as amended by amendment 2930;

HB 1416, PN 1584, as amended by amendment 2931;

HB 1844, PN 2295.

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

## COMMUNICATIONS

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

The following communications were read:

The 2023 SERS Stress Test Impact Analysis Annual Report from the Independent Fiscal Office.

And the 2022 911 Annual Report from the Pennsylvania Emergency Management Agency.

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

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

**HB 983, PN 2403 (Amended)** By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for definitions, for driving under influence of alcohol or controlled substance and for authorized use not a defense.

TRANSPORTATION.

**HB 1564, PN 2436** By Rep. BURNS

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for license required, for State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, for powers and functions of board, for qualifications for license, for procedures for licensing, for reciprocity, for endorsement of out-of-State licenses and for reinstatement of license;

providing for restrictions on use of title "Licensed Associate Marriage and Family Therapist" and for restrictions on the use of title "Licensed Associate Professional Counselor"; further providing for license renewal and records and fees and for unlawful practice; and providing for effect of associate licensure.

PROFESSIONAL LICENSURE.

**HB 1882, PN 2437**

By Rep. BURNS

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in powers and duties, further providing for civil penalties.

PROFESSIONAL LICENSURE.

**SB 656, PN 1285**

By Rep. NEILSON

An Act Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in liquid fuels and fuels tax, further providing for definitions and providing for electric vehicle road user charge; and imposing a penalty.

TRANSPORTATION.

**SB 910, PN 1080**

By Rep. BURNS

An Act amending Title 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in powers and duties, further providing for civil penalties.

PROFESSIONAL LICENSURE.

**SB 941, PN 1287**

By Rep. KINSEY

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.

HUMAN SERVICES.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 279, PN 2440**

By Rep. NEILSON

A Concurrent Resolution extending in whole the disaster emergency declared on June 12, 2023, and extended in whole by the General Assembly until November 1, 2023, by Senate Resolution No. 136, and further extended in whole by the General Assembly for an additional 120 calendar days from November 1, 2023, by House Resolution No. 197, in response to the collapse of the northbound bridge and severe compromise of the southbound bridge on Interstate 95 in the City of Philadelphia, Philadelphia County.

TRANSPORTATION.

**DEMOCRATIC CAUCUS**

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

House Democrats will caucus at 1 o'clock. We will be prepared to return to the floor at 2.

The SPEAKER. The Chair thanks the gentleman.

**REPUBLICAN CAUCUS**

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will also caucus at 1 o'clock; Republicans will caucus at 1 o'clock.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Lackawanna County for a committee announcement, Representative Mullins.

Mr. MULLINS. Thank you, Madam Speaker.

The House Appropriations Committee will meet immediately upon recess in the majority caucus room; that is the Appropriations Committee will be meeting immediately upon the break in the majority caucus room.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

**TOURISM AND ECONOMIC AND  
RECREATIONAL DEVELOPMENT  
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentlelady from Montgomery County for a committee announcement, Representative Daley.

Ms. DALEY. Thank you, Madam Speaker.

The Tourism Committee will meet at 12:35 in room G-50 to consider resolution HR 273, which is about Black History Month. Thank you so much.

The SPEAKER. The Chair thanks the gentlelady.

The Tourism Committee will meet at 12:35 in room G-50.

**HEALTH COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia County for a committee announcement, Representative Fiedler.

Ms. FIEDLER. Thank you, Madam Speaker.

The Health Committee will meet in room 515, Irvis; again, the Health Committee, room 515, Irvis, as soon as we break. Thank you.

The SPEAKER. The Health Committee will meet immediately in room 515, Irvis.

**FINANCE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Northampton County, Representative Samuelson, for a committee announcement.

Mr. SAMUELSON. Thank you, Madam Speaker.

I would like to announce a call-of-the-Chair meeting of the House Finance Committee today, immediately upon the break, in

room 523, Irvis, to consider SB 24 and any other business that may come before the committee.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Finance Committee will meet immediately in room 523, Irvis.

The Chair is seeking other committee announcements.

### RECESS

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

### RECESS EXTENDED

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

### AFTER RECESS

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

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 283** By Representatives GREEN, D. WILLIAMS, PARKER, N. NELSON, McNEILL, BELLMON, MADDEN, VITALI, HOHENSTEIN, PIELLI, VENKAT, PROBST, CERRATO, HILL-EVANS, GIRAL, BOROWSKI, MAYES, KHAN, HANBIDGE, POWELL, SCHLOSSBERG, TAKAC, WARREN, SANCHEZ, DELLOSO, STEELE, O'MARA, BOYD, HADDOCK, MENTZER and CIRESI

A Resolution honoring the life and legacy of Dr. Martin Luther King, Jr., and recognizing January 15, 2024, as "Martin Luther King, Jr., Day" and as a day of service in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, December 11, 2023.

### HOUSE BILL INTRODUCED AND REFERRED

**No. 1875** By Representatives MALAGARI, SANCHEZ, MADDEN, BOROWSKI, KAZEEM, HILL-EVANS, ROZZI, M. MACKENZIE, FLEMING, CERRATO, GREEN, OTTEN, WAXMAN, KINSEY, SHUSTERMAN, CEPEDA-FREYTIZ, GAYDOS and FREEMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development; providing for access to advanced courses for all students; establishing the Access to Advanced Courses for All Students Grant Program; and imposing duties on the Department of Education.

Referred to Committee on EDUCATION, December 11, 2023.

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

**SB 24, PN 1282**

By Rep. SAMUELSON

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in disposition of abandoned and unclaimed property, further providing for claim for property paid or delivered.

FINANCE.

**SB 683, PN 1286**

By Rep. FRANKEL

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, providing for urine drug screening requirement and for xylazine awareness education.

HEALTH.

### RESOLUTION REPORTED FROM COMMITTEE

**HR 273, PN 2385**

By Rep. DALEY

A Resolution recognizing the month of February 2024 as "Black History Month" in Pennsylvania.

TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT.

### BILLS REREPORTED FROM COMMITTEE

**HB 908, PN 2322**

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 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.

APPROPRIATIONS.

**HB 1417, PN 2275**

By Rep. HARRIS

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

APPROPRIATIONS.

**HB 1751, PN 2324**

By Rep. HARRIS

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.

APPROPRIATIONS.

**HB 1795, PN 2211**

By Rep. HARRIS

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.

## APPROPRIATIONS.

**SB 607, PN 657**

By Rep. HARRIS

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.

## APPROPRIATIONS.

**GUESTS INTRODUCED**

The SPEAKER. Colleagues, we have two special guests that, unfortunately, were not in the gallery earlier. The House will come to order. Members, please take your seats.

Colleagues, earlier Chair Samuelson brought two interns here, but unfortunately, they were not here, but they are here now. So seated to the left of the Speaker's rostrum, we are so excited to have two students, one of whom I met recently in my district office just about 2 weeks ago. We are thrilled to have Aminata Coulibaly, a junior from Lehigh University, and also Zoey Bronson, a junior from Moravian University, both of whom are legislative district interns in his district office. They have been working on a joint project to build a legislative event for Dr. Martin Luther King, Jr., Memorial Day, and they have been incorporating Dr. King's long-standing ties to this Commonwealth of Pennsylvania in cooperation with the local NAACP chapter in Bethlehem. Student interns, we are so glad to have you. Please rise.

The House will temporarily be at ease.

The House will come to order.

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

The House proceeded to second consideration of **HB 1777, PN 2181**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements, for Agricultural Conservation Easement Purchase Fund and for Land Trust Reimbursement Program.

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 1833, PN 2301**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in transportation infrastructure, providing for design build best value.

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 429, PN 855**, entitled:

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, further providing for disability benefits and for definitions.

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

\* \* \*

**THE SPEAKER PRO TEMPORE  
(RYAN A. BIZZARRO) PRESIDING**

The House proceeded to second consideration of **HB 1410, PN 1578**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for pardoning power and Board of Pardons.

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

Mr. **RIGBY** offered the following amendment No. **A02970**:

Amend Bill, page 1, line 16, by striking out "three-fifths" and inserting  
four-fifths

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

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

The Representative must give a summary of the amendment. Representative Rigby.

Mr. **RIGBY**. Thank you, Mr. Speaker.

I am requesting that we go from a three to four, and I ask for a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative McClinton.

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

On that amendment, I am asking for a "no" vote. That amendment is not agreed to. We are trying to change the composition of votes necessary for someone to get a pardon, and prior to the Ridge-Schweiker administration, it was a three-fifths vote; however, since that time, it has been a unanimous vote. So I am asking all members for a "no" vote. This amendment is not agreed to.

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?

Mr. ECKER offered the following amendment No. **A02971**:

Amend Bill, page 1, line 12, by inserting after "pardon"  
or reprieve

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

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

Mr. ECKER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is just clarifying language that clarifies that although the bill, or the underlying piece of legislation deals with pardons, this would simply add that no reprieve shall be granted except on writing of majority of the board, just as clarifying language within the current part of the amendment, or the proposed amendment.

Thank you, Mr. Speaker.

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

Ms. McCLINTON. Thank you, Mr. Speaker.

Currently the board does not provide reprieves whatsoever. The Governor's Office and the Governor is the only person who can provide a reprieve, which is a temporary action – very different from a commutation or a pardon. I am asking the members of this body for a "no" vote.

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	Sappery
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinkead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

NOT VOTING-0

EXCUSED-0

Less than 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?

Ms. **KLUNK** offered the following amendment No. **A02972**:

Amend Bill, page 2, line 1, by inserting after "session" during which all five members of the board are present and vote

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

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

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

Amendment A2972 would require all members of the board to be present for any vote in sentences of life or imprisonment. And the important part of this is that if an individual does not show up – they just take a walk – that vote is not considered. So we need to make sure that every single member is present for these very important votes for sentences of death of life or imprisonment. We should not allow an individual on this board to take a walk and not put up their vote. Thank you.

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

The Chair recognizes the gentlelady from Philadelphia, Representative **McClinton**.

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

So on this bill, we are amending the Constitution, and there is already provision requiring people to be present. Members of this board are not random neighbors from our districts. They are appointed to this board. Some of them hold public office, and

they are present for these meetings and certainly would not be participating in a way that does not provide justice to all of those who are seeking it. I am asking the members for a "no" vote on this amendment.

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

NAYS-102

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

NOT VOTING-0

EXCUSED-0



Less than 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 PASSED OVER TEMPORARILY**

The SPEAKER pro tempore. HB 1410 will be over temporarily.

\* \* \*

The House proceeded to second consideration of **SB 209, PN 839**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, providing for National Guard or Reserve parent student support.

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

**AMENDMENTS RULED OUT OF ORDER**

The SPEAKER pro tempore. The Chair rules the following amendments out of order for violating House rule 20: amendment 03024, amendment 03027, and amendment 03030.

**RULING OF CHAIR APPEALED**

The SPEAKER pro tempore. For what purpose does the gentleman, Representative Staats, rise?

Mr. STAATS. Thank you, Mr. Speaker.

I rise to appeal the ruling of the Chair that amendment A03024, which amends SB 209, is out of order.

The SPEAKER pro tempore. Representative Staats appeals the ruling of the Chair that amendment 03024 violates House rule 20. House rule 20 provides that no bill shall be passed containing more than one subject. The subject of SB 209 is to provide a student that is a child of a member of the National Guard or Reserve the same right as a student of an active-duty military family under the Interstate Compact on Educational Opportunity for Military Children Act. Amendment 03024 adds a second subject to the bill by providing burial benefits.

On the question,  
Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER pro tempore. And on that, the Chair recognizes Representative Staats.

Mr. STAATS. Thank you again, Mr. Speaker.

Mr. Speaker, amendment A3024, just like SB 209, concerns benefits for members of the Armed Forces. This legislation would require licensed funeral directors, funeral entities, or cemetery companies to notify the county veterans affairs director of a deceased serviceperson having legal residence in the county, and to notify the decedent's family with the contact information for the county veterans affairs director.

Mr. Speaker, this amendment is based on my HB 325 – which, by the way, passed the veterans and emergency affairs committee unanimously. I ask that members support my motion so that we may consider this amendment to support the families of our deceased veterans.

Thank you, Mr. Speaker.

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

On the question recurring,  
Shall the decision of the Chair stand as the judgment of the House?

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	Sappay
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	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	Kaufer	Moul	Struzzi
Delozier	Kauffman	Mustello	Tomlinson
Diamond	Keefer	Nelson, E.	Topper
Dunbar	Kephart	O'Neal	Twardzik
Ecker	Kerwin	Oberlander	Warner
Emrick	Klunk	Ortitay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

NOT VOTING—0

EXCUSED—0

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

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

\* \* \*

The House proceeded to second consideration of **SB 497, PN 979**, entitled:

An Act providing for advanced manufacturing facilities and infrastructures through business partnerships with State-related institutions; establishing the Max Manufacturing Initiative Fund and Max Manufacturing Endeavor Loan Fund; and imposing powers and duties on the Department of Community and Economic Development.

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

The SPEAKER pro tempore. It is the Chair's understanding that Representative Pisciotano will be withdrawing amendment 01545. The Chair thanks the gentleman.

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

Mr. **PISCIOTTANO** offered the following amendment No. **A01546**:

Amend Bill, page 5, by inserting between lines 11 and 12 "Project labor agreement." A prehire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a construction, renovation or rehabilitation project.

Amend Bill, page 11, by inserting between lines 21 and 22 (f) Project labor agreement requirements.—A recipient shall demonstrate that the recipient has a project labor agreement with a contractor or subcontractor for construction, renovation or rehabilitation work performed with loans under this act.

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

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

Mr. PISCIOTTANO. Thank you, Mr. Speaker.

I support the underlying bill. This adds just a few more protections for taxpayer dollars that will be spent as part of this program. So I would ask for an affirmative vote by the House. Thank you.

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

The following roll call was recorded:

YEAS—116

Abney	Frankel	Kulik	Rabb
Bellmon	Freeman	Kuzma	Rozzi
Benham	Friel	Labs	Salisbury
Bizzarro	Fritz	Madden	Samuelson
Borowski	Gallagher	Madsen	Sanchez
Boyd	Galloway	Malagari	Sappay
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	Mihalek	Takac
Cerrato	Hohenstein	Miller, D.	Tomlinson
Ciresi	Howard	Mullins	Venkat
Conklin	Isaacson	Munroe	Vitali
Curry	Kail	Neilson	Warren
Daley	Kaufer	Nelson, N.	Waxman
Davanzo	Kazeem	O'Mara	Webster
Davis	Kenyatta	Otten	White
Dawkins	Khan	Parker	Williams, C.
Deasy	Kim	Pashinski	Williams, D.
Delloso	Kinkead	Pielli	Young
Donahue	Kinsey	Pisciottano	
Evans	Kosierowski	Powell	McClinton,
Fiedler	Krajewski	Probst	Speaker
Fleming	Krueger		

NAYS—87

Adams	Flick	Lawrence	Roae
Armanini	Flood	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
Causar	Irvin	Miller, B.	Staats
Cook	James	Moul	Stambaugh
Cooper	Jones, M.	Mustello	Stehr
Cutler	Jones, T.	Nelson, E.	Stender
D'Orsie	Jozwiak	O'Neal	Struzzi
Delozier	Kauffman	Oberlander	Topper
Diamond	Keefer	Ortitay	Twardzik
Dunbar	Kephart	Owlett	Warner
Ecker	Kerwin	Pickett	Watro
Emrick	Klunk	Rader	Wentling
Fee	Krupa	Rapp	Zimmerman
Fink	Kutz	Rigby	

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 **SB 815, PN 917**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for imposition of tax and for taxability of estates, trusts and their beneficiaries.

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

The SPEAKER pro tempore. It is the Chair's understanding that Representative Mackenzie will be withdrawing amendments A02997 and A02998. The Chair thanks the gentleman.

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

Mr. **T. JONES** offered the following amendment No. **A03003**:

Amend Bill, page 1, line 12, by striking out the period after "beneficiaries" and inserting  
; and, in corporate net income tax, further providing for manufacturing innovation and reinvestment deduction.

Amend Bill, page 1, lines 15 through 17, by striking out all of said lines and inserting

Section 1. Sections 302, 305 and 407.7 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, are amended to read:

Amend Bill, page 3, lines 4 through 7, by striking out all of said lines and inserting

Section 407.7. Manufacturing Innovation and Reinvestment Deduction.—(a) In order to be eligible to receive a manufacturing innovation and reinvestment deduction, a taxpayer must demonstrate to the department a private capital investment in excess of [sixty million dollars (\$60,000,000)] fifty million dollars (\$50,000,000) for the creation of new or refurbished manufacturing capacity within [three years of a designated start date.] the applicable time period specified in subsection (b). The department's calculation of eligible expenses for a qualified manufacturing innovation and reinvestment deduction shall include payments made in advance of the start date of a project if the payments are made for the purchase of, or partial payment for, new equipment for the project that exceeds one million dollars (\$1,000,000) in value.

(b) (1) A taxpayer must advise the department in advance of the start date of any project for which the taxpayer may seek a qualified manufacturing innovation and reinvestment deduction. A taxpayer must attest the taxpayer's intent to meet the eligibility criteria and provide relevant information pertinent to the project's size and scope in a manner as determined by the department.

(2) For a private capital investment of less than or equal to one hundred fifty million dollars (\$150,000,000), the following shall apply:

(i) The project must be completed within three years of the project's start date.

(ii) Within five years of [a] the project's start date, [a] the taxpayer must complete to the department's satisfaction an application on a form and in a manner as determined by the department to attest that the project has been completed and the eligibility criteria has been satisfied.

(3) For a private capital investment of more than one hundred fifty million one dollars (\$150,000,001) and less than two hundred fifty

million dollars (\$250,000,000), the following shall apply:

(i) The project must be completed within five years of the project's start date.

(ii) Within seven years of the project's start date, the taxpayer must complete to the department's satisfaction an application on a form and in a manner as determined by the department to attest that the project has been completed and the eligibility criteria has been satisfied.

(4) For a private capital investment of more than two hundred fifty million one dollars (\$250,000,001) and less than three hundred fifty million dollars (\$350,000,000), the following shall apply:

(i) The project must be completed within seven years of the project's start date.

(ii) Within nine years of the project's start date, the taxpayer must complete to the department's satisfaction an application on a form and in a manner as determined by the department to attest that the project has been completed and the eligibility criteria has been satisfied.

(5) For a private capital investment of more than three hundred fifty million one dollars (\$350,000,001), the department shall establish the time period from the project's start date in which the project must be completed and the time period in which the application as described in paragraph (4) must be completed.

(c) Upon the receipt of the taxpayer's application, the Department of Revenue [must] shall make a finding [that] whether the applicant has filed all required State tax reports and returns for all applicable tax years and paid any balance of State tax due as determined at settlement, assessment or determination, and the department, then in conjunction with the Department of Revenue, shall make an eligibility or satisfaction determination within ninety days of submission. If the department makes a satisfaction determination, the department and the taxpayer shall execute a satisfaction commitment letter containing the following:

(1) The number of new jobs created and their corresponding description.

(2) The number of new jobs created during construction of the project.

(3) The amount of private capital investment in the creation of new jobs.

(4) The increase in the annual taxable payroll attributable to new manufacturing jobs.

(5) A determination of the maximum allowable deduction against a taxpayer's qualified tax liability under this article.

(6) Any other information as the department deems appropriate.

(d) (1.1) If the private capital investment is in excess of sixty million dollars (\$60,000,000), but not more than one hundred million dollars (\$100,000,000), the maximum allowable deduction shall be equal to thirty-seven and one-half per cent of the private capital investment utilized in the creation of new or refurbished manufacturing capacity. A taxpayer may utilize the deduction in an amount not to exceed seven and one-half per cent of the private capital investment utilized in the creation of new or refurbished manufacturing capacity in any one year of the succeeding ten tax years immediately following the department's satisfaction determination and the execution of a satisfaction commitment letter, up to the maximum allowable deduction. This paragraph shall only apply to applications made prior to January 1, 2024.

(1.2) If [the] a taxpayer's private capital investment for a project exceeds [one hundred million dollars (\$100,000,000)] fifty million dollars (\$50,000,000), the maximum allowable deduction shall be equal to twenty-five per cent of the private capital investment utilized in the creation of new or refurbished manufacturing capacity. A taxpayer may utilize the deduction in an amount not to exceed five per cent of the private capital investment utilized in the creation of new or refurbished manufacturing capacity in any one year [of the succeeding ten tax years] during a time period equal to the time period specified in section 401(3)4(c)(2)(A) for the year immediately following the department's satisfaction determination and the execution of a

satisfaction commitment letter, up to the maximum allowable deduction.

(3) A taxpayer cannot use the deduction to reduce [its] the taxpayer's tax liability by more than fifty per cent of the tax liability under this article for the taxable year. The deduction is nontransferable and any unused portion in a tax year shall expire at the end of the corresponding tax year.

Section 2. This act shall apply as follows:

(1) The amendment of sections 302 and 305 of the act shall apply to tax years beginning on or after January 1 following the effective date of this section.

(2) The amendment of section 407.7 of the act shall apply to tax years beginning after December 31, 2023.

Section 3. This act shall take effect as follows:

(1) The amendment of sections 302 and 305 of the act shall take effect in 60 days.

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

On the question,

Will the House agree to the amendment?

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

The gentleman must give a summary of his amendment.

Mr. T. JONES. Thank you, Mr. Speaker.

This is an amendment that actually improves the bill, and it amends several things. It amends the definition of projects eligible for cost and includes the advanced purchase of equipment that exceeds \$1 million. So this is a pro-manufacturing bill. It actually helps the bill. And so I just look for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the vote.

The Chair apologizes. I did not see the Representative.

Representative Briggs, you are in order.

Mr. BRIGGS. Thank you, Mr. Speaker.

I actually stand to rise to support amendment 3003 and thank the Representative for introducing it. This is actually the same language of HB 1219, which I had introduced and ran through the Finance Committee with bipartisan support. It is, unfortunately, sitting in the Senate now. And I think this is a good way to address a really important issue regarding innovative manufacturing, and I do appreciate the Representative for bringing it up and I encourage a "yes" vote. Thank you.

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question,

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

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 908, PN 2322**, 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 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 Representative Brennan.

Mr. BRENNAN. I am rising in support of HB 908.  
Thank you, Mr. Speaker.

This is a bipartisan proposal. It has been a Republican proposal in the past. I introduced this bill within a week of being sworn in to office because of a situation that happened the day before I was sworn in to office. Many of you remember Damar Hamlin, the Buffalo Bill who had a sudden cardiac event on "Monday Night Football." He was saved because of the quick action of support staff, and also because there was a defibrillator on hand on the sidelines that immediately helped him.

Cardiac arrest can occur when the heart stops suddenly. It could be for electrical reasons, health reasons, or otherwise: blood stops flowing and a person can die. It can happen to anyone. Half a million people suffer cardiac arrest each year; that is over 1,000 a day. Ninety percent of these are fatal if they occur outside of a hospital setting. But the survival rate increases to 25 percent when there is a defibrillator on hand and it is actually used. Unfortunately, defibrillators are only used 6 percent of the time. This is because, you know, pedestrians often will call 911, and due to the time that it takes 911 to get there, there is an increased risk of the person dying or having significant physical complications like brain damage.

So this bill will help increase the survival rate, it will reduce complications, and it will save more Pennsylvanians. It simply requires that there be at least one AED (automated external defibrillator) per State building, with an additional every 70,000 square feet of space. And it also does require that they be conspicuously placed and easily accessible.

I do urge a "yes" vote on this bill. 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—166

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

#### NAYS—37

Banta	Gleim	Keefer	O'Neal
Benninghoff	Gregory	Klunk	Owlett
Bernstine	Grove	Lawrence	Rossi
Borowicz	Hamm	Leadbeter	Schemel
Cabell	Irvin	Maloney	Scialabba
Cooper	Jones, M.	Metzgar	Stambaugh
D'Orsie	Jones, T.	Mihalek	Topper
Davanzo	Kail	Mustello	Warner
Emrick	Kauffman	Nelson, E.	Zimmerman
Fink			

#### 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 1751, PN 2324**, 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 third consideration?  
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

The Chair recognizes Representative Donahue.

Mr. DONAHUE. Thank you, Mr. Speaker.

This legislation, HB 1751, strengthens and improves Pennsylvania's Construction Workplace Misclassification Act to combat worker misclassification. Employees who are misclassified as "independent contractors" are robbed of important workplace benefits and protections, including sick pay, unemployment, and workers' compensation.

The Joint Task Force on Misclassification of Employees, established by Act 85 of 2020, was explicitly charged with investigating the practices of employee misclassification occurring within the Commonwealth. According to that task force, in 2021 nearly 11,000 misclassified employees suffered injury or illness at work but were denied workers' compensation. Additionally, \$91 million in revenue was lost to the Unemployment Compensation Trust Fund due to worker misclassification.

HB 1751 strengthens existing law by implementing several of the unanimous recommendations made by the task force. The bill increases penalties on contractors who misclassify employees, empowers the Attorney General and district attorneys to investigate and prosecute worker misclassification, and provides misclassified employees with an avenue to pursue justice. HB 1751 will prevent the continued exploitation of workers through misclassification and strengthen our State law to protect workers in Pennsylvania's construction industry. I ask all members for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes Representative Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I stand here and rise to oppose this legislation. Unfortunately, coming out of committee, we had a path forward. There was a very clear path and opportunity to a bipartisan resolution to worker misclassification and a way to address it, and worker misclassification is a serious issue. It is wage theft. It is going against our employees here in the Commonwealth. The path is one that is laid out already for us in the Senate. They have come to a bipartisan conclusion, out of their Senate L&I (Labor & Industry) Committee, that had almost unanimous support, and

I offered that amendment both in committee and here on the floor of the House. Unfortunately, that was rejected.

So yet again we are heading down the path of offering a bill that is going to be dead when it goes over to the Senate, and so if we actually want to address these problems – worker misclassification, in this case – we need to come to bipartisan consensus and find out what we can actually get passed and done.

The reason this legislation is problematic is a variety of reasons. It is going to negatively impact – businesses that are actually doing the right thing could get inadvertently swept up in this kind of legislation. Second, when a business actually does the wrong thing and is maybe going to be disbarred – that is a good thing. We want them to go out of business if they have significantly, intentionally violated the law and have done worker misclassification, withholding wages from those who actually earned those wages. But this legislation does not allow for those employees to continue their gainful employment with a new employer. The way that this bill is worded, if that business is going to go under, a successor business – let us say that business gets sold; those employees want to continue working. They want to be there for a new business and a new employer. This bill does not allow that. That successor entity would not be allowed to continue operations in that geographic area or at that same location. So ultimately, you end up hurting the very workers that we want to try to help. You have now eliminated that business. You have eliminated their job.

There are lots of other reasons; I could go on. But unfortunately, we did not come to a bipartisan conclusion here. We have a bill that is still problematic, still has issues that need to be worked out. So at this point in time, I would encourage a "no" vote on this legislation. Hopefully, when it goes to the Senate, either their compromise product can be sent to us or they would amend that compromise language into this bill so that we can actually help workers here in Pennsylvania and help address worker misclassification across the Commonwealth. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentlelady from York, Representative Keefer.

Mrs. KEEFER. Thank you, Mr. Speaker.

I echo the issues and concerns that Chairman Mackenzie has on this bill. There are many issues with workplace misclassification. We are in a workforce crisis. It is every industry that is struggling to find workers, and this bill, sadly, does not address all of the issue. Furthermore, it makes it even more onerous on our small businesses that already have to navigate a gauntlet of regulations and compliance issues on all of their employees and their contractors and now this would add more.

Again, if they make an error or they cannot navigate all this paperwork, now they would face criminal penalties under this, making it even harsher. I have constituents in my district right now that are still struggling with the Department of Labor & Industry to verify the classification of their workers, and we already have systems in place that we could utilize. We could streamline this. We could use things as prima facie to determine if an individual is in fact a contractor or an employee, but this bill, unfortunately, does not address that.

There is more work to do and I cannot support this bill.

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—121

Abney	Fleming	Kulik	Rabb
Adams	Frankel	Kuzma	Rader
Bellmon	Freeman	Labs	Rozzi
Benham	Friel	Madden	Salisbury
Bizzarro	Fritz	Madsen	Samuelson
Borowski	Gallagher	Major	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	Kail	Nelson, E.	Warren
Daley	Kaufer	Nelson, N.	Waxman
Davanzo	Kazeem	O'Mara	Webster
Davis	Kenyatta	O'Neal	White
Dawkins	Khan	Otten	Williams, C.
Deasy	Kim	Parker	Williams, D.
Delloso	Kinkead	Pashinski	Young
Donahue	Kinsey	Pielli	
Emrick	Kosierowski	Pisciottano	McClinton,
Evans	Krajewski	Powell	Speaker
Fiedler	Krueger	Probst	

NAYS—82

Armanini	Flood	Lawrence	Rossi
Banta	Gaydos	Leadbeter	Rowe
Barton	Gillen	Mackenzie, M.	Ryncavage
Benninghoff	Gleim	Mackenzie, R.	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	Oberlander	Struzzi
Delozier	Kauffman	Ortitay	Topper
Diamond	Keefer	Owlett	Twardzik
Dunbar	Kephart	Pickett	Warner
Ecker	Kerwin	Rapp	Watro
Fee	Klunk	Rigby	Wentling
Fink	Krupa	Roae	Zimmerman
Flick	Kutz		

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 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 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 Representative Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today and stand before you as the prime sponsor of this crucial plasma bill. Plasma, a lifesaving resource, plays a pivotal role in advancing health care across our State. The potential impacts that source plasma has on public health is immense, as plasma-derived therapies are an integral part in treating a variety of conditions, from immune deficiencies to rare diseases.

I urge you to consider the far-reaching benefits this bill brings to our constituents, solidifying Pennsylvania as a leader in health-care innovation and accessibility. Let us unite in support of this pivotal legislation for the well-being and prosperity of our great State. I urge your support of this legislation and your consideration. I appreciate it.

I also want to thank Representative Tim Briggs for his support and encouragement since this bill's inception. Thank you.

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—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	Sappery
Borowicz	Giral	Mako	Schemel
Borowski	Gleim	Malagari	Scheuren
Boyd	Green	Maloney	Schlegel

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

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

\* \* \*

The House proceeded to third 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 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-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	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			

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.



### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 280** By Representatives MALAGARI, FREEMAN, SANCHEZ, SCHLOSSBERG, McNEILL, HILL-EVANS, BOYD, GREEN and CERRATO

A Resolution designating March 26, 2024, as "Bangladesh Day" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, December 11, 2023.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1907** By Representatives D'ORSIE, GROVE, M. JONES, JOZWIAK and ROWE

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding a route in York County.

Referred to Committee on TRANSPORTATION, December 11, 2023.

**No. 1908** By Representatives METZGAR, JAMES, SMITH, BERNSTINE, ROAE, SCIALABBA, HAMM, TOPPER, O'NEAL, JOZWIAK, ZIMMERMAN, GILLEN and ROWE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school safety and security, further providing for school safety and security coordinator; and, in school security, further providing for duties of commission and providing for school security personnel.

Referred to Committee on EDUCATION, December 11, 2023.

### CALENDAR CONTINUED

#### CONSIDERATION OF HB 1410 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls up HB 1410, PN 1578, on page three 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?

#### MOTION TO TABLE AMENDMENTS

The SPEAKER pro tempore. For what purpose does the majority leader rise?

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

The SPEAKER pro tempore. The gentleman is in order and may make his motion.

Mr. BRADFORD. Mr. Speaker, I rise to table the remaining amendments: A02975, A02974, A02973, and A03013.

The SPEAKER pro tempore. Representative Bradford moves that all remaining amendments be laid on the table.

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

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

On that motion, the Chair recognizes Representative Bradford.

Mr. BRADFORD. Mr. Speaker, as you know, 1410 is a constitutional amendment to take the number of votes required for the board to recommend a pardon. These amendments are already largely part of the existing statutory and constitutional framework, and for that reason are duplicative and unnecessary. Thank you.

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

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I do not read the current bill quite as broadly as my colleague from across the aisle. I think it is important that the members understand what in fact we are tabling. The amendments that are included would require a notice to notify victims and next of kin to submit written comments and offer testimony. Another amendment would be a requirement that it be published in two newspapers in every county. The third amendment would be the Board of Pardons would notify any victim, next of kin, and their right to submit written comments in the interests that they represent. And finally, the last amendment would have created a sliding scale from three-fifths up to unanimous, based upon the severity of the crime, the pardon, and the recommendations based on those.

Mr. Speaker, respectfully, I do not believe that the voice of victims is included. I do not believe that these areas are adequately represented in the underlying bill, so I therefore would oppose the motion to table.

It would appear, Mr. Speaker, that by cutting off this debate, and by not including victims, that Christmas has come early for the criminals in the Commonwealth.

The SPEAKER pro tempore. Those in favor of the motion to table the vote will vote "aye"; those opposed "nay." Members will proceed to vote.

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

(Members proceeded to vote.)

#### VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the vote.

On the question, the Chair recognizes Representative Scialabba.

Ms. SCIALABBA. Thank you.

Mr. Speaker, as a maker of amendment 2975 to HB 1410, I want to explain why I do not think we should be tabling all the amendments, but especially my amendment. My amendment recognizes that a pardon is just as significant a part of the case as the original sentencing and a trial. It is a complex, difficult, emotionally exhaustive, and extremely nuanced procedure – the

entire process is, from start to finish – for victims, defendants, even attorneys. And I believe that our victims should have no lesser resources than criminals.

It is an important thing that is before our body. We should not just push this aside and table it, kick the can down a road for another day. Hearing directly from victims and then having counsel is an extremely critical piece of any proper sentencing or pardon. We recognize that at the lower level, at the original sentencing when we hear from victims in their impact statements. Those feelings, those harms do not go away, and they need to be reheard in subsequent hearings and proceedings like a pardon.

I really do not think we should be pushing this and tabling it. Thank you.

The SPEAKER pro tempore. The Chair recognizes Representative Mihalek.

Ms. MIHALEK. Thank you, Mr. Speaker.

I rise in support of amendment A0313 and in opposition to the majority leader's motion to table the amendments. He labeled them as "duplicative." My amendment is not duplicative. My amendment would offer this chamber a very important choice. My amendment would offer this chamber the choice to stand up for victims, victims of child rape.

Let us talk about what the amendment would do. It would require a unanimous vote in cases involving an intentional killing. It would require a four-fifths vote in cases of rape against a child under the age of 13, sex assault, terrorism, or treason. It would require three-fifths for any other offense.

I do believe in second chances. I applaud this chamber for their efforts in the First Step Act—

The SPEAKER pro tempore. The gentlelady will suspend.

The gentlelady will confine her remarks to the motion to table, not the narrative of the amendment.

Ms. MIHALEK. Thank you, Mr. Speaker.

We should not table this motion because we are avoiding the choice to stand up for victims of child rape. We are avoiding the choice to stand up for victims of heinous crimes. This amendment is not duplicative, as the majority leader stated. This is an important vote for this chamber to take, and that is why I oppose this motion.

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

The following roll call was recorded:

#### YEAS—102

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

Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciotano	
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
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	Kaufer	Moul	Struzzi
Delozier	Kauffman	Mustello	Tomlinson
Diamond	Keefer	Nelson, E.	Topper
Dunbar	Kephart	O'Neal	Twardzik
Ecker	Kerwin	Oberlander	Warner
Emrick	Klunk	Ortitay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

#### NOT VOTING—0

#### EXCUSED—0

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

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

### THE SPEAKER (JOANNA E. MCCLINTON) PRESIDING

#### JUDICIARY COMMITTEE MEETING

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

Mr. BRIGGS. Thank you, Madam Speaker.

I have an announcement. The House Judiciary Committee will be meeting in 60 East Wing immediately at the conclusion to consider SB 140.

Thank you, Madam Speaker.

The SPEAKER. The House Judiciary Committee will meet in 60 East Wing immediately at the conclusion of session.

For the information of the members, there will be no further votes; however, the desk will remain open to receive the bills that come from out of the Pennsylvania House Judiciary Committee.

The House will be at ease.

The House will come to order.

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

**SB 140, PN 684**

By Rep. BRIGGS

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in metropolitan transportation authorities, providing for special prosecutor for mass transit.

JUDICIARY.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 1441;  
HB 1476;  
HB 1538;  
HB 1564;  
HB 1700;  
HB 1760;  
HB 1882;  
SB 24;  
SB 44;  
SB 140;  
SB 282;  
SB 361;  
SB 414;  
SB 506;  
SB 527;  
SB 596;  
SB 656;  
SB 683; and  
SB 910.

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

**BILLS RECOMMITTED**

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

HB 1410;  
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.

**BILL REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that SB 941 be removed from the tabled calendar and placed on the active calendar.

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. The Chair is in receipt of a motion from the gentleman from the Lehigh, Representative Siegel, who moves that the House now adjourn until Tuesday, December 12, 2023, at 11 a.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 4:23 p.m., e.s.t., the House adjourned.